

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE BILL

## No. 2200

Session of  
1984

INTRODUCED BY COLAFELLA, F. E. TAYLOR, TRELLO, COHEN, ALDERETTE,  
DOMBROWSKI AND LESCOVITZ, MAY 22, 1984

AS REPORTED FROM COMMITTEE ON BUSINESS AND COMMERCE, HOUSE OF  
REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 1984

## AN ACT

1 ~~Providing for professional athletic teams and certain~~ <—  
2 ~~representatives; providing that teams with profits remain~~  
3 ~~within the Commonwealth; and providing exemptions.~~

4 PROVIDING A RIGHT OF FIRST REFUSAL FOR METROPOLITAN AREAS BEFORE <—  
5 A PROFESSIONAL SPORTS TEAM IS RELOCATED.

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

8 ~~Section 1. Professional athletic teams and certain~~ <—  
9 ~~representatives.~~

10 ~~This act shall apply to any agent, owner, attorney, manager~~  
11 ~~or authorized representative of a professional athletic team,~~  
12 ~~including any team itself, where the professional athletic team~~  
13 ~~engages in the playing of professional sports.~~

14 ~~Section 2. Teams with profits shall remain within Commonwealth.~~

15 ~~Any professional athletic team whose revenues indicate net~~  
16 ~~profits in excess of expenses and which uses an arena funded~~  
17 ~~primarily through Commonwealth funds shall remain within the~~  
18 ~~Commonwealth and shall not engage in any out of State contracts.~~

1 ~~Section 3. Exemptions.~~

2 ~~(a) Net operating loss. This act shall not apply to any~~  
3 ~~team which sustains a net operating loss for a period of at~~  
4 ~~least three consecutive years.~~

5 ~~(b) Trading. This act shall not apply to the trading or~~  
6 ~~negotiating of contracts of various individual players, to or~~  
7 ~~with other professional athletic teams.~~

8 ~~Section 4. Effective date.~~

9 ~~This act shall take effect in 60 days.~~

10 SECTION 1. FINDINGS AND POLICY.

<—

11 (A) FINDINGS.--THE GENERAL ASSEMBLY HEREBY FINDS THAT:

12 (1) PROFESSIONAL SPORTS TEAMS ACHIEVE A STRONG LOCAL  
13 IDENTITY WITH THE PEOPLE OF THE CITY AND REGION IN WHICH THEY  
14 ARE LOCATED AND PROVIDE A SOURCE OF PRIDE AND ENTERTAINMENT  
15 TO THEIR SUPPORTERS;

16 (2) PROFESSIONAL SPORTS TEAMS ARE INVESTED WITH A STRONG  
17 PUBLIC INTEREST;

18 (3) THE PUBLIC, THROUGH A MUNICIPAL STADIUM AUTHORITY  
19 (WHICH IS TYPICALLY A CITY OR COUNTY AGENCY OR A MUNICIPAL  
20 CORPORATION), GENERALLY AUTHORIZES CAPITAL CONSTRUCTION BONDS  
21 TO FINANCE THE CONSTRUCTION OF THE STADIUM IN WHICH A  
22 PROFESSIONAL SPORTS TEAM PLAYS;

23 (4) NORMALLY, THE LEASE OR USE AGREEMENT BETWEEN THE  
24 MUNICIPAL STADIUM AUTHORITY AND THE PROFESSIONAL SPORTS TEAM  
25 SETS RENT TO DEFRAY ONLY THE OPERATING COSTS OF THE STADIUM,  
26 AND DOES NOT REIMBURSE THE PUBLIC FOR THE COSTS OF  
27 CONSTRUCTING THE STADIUM; AND

28 (5) DESPITE THE CLOSE ASSOCIATION WITH AND SUPPORT FROM  
29 THE PEOPLE IN THE CITY AND REGION WHERE THEY PLAY,  
30 PROFESSIONAL SPORTS TEAMS MAY BE ENTICED FROM TIME TO TIME TO

1 RELOCATE TO NEW GEOGRAPHICAL LOCATIONS WITHOUT REGARD TO  
2 IMPORTANT INTERESTS AND CONSIDERATIONS WHICH MAY BE THOUGHT  
3 TO BE INCONSISTENT WITH IMMEDIATE FINANCIAL GAIN FOR THE  
4 OWNERS OF SUCH TEAMS.

