

Section 203. Exclusions from Tax.—The tax imposed by section 201 shall not be imposed upon—

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(u) The sale at retail or use of food and beverages for human consumption including candy, gum and similar confections, except that this exclusion shall not apply with respect to—

(1) Soft drinks;

(2) Malt and brewed beverages and spirituous and vinous liquors;

(3) Food and beverages (except when purchased at, or from a school, church or hospital in the ordinary course of activities of such organization) when the purchase price of the total transaction is more than [fifty cents (50¢)] ten cents (10¢), when purchased (i) from

persons engaged in the business of catering, or (ii) from persons engaged in the business of operating restaurants, cafes, lunch counters, private and social clubs, taverns, dining cars, hotels and other eating places. For the purpose of this subdivision (3), beverages shall not include malt and brewed beverages and spirituous and vinous liquors, but shall include soft drinks, and the price of such soft drinks shall be considered together with the price of other beverages and food in determining whether the purchase price of the total transaction is more than [fifty cents (50¢)] ten cents (10¢).

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Section 2. This act shall take effect immediately.

APPROVED—The 1st day of January, A. D. 1968.

RAYMOND P. SHAFER

No. 416

AN ACT

SB 667

Amending the act of April 9, 1929 (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating an advisory board of the Pennsylvania Science and Engineering Foundation in the Department of Commerce, defining its purposes, prescribing its methods of operations, and making an appropriation.

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

Section 1. Section 203, act of April 9, 1929 (P. L. 177), known as "The Administrative Code of 1929," is amended by adding at the end thereof the following to read:

Section 203. Advisory Boards and Commissions.—The following advisory boards and commissions are placed in and made parts of the respective administrative departments, as follows:

* * *

In the Department of Commerce,

Board of the Pennsylvania Science and Engineering Foundation.

Section 2. Section 448 of the act is amended by adding after clause ¹(m), a new clause to read:

Section 448. Advisory Boards and Commissions.—The advisory boards and commissions, within the several administrative departments, shall be constituted as follows:

* * *

²(n) There is hereby created in the Department of Commerce a Board of the Pennsylvania Science and Engineering Foundation which shall consist of the Secretary of Commerce, the Governor's Science Advisor and nine additional members to be appointed by the Governor by and with the advice and consent of the Senate, four of whom shall be from the Governor's Science Advisory Committee.

From the membership of this board, the Governor shall appoint the chairman and vice-chairman.

All members shall be appointed for terms of four years, such terms to run concurrent with that of the Governor. Any member appointed to fill a vacancy created otherwise than by expiration of term shall be appointed for the unexpired term of the member whom he is to succeed.

The board members shall receive no compensation for their services but shall be reimbursed for their expenses actually incurred by them in the performance of their duties under this act.

¹ "l" in original.

² "m" in original.

The Department of Commerce shall provide an executive director and all other staff services to the board, including liaison between the board and science and engineering research, development and education agencies and related organizations, and between the foundation and other agencies of the Commonwealth.

Section 3. The act is amended by adding after section 2502-B, a new section to read:

Section 2503-B. Board of Pennsylvania Science and Engineering Foundation.—(a) The Board of the Pennsylvania Science and Engineering Foundation is authorized to promote, stimulate and encourage (i) basic and applied scientific research and development in Pennsylvania and (ii) scientific and technological education in Pennsylvania, which may reasonably be expected to advance the Commonwealth's economic growth.

(b) With the approval of the Governor, the board is authorized to enter into mutually satisfactory contracts or agreements with educational institutions, nonprofit institutions and organizations, business enterprises and other persons concerned with scientific and technological research, and development in the Commonwealth, as well as any State or Federal agency, to foster and support scientific and technological research, development and education. The board may, subject to the approval of the Governor, make grants to educational institutions, nonprofit institutions and organizations, and other persons for the same purposes. The board may sponsor and conduct conferences and studies, collect and disseminate information, and issue periodic reports relating to scientific and technological research, development, and education in the Commonwealth, including grants for Governor's chairs to Pennsylvania colleges and universities in the field of new materials; maintain a register of scientific and technological personnel and facilities, including but not limited to scientific libraries and data centers. It may receive gifts, grants, bequests or

devises from any source, including funds from the Federal government.

Section 4. The sum of one million four hundred thousand dollars (\$1,400,000) is hereby specifically appropriated to the Department of Commerce for the purposes authorized by this act for the fiscal year July 1, 1967 to June 30, 1968.

Section 5. This act shall take effect July 1, 1967.

APPROVED—The 3rd day of January, A. D. 1968.

RAYMOND P. SHAFER

No. 417

AN ACT

SB 1255

Relating to officers and employes of the General Assembly; fixing the number, qualifications, compensation, mileage and duties of the officers and employes of the Senate and of the House of Representatives; providing for their election or appointment, term of office, or of service, removal and manner of filling vacancies; fixing the salary of the Director of the Legislative Reference Bureau; providing for compilation of lists of employes.

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

ARTICLE I

Officers and Employes of the Senate

Section 1. The Senate shall, in each odd-numbered year, at the beginning of the regular session of the General Assembly, elect, in addition to the President pro tempore as provided for by the Constitution, the following officers who shall serve for two years or until their successors are elected and have qualified, unless sooner removed by a majority vote of all of the members of the Senate during any regular, special or extraordinary session of the General Assembly. Such officers heretofore or hereafter elected shall receive the compensation and perform the duties herein specified:

(1) One Secretary at an annual salary of twenty thousand dollars (\$20,000);

(2) One Chief Clerk at an annual salary of sixteen thousand five hundred dollars (\$16,500);

(3) One Senate Librarian at an annual salary of fifteen thousand dollars (\$15,000).

No person shall hold the position of Secretary, Chief Clerk or Senate Librarian and at the same time hold any elective office in the Com-