

the net cost to the dealer or handler for milk purchased or received by or through such cooperative association or corporation.

No provision of this act shall be deemed or construed to affect the contracts of such cooperative agricultural association or corporation with its producers, except as hereinafter specifically provided, nor to affect or abridge the rights and powers of such an association or any of its operations: Provided, however, That the powers of subpoena, entry, and inspection, vested in the commission under this act, shall apply for the purpose of examining and auditing books and records of any such cooperative agricultural association or corporation, at reasonable intervals, for the purpose of administering this act. This section shall not, however, be construed to exempt such association or corporation from the jurisdiction of the commission over the prices at which it may sell milk to milk dealers or handlers, stores or consumers.

[Any cooperative agricultural association or corporation organized after the effective date of this act, or within ninety (90) days prior to the effective date hereof, or which, if organized over ninety (90) days prior to the effective date of this act, was not marketing milk for producers upon the effective date of this act, or ninety (90) consecutive days prior thereto, shall not be entitled to avail itself of the benefits of this section if it pays or distributes to its producers a price which is more than one and one-half per centum ( $1\frac{1}{2}\%$ ) lower than the prices prescribed by the commission, unless such association or corporation shall furnish reasonable proof to the commission that such one and one-half per centum ( $1\frac{1}{2}\%$ ) is insufficient to pay such lawful expenses and charges for its operations and maintenance as may be authorized under the contracts between the association or corporation and its producers.]

Every cooperative agricultural association or corporation operating under the provisions of this section shall file with the commission a copy of its certificate of incorporation and by-laws, and a copy of each form of contract employed in its relations with producers, within sixty (60) days after the effective date of this act.

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

WILLIAM W. SCRANTON

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No. 426

AN ACT

HB 2045

Amending the act of April 12, 1951 (P. L. 90), entitled "An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture,

purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws,<sup>1</sup> authorizing licenses for the retail sale of liquor on city premises in cities of the first class under certain terms and conditions and making certain provisions of the act<sup>1</sup> inapplicable to sales on city premises.

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

Section 1. The act of April 12, 1951 (P. L. 90), known as the "Liquor Code," is amended by adding<sup>2</sup> after section 408, a new section to read:

Section 408.1. Trade Show and Convention Licenses.—(a) The board is authorized to issue a license in any city of the first class for the retail sale of liquor and malt or brewed beverages by the glass, open bottles or other container or in any mixture for consumption in any restaurant or other appropriate location on city-owned premises customarily used for trade shows and conventions. Any concessionaire selected and certified by the city or its authorized agency may apply for a license.

(b) The application for a trade show and convention license may be filed at any time and shall conform with all requirements for restaurant liquor license applications except as may be otherwise provided herein. The applicant shall submit such other information as the board may require. Application shall be in writing on forms prescribed by the board and shall be signed and submitted to the board by the applicant. The filing fee which shall accompany the trade show and convention license application shall be twenty dollars (\$20).

(c) Upon receipt of the application in proper form and the application fee, and upon being satisfied that the applicant is of good repute and financially responsible and that the proposed place of business is proper, the board shall issue a license to the applicant.

(d) The license shall be issued for the same period as provided for

<sup>1</sup> "unapplicable" in original.

<sup>2</sup> "offer" in original.

restaurant licenses and shall be renewed as in section 402. The license shall terminate upon revocation by the board or upon termination of the contract between the concessionaire and the city.

(e) The annual fee for a trade show and convention license shall be six hundred dollars (\$600), and shall accompany the application for the license. Whenever a concessionaire's contract terminates the license shall be returned to the board<sup>1</sup> for cancellation and a new license shall be issued to a new applicant.

(f) The penal sum of the bond which shall be filed by an applicant for a trade show and convention license pursuant to section 465 of this article shall be two thousand dollars (\$2,000) and in addition thereto he shall file an additional bond in a sum to assure payment of any suspension of license up to one hundred days.

(g) Sales by the holder of a trade show and convention license may be made except to those persons prohibited under clause (1) of section 493 of this act on city-owned premises customarily used for trade shows and conventions during the hours in which the convention or trade show is being held and up to one hour after the scheduled closing, and at functions which are incidental to or a part of the trade show or convention, but such sales may not be made beyond the hours expressed in the act for the sale of liquor by restaurant licensees: Provided, however, That during the hours expressed in this act for the sale of liquor by hotel licensees, sales of such liquor or malt or brewed beverages may be made by said licensee at banquets, not incidental to trade shows or conventions, at which more than two thousand persons are scheduled to attend, and at functions irrespective of attendance, which are directly related to the Philadelphia Commercial Museum or the Center for International Visitors: And provided further, That no such sale shall be made at any sporting, athletic or theatrical event.

(h) Whenever a contract is terminated prior to the expiration date

<sup>1</sup> "or" in original.

provided in the contract between the city and the concessionaire, the city may select and certify to the board a different concessionaire which concessionaire shall apply to the board for a new license. If the applicant meets the requirements of the board as herein provided a new license shall thereupon be issued.

(i) If any trade show and convention license is suspended, the offer in compromise shall be accepted at the same rate as provided for existing restaurant liquor licenses not in excess of one hundred days. If any trade show and convention license is revoked, the board shall issue a new license to any qualified applicant without regard to the prohibition in section 471 against the grant of a license at the same premises for a period of at least one year.

Section 2. Trade show and convention licenses shall not be subject to the provisions of section 404 except insofar as they relate to the reputation of the applicant nor to the provisions of sections 461 and 463 of the Liquor Code. Clause (10) of section 493 shall not be applicable where the licensee makes sales of liquor or malt or brewed beverages in the Philadelphia Commercial Museum or the Center for International Visitors notwithstanding the fact that the museum and the center may be operated in connection with another place where entertainment is being conducted.

Section 3. All acts and parts of acts, general, local, and special are repealed insofar as they are inconsistent herewith.

Section 4. This act shall take effect immediately.

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

WILLIAM W. SCRANTON

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No. 427

AN ACT

HB 2076

Amending the act of June 3, 1937 (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating