

the [thirty-first] last day of [December, inclusive] *February next following, Sundays excepted, unless otherwise provided in paragraph (b) below.*

(b) The period for taking such ringneck pheasants, bobwhite quail of the subspecies approved by the commission, [and] chukar partridges, *and mallard or black ducks more than two generations removed from the wild,* on regulated shooting grounds established in areas [other than those stipulated in paragraph (a) above,] *where wild ringneck pheasants, and bobwhite quail of the subspecies approved by the commission, do not thrive and normally produce a shootable supply of such birds, or which are commercially operated and are open to public use,* shall be fixed by the commission without regard to the general state-wide open season for small game, the period so fixed to be certified to the holders of such permits at least thirty days in advance of the season.

(c) The period for taking domestically produced mallard or black ducks *less than two generations removed from the wild on all regulated shooting grounds,* [unless otherwise fixed and so certified by the commission,] shall conform with the season established for waterfowl hunting by Federal regulations in effect for the Commonwealth of Pennsylvania.

All species of game other than those specified, found on the premises covered by such regulated shooting grounds permits, may be taken on said premises only under the general provisions of the law governing seasons, bag limits, etc.

Every person hunting on such regulated shooting grounds or participating in a shoot held under a regulated shooting grounds permit shall be possessed of a resident or nonresident hunter's license for the current year as required by law.

Section 2. The provisions of this act shall become effective immediately upon final enactment.

APPROVED—The 28th day of June, A. D. 1951.

JOHN S. FINE

Act effective immediately.

No. 170

AN ACT

To add section 17.1 to the act, approved the seventeenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of

such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," by regulating the amendment of articles of incorporation and providing for fees.

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

Section 1. The act, approved the seventeenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws 1092), entitled "An act defining fraternal benefit societies and their status; authorizing such societies to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected, and regulating such benefits and collections; providing for the organization and incorporation of such societies and for their supervision, regulation, and examination by the Insurance Commissioner, and for the admission of foreign societies; designating tables of mortality as a basis for rates of contribution; requiring all societies to make annual and other reports; and appointing the Insurance Commissioner as attorney for service of process; providing penalties for any violations of the act; exempting such societies from taxation and certain other societies from its provisions; and requiring beneficial associations, other than fraternal benefit societies, to report to and be supervised by the Insurance Commissioner; and repealing existing laws," is hereby amended by adding, after section 17 thereof, a new section to read as follows:

Section 17.1. Amendment of Articles of Incorporation Authorized.—Any domestic fraternal benefit society subject to the provisions of this act, in the manner hereinafter provided, may amend its articles of incorporation for any purposes not inconsistent with the provisions of this act: Provided, however, That such society, at its option, may change the location of its principal office in the manner prescribed in section thirty-seven of this act.

First. Before articles of amendment are filed with the Secretary of the Commonwealth, a resolution authorizing the proposed amendment or amendments shall be adopted by the supreme legislative or governing body of the society at a regular or special meeting duly convened in the manner prescribed in its constitution and laws for making amendments to its constitution or laws. The resolution shall contain the language of the proposed

Fraternal benefit Societies.

Act of July 17, 1935, P. L. 1092, amended by adding, after section 17 thereof, a new section 17.1.

amendment or amendments by providing that the original articles of incorporation and all amendments thereto, if any, shall be amended so as to read as therein set forth in full, or that any provision thereof shall be amended so as to read as therein set forth in full, or that the matter stated in the resolution be added to or stricken from the articles of incorporation.

Second. Articles of amendment shall be executed in duplicate under the seal of the society and signed and attested by at least two duly authorized officers thereof, and shall set forth:

(1) The name of the society and the address, including street and number if any, of its principal office.

(2) The act of assembly under which the society was formed, the date when the Governor approved the articles of incorporation and caused letters patent to issue, the dates when and places where the original articles of incorporation were recorded and a reference by book and page number to the particular record books kept in the office of the Secretary of the Commonwealth and in the office of the county recorder of deeds, respectively, wherein the original articles of incorporation were recorded: Provided, however, That in the event the society was incorporated by a decree of court, then and in such case, the articles of amendment shall set forth the name and location of the court, the court term and number of the case, the date when the court signed the decree of incorporation, the date when and place where the original articles of incorporation were recorded and a reference by book and page number to the particular record book kept in the office of the county recorder of deeds wherein the original articles of incorporation were recorded.

(3) The time and place of the meeting of the supreme legislative or governing body of the society and the total vote for and against by which the resolution authorizing the articles of amendment was adopted, which approval vote shall be not less than the vote required to amend the constitution and laws of the society.

(4) The text of the resolution.

Third. If a proposed amendment to the articles of incorporation is for the purpose of changing the corporate name, the society shall first make application to the Secretary of the Commonwealth for the registration of the proposed new corporate name. The application shall set forth the name of the society and the address, including street and number if any, of its principal office, the date on which the Governor approved the articles of incorporation and caused letters patent to issue, the act under which it was incorporated, and the new corporate name which the society desires to use: Provided, how-

ever, That in the event the society was incorporated by a decree of court, then and in such case the application shall set forth the name of the society and the address, including street and number if any, of its principal office, the name and location of the court, the court term and number of the case, the date on which the court signed the decree of incorporation, the act under which the society was incorporated, and the proposed new corporate name which the society desires to use. If the Secretary of the Commonwealth finds that the proposed new name is available for corporate use, he shall register and reserve the name for a period of six (6) months and shall issue to the society a certificate that the proposed new corporate name has been duly registered. If the proposed new name is not available for corporate use, the Secretary of the Commonwealth shall refuse to register such name and shall forthwith notify the society of this fact. Upon application of any party interested either for or against the proposed amendment to the articles of incorporation, the Secretary of the Commonwealth shall include in any certificate issued by him under this section any information desired as to the names registered with the Department of State.