5 (B) DECLARATION OF POLICY.--IT IS THE POLICY OF THE GENERAL  
6 ASSEMBLY TO DISCOURAGE RELOCATION OF ANY PROFESSIONAL SPORTS  
7 TEAM WHICH IS RECEIVING ADEQUATE SUPPORT FROM PEOPLE IN THE CITY  
8 AND REGION WHERE SUCH TEAM PLAYS, UNLESS SUCH RELOCATION IS  
9 NECESSARY TO PREVENT SEVERE FINANCIAL HARDSHIP.

10 SECTION 2. PURPOSE.

11 IT IS THE PURPOSE OF THIS ACT TO PROVIDE PEOPLE IN THE CITY  
12 AND REGION WHERE A PROFESSIONAL SPORTS TEAM PLAYS THE RIGHT OF  
13 FIRST REFUSAL WHEN THE OWNER OF SUCH A TEAM INTENDS TO RELOCATE  
14 THE TEAM OR WHEN A GOOD FAITH OFFER TO PURCHASE AND RELOCATE  
15 SUCH A TEAM HAS BEEN RECEIVED.

16 SECTION 3. SHORT TITLE.

17 THIS ACT SHALL BE KNOWN AND MAY BE CITED AS THE PROFESSIONAL  
18 SPORTS TEAM COMMUNITY PROTECTION ACT.

19 SECTION 4. DEFINITIONS.

20 THE FOLLOWING WORDS AND PHRASES WHEN USED IN THIS ACT SHALL  
21 HAVE THE MEANINGS GIVEN TO THEM IN THIS SECTION UNLESS THE  
22 CONTEXT CLEARLY INDICATES OTHERWISE:

23 "BOARD." THE PROFESSIONAL SPORTS TEAM RELOCATION ARBITRATION  
24 BOARD.

25 "LEAGUE." AN ASSOCIATION COMPOSED OF TWO OR MORE  
26 PROFESSIONAL SPORTS TEAMS WHICH, BY AGREEMENT, HAVE ADOPTED,  
27 ACCEPTED OR PUT INTO EFFECT RULES FOR THE CONDUCT OF  
28 PROFESSIONAL SPORTS TEAMS WHICH ARE MEMBERS OF THAT ASSOCIATION  
29 AND THE REGULATION OF CONTESTS AND EXHIBITIONS IN WHICH SUCH  
30 TEAMS REGULARLY ENGAGE.

1 "PERSON." ANY INDIVIDUAL, PARTNERSHIP, CORPORATION OR ANY  
2 UNINCORPORATED ASSOCIATION, OR ANY COMBINATION OR ASSOCIATION  
3 THEREOF.

4 "PROFESSIONAL SPORTS TEAM" OR "TEAM." ANY GROUP OF  
5 PROFESSIONAL ATHLETES ORGANIZED TO PLAY LEAGUE BASEBALL,  
6 BASKETBALL, FOOTBALL, HOCKEY OR SOCCER WHICH HAS BEEN ENGAGED IN  
7 COMPETITION IN SUCH SPORT FOR MORE THAN FIVE YEARS.

8 "STADIUM." THE PHYSICAL FACILITY WITHIN WHICH A PROFESSIONAL  
9 SPORTS TEAM REGULARLY PLAYS.

10 "TERRITORIAL AGREEMENT." ANY AGREEMENT, CONTRACT, RULE,  
11 COURSE OF CONDUCT OR OTHER ACTIVITY BY, OR BETWEEN OR AMONG,  
12 PERSONS OWNING OR CONDUCTING, OR ENGAGING OR PARTICIPATING IN,  
13 ANY PROFESSIONAL SPORTS TEAM WHICH RELATES TO THE RIGHT OF A  
14 TEAM TO OPERATE WITHIN A SPECIFIC TERRITORY.

15 "TERRITORY." THE GEOGRAPHIC AREA WITHIN WHICH A PROFESSIONAL  
16 SPORTS TEAM HAS AGREED TO OPERATE.

