

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 113 Session of 2007

INTRODUCED BY PICCOLA, RAFFERTY, WAUGH, ROBBINS, PUNT, CORMAN,
FERLO, REGOLA, ORIE AND EARLL, MARCH 5, 2007

REFERRED TO COMMUNITY, ECONOMIC AND RECREATIONAL DEVELOPMENT,
MARCH 5, 2007

AN ACT

1 Amending Title 4 (Amusements) of the Pennsylvania Consolidated
2 Statutes, further providing for qualified majority vote by
3 members of the Pennsylvania Gaming Control Board.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Section 1201(f) of Title 4 of the Pennsylvania
7 Consolidated Statutes, amended November 1, 2006 (P.L.1243,
8 No.135), is amended to read:

9 § 1201. Pennsylvania Gaming Control Board established.

10 * * *

11 (f) [Qualified majority] Majority vote.--

12 (1) Except as permitted in paragraphs (2) and (3), any
13 action, including, but not limited to, the approval,
14 issuance, denial or conditioning of any license by the board
15 under this part or the making of any order or the
16 ratification of any permissible act done or order made by one
17 or more of the members, shall require a [qualified] majority
18 vote [consisting of at least one gubernatorial appointee and

1 the four legislative appointees] of all of the members
2 appointed to the board.

3 [(2) Any action to suspend or revoke, not renew, void or
4 require forfeiture of a license or permit issued under this
5 part, to impose any administrative fine or penalty under this
6 part or to issue cease and desist orders or similar
7 enforcement actions shall require a majority vote of all the
8 members appointed to the board.

9 (3)] (2) Notwithstanding any other provision of this
10 part or 65 Pa.C.S. § 1103(j) (relating to restricted
11 activities), a member shall disclose the nature of his
12 disqualifying interest, disqualify himself and abstain from
13 voting in a proceeding under this part in which his
14 objectivity, impartiality, integrity or independence of
15 judgment may be reasonably questioned, as provided in
16 subsection (h)(6). [If a legislative appointee has
17 disqualified himself, the qualified majority shall consist of
18 all of the remaining legislative appointees and at least two
19 gubernatorial appointees.]

20 * * *

21 Section 2. Section 1209(f)(2) of Title 4 is amended to read:

22 § 1209. Slot machine license fee.

23 * * *

24 (f) Return of slot machine license fee.--

25 * * *

26 (2) In the event that this part is amended or otherwise
27 altered by an act of the General Assembly as described
28 pursuant to paragraph (1):

29 (i) In the sixth year following the initial issuance
30 of any slot machine licenses pursuant to section 1301, a

1 Category 1 and 2 slot machine licensee shall be entitled
2 to a partial return of the one-time slot machine license
3 fee in the amount of \$41,666,667.

4 (ii) In the seventh year, the licensee shall be
5 entitled to a partial return of the one-time slot machine
6 license fee in the amount of \$33,333,334.

7 (iii) In the eighth year, the licensee shall be
8 entitled to a partial return of the one-time slot machine
9 license fee in the amount of \$25,000,000.

10 (iv) In the ninth year, the licensee shall be
11 entitled to a partial return of the one-time slot machine
12 license fee in the amount of \$16,666,668.

13 (v) In the tenth year, the licensee shall be
14 entitled to a partial return of the one-time machine
15 license fee in the amount of \$8,333,334.

16 In the event that the action described in paragraph (1) occurs
17 after the expiration of ten years, the licensee shall not be
18 entitled to a return of any portion of the one-time slot machine
19 license fee. Notwithstanding the foregoing, no slot machine
20 licensee shall be entitled to the return of any portion of the
21 fee as a result of any act of the General Assembly insofar as it
22 implements a recommendation made by the board pursuant to a
23 [qualified] majority vote. In the event a full or partial return
24 of the slot machine license fee imposed pursuant to subsection
25 (a) becomes due pursuant to this subsection, the amount to be
26 returned to any slot machine licensee shall be reduced on a
27 dollar-for-dollar basis by the total accumulated tax credits
28 granted to such licensee pursuant to subsection (c). In no event
29 shall the total amount of the slot machine license fee returned,
30 combined with the total tax credits granted, exceed the amounts

1 set forth in this subsection for any licensee. The total or
2 partial return of the slot machine license fee shall extinguish
3 a licensee's right to claim any further tax credits pursuant to
4 subsection (c).

5 Section 3. This act shall take effect immediately.