



**Summer  
2018**

**PROTECTION  
THROUGH  
LEGISLATION  
THROUGH  
EDUCATION**

Copies of all bills of interest can be obtained from the PFFSO office, or accessed directly via the Internet at: <http://www.legis.state.pa.us/cfdocs/legis/home/bills/>

**Will Guitteau**  
**President**

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908 North Second Street  
Harrisburg, PA 17102

# The Bulletin

*The official publication of the Pennsylvania Federation of  
Fraternal and Social Organizations*

## **Sports Pools, Keno, Virtual Sports Coming to a Club Near You**

A Supreme Court Decision, and recently law changes have opened new opportunities, and choices, for clubs in Pennsylvania. According to the Local Option Small Games of Chance Law, Section 301.1., states: "Prohibition regarding pools. The operation of a pool must comply with the Professional and Amateur Sports Protection Act (Public Law 102-559, 28 U.S.C. § 3701 et seq.) or other Federal law in the operation of or participation in the pool. That federal was struck down last year by the US Supreme Court. This allows clubs to hold sports pools as long as they follow the SGOC law, which provides the following definition:

**"Pool." An activity in which a person pays an entry fee for each chance to win cash or merchandise based on the outcome of an event or series of events wherein the participants in the event or series of events are natural persons or animals, and to which all of the following apply:**

- (1) The maximum number of individuals that may participate in a pool is 100 people.**
- (2) The maximum entry fee for each individual entry in a pool is \$20.**
- (3) Other than the entry fee, no other money or thing of value is paid or given for participation in a pool.**
- (4) There is at least one guaranteed winner from among the participants.**
- (5) All entry fees collected for entry into the pool are paid as prizes to one or more participants in the pool.**
- (6) No entry fees or portions thereof are retained by the person or eligible organization operating the pool.**

Although the Department of Revenue website has been slow to update its information on this subject, more information, and help with reporting these new games, can be found on the PA State Police website: <https://www.psp.pa.gov/LCE/Pages/Small-Games-of-Chance.aspx>

Also effective May 1, 2018, the PA Lottery has introduced new lottery games - Keno, and Virtual Sports Games. These games are authorized by the recent change in the gaming law, unlike the video gaming bills and "gray" machines. The Lottery is looking for clubs to become their retailers, adding these games to their business plans. For a nominal (\$15) licensing fee, the Lottery will place all the needed equipment in the club, maintain it, and train officers and staff how they work. For more information on these "monitor games", members were asked to check the PA Lottery Website: <https://www.palottery.state.pa.us/About-PA-Lottery/For-Retailers.aspx>. Those who attended the 2018 PFFSO convention were able to see these new games demonstrated. The PA Lottery is very helpful in helping interested clubs get started with this new potential revenue source.

### **Small Games Bill Stalls in Senate After Tavern Gaming Amendment Added**

HB 864, which originally only provided for airport raffles, was broadly amended in the Senate in June to encompass a wide variety of gaming expansion, particularly with regard to taverns, but also adding electronic pull tabs and other issues, that ultimately caused the Senate leadership to pull the bill from final consideration, just prior to the summer recess.

### **PA Federation of Fraternal and Social Organizations 2018 Convention Notes**

The 78<sup>th</sup> annual PFFSO convention business meeting was held Saturday, June 9, 2018, at the VFW in Duncansville, PA. Here are some of the highlights.

President Shirley Loy called the convention to order at 9 AM. Pledge of Allegiance was led by President Loy. Loy thanked the Blair County Unit for all the hard work in putting the convention together. Loy noted the absence of **Immediate Past President Bob Belus**, who is home recovering from illness.

**Jason Bidish** of Barr's Insurance agency gave his annual update on the Federation's endorsed program for insurance for PFFSO member clubs, and took questions from the assembly. Bidish discussed clubs' need for coverage, types of coverage available, and tips for reducing liability exposure and to help recovery when there is a claim.