Fourth. The articles of amendment executed in duplicate as aforesaid, and in the case of a proposed change of the corporate name, the certificate from the Secretary of the Commonwealth relating to the registration of the proposed new corporate name, shall be filed by the society with the Secretary of the Commonwealth at the time mentioned in the advertisements, as hereinafter provided.

Fifth. The society shall advertise its intention to apply for approval of the articles of amendment in the same manner with respect to the newspapers designated and the number of insertions of the advertisements therein as is prescribed in this act with respect to notice of intention to apply for articles of incorporation, and shall set forth briefly:

(1) The name of the society and the address, including street and number if any, of its principal office.

(2) A statement that the application is to be made under the provisions of this act.

(3) The character and nature of the proposed amendment.

(4) The date on which the articles of amendment will be filed in the office of the Secretary of the Commonwealth, which shall be not less than three days after the advertisements appear, and also the time thereafter, which shall not be more than fifteen (15) days, for filing objections with the Insurance Commissioner to said proposed amendments.

Sixth. The Insurance Commissioner shall consider the proposed articles of amendment and may make such examination and require such further information as he deems advisable. In case any objections are filed, he shall fix a time for a hearing, of which at least five days' notice shall be given to the society and to the objectors. If the Insurance Commissioner shall be satisfied that the society has complied with the provisions of this section, he shall certify the same on the articles of amendment in duplicate and submit the same to the Attorney General for examination, and if found by the Attorney General to be in accordance with the provisions of this act and not inconsistent with the Constitutions of this Commonwealth and of the United States, he shall certify the same on the articles of amendment in duplicate with his approval, endorsed to the Governor.

Upon receipt of such articles of amendment in duplicate, certified and approved as aforesaid, the Governor shall, in case he approved the same, endorse his approval thereon in duplicate and forward the same to the Secretary of the Commonwealth, who shall cause the articles of amendment aforesaid, together with the proceedings had thereon, to be recorded in a book kept for that purpose.

*The Secretary of the Commonwealth shall return one counterpart of said articles of amendment, with all *endorsements thereon, to the society, which shall have the same recorded in the recorder's office of the county in which the principal office of said society is located: Provided, however, That in the event the society was incorporated by a decree of court, then and in such case, the society shall file its said counterpart of the articles of amendment, after recording the same in the county recorder's office aforesaid, among the records of the court which incorporated the society.*

The Secretary of the Commonwealth shall certify the other counterpart of said articles of amendment, with all endorsements thereon, and file the same in the office of the Insurance Commissioner, and certified copies of the same may be used in evidence for or against the society with the same effect as the original.

Seventh. The Insurance Commissioner shall charge and collect fees as follows: For filing articles of amendment, twenty-five dollars; for each copy thereof, forty cents per folio, and one dollar for certifying the same. The Secretary of the Commonwealth shall collect such fees as are due and payable for like or equivalent services. All fees collected shall be transmitted daily into the State Treasury through the Department of Revenue.

* "endorsement" in original.

Eighth. The provisions of this section shall be severable, and if any of its provisions shall be held to be unconstitutional, the decision of the court shall not affect the validity of the remaining provisions of this section. It is hereby declared as a legislative intent that this section would have been adopted by the General Assembly had such unconstitutional provisions not been included therein.

Section 2. The provisions of this act shall become effective immediately upon final enactment. Act effective immediately.

APPROVED—The 28th day of June, A. D. 1951.

JOHN S. FINE

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No. 171

AN ACT

To add subsection (e) to section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," by providing for an open season for hunting deer with bows and arrows, requiring a special license therefor, and fixing fees.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: "The Game Law."

Section 1. Section 501 of the act, approved the third day of June, one thousand nine hundred thirty-seven (Pamphlet Laws 1225), entitled "An act concerning game and other wild birds and wild animals; and amending, revising, consolidating, and changing the law relating thereto," is hereby amended by adding, at the end thereof, a new subsection to read as follows: Section 501, act of June 3, 1937, P. L. 1225, amended by adding, at end thereof, a new subsection (e).

Section 501. Open Seasons.—

* * * * *

(e) Open Season For Hunting Deer with Bows and Arrows. In each year in which there is an open season for hunting deer there shall, in addition, be an open season for hunting deer with bows and arrows exclusively, unless otherwise declared by resolution of the commission. The duration and time of such additional open season, together with the sex and description of the deer which may be lawfully killed, shall each year be fixed by the commission. During any such additional open season, it shall be unlawful to hunt for, kill or attempt to kill, any deer, without a special license as hereinafter prescribed, or with any weapon other than a bow and arrow, or with any bow other than a long bow controlled without aid of mechanical means, or with any arrow with any explosive in the head or shaft.