17 SECTION 5. GROUNDS FOR RELOCATION.

18 (A) CHANGE OF LOCATION.--EXCEPT FOR THOSE CASES SPECIFIED IN  
19 SECTION 7(I), A PERSON OR LEAGUE MAY CHANGE THE TERRITORY OR  
20 METROPOLITAN LOCATION OF ANY PROFESSIONAL SPORTS TEAM ONLY IN  
21 ACCORDANCE WITH SUBSECTION (B)(1) AND ONLY IF THE APPROPRIATE  
22 GROUNDS FOR RELOCATION SPECIFIED IN SUBSECTION (B) IS MET.

23 (B) REQUIREMENTS FOR RELOCATION.--

24 (1) THE GROUNDS FOR RELOCATION SPECIFIED IN PARAGRAPH  
25 (2)(I) OR (II) MUST BE MET IN ANY CASE WHERE A PERSON OTHER  
26 THAN THE PROFESSIONAL SPORTS TEAM SEEKING RELOCATION OWNS THE  
27 STADIUM IN WHICH THE TEAM PLAYS. THE GROUNDS FOR RELOCATION  
28 SPECIFIED IN PARAGRAPH (2)(II) MUST BE MET IN ANY CASE WHERE  
29 THE PROFESSIONAL SPORTS TEAM SEEKING RELOCATION OWNS THE  
30 STADIUM IN WHICH THE TEAM PLAYS.

1 (2) AS SPECIFIED IN PARAGRAPH (1), THE FOLLOWING ARE  
2 GROUNDS FOR RELOCATION OF ANY PROFESSIONAL SPORTS TEAM UNDER  
3 THIS ACT:

4 (I) THE STADIUM IS MANIFESTLY INADEQUATE FOR THE  
5 PURPOSES OF PROPERLY AND COMPETITIVELY OPERATING THE  
6 TEAM; THE STADIUM AUTHORITY DEMONSTRATES NO INTENT TO  
7 REMEDY THE DEFICIENCIES OF SUCH STADIUM WITHIN A  
8 REASONABLE PERIOD OF TIME; AND OTHER SPORTS FACILITIES IN  
9 THE SAME TERRITORY OR METROPOLITAN LOCATION HAVE NOT BEEN  
10 MADE AVAILABLE BY APPROPRIATE GOVERNMENTAL AUTHORITIES  
11 FOR USE BY THE PROFESSIONAL SPORTS TEAM.

12 (II) THE PROFESSIONAL SPORTS TEAM HAS INCURRED NET  
13 OPERATING LOSSES, EXCLUSIVE OF DEDUCTIONS FOR  
14 DEPRECIATION AND AMORTIZATION, TO AN EXTENT THAT POSES  
15 SIGNIFICANT DANGER TO THE CONTINUED EXISTENCE OF THE  
16 TEAM; AND THE TEAM, FOR NOT LESS THAN THE MOST RECENT  
17 THREE CONSECUTIVE YEARS, HAS HAD ATTENDANCE RECORDS IN  
18 THE RELEVANT LEAGUE'S LOWEST QUARTER OF ATTENDANCE  
19 RECORDS, UNLESS THE TEAM'S ATTENDANCE RECORDS ARE EQUAL  
20 TO OR GREATER THAN 75% OF THE CAPACITY OF THE STADIUM IN  
21 THE CASE OF FOOTBALL, 50% OF THE CAPACITY OF THE STADIUM  
22 IN THE CASE OF BASKETBALL, OR 35% OF THE CAPACITY OF THE  
23 STADIUM IN THE CASE OF BASEBALL.

24 SECTION 6. NOTICE OF RELOCATION OR OFFER OF SALE.

25 (A) NOTICE OF INTENT.--

26 (1) ANY PERSON WISHING TO RELOCATE A PROFESSIONAL SPORTS  
27 TEAM TO A TERRITORY OR METROPOLITAN LOCATION OTHER THAN THE  
28 TERRITORY OR LOCATION IN WHICH IT IS THEN PLAYING SHALL  
29 FURNISH NOTICE OF INTENT TO RELOCATE THE TEAM AT LEAST EIGHT  
30 MONTHS BEFORE THE PROPOSED DATE FOR SUCH RELOCATION.

