

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 642 Session of
1991

INTRODUCED BY SCRIMENTI, RUDY, BILLOW, COLAIZZO, MERRY,
MARKOSEK, PISTELLA, LAUGHLIN, SCHULER, BLAUM, DALEY, VEON,
JOHNSON, LESCOVITZ, GIGLIOTTI, PETRONE, COHEN, CORRIGAN,
D. R. WRIGHT, DeLUCA, KRUSZEWSKI, GEIST, BELARDI, CAPPABIANCA
AND TRELLO, MARCH 12, 1991

REFERRED TO COMMITTEE ON APPROPRIATIONS, MARCH 12, 1991

AN ACT

1 Creating the Pennsylvania Grape Development and Promotion
2 Committee; providing for its powers and duties; and making an
3 appropriation.

4 The General Assembly declares that it is the purpose of this
5 act to promote and foster growth of the Pennsylvania grape and
6 wine industry.

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

9 Section 1. Short title.

10 This act shall be known and may be cited as the Grape
11 Development and Promotion Law.

12 Section 2. Definitions.

13 The following words and phrases when used in this act shall
14 have the meanings given to them in this section unless the
15 context clearly indicates otherwise:

16 "Department." The Department of Agriculture of the
17 Commonwealth.

1 "Secretary." The Secretary of Agriculture of the
2 Commonwealth.

3 Section 3. Pennsylvania Grape Development and Promotion
4 Committee.

5 (a) Establishment and composition.--There is hereby created
6 the Pennsylvania Grape Development and Promotion Committee,
7 hereinafter referred to as the committee, consisting of nine
8 members. The members shall be the secretary or his designee, who
9 shall be the chairman of the committee; the Secretary of
10 Commerce or his designee; two Pennsylvania grape processors who
11 receive a major portion of their income from the production of
12 grape products other than wine, such as, juices, jams and
13 jellies; two holders of a Pennsylvania winery license; two
14 Pennsylvania grape growers who receive the major portion of
15 their farm income from the production of grapes; and one public
16 member, all to be appointed by the secretary. In addition, there
17 shall be two ex officio members who shall be appointed by the
18 dean of the college of agriculture of the Commonwealth's land-
19 grant university in existence on the effective date of this act.

20 (b) Terms.--One grape grower, one grape processor and one
21 holder of a limited winery license shall each serve an initial
22 term of two years. The remaining members shall serve for a term
23 of four years. Thereafter, all members shall serve a term of
24 four years. A member shall not serve more than two consecutive
25 terms. The committee may remove a member for cause.

26 (c) Vacancies.--Members shall be appointed to fill vacancies
27 caused by death, resignation or removal in the same manner
28 prescribed for regular appointment to the committee. A member
29 appointed to fill a vacancy occurring prior to the expiration of
30 the term for which his predecessor was appointed shall hold

1 office for the remainder of the term. A member shall continue in
2 office subsequent to the expiration date of his term until a
3 successor takes office or until a period of one year has
4 elapsed, whichever occurs first.

5 (d) Expenses.--All members of the committee shall be
6 entitled to reimbursement for their actual and necessary
7 expenses incurred in the performance of their duties as members,
8 payable from moneys appropriated to the department for the
9 operation of this act.

10 (e) Quorum.--A majority of the committee shall constitute a
11 quorum.

12 Section 4. Powers and duties.

13 The committee shall:

14 (1) Promote the sale of wines produced from grapes,
15 fruits, honey and other agricultural products grown within
16 this Commonwealth for the purpose of maintaining and
17 expanding present markets and creating new and larger
18 intrastate, interstate and foreign markets for Pennsylvania
19 wines.

20 (2) Promote the sale of grapes and grape products grown
21 and produced within this Commonwealth.

22 (3) Conduct and contract with the Commonwealth's present
23 land-grant university referred to in section 3 to conduct
24 research and extension programs concerning wine, grapes and
25 grape products. The committee shall expend no less than 30%
26 and no more than 70% of all of the amounts appropriated for
27 its operation for conducting research and extension programs
28 concerning wine, grapes and grape products.

29 (4) Keep accurate books, records and accounts which
30 shall be open to inspection and audit by the Auditor General.

1 (5) Do and perform all acts and exercise all powers
2 incidental to, in connection with, or considered reasonably
3 necessary, proper or advisable in effectuating the purposes
4 of this act.

5 Section 5. Monitoring of committee.

6 (a) Duty of chairman.--The chairman of the committee shall
7 monitor the conduct of the committee to insure that:

8 (1) The committee is operating within the requirements
9 of this act.

10 (2) The committee's program is self-supporting.

11 (3) The committee keeps all records that are required by
12 agencies of the Commonwealth.

13 (b) Audit.--The chairman of the committee shall arrange for
14 an audit of the books and records of the committee at least once
15 each year.

16 Section 6. Annual report.

17 The committee shall publish annually an activity and
18 financial report of the preceding fiscal year.

19 Section 7. Funding.

20 The costs of the committee shall be paid from annual
21 appropriations made for that purpose by the General Assembly.

22 Section 8. Appropriation.

23 The sum of \$50,000, or as much thereof as may be necessary,
24 is hereby appropriated to the Department of Agriculture in the
25 fiscal period July 1, 1991, to June 30, 1992, to carry out this
26 act.

27 Section 9. Effective date.

28 This act shall take effect July 1, 1991, or immediately,
29 whichever is later.