

3093

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Senate of Pennsylvania

May 13, 2015

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Pennsylvania Liquor Control Board
Attn: Rodrigo Diaz, Executive Deputy Chief Counsel
Room 401, Northwest Office Building
Harrisburg, PA 17124-0001

Dear Attorney Diaz,

I would like to begin by thanking you for submitting the proposed regulation #54-79/IRRC #3093. This proposed regulation addresses changes to the Pennsylvania Liquor Control Board's Bureau of Alcohol Education (BAE) certification process for alcohol service personnel. As you may be aware, I have issued a co-sponsorship memo (enclosed) to address this very issue in the Senate.

The draft language in my legislation parallels the proposed regulations submitted to the Independent Regulatory Review Commission (IRRC), with the exception of three clarifications outlined below in red. These recommendations mirror those submitted to you by Health Communications Inc. (TIPS). I believe these suggested changes would help clarify and provide further transparency in the approval process for third party providers of alcohol education. Specifically, it would permit BAE certification for those that teach beyond the standard curriculum. Below you will find the language in red that I am recommending.

§ 5.211. Course of study for alcohol service personnel. (TIPS Suggested Changes in Red)

- (a) A standard curriculum for the course of study will be provided by the BAE.
- (b) The BAE is authorized to review curriculum submitted by another training provider and to certify such curriculum if it is equivalent to or exceeding the BAE's standard curriculum.
 - (1) In the event that the training provider's curriculum is not equivalent to or does not exceed the BAE's standard curriculum, the BAE shall advise the training provider in writing within sixty days of receiving the curriculum as to all subjects where the training provider's curriculum is deficient.
 - (2) The training provider shall have the opportunity to correct and resubmit its curriculum no more than two (2) times.
 - (3) If the training provider's curriculum is still deficient after the second and final resubmission, the BAE will not accept any submissions or resubmissions from the training provider for a period of one (1) year

from the date that the BAE sent notification to the training provider that the second resubmission was deficient.

INSTRUCTORS

§ 5.232. Instructor responsibilities.

Instructors have the responsibility to do the following:

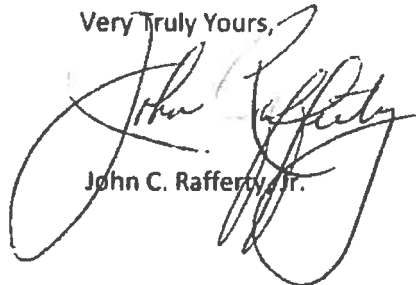
(1) Using the standard curriculum provided by the BAE or a curriculum certified by the BAE, provide students with information regarding the current status of the law on issues regarding the sale or service of alcoholic beverages by licensees.

§ 5.233. Minimum standards of training.

(a) Instructors shall conduct training sessions conforming to either the BAE's standard curriculum or a curriculum certified by the BAE.

Thank you for your consideration of my recommended language to the Board's proposed regulation. These regulations will provide additional training opportunities through the BAE which will result in enhanced alcohol education in Pennsylvania. I appreciate the PLCB addressing this important issue through the proposed regulations, as we have had support for this issue in the Senate and currently there are 17 co-sponsors which have already signed on to my legislation.

Very Truly Yours,



John C. Rafferty, Jr.

Enclosure

cc: The Honorable Tim Holden, PLCB Board Chairman
The Honorable Joseph E. "Skip" Brion, PLCB Board Member
The Honorable Michael Negra, PLCB Board Member
Norina Blynn, PLCB Assistant Counsel
Chairman John F. Mizner, Esq., IRRC
Commissioner George D. Bedwick, IRRC
Commissioner W. Russell Faber, IRRC
Commissioner Murray Ufberg, Esq., IRRC
Commissioner Dennis A. Watson, Esq., IRRC