

## 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 REPORTED FROM COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,  
HOUSE OF REPRESENTATIVES, AS AMENDED, APRIL 28, 1987

## 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.--The Department of Agriculture shall  
4 have the power, and its duty shall be:

5 (a) To encourage and promote the manufacture and use of  
6 ethyl alcohol as a mixture of not less than seven per centum <—  
7 (7%) and not more than ten per centum (10%) Pennsylvania  
8 agricultural product derived ethyl alcohol and gasoline;

9 PENNSYLVANIA AGRICULTURAL PRODUCT-DERIVED ETHYL ALCOHOL IN <—  
10 COMBINATION WITH GASOLINE, WHERE ETHYL ALCOHOL REPRESENTS NOT  
11 LESS THAN SEVEN PER CENTUM (7%) NOR MORE THAN TEN PER CENTUM  
12 (10%) OF THE TOTAL MIXTURE;

13 (b) To regulate the manufacture, use and sale of ethyl  
14 alcohol;

15 (c) To establish a licensing system for ethyl alcohol  
16 producers and to enforce such system so as to prevent fraud and  
17 deception in the licensing process;

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

21 (e) To make such rules and regulations as shall be deemed  
22 necessary for enforcement of the laws of this Commonwealth  
23 relating to ethyl alcohol and ethyl alcohol producers;

24 (f) To provide for the inspection of ethyl alcohol  
25 production facilities in order to ensure compliance with the  
26 law;

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

30 (h) To secure, in the performance of the duties herein

1 prescribed, the cooperation and assistance of other appropriate  
2 agencies.

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4 (P.L.90, No.21), known as the Liquor Code, is repealed.

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