**Keynote Addresses – Rep. Judy Ward (R-Blair)** welcomed the delegates to Duncansville. She presented a detailed summary of legislation of interest to clubs, including Small games of Chance (HB 1313, HB 864), recently enacted Bingo legislation (HB 411 - now **Act 66 of 2017**), VGTs (Act 42 of 2017, which only applies to truck stops), and proposed legislation by Rep. Steve Barrar to allow clubs to have VGTs, and keep 30% of proceeds. She also stated that she had sought clarification from PSP on the status of "skill game" machines, but what she could find out was not definitive, as the court decisions were county court decisions, and not binding statewide. **She is of the understanding that PSP-BLCE will be resuming confiscation of these machines soon, as they seek a more "friendly" court to get the other decisions overturned.** She also thought there would be legislation introduced to make these machines illegal

once and for all. Ward also discussed the new additions of Keno and virtual sports games being marketed by the PA Lottery. Representatives of the Lottery had presented demonstrations in the hospitality suite on Friday night, and handed out free play cards for folks to learn to play. Mike Snyder noted that the VFW has those machines, and invited delegates to try them after the meeting.

Rep. Ward also spoke about Sports Betting and SGOC betting pools. As with skill games, PSP/BLCE has not confirmed what their position is on these pools since the US Supreme Court tossed out the ban on sports betting, and recommended clubs interested in holding such pools contact their local PSP barracks for guidance. Finally, Rep. Ward, a Registered Nurse by profession, discussed ongoing efforts in the General Assembly to remove exemptions to the Clean Indoor Air Act, including the right of private clubs to vote to allow smoking. She believes in the right of private entities to make that determination for themselves. Ensuing member discussion was wide-ranging, with some delegates pushing for a total ban, and others saying they prefer to leave things as they are.

**Roll Call** – Bob Brzezicki, Secretary/Treasurer called roll. All Units except **Lawrence** were declared in good standing and present. A quorum was established.

**Registration Report** – Registration/Credentials Committee

**1. Lou Dixon of Mercer County**, reported 35 delegates certified for voting, and 16 guests registered, for a total of 51 in attendance. Motion was made and properly seconded to accept the report. **John Robinson (Erie) moved, and Mike Snyder (Blair) seconded**, that the report be accepted. **Motion carried unanimously.**

**Treasurer's Report** – Robert Brzezicki, Secretary/Treasurer referred members to the report in the convention book. **A motion was made by Michael Wilkosz (Erie), and seconded by Lou Dixon**, to adopt the Secretary/ Treasurer's report. **Motion carried unanimously.**

**Committee Reports:****Legislative/Legal Committee – Arthur**

**Chamberlain (Blair)** reported on behalf of the Committee on a list of bills that the members were included in the book. He announced the Committee's recommended positions on each bill. Chamberlain noted the assistance of Board members and staff in helping to explain the bills being considered. **Motion to accept the Committee report was made by Karen Skarupski (Erie), seconded by Rick Olvitt (York), and adopted by a majority vote.**

**Audit/Finance Committee – Jeff Davis**

**(Beaver)** reported that the committee reviewed the budget, saw it is in order, and had no recommendations. **Motion to accept the Committee report was made by Lou Dixon, seconded by Harry Lescher (Berks), and adopted unanimously.**

**By-Laws Committee-** Chairperson **Karen Karupski** reported that the committee had not received an updated copy of the By-Laws for review ahead of the Committee meeting. Karen and **Linda Masters (Mercer)**, and the committee will work on amendments and report them to the Board for consideration and distribution prior to the next convention. **Motion to accept the Committee report was made by Wilkosz, seconded by Snyder, and adopted unanimously.**

**Grievance Committee – Michael Wilkosz** reported that one grievance had been submitted, taking issue with the unit assessment, but that did not meet the definition of grievance, rather it is a complaint to be registered and dealt with by the Board of Directors, from which it originated. There were no other grievances to report. **Motion to accept the Committee report was made by Robinson, seconded by Lescher, and adopted unanimously.**

