

mainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby.

Constitutional
provision.

Section 38. Act Complete in Itself.—This act is complete in itself and shall be controlling. The provisions of any other law of this Commonwealth, except as provided in this act, shall not apply to a corporation organized under this act.

When effective.

Section 39. Effective Date.—This act shall become effective immediately upon its final enactment.

APPROVED—The 21st day of June, A. D. 1937.

GEORGE H. EARLE

No. 390

AN ACT

To amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, two hundred eighty-nine), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," by providing for, and regulating the incorporation of, nonprofit corporations organized to provide hospitalization for subscribers; and conferring powers on the Insurance Department with respect thereto; and further defining the scope of the act.

Section 4, act
of May 5, 1933
(P. L. 289),
amended.

Section 1. Be it enacted, &c., That section four of the act, approved the fifth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, two hundred eighty-nine), entitled "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within

the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," is hereby amended to read as follows:

Section 4. Scope of Act.—This act does not relate to, does not affect, and does not apply to—

(1) Cooperative associations, whether for profit or not for profit.

(2) Beneficial, benevolent, fraternal and fraternal benefit societies, having a lodge system and a representative form of government, or transacting any type of insurance whatsoever.

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or shareholders.

(4) Any corporation which, by the laws of this Commonwealth is subject to the supervision of the Department of Banking, the Insurance Department, the *Pennsylvania Public [Service] Utility Commission*, or the Water and Power Resources Board: *Provided, however, That corporations, subject by law to the limited supervision of the Insurance Department, may be incorporated under, and in accordance with, the provisions of this act, for the purpose of establishing, maintaining, and operating a nonprofit hospital plan, whereby hospitalization may be provided to subscribers of such plan by any hospital with which such corporations have a contract for such hospitalization.*

Section 2. That the said act is hereby amended, by adding at the end of article two, section two hundred eighteen, as follows:

Section 218
added to
said act.

Section 218. Corporations to Provide Hospitalization.—Whenever articles of incorporation for the incorporation of any corporation, having for its purpose the establishing, maintaining, and operating of a nonprofit hospital plan, whereby hospitalization may be provided to subscribers to such plan by any hospital with which it has a contract for such hospitalization, are filed with the prothonotary, he shall forthwith transmit the articles to the Insurance Department. Thereupon the department shall make a thorough investigation of the proposed corporation and the plan under which it proposes to operate, and, within sixty days, shall certify upon the articles whether or not the proposed corporation meets with the approval of the department. The court shall not approve such application unless and until the

articles are returned by the department, and unless the department shall have endorsed its approval thereon.

When effective.

Section 3. The provisions of this act shall become effective immediately upon its final enactment.

APPROVED—The 21st day of June, A. D. 1937.

GEORGE H. EARLE

No. 391

AN ACT

To prohibit any person, firm or corporation, not directly involved in a labor strike or lockout, recruiting or securing or offering to secure employment for persons to take the places of employes where a labor strike or a lockout exists; and providing for legally established employment service.

Labor.

Section 1. Be it enacted, &c., That it shall be unlawful for any person, firm or corporation, not directly involved in a labor strike or lockout, to recruit any person or persons for employment, or to secure or offer to secure for any person or persons any employment, when the purpose of such recruiting, securing or offering to secure employment, is to have such persons take the place in employment of employes in an industry where a labor strike or a lockout exists: Provided, That this act shall not apply to any employment agent licensed as such under the Department of Labor and Industry, or to the Pennsylvania or the United States Employment Service.

Proviso.

Penalty for violation.

Any person violating the provisions of this act shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than one thousand dollars (\$1,000), or to suffer imprisonment for a term not exceeding one year, or both, at the discretion of the court.

When effective.

Section 2. This act shall become effective immediately upon final enactment.

APPROVED—The 21st day of June, A. D. 1937.

GEORGE H. EARLE

No. 392

AN ACT

Authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at law and in equity in certain courts of this Commonwealth, to prescribe rules and regulations for the conduct of any general business, either civil or criminal, by judges of any court of record; authorizing the courts of common pleas to prescribe and adopt