

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 735 Session of 2013

INTRODUCED BY PETRI AND KORTZ, FEBRUARY 14, 2013

REFERRED TO COMMITTEE ON LIQUOR CONTROL, FEBRUARY 14, 2013

AN ACT

1 Amending the act of April 12, 1951 (P.L.90, No.21), entitled, as
 2 reenacted, "An act relating to alcoholic liquors, alcohol and
 3 malt and brewed beverages; amending, revising, consolidating
 4 and changing the laws relating thereto; regulating and
 5 restricting the manufacture, purchase, sale, possession,
 6 consumption, importation, transportation, furnishing, holding
 7 in bond, holding in storage, traffic in and use of alcoholic
 8 liquors, alcohol and malt and brewed beverages and the
 9 persons engaged or employed therein; defining the powers and
 10 duties of the Pennsylvania Liquor Control Board; providing
 11 for the establishment and operation of State liquor stores,
 12 for the payment of certain license fees to the respective
 13 municipalities and townships, for the abatement of certain
 14 nuisances and, in certain cases, for search and seizure
 15 without warrant; prescribing penalties and forfeitures;
 16 providing for local option, and repealing existing laws,"
 17 further providing for appointment of Pennsylvania Liquor
 18 Control Board members and their terms and salaries and for
 19 chairman of the board.

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

22 Section 1. Section 201 of the act of April 12, 1951 (P.L.90,
 23 No.21), known as the Liquor Code, reenacted and amended June 29,
 24 1987 (P.L.32, No.14) and amended February 21, 2002 (P.L.103,
 25 No.10), is amended to read:

26 Section 201. Appointment of Members; Terms; Salaries.--An
 27 independent administrative board to be known as the

1 "Pennsylvania Liquor Control Board" is hereby created. The board
2 shall consist of [three] nine members to be appointed by the
3 Governor by and with the advice and consent of two-thirds of all
4 the members of the Senate, not more than [two] six of whom shall
5 be from the same political party as the Governor. Of the members
6 first appointed after the effective date of this amendatory act,
7 one member shall serve a term of three years, one member shall
8 serve a term of four years, and one member shall serve a term of
9 five years. Subsequent terms shall be for four years, ending on
10 the third Tuesday in May. A member may continue to hold office
11 for a period not to exceed six months beyond the expiration of
12 that member's term if a successor to that member has not been
13 duly appointed and qualified according to law. Each of the
14 members shall receive an annual salary pursuant to the
15 provisions of the act of September 30, 1983 (P.L.160, No.39),
16 known as the "Public Official Compensation Law."

17 Section 2. Section 203 of the act is amended to read:

18 Section 203. Chairman of Board.--(a) The Governor shall
19 designate one of the board members as chairman who shall serve
20 in that position at the pleasure of the Governor. The chairman
21 shall, when present, preside at all meetings, and in his absence
22 a member designated by the chairman shall preside.

23 (b) [Two] Six members of the board shall constitute a
24 quorum, and any action or order of the board shall require the
25 approval of at least [two] six members.

26 Section 3. This act shall take effect in 60 days.