

president judge of the court of common pleas of the respective county. In the event the president judge is unable by reason of illness or other cause to temporarily perform the duties imposed on him under the provisions of this act, he may temporarily appoint another judge of said court to perform his duties. The other two members of said commission shall be chosen by the qualified electors of said county at the municipal elections at which other county officers are chosen: Provided, however, That in no event shall both of said elective members of the commission be members of the same political party, but the majority political party in said county shall elect one of said elective commissioners, and the other shall be the candidate for such office receiving the highest number of votes of the next ranking or minority political party; the elective members of the commission to be chosen for a term of four years. Any jury commissioner shall be eligible for reelection for any number of terms. In the event that two of the members of the commission are unable by reason of illness or other cause to temporarily perform the duties imposed upon them in the selection of taxables to serve as jurors or in the drawing from the jury wheel, the remaining member, if he the president judge or judge appointed to act in the place of the president judge, may act alone.

Section 3. This act shall take effect immediately but no jurors shall be selected hereunder until January 1, 1969. Until January 1, 1969, counties of the second class A shall select jurors in accordance with existing law relating to selection of jurors in counties of the third class.

APPROVED—The 21st day of December, A. D. 1967.

RAYMOND P. SHAFER

No. 397

AN ACT

SB 34

Amending the act of June 24, 1939 (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," making it illegal to use or sell any substance containing a solvent having the property of releasing toxic vapors or fumes.

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 637.1 a new section to read:

Section 637.2. Sale or Use of Certain Solvents.—(a) As used in

this section, the phrase "any substance containing a solvent having the property of releasing toxic vapors or fumes" shall mean and include any substance containing one or more of the following chemical compounds: acetone, an acetate, benzene, butyl alcohol, ethyl alcohol, ethylene dichloride, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, or toluene.

(b) No person shall, for the purpose of causing a condition of intoxication, inebriation, excitement, stupefaction, or the dulling of his brain or nervous system, intentionally smell or inhale the fumes from any substance containing a solvent having the property of releasing toxic vapors or fumes: Provided, That nothing in this section shall be interpreted as applying to the inhalation of any anesthesia for medical or dental purposes.

(c) No person shall, for the purpose of violating subsection (b) of this section, use, or possess for the purpose of so using, any substance containing a solvent having the property of releasing toxic vapors or fumes.

(d) No person shall sell at retail, or offer to sell, to any other person any tube or other container of substance containing a solvent having the property of releasing toxic vapors or fumes, if he has reasonable cause to suspect that the product sold, or offered for sale will be used for the purpose set forth in subsection (b) of this section.

(e) Any person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars (\$500) or undergo imprisonment for a term not exceeding sixty (60) days, or both.

APPROVED—The 21st day of December, A. D. 1967.

RAYMOND P. SHAFER