1           (2) SUCH NOTICE SHALL BE FURNISHED TO THE RELEVANT  
2 LEAGUE AND TO THE MUNICIPALITY WHERE THE TEAM PLAYS. SUCH  
3 NOTICE SHALL:

4           (I) BE IN WRITING;

5           (II) BE DELIVERED THROUGH CERTIFIED MAIL OR BE  
6 PERSONALLY DELIVERED; AND

7           (III) CONTAIN A STATEMENT OF INTENTION TO RELOCATE,  
8 THE NEW LOCATION, REASONS FOR THE RELOCATION,  
9 DOCUMENTATION SUPPORTING THE APPROPRIATE GROUND FOR  
10 RELOCATION PURSUANT TO SECTION 5(B), AND THE DATE ON  
11 WHICH THE RELOCATION IS SCHEDULED TO OCCUR.

12 (B) NOTIFICATION OF OFFER.--

13           (1) WHEN ANY OWNER OF A PROFESSIONAL SPORTS TEAM  
14 RECEIVES A BONA FIDE OFFER TO PURCHASE SUCH TEAM, AND THE  
15 ACCEPTANCE OF SUCH OFFER COULD RESULT IN THE RELOCATION OF  
16 SUCH TEAM, THE OWNER SHALL, EITHER BEFORE ACCEPTING SUCH  
17 OFFER OR AS A CONDITION OF ACCEPTING SUCH OFFER, PROVIDE  
18 NOTICE OF OFFER OF SALE AND INTENT TO SELL THE TEAM AT LEAST  
19 EIGHT MONTHS BEFORE THE DATE OF ANY SALE.

20           (2) SUCH NOTICE SHALL BE FURNISHED TO THE RELEVANT  
21 LEAGUE AND TO THE MUNICIPALITY WHERE THE TEAM PLAYS. SUCH  
22 NOTICE SHALL:

23           (I) BE IN WRITING;

24           (II) BE DELIVERED THROUGH CERTIFIED MAIL OR BE  
25 PERSONALLY DELIVERED;

26           (III) CONTAIN A STATEMENT THAT, BUT FOR THE TERMS OF  
27 THIS ACT, THE OWNER WOULD AT THAT TIME ACCEPT SUCH OFFER;

28           (IV) CONTAIN A STATEMENT OF INTENT TO SELL, ANY  
29 POTENTIAL LOCATION OR LOCATIONS FOR RELOCATION OF THE  
30 TEAM (IF THE OWNER KNOWS OF SUCH LOCATION), ANY

DOCUMENTATION AVAILABLE TO THE OWNER SUPPORTING THE  
APPROPRIATE GROUND FOR ANY SUCH RELOCATION PURSUANT TO  
SECTION 5(B) OR A STATEMENT THAT THE OWNER BELIEVES THAT  
NO OBJECTION TO THE RELOCATION OF SUCH TEAM WILL BE  
RECEIVED FROM ANY GOVERNMENTAL ENTITY OR THAT NO OFFER  
FOR SALE WILL BE MADE WHICH IS GREATER TO OR EQUAL IN  
VALUE THAN THE OFFER WHICH HAS BEEN RECEIVED, THE DATE ON  
WHICH THE SALE OF THE TEAM IS SCHEDULED TO OCCUR, AND ANY  
ESTIMATED DATE FOR RELOCATION ONCE THE SALE OF THE TEAM  
HAS OCCURRED (IF THE OWNER IS AWARE OF SUCH DATE); AND

(V) CONTAIN ALL TERMS AND CONDITIONS OF SUCH OFFER,  
INCLUDING A WRITTEN COPY OF SUCH OFFER, SIGNED BY THE  
MAKER OF SUCH OFFER.

(C) OFFER OF SALE.--ANY PERSON WISHING TO RELOCATE A  
PROFESSIONAL SPORTS TEAM TO A TERRITORY OTHER THAN THE TERRITORY  
IN WHICH IT IS THEN PLAYING OR ANY PERSON NEGOTIATING FOR THE  
SALE OF SUCH A TEAM WHICH COULD RESULT IN THE RELOCATION OF THE  
TEAM SHALL, FOR A REASONABLE PERIOD OF TIME, OFFER THE TEAM FOR  
SALE AT FAIR MARKET VALUE TO OTHER PERSONS WHO WOULD CONTINUE TO  
LOCATE SUCH TEAM IN THE METROPOLITAN AREA IN WHICH IT PLAYS. IF  
ANY PERSON SUBMITS AN OFFER OF SALE WHICH WOULD ENSURE THAT THE  
TEAM WOULD REMAIN IN THE METROPOLITAN AREA IN WHICH IT PLAYS,  
NOTICE REGARDING SUCH SALE SHALL BE PROVIDED TO THE BOARD,  
TOGETHER WITH THE INFORMATION SPECIFIED IN SUBSECTION (B)(2).

