

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 188

Session of
1987

INTRODUCED BY SCHEETZ, MORRIS, KUKOVICH, FOSTER, ROBBINS,
CLYMER, SCHULER, DORR, HALUSKA, HERMAN, BELFANTI, GEIST,
D. W. SNYDER, WOGAN, BUNT, JACKSON, BATTISTO, J. TAYLOR,
HERSHEY, BARLEY, MERRY, CARLSON, FARGO, LANGTRY, BOWSER,
JOHNSON, CHADWICK, DISTLER, HONAMAN, MOEHLMANN, FISCHER,
SIRIANNI, E. Z. TAYLOR, BURD, TRUMAN, WOZNIAK, NOYE, PETRONE
AND ITKIN, FEBRUARY 3, 1987

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
MARCH 22, 1988

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employees in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employees of certain departments, boards and
20 commissions shall be determined," further providing for
21 powers and duties of the Department of Agriculture; and
22 making a repeal.

23 The General Assembly of the Commonwealth of Pennsylvania
24 hereby enacts as follows:

25 Section 1. The act of April 9, 1929 (P.L.177, No.175), known

1 as The Administrative Code of 1929, is amended by adding a
2 section to read:

3 Section 1712. ~~Gasahol~~ ON-FARM PRODUCED DENATURED ETHYL <—
4 ALCOHOL.--The Department of Agriculture shall have the power,
5 and its duty shall be:

6 (a) To encourage and promote the manufacture and use of
7 Pennsylvania agricultural product-derived DENATURED ethyl <—
8 alcohol; ~~in combination with gasoline, where ethyl alcohol~~ <—
9 ~~represents not less than seven per centum (7%) nor more than ten~~
10 ~~per centum (10%) of the total mixture;~~

11 (b) To regulate the manufacture, use and sale of ON-FARM <—
12 PRODUCED DENATURED ethyl alcohol;

13 (c) To establish a licensing system for DENATURED ethyl <—
14 alcohol ON-FARM producers and to enforce such system so as to <—
15 prevent fraud and deception in the licensing process;

16 (d) To collect a fee from DENATURED ethyl alcohol on-farm <—
17 producers at a minimum of twenty-five dollars (\$25), with a
18 sliding scale fee schedule based upon volume produced;

19 (e) To make such rules and regulations as shall be deemed
20 necessary for enforcement of the laws of this Commonwealth
21 relating to DENATURED ethyl alcohol and DENATURED ethyl alcohol <—
22 ON-FARM producers; <—

23 (f) To provide for the inspection of DENATURED ethyl alcohol <—
24 ON-FARM production facilities in order to ensure compliance with <—
25 the law;

26 (g) To gather and make available information concerning the
27 supply, demand, prevailing prices and applicable use of
28 DENATURED ethyl alcohol and its by-products; <—

29 (h) To secure, in the performance of the duties herein
30 prescribed, the cooperation and assistance of other appropriate

1 agencies.

2 Section 2. Section 502.1 of the act of April 12, 1951
3 (P.L.90, No.21), known as the Liquor Code, is repealed.

4 Section 3. This act shall take effect in 120 days.