

COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA LIQUOR CONTROL BOARD

September 3, 2008

#2714.

SUBJECT: Proposed Regulations 54-65 – Luxury SLO

TO: KIM KAUFMAN
EXECUTIVE DIRECTOR
INDEPENDENT REGULATORY REVIEW COMMISSION

FROM: FAITH S. DIEHL *Faith S. Diehl*
CHIEF COUNSEL
PENNSYLVANIA LIQUOR CONTROL BOARD

INDEPENDENT REGULATORY
REVIEW COMMISSION

2008 SEP -5 AM 9:29

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Refer to: 3-9454

On August 26, 2008, Ms. Debbie Chappell of Wolff Strategies submitted to Ms. Lynn Benka-Davies, Executive Director (D) of the House Committee on Liquor Control, an e-mail of comment on proposed revisions to sections 13.77 and 13.79 of the regulations of the Pennsylvania Liquor Control Board (“Board”). [40 Pa. Code § 1.1 et seq.]. Pursuant to the Regulatory Review Act, a copy of this e-mail is supplied herewith, within five (5) business days of receipt. [71 P.S. § 745.5(c)].

Should you have any questions, please call Assistant Counsel James F. Maher at (717) 783-9454.

Cc: (w/encl.)

Honorable Sean Logan, Chairman, Senate Committee on Law and Justice
Honorable John Rafferty, Republican Chairman, Senate Committee on Law
and Justice

Honorable Ron Raymond, Chairman, House Committee on Liquor Control
Honorable Robert Donatucci, Democratic Chairman, House Committee on
Liquor Control

Mr. Mark Meyer, Senate Committee on Law and Justice

Mr. Ken Varhola, Senate Committee on Law and Justice

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Ms. Marcia Lampman, Executive Director, (R) House Committee on Liquor
Control

Ms. Lynn Benka-Davies, Executive Director (D) House Committee on
Liquor Control

From: _dchappell [mailto:dchappell@triadstrategies.com]
Sent: Tuesday, August 26, 2008 11:48 AM
To: Benka-Davies, Lynn
Subject: Proposed rulemaking-sale of liquor by vendors

Thank-you, Lynn, for agreeing to answer my questions regarding the proposed rulemaking published in the PA Bulletin on August 23 regarding the sale of liquor by vendors.

MeeCee Baker asked me to look over these regulations and give her a summary before tomorrow's meeting with our client, the Pennsylvania Winery Association.

I understand the genesis of the regulation and the Board's desire to open the accessibility of rare wines to the public through the wine and spirits stores while still allowing the vendors and their agents to continue to offer them, as they currently do, to private citizens and Board licensees (restaurants) as a niche market. I have a question about restrictions on page four. Item (e) proposes that vendors and their agents place luxury item order at the State Liquor Stores. Is this for tracking purposes as in the previous paragraph 13.77 which proposes but then deletes a quadruplicate filing process? In other words, can these items still be ordered and shipped directly from the vendor/agent or must they be ordered at the wine and spirits stores?

Thanks!

Debbie
Debbie Chappell
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