

March 18, 2016

Board of Officers
Greenville Moose Family Center
VIA E-MAIL

RE: Daily Book

Dear Sir or Madam:

ISSUE: Your e-mail of March 2, 2016 states that your club policy requires members to sign your daily and weekly books using both their book number and their name as it appears on their membership card. You have recently been advised that this may be too “stringent” and that a member who had written his/her name in a way different from that which appeared on his/her membership card should not be disqualified from a drawing. You request clarification on this issue.

Records of the Pennsylvania Liquor Control Board (“PLCB”) indicate that Greenville Lodge No. 276, Loyal Order of Moose holds Club Liquor License No. C-189 (LID 508) for use by it at premises located at 32 Shenango Street, Greenville, Pennsylvania.

OPINION: Nothing in the Liquor Code or the PLCB’s Regulations addresses the manner in which a club’s daily or weekly book should be signed by members of the club.

Please be advised that the PLCB is not responsible for administering or enforcing the Local Option Small Games of Chance Act (“LOSGCA”) and, as such, the interpretation of that act falls outside the scope of the PLCB’s authority. Administration responsibilities relative to the LOSGCA rest with the Pennsylvania Department of Revenue, Miscellaneous Tax Division (“Division”) and/or your County Treasurer’s Office, and enforcement responsibilities relative to the LOSGCA rest with the Pennsylvania State Police, Bureau of Liquor Control Enforcement (“BLCE”). Therefore, it is recommended that you contact the Division at (717) 783-9354 and/or the BLCE at (717) 540-7410 with any questions or

Greenville Moose

March 18, 2016

Page 2

concerns you may have regarding the LOSGCA. Alternatively, you may wish to contact your County Treasurer's Office for assistance.

Club licensees must adhere to their constitutions and bylaws. [40 Pa. Code § 5.81]. Therefore, if a club licensee has a provision in its constitution or bylaws related to the manner in which a daily or weekly book should be signed, it must be followed.

THIS OPINION APPLIES ONLY TO THE FACTUAL SITUATION DESCRIBED HEREIN AND DOES NOT INSULATE THE LICENSEE OR OTHERS FROM CONSEQUENCES OF CONDUCT OCCURRING PRIOR TO ITS ISSUANCE. THE PROPRIETY OF THE PROPOSED CONDUCT HAS BEEN ADDRESSED ONLY UNDER THE LIQUOR CODE AND REGULATIONS. THE LAWS AND POLICIES ON WHICH THIS OPINION IS BASED ARE SUBJECT TO CHANGE BY THE LEGISLATURE OR THE PENNSYLVANIA LIQUOR CONTROL BOARD.

Sincerely,



RODRIGO J. DIAZ
CHIEF COUNSEL

cc: Pennsylvania State Police, Bureau of Liquor Control Enforcement
Jerry W. Waters, Director of Office of Regulatory Affairs
Tisha Albert, Director, Bureau of Licensing
Jeffrey Lawrence, Assistant Director, Bureau of Licensing

LCB Advisory Opinion No. 16-081