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Fall 2019

Burns amendment attempted to remove \$700 liquor license fee

Calling it a missed opportunity to help local, small businesses, Rep. Burns said he was disappointed by the failure of the Republican-controlled House of Representatives to support his effort to give local taverns and restaurant owners a significant break.

Rep. Burns offered an amendment to a bill last month that would have eliminated the annual \$700 liquor license fee paid by all restaurants, hotels, clubs and breweries to the state Liquor Control Board. The amendment was rejected by a House vote of 185 to 14.

“It’s not as if the LCB is hurting – it continues to report record profits and sales. In good economic times, it’s only fair that we give these small businesses and nonprofit organizations a financial break,” Burns said.

“Despite what happened, I remain undeterred in my efforts to support the hardworking, local business owners in my community and across Pennsylvania.”



Bill would suspend restaurant liquor license auctions

Rep. Burns has introduced legislation that would suspend the restaurant liquor license auctions currently conducted by the Liquor Control Board several times per year.

A 2016 law allowed the LCB to resurrect old licenses and auction them to the highest bidder. Burns believes pumping these licenses – which had expired or been revoked – back into the marketplace is accelerating the death of independent restaurants and the thousands of jobs they offer across Pennsylvania.

“These auctions put the LCB in direct competition with restaurant licensees who want to sell their

license but who are continually undercut by the LCB’s auctions,” Burns said. “With a \$25,000 minimum auction bid, the owner of the corner tavern who banked on his liquor license as his retirement now has an asset whose value diminishes every day.”

Burns’ legislation, House Bill 1544, would suspend license auctions until the formation of the Wine and Spirits Wholesale and Retail Privatization Commission and the publication of its study. This study was required as part of the same 2016 law that created the auctions, but the commission was never formed, and a study never produced.

What is the PLCB hiding?

Burns wages court battle of liquor license records

Since May, Rep. Burns has been battling the Pennsylvania Liquor Control Board in his quest to learn how many restaurant liquor licenses the board has available to auction off in each county.

The LCB denied his request for the information, calling the simple list of license figures a “trade secret” and arguing that it is “confidential proprietary information.”

Burns appealed the denial to the state Office of Open Records, which ruled in Burns’ favor that the agency must provide the information. Despite that ruling, which struck down every argument made by the LCB for keeping the records a secret, the LCB has taken Burns to court to avoid releasing the information.

While the LCB uses its army of taxpayer-funded attorneys to wage this battle, Burns hired attorney

Terry Mutchler, the founding executive director of the state Office of Open Records, and is paying her out of his own pocket to fight the LCB.

“I need that information to do the job I was elected to do,” said Burns, a member of the House Liquor Control Committee. “I also believe the LCB is handling these auctions in a way that gives it an unfair market advantage over mom-and-pop restaurants and bars. These owners are seeing the licenses they already hold devalued in the LCB’s quest to maximize its own profit to boost state coffers.”

Burns has asked Gov. Tom Wolf, a transparency advocate who recently appointed his former chief-of-staff to the Liquor Control Board, to intervene and convince the LCB to provide the information without a costly court battle.



**SECRET
DOCUMENTS**



“Beer, if drunk in moderation, softens the temper, cheers the spirit and promotes health.” – Thomas Jefferson

BURNS FIGHTS FOR BEER DISTRIBUTORS

As a lifelong supporter of Pennsylvania’s beer distributors, Rep. Burns has vowed to fight a bill that would threaten these small, independently owned businesses.

A proposed bill would allow a restaurant to purchase a permit enabling it to skirt the very requirements that make it a restaurant. Under House Bill 1644, introduced by Rep. Matt Dowling, R-Fayette/Somerset counties, a restaurant license holder could buy its way out of requirements to provide food and seating to patrons, allowing drinks to be consumed on-site and limiting the quantities of beer and wine sold to-go.

“This bill would allow a grocery store to be a beer distributor in sheep’s clothing,” Burns said. “If a grocery store wants to act like a beer distributor – they should look to buy a distributor license instead.”

House Bill 1644 is currently before the House Liquor Control Committee, on which Burns is a senior member.

Burns fights for small-business owners

Opposes bills that hurt mom-and-pop businesses

- Rep. Burns voted “no” on House Bill 1524, which allows big corporate developers to buy restaurant liquor licenses for a flat fee directly from the LCB rather than make them buy licenses at fair market value like everyone else.
- Rep. Burns voted against House Bill 1617, which would allow old hotel liquor licenses to be converted to more valuable restaurant licenses for a paltry fee of \$30,000. The move would allow certain hotel licenses with little worth to suddenly skyrocket in value, which Burns believes is unfair to existing restaurant licensees. The bill now moves to the state Senate for consideration.



Burns' connection to small businesses runs deep



Rep. Burns' passion for issues affecting restaurants, bars and other liquor licenses comes from his personal connection to small businesses.

Since before he was born 44 years ago, Burns' family has owned a restaurant. Growing up, Burns watched his parents work tirelessly to build and sustain their business. He saw the long hours and careful management it takes to make a small business thrive.

Burns worked around the family business doing whatever was needed and, when he was old enough, worked as a bartender.

“My experiences growing up in a family-owned restaurant have given me a unique understanding of the issues that small businesses face,” Burns said. “I’ve devoted my time on the House Liquor Control Committee to standing up for small-business owners.”



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www.pahouse.com/Burns

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