(D) ACCESS TO FINANCIAL RECORDS.--ANY PERSON IDENTIFIED IN  
SUBSECTION (C) SHALL, UPON REQUEST OF THE LEAGUE OR THE  
APPROPRIATE MUNICIPALITY, PROVIDE ACCESS TO ALL RELEVANT  
FINANCIAL RECORDS NECESSARY TO SUPPORT OR REFUTE THE GROUNDS FOR  
ANY SUCH RELOCATION, PURSUANT TO SECTION 5(B).

SECTION 7. ARBITRATION BOARD.

(A) ESTABLISHMENT AND MEMBERSHIP OF BOARD.--THERE SHALL FROM TIME TO TIME BE ESTABLISHED A PROFESSIONAL SPORTS TEAM RELOCATION ARBITRATION BOARD TO CARRY OUT THE ACTIVITIES OF THIS SECTION. THE BOARD SHALL BE COMPOSED OF THREE MEMBERS, WHO SHALL BE APPOINTED AS FOLLOWS:

(1) ONE MEMBER SHALL BE APPOINTED BY THE CURRENT OWNER OF THE PROFESSIONAL SPORTS TEAM INVOLVED IN A PETITION FOR RELOCATION OR OFFER OF SALE.

(2) ONE MEMBER SHALL BE APPOINTED BY THE GOVERNMENTAL AUTHORITY THAT REGULATES THE OPERATION OF THE STADIUM IN WHICH THE PROFESSIONAL SPORTS TEAM PLAYS.

(3) ONE MEMBER SHALL BE APPOINTED BY THE SECRETARY OF COMMERCE.

(B) APPOINTMENT OF MEMBERS.--THE BOARD SHALL BE APPOINTED WITHIN 30 DAYS AFTER NOTICE IS DELIVERED PURSUANT TO SECTION 6(A)(1) OR (B)(2). THE MEMBERS SHALL SELECT A CHAIRMAN FROM AMONG ITS MEMBERS. NO INDIVIDUAL WHO HAS (OR, AS A RESULT OF SALE OR RELOCATION, MIGHT HAVE) A FINANCIAL OR OTHER PECUNIARY INTEREST IN ANY PROFESSIONAL SPORTS TEAM WHICH ENGAGES IN THE SAME SPORT AS THE PROFESSIONAL SPORTS TEAM INVOLVED IN A PETITION FOR RELOCATION OR OFFER FOR SALE MAY SERVE ON THE BOARD.

(C) NOTICES TO BOARD.--ALL NOTICES OF RELOCATION OR OFFERS OF SALE REGARDING THE INVOLVED PROFESSIONAL SPORTS TEAMS SHALL BE REFERRED TO THE BOARD. WITHIN SIX MONTHS AFTER THE ESTABLISHMENT OF THE BOARD, THE BOARD SHALL CONDUCT A FORMAL HEARING ON THE RECORD TO CONSIDER ALL SUCH NOTICES OF RELOCATION OR OFFERS OF SALE.

(D) VALUATION BY BOARD.--THE BOARD SHALL, WITHIN SEVEN MONTHS AFTER THE ESTABLISHMENT OF THE BOARD, DETERMINE IF ANY



1 SUCH OFFERS OF SALE WOULD ENSURE THAT THE TEAM WOULD REMAIN IN  
2 THE METROPOLITAN AREA IN WHICH IT PLAYS, AND ARE EQUAL TO OR  
3 GREATER IN VALUE THAN THE VALUE OF THE RELOCATION OF THE  
4 INVOLVED PROFESSIONAL SPORTS TEAM. IN MAKING ANY SUCH VALUATION,  
5 PROJECTED REVENUES ARISING OUT OF THE BROADCASTING OF ANY GAME  
6 ENGAGED IN OR CONDUCTED BY EACH TEAM IN EITHER ITS CURRENT OR  
7 FUTURE TERRITORY SHALL NOT BE CONSIDERED, UNLESS SUCH TEAM MEETS  
8 THE GROUNDS FOR RELOCATION SPECIFIED IN SECTION 5(B)(2)(II).