**Expansion/Public Relations Committee – Patty Shaffer (Beaver)** reported on behalf of the committee that the Committee

discussed and recommends several ideas for promoting expansion of membership, such as doing another mailing from the state office to all non-member clubs in PA asking them to join; having members and staff go to other clubs' meetings, and find out why they are not members; units to invite non-member clubs in their area to unit meetings as guests, and get them to join; and ask member clubs how to increase interest and attendance at meetings. **Motion to accept the Committee report was made by Olvitt, seconded by Robinson, and adopted unanimously.**

**Sergeant-At-Arms Committee – No report.**

**Nominating Committee – Lou Dixon** reported that the following had been nominated as officers for 2018-19:

**President – Will Guitteau, Butler County (first term)**

**First Vice President – Mike Snyder, Blair County (first term)**

**Second Vice President – Robert Brzezicki, Erie County (second term)**

**Secretary/Treasurer – Diane Howland, Franklin/Fulton**

**Motion to accept the Committee report was made by Art Chamberlain, seconded by Harry Lescher, and adopted by majority vote, Linda Masters voting no.**

**Report from the Board of Directors Meeting – Shirley Loy, President**

Loy reported that the Board discussed many of the same issues just taken up at the convention, and that Diane Howland had volunteered to hold the 2019 statewide raffle to benefit the Federation state office budget. Berks County unit has agreed to host the convention for 2019. **Erie will host in 2020.**

**Executive Director/Legislative Reports** – Ted Mowatt directed attendees to his report printed in the program. Mowatt stressed again the need for expansion of the Federation into more parts of the state. There is strength in numbers, and having more units takes the pressure off any one of the existing units to host the convention as frequently. Mowatt agreed with the Expansion Committee's recommendation to send out another mailing to clubs encouraging membership. **Motion to accept the report was made by Robinson, seconded by Snyder, and adopted unanimously.**

**Solicitor Report** - Jim Snell discussed the "skill games," and seconded Rep. Ward's recommendation to consult with local LCE agents for guidance before installing them. **Motion to accept the Solicitor's report was made by Snyder, seconded by Wilkosz, and adopted unanimously.**

### **Memorial for Departed Comrades**

A moment of silence was observed for the following members who passed away in the past year. Special mention was made of the passing of **Mark Spicer** and **Maureen Thanko**.

**Announcement of 2019 and 2020 Conventions** – Berks County Unit Director Shirley Loy announced the dates for 2019 convention are **May 31-June 2, 2019**, at the **Best Western Plus in Shillington, Berks County**. Erie County Unit Director announced the 2020 convention will be held the 2<sup>nd</sup> weekend of June, 2020.

### **Unfinished Business**

NONE

### **New Business**

**Election of Officers** - The slate reported by the Nominating Committee was read. The floor was opened for nominations. Discussions arose over traditional prohibition on more than one member of the Board of directors from each unit. **This will be addressed by the By-laws committee for consideration at next convention.** **Wilkosz** moved, and **Snyder** seconded, to have the Secretary/Treasurer cast a unanimous ballot. **Motion carried.**

### **Good and Welfare**

Mowatt read Mike Snyder's unit director report, as it was not included in the convention book.

Snyder thanked all delegates and guests for attending the convention, and invited them to stay for lunch and to play keno at the club, and discussed the club crawl and dinner arrangements.

Loy thanked delegates as well, and Blair unit for all their work in putting together a fine convention.

### **Adjournment**

There being no further business, **the convention was adjourned at noon.**

**Next Convention meeting will be held on June 1, 2019, in Berks County.**

### **PA Federation of Fraternal and Social Organizations June 8, 2018 Board of Directors Meeting Highlights**

The PFFSO Board of Directors met on Friday, June 8, at the Comfort Inn in Altoona, prior to the 2018 PFFSO convention. President Shirley Loy called the meeting to order at 3:10 PM. Loy asked for a moment of silence for the departed club-persons, and gave special note of the absence of Bob Belus, who is ailing, and welcomed Patti Shaffer.

