

As used in this section "wholesome recreation" shall mean golf, tennis, boating, swimming, bowling, basketball, picnicking, shooting at inanimate targets and similar healthful or recreational exercises and activities.

Nothing herein contained shall be construed to prohibit the dressing of victuals in private families, bake-houses, lodging-houses, inns and other houses of entertainment for the use of sojourners, travellers or strangers, *or to prohibit the sale of newspapers, or to hinder watermen from landing their passengers, or ferrymen from carrying over the water travellers, or work in connection with the rendering of service by a public utility as defined by the act of May 28, 1937 (P. L. 1053), known as the "Public Utility Law," or persons removing with their families on the Lord's day, commonly called Sunday, nor to the delivery of milk or the necessaries of life, before nine of the clock in the forenoon, nor after five of the clock in the afternoon of the same day, *nor shall anything herein contained be construed to prohibit any person, partnership, association or corporation from conducting, staging, managing, operating, performing or engaging in basketball, ice shows and ice hockey in cities of the first and second class, on Sundays, between the hours of two o'clock post meridian and twelve o'clock midnight, although a charge of admission thereto is made and although labor or business is necessary to conduct, stage, manage or operate the same. The hours prescribed by this section shall be daylight saving time in any such city during such part of the year when daylight saving time may be observed generally in such city.*

Section 2. This act shall take effect immediately.

Act effective
immediately.

APPROVED—The 10th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 275

AN ACT

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 abate-

* "or to prohibit the sale of newspapers" omitted in original.

ment 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," authorizing issuance of special temporary permits for the retail sale of malt or brewed beverages at certain sporting events under certain conditions.

Liquor Code.

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

Act of April 12, 1951, P. L. 90, amended by adding a new section 433.1.

Section 1. The act of April 12, 1951 (P. L. 90), known as the "Liquor Code," is amended by adding, after section 433, a new section to read:

Section 433.1. Sporting Events Permits.—(a) The board is hereby authorized to issue, in cities of the first class, special temporary permits allowing the holders thereof to make retail sales of malt or brewed beverages in paper containers at sporting events in which professional athletes compete on premises having a seating capacity of twenty-five thousand or more. Such sales may be made only to adults on the premises on days other than Sunday. No sale shall be permitted except during the period from one hour before the start of and ending one-half hour after the close of any sporting event.

(b) The owner or lessee or a concessionaire of any premises in which professional athletes compete in sporting events may make application for a permit. The aforesaid permits shall be issued only to reputable individuals, partnerships and associations, who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania, or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania, all of whose officers and directors are citizens of the United States. Each applicant shall furnish proof satisfactory to the board that he is of good repute and financially responsible and that the premises upon which he proposes to do business is a proper place. The applicant shall submit such other information as the board may require. Applications shall be, in writing, on forms prescribed by the board, and signed and sworn to by the applicant. Every application shall be accompanied by an application fee of twenty-five dollars (\$25), a permit fee of one hundred dollars (\$100) and a surety bond in the amount of one thousand dollars (\$1000) conditioned the same as the license bonds required by this act for retail dispenser licenses.

(c) Upon receipt of the application in proper form, the application fee, the permit fee and bond, 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 special temporary permit to the applicant. Only one permit shall be in effect on any premises in which professional athletes compete in sporting events at any time and shall be limited to the duration of the respective sports seasons including post season sporting events.

(d) No permit shall be transferable or assignable. Each permit shall state on its face the period during which it is valid. Whenever a permit is revoked, another may be issued for the same premises to another applicant upon compliance with the provisions of this section.

*(e) The board shall have the power to refuse the issuance of any permit for cause, and to revoke or suspend any permit for cause or for any violation of the liquor or malt and brewed beverage laws. Any applicant or holder of a permit aggrieved by any ruling *of the board or by its refusal to issue a permit, or by its suspension or revocation thereof, shall have the right to a hearing and appeal therefrom in the same manner as provided in sections 464 and 471 of this act authorizing appeals from orders of the board.*

Section 2. All acts and parts of acts are repealed in so far as they are inconsistent herewith. General repeal.

Section 3. This act shall take effect immediately. Act effective immediately.

APPROVED—The 10th day of July, A. D. 1961.

DAVID L. LAWRENCE

No. 276

AN ACT

Amending the act of August 5, 1941 (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," requiring retirement credit to be given for certain per diem employment.

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

Section 1. The definition of "County Employe" in section 1 and section 8, act of August 5, 1941 (P. L. 803), entitled, as amended, "An act providing for the creation, maintenance and operation of a county employes' retirement system in counties of the fifth, sixth, seventh and eighth class; imposing certain charges on counties, and prescribing penalties," reenacted and amended May 2,

Employes' retirement system: counties of 5th, 6th, 7th and 8th class.

Definition of "County Employe," section 1 and section 8, act of August 5, 1941, P. L. 803, reenacted and amended May 2, 1949, P. L. 881, and amended August 28, 1959, P. L. 775, further amended.

* "or" in original.