

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 255 Session of
1999

INTRODUCED BY CONTI, THOMPSON AND TOMLINSON, JANUARY 25, 1999

AS AMENDED ON THIRD CONSIDERATION, HOUSE OF REPRESENTATIVES,
FEBRUARY 9, 1999

AN ACT

1 Amending Title 18 (Crimes and Offenses) of the Pennsylvania
2 Consolidated Statutes, further providing for purchase,
3 consumption, possession or transportation of liquor or malt
4 or brewed beverages by minors; PROVIDING FOR A NONBINDING
5 STATEWIDE REFERENDUM TO DETERMINE THE WILL OF THE ELECTORATE
6 RELATED TO GAMING DEVICES AND ACTIVITIES; PROVIDING FOR A
7 NONBINDING STATEWIDE REFERENDUM TO DETERMINE THE WILL OF THE
8 ELECTORATE RELATED TO RIVERBOAT GAMING DEVICES AND
9 ACTIVITIES; PROVIDING FOR A STATEWIDE REFERENDUM ON SLOT
10 MACHINES AT HORSE RACETRACKS; AND LIMITING CERTAIN REFERENDA. <—

11 The General Assembly of the Commonwealth of Pennsylvania
12 hereby enacts as follows:

13 Section 1. Section 6308(a) of Title 18 of the Pennsylvania
14 Consolidated Statutes is amended to read:

15 § 6308. Purchase, consumption, possession or transportation of
16 liquor or malt or brewed beverages.

17 (a) Offense defined.--A person commits a summary offense if
18 he, being less than 21 years of age, attempts to purchase,
19 purchases, consumes, possesses or knowingly and intentionally
20 transports any liquor or malt or brewed beverages, as defined in
21 section 6310.6 (relating to definitions). For the purposes of

1 this section, it shall not be a defense that the liquor or malt
2 or brewed beverages was consumed in a jurisdiction other than
3 the jurisdiction where the citation for underage drinking was
4 issued.

5 * * *

6 ~~Section 2. This act shall take effect in 60 days.~~ <—

7 SECTION 2. (A) THE SECRETARY OF THE COMMONWEALTH SHALL <—
8 CAUSE TO BE PLACED ON THE BALLOT, AT THE PRIMARY ELECTION
9 OCCURRING AT LEAST 30 DAYS NEXT FOLLOWING THE EFFECTIVE DATE OF
10 THIS ACT, A NONBINDING REFERENDUM TO DETERMINE THE WILL OF THE
11 ELECTORATE OF THIS COMMONWEALTH WITH RESPECT TO GAMING DEVICES
12 AT ESTABLISHMENTS LICENSED BY THE PENNSYLVANIA LIQUOR CONTROL
13 BOARD.

14 (B) THE REFERENDUM QUESTION SHALL BE IN SUBSTANTIALLY THE
15 FOLLOWING FORM:

16 DO YOU FAVOR THE PASSAGE OF LEGISLATION BY THE GENERAL
17 ASSEMBLY TO PERMIT THE LICENSING AND STRICT REGULATION OF
18 LIMITED ELECTRONIC GAMING IN CERTAIN LIQUOR-LICENSED
19 ESTABLISHMENTS IN ORDER TO PROVIDE ADDITIONAL FUNDING FOR
20 EDUCATION AND ECONOMIC DEVELOPMENT?

21 (C) THE REFERENDUM SHALL BE ADVERTISED AND CONDUCTED IN
22 ACCORDANCE WITH THE PROVISIONS OF THE ACT OF JUNE 3, 1937
23 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE.

24 (D) IF MORE THAN ONE REFERENDUM QUESTION IS PLACED ON THE
25 BALLOT, THE SECRETARY OF THE COMMONWEALTH SHALL CAUSE EACH
26 REFERENDUM QUESTION TO BE SEPARATELY NUMBERED.

27 SECTION 3. (A) THE SECRETARY OF THE COMMONWEALTH SHALL
28 CAUSE TO BE PLACED ON THE BALLOT, AT THE PRIMARY ELECTION
29 OCCURRING AT LEAST 30 DAYS NEXT FOLLOWING THE EFFECTIVE DATE OF
30 THIS ACT, A NONBINDING REFERENDUM TO DETERMINE THE WILL OF THE

1 ELECTORATE OF THIS COMMONWEALTH WITH RESPECT TO RIVERBOAT
2 GAMING.

3 (B) THE REFERENDUM QUESTION SHALL BE IN SUBSTANTIALLY THE
4 FOLLOWING FORM:

5 DO YOU FAVOR AUTHORIZING THE GENERAL ASSEMBLY TO ADOPT
6 LEGISLATION TO PERMIT LICENSED AND REGULATED RIVERBOAT
7 GAMING AT A LIMITED NUMBER OF LOCATIONS ON NAVIGABLE
8 WATERWAYS WITH TAX REVENUES BEING APPLIED TO EDUCATION
9 AND ECONOMIC DEVELOPMENT?

10 (C) THE REFERENDUM SHALL BE ADVERTISED AND CONDUCTED IN
11 ACCORDANCE WITH THE PROVISIONS OF THE ACT OF JUNE 3, 1937
12 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE.

13 (D) IF MORE THAN ONE REFERENDUM QUESTION IS PLACED ON THE
14 BALLOT, THE SECRETARY OF THE COMMONWEALTH SHALL CAUSE EACH
15 REFERENDUM QUESTION TO BE SEPARATELY NUMBERED.

16 SECTION 4. (A) THE SECRETARY OF THE COMMONWEALTH SHALL
17 CAUSE TO BE PLACED ON THE BALLOT, AT THE PRIMARY ELECTION
18 OCCURRING AT LEAST 30 DAYS NEXT FOLLOWING THE EFFECTIVE DATE OF
19 THIS ACT, A NONBINDING REFERENDUM TO DETERMINE THE WILL OF THE
20 ELECTORATE OF THIS COMMONWEALTH WITH RESPECT TO SLOT MACHINES AT
21 RACETRACKS.

22 (B) THE REFERENDUM QUESTION SHALL BE IN SUBSTANTIALLY THE
23 FOLLOWING FORM:

24 SHALL THE COMMONWEALTH OF PENNSYLVANIA GENERATE REVENUES
25 FOR EDUCATIONAL PURPOSES AND ECONOMIC DEVELOPMENT BY
26 AUTHORIZING A LIMITED NUMBER OF STRICTLY REGULATED SLOT
27 MACHINES AT THE STATE'S RACETRACKS THAT ALREADY PERMIT
28 WAGERING ON HORSE RACING?

29 (C) THE REFERENDUM SHALL BE ADVERTISED AND CONDUCTED IN
30 ACCORDANCE WITH THE PROVISIONS OF THE ACT OF JUNE 3, 1937

1 (P.L.1333, NO.320), KNOWN AS THE PENNSYLVANIA ELECTION CODE.

2 (D) SHOULD THERE BE MORE THAN ONE REFERENDA QUESTION ON THE
3 BALLOT, THE SECRETARY SHALL PLACE THE SLOT MACHINE AT RACETRACKS
4 REFERENDUM QUESTION IN THE FIRST POSITION ON SAID BALLOT.

5 SECTION 5. NO REFERENDUM ON GAMING DEVICES AND ACTIVITIES AT
6 HORSE RACETRACKS SHALL BE PLACED ON THE BALLOT MORE THAN ONCE
7 EVERY TWO YEARS.

8 SECTION 6. NO REFERENDUM ON RIVERBOAT GAMBLING DEVICES AND
9 ACTIVITIES SHALL BE PLACED ON THE BALLOT MORE THAN ONCE EVERY
10 TWO YEARS.

11 SECTION 7. THIS ACT SHALL TAKE EFFECT AS FOLLOWS:

12 (1) THE AMENDMENT OF 18 PA.C.S. § 6308 SHALL TAKE EFFECT
13 IN 60 DAYS.

14 (2) THE REMAINDER OF THIS ACT SHALL TAKE EFFECT
15 IMMEDIATELY.