

## No. 41

## AN ACT

Amending the act of July 8, 1957 (P. L. 594), entitled "An act to provide revenue by imposing a State tax upon sales or gifts of cigarettes; requiring persons engaged in the sale of cigarettes to secure licenses; prescribing the method and manner of collecting such tax; making it unlawful to sell or possess cigarettes upon which the tax has not been paid; conferring powers and imposing duties on the Department of Revenue and other persons; making an appropriation and providing penalties," increasing the rate of tax and increasing the commission allowed to tax affixing agencies.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Pennsylvania  
Cigarette  
Tax Act.

Section 1. Section 201, act of July 8, 1957, (P. L. 594), known as the "Pennsylvania Cigarette Tax Act," amended July 21, 1959 (P. L. 561) and amended further February 21, 1961 (P. L. 32), is amended to read:

Section 201, act of July 8, 1957, P. L. 594, amended July 21, 1959, P. L. 561, and February 21, 1961, P. L. 32, further amended.

Section 201. Imposition of Tax.—An excise tax is hereby imposed and assessed upon the sale or possession of cigarettes within this Commonwealth at the rate of [two and one-half ( $2\frac{1}{2}$ )] *three and one half ( $3\frac{1}{2}$ )* cents per ten cigarettes, or fraction thereof.

In addition to the foregoing, an additional excise tax is hereby imposed and assessed upon the sale or possession of cigarettes within this Commonwealth at the rate of one-half ( $\frac{1}{2}$ ) cent per ten cigarettes, or fraction thereof. The proceeds of the additional State excise tax imposed by this paragraph are hereby specifically appropriated for the purposes set forth in the act creating the Korean Conflict Veterans' Compensation Fund, and shall be paid into the Korean Conflict Veterans' Compensation Sinking Fund. The additional tax imposed by this paragraph shall remain in effect until sufficient funds are accumulated to pay the bonds issued and sold pursuant to the act creating the Korean Conflict Veterans' Compensation Fund, the interest thereon and the cost of administering the fund.

While the General Assembly has, by concurrent resolution, declared that it deems the revenue raising measures enacted by it sufficient to amortize the amounts to be borrowed and paid, nevertheless, it hereby pledges the full faith and credit of the Commonwealth to provide funds to meet any deficiency in the proceeds of such revenue raising measures.

Section 2. Section 304 of the act, amended February 21, 1961 (P. L. 32), is amended to read:

Section 304 of act, amended February 21, 1961, P. L. 32, further amended.

Section 304. Commission on Sales.—Whenever the department or other authorized person shall sell, consign

or deliver to any stamp affixing agency any stamps of the face amount of one hundred dollars (\$100.00) or more at any one time, such agent shall be entitled to receive, as compensation for his services and expenses as agent in affixing such stamps and to retain out of the moneys to be paid by him for such stamps, a commission of [one and one-half per centum (1½%) *three per centum (3%)*] on the par value thereof if and when such agent has purchased the stamps affixed by him directly from the department or other authorized person.

**Effective date.** Section 3. **Effective Date.**—This act shall take effect June 1, 1963.

APPROVED—The 28th day of May, A. D. 1963.

WILLIAM W. SCRANTON

No. 42

### AN ACT

Amending the act of May 29, 1935 (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," changing provisions relating to appointment, the terms of the members of the commission and the time of organization and terminating the terms of members presently serving.

**Local  
Government  
Commission.**

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1, act of  
May 29, 1935,  
P. L. 244,  
amended Decem-  
ber 8, 1959, P. L.  
1742, further  
amended.

Section 1. Section 1, act of May 29, 1935 (P. L. 244), entitled "An act creating a Local Government Commission to study and report on functions of local government; their allocation and elimination; the cost of local government and means of reducing it; and the consolidation of local government; and making an appropriation," amended December 8, 1959 (P. L. 1742), is amended to read:

**Local  
Government  
Commission.**

Section 1. Be it enacted, &c., That a commission is hereby created which shall consist of ten members to serve without compensation, five of whom shall be appointed by the President pro tempore of the Senate, *three from among the majority party and two from among the minority party*, and five shall be appointed by the Speaker of the House, *three from among the majority party and two from among the minority party*. The commission shall be known as the "Local Government Commission." The term of each member of the

**Term of office.**