

Bill No. 3889-08

No. 12-08-RE

RESOLUTION

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the General Assembly to amend the Local Option Small Games of Chance Act, 10 P.S. §311 *et. seq.*, in order to classify all liquor licensees as "Eligible Organizations" for the purposes of obtaining licenses to operate small games of chance.

WHEREAS, the operation of small games of chance, comprised of punchboards, pull-tabs, raffles, daily or weekly drawings, is governed by the terms of the Local Option Small Games of Chance Act, 10 P.S. §311 *et. seq.*; and

WHEREAS, the Act provides, among other things, for the licensing of certain entities, primarily organizations formed for charitable, religious, fraternal or civic service purposes, to operate small games of chance in order to raise funds for limited purposes; and

WHEREAS, in the wake of enforcement actions against entities in Western Pennsylvania, the vast majority of which are liquor licensees, it has come to light that many small businesses that are liquor licensees rely on conducting activities that resemble small games of chance in order to remain in business, and yet are statutorily prohibited from obtaining a license to do so under the terms of the Act; and

WHEREAS, it is the judgment of Council that marginalizing these small businesses or driving them out of business altogether, and occasioning the accompanying loss of wages and/or benefits for a significant number of employees, ultimately works to the detriment of the health and welfare of the County's residents and is not in the best interests of the County's economy; and

WHEREAS, it is also the judgment of Council that allowing the unlimited use of small games of chance revenue by liquor licensees is not desirable insofar as doing so serves no community-based purpose; and

WHEREAS, it is accordingly the sense of Council that the preferred course of action would be to render liquor licensees eligible to apply for a license to operate small games of chance legally, with the stipulation that all proceeds from such small games of chance be used only to pay employee wages or health care benefits;

The Council of the County of Allegheny hereby resolves as follows:

Section 1.

Allegheny County Council hereby urges the General Assembly to amend the Local Option Small Games of Chance Act, 10 P.S. §311 *et. seq.*, in order to classify all liquor licensees as "Eligible Organizations" for the purposes of obtaining licenses to operate small games of chance. Council further urges the General Assembly to explicitly limit liquor licensees to using the proceeds from such small games of chance only to fund employee wages or health care benefits.

Section 3. Severability. If any provision of this Resolution shall be determined to be unlawful, invalid, void or unenforceable, then that provision shall be considered severable from the remaining provisions of this Resolution which shall be in full force and effect.

Section 4. Repealer. Any resolution or ordinance or part thereof conflicting with the provisions of this Resolution is hereby repealed so far as the same affects this Resolution.

PRIMARY SPONSOR: COUNCIL MEMBER FUTULES

CO-SPONSORS: COUNCIL MEMBER ROBINSON

Enacted in Council, this 1st day of APRIL, 2008,

Council Agenda No. 3889-08



Rich Fitzgerald
President of Council

Attest: John Mascio
John Mascio
Chief Clerk of Council

Chief Executive Office APRIL 3, 2008

Approved: Dan Onorato
Dan Onorato
Chief Executive

Attest: Donna Beltz
Donna Beltz
Executive Secretary