

(2) Is printed or is otherwise set forth on the menu in type or lettering not smaller than that normally used to designate the serving of other food items.

(c) Any patient in an institution, except one operated by the Commonwealth or a political subdivision thereof, shall be served butter if so desired except when otherwise prohibited by a physician.

Section 10. Repeals.—(a) The act of June 30, 1947 (P. L. 1154), entitled, as amended, “An act to regulate the manufacture, sale, transportation, possession, use and advertising of oleomargarine, butterine and other similar products, and to prohibit the sale, possession or use thereof in certain cases; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining rooms, and boarding houses; to prevent and punish fraud and deception in such manufacture, sale, use and advertising; to prescribe penalties and punishment for violation of this act, and the means and method of procedure for its enforcement; to regulate certain matters of evidence in such procedure; and to prescribe certain powers and duties of the Department of Agriculture,” and its amendments is repealed except in so far as necessary to sustain or maintain the validity, prosecution or enforcement of any action for the enforcement thereof which may be pending upon the effective date of this act.

(b) All other acts or parts of acts and administrative rules and regulations inconsistent with this act are repealed to the extent of such inconsistency.

Section 11. Effective Date.—(a) This act shall take effect July 1, 1965.

(b) Licenses in effect under any act of Assembly on the effective date of this act shall not be subject to refund.

APPROVED—The 15th day of December, A. D. 1965.

WILLIAM W. SCRANTON

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No. 413

AN ACT

SB 949

Amending the act of June 24, 1939 (P. L. 872), entitled “An act to consolidate, amend and revise the penal laws of the Commonwealth,” defining the crime of making, possessing or transferring a device designed for theft of telecommunications service or other purposes; and prescribing penalties.

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

Section 1. The act of June 24, 1939 (P. L. 872), known as "The Penal Code," is amended by adding, after section 898, a new section to read:

Section 898.1. Making, Possessing, Transferring a Device Designed for Theft of Telecommunications Service or Other Purposes.—Any person who:

(1) Makes or possesses any instrument, apparatus, equipment or device designed, adapted or which can be used (i) for commission of a theft of telecommunications service in violation of this act, or (ii) to conceal or to assist another to conceal from any supplier of telecommunications service or from any lawful authority the existence or place of origin or of destination of any telecommunication; or

(2) Sells, gives or otherwise transfers to another, or offers or advertises for sale any instrument, apparatus, equipment or device described in clause (1) of this section, or plans or instructions for making or assembling the same, under circumstances evidencing an intent to use or employ such instrument, apparatus, equipment or device, or to allow the same to be used or employed for a purpose described in clause (1) of this section, or knowing or having reason to believe that the same is intended to be so used, or that the aforesaid plans or instructions are intended to be used for making or assembling such instrument, apparatus, equipment, or device, is guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500), or to imprisonment not exceeding one (1) year, or both. Any person violating the provisions of this section who has been previously convicted of any similar crime in this or any other State or Federal jurisdiction, is guilty of a felony, and upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars (\$1,000), or to imprisonment not exceeding five (5) years, or both.

Section 2. This act shall take effect immediately.

APPROVED—The 15th day of December, A. D. 1965.

WILLIAM W. SCRANTON