**Roll Call** – Secretary/Treasurer **Bob Brzezicki** called the roll. Directors present, in addition to **Brzezicki (Erie)** – **Shirley Loy (Berks)**, **Will Guitteau (Butler)**, **Mike Snyder (Blair)**, **Rich Valko (Adams)**, **Patti Shaffer (Beaver)**, **Diane Howland (Franklin/Fulton)**, **Jim Weber (Lehigh Valley)**, **Lou Dixon (Mercer)**, **Nikki Shemansky (Montgomery)**, and **Rick Olvitt (York)**. **Mike Carmel (Lebanon)**, and **Sharon Snizek (Lawrence)** were unable to attend.

State Executive Director **Ted Mowatt** and Solicitor **Jim Snell** also attended. **Quorum was established.**



**President's Report – Shirley Loy** – Loy noted that her unit has had attendance issues at recent meetings, not sure why. She also stated that this will be her final report as president, and has enjoyed her time in the chair, though it has been a busy two years. She wished her successor well.

**Treasurer's Report – Bob Brzezicki** presented the report.

1. May 31 Financial Statement. Mowatt noted unit dues are still outstanding for a number of units, and noted a shortfall in direct members since the previous year. Mowatt suggested he may do another mailing to all licensed clubs in PA.

2. Convention Expenses/ Assessment – Board resumed discussion from previous meetings regarding “fairness” of the assessments. The issue was addressed at the previous convention, and was submitted as a grievance this year.

3. Raffle – Shirley Loy reported total sales of \$4545, \$84.34 in printing expenses, and \$1300 in winners. Total net profit to the state office of \$3160.66. 91 of 1000 tickets were unsold, including the \$500 Memorial day number.

4. Mowatt acknowledged receipt of a contribution of \$2500 from Miller/Coors Brewing in support of the Federation.

**On a motion by Olvitt, seconded by Snyder, the report was accepted.**

#### **Executive Director's Report – Ted Mowatt**

Legislative Issues –Mowatt provided a list of bills introduced and acted upon in the General Assembly since the March meeting. Mowatt also shared the annual report from the Joint Legislative Budget and Finance Committee regarding the impact of tavern gaming on the PA Lottery. In short, the report concluding that impact was negligible, due to the low level of play in taverns compared to lottery.

**On a motion by Guitteau, seconded by Snyder, the report was accepted**

#### **Solicitor's Report – Jim Snell, Esq.**

Recent cases – Snell did not have cases of note to report. He reiterated his belief that the “skill games” are still dubious legally. He also noted the sports bet-

ting decision by the US Supreme Court will have implications for clubs, but that is still to be determined.

#### **Directors Reports**

Snell reported on behalf of Lebanon County Unit that the unit assessment will be a problem for Lebanon County to absorb if the current system continues.

#### **Committee Reports**

No reports were received from committees. The Board discussed amending the by-laws to allow for the unit of the Immediate Past President to appoint a second director, as the IPP is ex-officio per the by-laws. The matter will be submitted to the By-Laws committee for consideration.

#### **Old/Unfinished Business**

Mike Snyder – **2018 Convention** – Snyder welcomed everyone to the Altoona convention, and gave a brief schedule update.

The Board reconvened at the conclusion of the convention business meeting for New Business.