9 (E) DETERMINATION BY BOARD.--THE BOARD SHALL DETERMINE  
10 WHETHER THE INVOLVED PROFESSIONAL SPORTS TEAM MEETS ANY OF THE  
11 GROUNDS FOR RELOCATION SPECIFIED IN SECTION 5(B), AS  
12 APPROPRIATE.

13 (F) LIMITATION ON APPROVAL.--THE BOARD MAY NOT APPROVE ANY  
14 OFFER FOR SALE OR NOTICE OF RELOCATION WHICH WOULD RESULT IN THE  
15 INVOLVED PROFESSIONAL SPORTS TEAM NO LONGER PLAYING IN THE  
16 METROPOLITAN AREA WHERE IT PLAYS IF AN OFFER OF GREATER OR EQUAL  
17 VALUE IS RECEIVED WHICH WOULD CONTINUE TO LOCATE SUCH TEAM IN  
18 SUCH AREA.

19 (G) PROHIBITING SALE.--IF THE BOARD DETERMINES THAT ANY  
20 OFFER FOR SALE OR NOTICE FOR RELOCATION WHICH HAS BEEN RECEIVED  
21 REGARDING THE INVOLVED PROFESSIONAL SPORTS TEAM EQUALS OR  
22 EXCEEDS THE VALUE OF THE ORIGINAL OFFER OR PETITION FOR  
23 RELOCATION, OR NONE OF THE GROUNDS FOR RELOCATION SPECIFIED IN  
24 SECTION 5(B), AS APPROPRIATE, IS MET, THE OWNER OF SUCH TEAM MAY  
25 NOT SELL OR RELOCATE SUCH TEAM WITHOUT A WRITTEN COMMITMENT,  
26 ENFORCEABLE THROUGH SPECIFIC PERFORMANCE, FROM ANY PURCHASER TO  
27 CONTINUE TO LOCATE SUCH TEAM IN THE METROPOLITAN AREA IN WHICH  
28 IT PLAYS. THE BOARD SHALL HAVE NO JURISDICTION WITH RESPECT TO  
29 ANY OTHER TERMS OF THE SALE OF SUCH TEAM, INCLUDING THE  
30 SELECTION OF THE PURCHASER.

1 (H) FINALITY OF DETERMINATIONS.--ALL DETERMINATIONS OF THE  
2 BOARD SHALL BE FINAL AND BINDING ON ALL PARTIES INVOLVED IN SUCH  
3 ARBITRATION.

4 (I) APPLICABILITY OF SECTION.--THE PROVISIONS OF THIS  
5 SECTION SHALL NOT APPLY TO ANY NOTICE FOR RELOCATION OR OFFER OF  
6 SALE REGARDING ANY PROFESSIONAL SPORTS TEAM IF, WITHIN SIX  
7 MONTHS AFTER THE ESTABLISHMENT OF THE BOARD:

8 (1) THE BOARD HAS NOT RECEIVED ANY OFFER TO PURCHASE  
9 SUCH TEAM WHICH WOULD ENSURE THAT THE TEAM WOULD REMAIN IN  
10 THE METROPOLITAN AREA IN WHICH IT PLAYS; AND

11 (2) THE BOARD HAS NOT RECEIVED ANY OBJECTION TO THE  
12 RELOCATION OF SUCH TEAM FROM ANY APPROPRIATE GOVERNMENTAL  
13 ENTITY.

14 SECTION 8. CIVIL ACTIONS.

15 ANY GOVERNMENTAL ENTITY IN A METROPOLITAN AREA FROM WHICH A  
16 PROFESSIONAL SPORTS TEAM RELOCATES MAY BRING A CIVIL ACTION IN  
17 ANY APPROPRIATE COMMON PLEAS COURT FOR DAMAGES AND RELIEF,  
18 INCLUDING INJUNCTIVE RELIEF, ON THE GROUNDS THAT SUCH RELOCATION  
19 DID NOT COMPLY WITH THE PROVISIONS OF THIS ACT, INCLUDING THE  
20 GROUNDS THAT ANY OWNER OR OTHER PARTY DID NOT COMPLY WITH THE  
21 ARBITRATION PROCEDURE OR DECISION PURSUANT TO SECTION 7.

22 SECTION 9. EFFECTIVE DATE.

23 THIS ACT SHALL TAKE EFFECT IN 60 DAYS.