#### **New Business**

**On a motion by Snyder, seconded by Olvitt, the Federation reappoint Ted Mowatt Executive Director, and Jim Snell Solicitor, per the by-laws. Motion carried unanimously.**

**Next meeting – October 7, 2018, 12 PM at the Chambersburg Viet Nam Veterans of Foreign Wars club**

#### **Legislative Activity**

**The following bills of interest to clubs have been acted upon by the General Assembly since the last Bulletin.**

**HB 864** RE: SGOC Changes (by Rep. Mark Mustio, et al)

Amends the Local Option Small Games of Chance Act, in preliminary provisions, further providing for legislative intent and for definitions; in games of chance, **repealing provisions relating to prohibition regarding pools, further providing for prize limits**, for distributor licenses and for major league sports drawing, providing for airport 50/50 drawing and

further providing for registration of manufacturers and for licensing of eligible organizations; **in club licensees, further providing for club licensee and for distribution of proceeds**; and, in enforcement, further providing for enforcement., repealing provisions relating to advertising and further providing for criminal penalties; and, in tavern gaming, further providing for definitions, for licenses, for application, for approval, for change in ownership, for prize limits, **for tavern raffle**, for distribution of net revenue, for tavern games tax and for reports, providing for e-tab manufacturer requirements and further providing for enforcement and for prohibitions. The bill adds language to permit an airport system located in a Second Class County (Allegheny) to conduct 50/ 50 drawings. Further provides for frequency and location; distribution; designated charitable organization; eligibility; unclaimed prizes; applicability; and additional recordkeeping. Also provides for licensing of eligible organizations; for club licensees and distribution of proceeds. Limits the maximum prize which may be awarded for any weekly drawing shall be \$14,000. Allows nonprofit organizations affiliated with institutions of higher education to operate athletic event drawings during home games of collegiate teams. **Removes the prohibition regarding pools.** Prohibits distributor licenses for any person convicted of a misdemeanor. Provides for e-tab manufacturer reporting requirements. Portions are effective January 1, 2019 or immediately, with the remainder effective in 60 days.

**PFFSO Position: Support Some Provisions, Oppose Others**

**Reported as amended from Senate Community, Economic & Recreational Development Committee, and read first time, 4/24/2018**

**Laid on the table, removed from the table, 6/12/2018**

**Read second time, and rereferred to Senate Appropriations Committee, 6/18/2018**

**Reported as committed from Senate Appropriations Committee, 6/19/2018**

**Amended on Senate floor, 6/21/2018**

**Tomlinson motion to revert to prior printer number, PN 3433 defeated, 6/22/2018**

**Read third time, and defeated in Senate, 6/22/2018 (20-29)**

**Senate Corman motion to reconsider the vote by which HB 864 was defeated, agreed to, 6/22/2018**

**HB 1741** RE: Six Packs for Clubs (by Rep. Jim Marshall, et al)

Amends the Liquor Code, in licenses and regulations and liquor, alcohol and malt and brewed beverages, further providing for authority to issue liquor licenses to hotels, restaurants and clubs, for sale of malt or brewed beverages by liquor licensees, for retail dispensers' restrictions on purchases and sales and for premises to be vacated by patrons. The board shall have authority to issue a retail liquor license for any premises kept or operated by a hotel, restaurant or club and specified in the license entitling the hotel, restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and, subject to the provisions of this act and the regulations made thereunder, to sell the same and also malt or brewed beverages to guests, patrons or members for consumption on the hotel, restaurant or club premises. Effective in 30 days.

**PFFSO Position: Support**

**Laid on the table, Removed from the table, 6/6/2018**

**HB 2263** RE: Flexible Pricing (by Rep. Jesse Topper, et al)

Amends the Liquor Code, in Pennsylvania Liquor Control Board, further providing for general powers of board. The intent of the bill is to eliminate flexible pricing.

**PFFSO Position: No position**

**Introduced and referred to House Liquor Control Committee, 4/16/2018**

**HB 2541** RE: Local Option (by Rep. Jesse Topper, et al)

Amends the Liquor Code, in general provisions applying to both liquor and malt and brewed beverages, further providing for local option. Provides the ballot

questions to be used by a municipality in determining whether to grant brewery licenses, brewery storage licenses, limited distillery licenses, additional licenses for board-approved limited distillery locations, limited winery licenses, or additional licenses for board-approved limited winery locations.

**PFFSO Position: No position**

**Introduced and referred to House Liquor Control Committee, 7/2/2018**

**HB 2584** RE: Poker Run Permits (by Rep. Cris Dush, et al)

Amends the Local Option Small Games of Chance Act, in preliminary provisions, further providing for definitions; and, in games of chance, for licenses and manufacturers and providing for poker run permits.

**PFFSO Position: No position**

**Introduced and referred to House Gaming Oversight Committee, 8/7/2018**

**HR 976** RE: American Legion Auxiliary Keystone Girls (by Rep. Kate Klunk, et al)

A Resolution recognizing the Pennsylvania American Legion Auxiliary Keystone Girls State program being held during the week of June 17, 2018.

**PFFSO Position: Support**

**Introduced as noncontroversial resolution, 6/13/2018**

**Adopted, 6/20/2018 (197-0)**

Would you like to receive this Bulletin in electronic format, to speed up dissemination to other clubs? Send an email to our State Executive Director, Ted Mowatt, at: [tmowatt@wannerassoc.com](mailto:tmowatt@wannerassoc.com). Thanks.

**SB 255** RE: Sports Pools (by Sen. Lisa Boscola, et al)

Amends Title 18 (Crimes and Offenses) further providing for pool selling and bookmaking. Adds language allowing betting pools if: not more than 100 individuals participate in the pool; the maximum amount wagered for each individual entry in the pool is \$20; other than the wager no other money or thing of value is paid or given for participation in the pool; all wages collected for entry into the pool are paid as prizes to one or more participants in the pool or to a clearly identified nonprofit organization; no wagers or portions of the wagers are retained by the person or entity operating the pool and collecting wagers for participation; and the transaction of entering the pool is incidental to a bona fide social relationship.

**PFFSO Position: Support**

**Reported as committed from Senate Judiciary Committee, and read first time, 6/19/2018**

**SB 575** RE: Firefighter Service Awards (by Sen. Andrew Dinniman, et al)

Amends Title 35 (Health and Safety), in volunteer firefighters, further providing for definitions, for statement of purpose, for funds and for audits. The bill authorizes length of service award programs and provides for assistance to volunteer firefighters to aid in recruitment and retention.

**PFFSO Position: Support**

**Reported as committed from Senate Veterans Affairs & Emergency Preparedness Committee, and read first time, 6/19/2018**

**SB 1221** RE: First Responder Workers Comp (by Sen. Randy Vulakovich, et al)

Amends the Workers' Compensation Act, in additional coverages, further providing for the definition of "employee"; and making editorial changes. The bill adds to the definition of employee, officers, directors, rescue and lifesaving squad members or any other members of volunteer rescue and lifesaving squads of the various municipalities.

**PFFSO Position: Support**

**Introduced and referred to Senate Labor and Industry Committee, 7/18/2018**

### Upcoming meetings of Interest

Some House Committee meetings and session can be viewed online at: <http://www.pahousegop.com/>

Senate Committee meetings and session can be streamed at: <http://www.pasenategop.com/>

The House and Senate are in recess to the call of their respective chairs.

### 2018 FALL SENATE SESSION SCHEDULE (Subject to change)

September 24, 25, 26

October 1, 2, 3, 15, 16, 17

November 14

### 2018 FALL HOUSE SESSION SCHEDULE

September 12, 13, 24, 25, 26

October 1 (non-voting), 2 (non-voting), 9, 10, 15, 16, 17

November 13

**REMINDER:** All club dues not paid by May 1, 2018, will be dropped from membership.

Please note, that per action at the 2015 convention, Direct member dues are \$75 annually, Unit Dues are up to the Unit. If you know a club that should be a direct member, please have them contact the PFFSO office.

Thank you all for your continued support of the Federation. We still have a lot of work to do, and we do it better together



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