



HOUSE BILL No. 4560

March 8, 1995, Introduced by Reps. Murphy, Vaughn, Agee, Scott, Saunders, Kilpatrick, Stallworth, Wetters and Hanley and referred to the Committee on House Oversight and Ethics.

A bill to amend sections 19, 24, and 26b of Act No. 8 of the Public Acts of the Extra Session of 1933, entitled as amended "The Michigan liquor control act," sections 19 and 24 as amended by Act No. 300 of the Public Acts of 1992 and section 26b as amended by Act No. 118 of the Public Acts of 1989, being sections 436.19, 436.24, and 436.26b of the Michigan Compiled Laws; and to add section 2ee.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 19, 24, and 26b of Act No. 8 of the
2 Public Acts of the Extra Session of 1933, sections 19 and 24 as
3 amended by Act No. 300 of the Public Acts of 1992 and section 26b
4 as amended by Act No. 118 of the Public Acts of 1989, being sec-
5 tions 436.19, 436.24, and 436.26b of the Michigan Compiled Laws,
6 are amended and section 2ee is added to read as follows:

1 SEC. 2EE. "RIVERBOAT CASINO" MEANS A RIVERBOAT CASINO THAT
2 IS ESTABLISHED UNDER THE RIVERBOAT CASINO GAMING ACT.

3 Sec. 19. (1) The following license fees shall be paid at
4 the time of filing applications or as otherwise provided in this
5 act:

6 (a) ~~Manufacturers~~ A MANUFACTURER of spirits, but not
7 including ~~makers, blenders, and rectifiers of wines~~ A MAKER,
8 BLENDER, OR RECTIFIER OF WINE containing 21% of alcohol or less
9 by volume, \$10,000.00.

10 (b) ~~Manufacturers~~ A MANUFACTURER of beer, \$50.00 per 1,000
11 barrels ~~—~~ or fraction of a barrel, production annually with a
12 maximum fee of \$1,000.00, and in addition \$50.00 for each motor
13 vehicle used in delivery to A retail ~~licensees~~ LICENSEE. A fee
14 increase ~~shall~~ DOES not apply to a manufacturer of less than
15 15,000 barrels production per year.

16 (c) ~~Outstate~~ AN OUTSTATE seller of beer, delivering or
17 selling beer in this state, \$1,000.00.

18 (d) ~~Wine makers, blenders, and rectifiers~~ A WINE MAKER,
19 BLENDER, OR RECTIFIER of wine, including ~~makers, blenders, and~~
20 ~~rectifiers of wines~~ A MAKER, BLENDER, OR RECTIFIER OF WINE con-
21 taining 21% or less alcohol by volume, \$100.00. The small wine
22 maker license fee ~~shall be~~ IS \$25.00.

23 (e) ~~Outstate~~ AN OUTSTATE seller of wine, delivering or
24 selling wine in this state, \$300.00.

25 (f) ~~Outstate~~ AN OUTSTATE seller of mixed spirit drink,
26 delivering or selling mixed spirit drink in this state, \$300.00.

1 (g) Dining cars or other railroad or pullman cars selling
2 alcoholic liquor, \$100.00 per train.

3 (h) ~~Wholesale vendors~~ A WHOLESale VENDOR other than
4 ~~manufacturers~~ A MANUFACTURER of beer, \$300.00 for the first
5 motor vehicle used in delivery to A retail ~~licensees~~ LICENSEE
6 and \$50.00 for each additional motor vehicle used in delivery to
7 A retail ~~licensees~~ LICENSEE.

8 (i) Watercraft ~~—~~ licensed to carry passengers, selling
9 alcoholic liquor, a minimum fee of \$100.00 and a maximum fee of
10 \$500.00 per year computed on the basis of \$1.00 per person per
11 passenger capacity.

12 (j) ~~Specially~~ A SPECIALLY designated ~~merchants~~ MERCHANT,
13 for selling beer or wine for consumption off the premises only,
14 but not at wholesale, \$100.00 for each location regardless of the
15 fact that the location may be a part of a system or chain of
16 merchandising.

17 (k) ~~Specially~~ A SPECIALLY designated ~~distributors~~
18 DISTRIBUTOR licensed by the commission to distribute spirits and
19 mixed spirit drink in the original package for the commission for
20 consumption off the premises, \$150.00 per year, ~~—~~ and \$3.00
21 additional fee for each \$1,000.00 or major fraction of that
22 amount in excess of \$25,000.00 of the total retail value of mer-
23 chandise purchased under each license from the liquor control
24 commission during the ~~previous~~ IMMEDIATELY PRECEDING calendar
25 year.

1 (l) ~~Hotels~~ A HOTEL of class A selling beer and wine, a
2 minimum fee of \$250.00 and for all bedrooms in excess of 20,
3 \$1.00 for each additional bedroom, but not to exceed \$500.00.

4 (m) ~~Hotels~~ A HOTEL of class B selling beer, wine, mixed
5 spirit drink, and spirits, a minimum fee of \$600.00 and for all
6 bedrooms in excess of 20, \$3.00 for each additional bedroom. If
7 a hotel of class B sells beer, wine, mixed spirit drink, and
8 spirits in more than 1 public bar, the fee ~~shall entitle~~
9 ENTITLES the hotel to sell in only 1 public bar, other than a
10 bedroom, and a license shall be secured for each additional
11 public bar, other than a bedroom, the fee for which shall be
12 \$350.00.

13 (n) ~~Taverns~~ A TAVERN, selling beer and wine, \$250.00.

14 (o) ~~Class license~~ A CLASS C LICENSEE selling beer, wine,
15 mixed spirit drink, and spirits, \$600.00. If a class C licensee
16 sells beer, wine, mixed spirit drink, and spirits in more than 1
17 bar, a fee of \$350.00 shall be paid for each additional bar. In
18 municipally owned or supported facilities in which A nonprofit
19 ~~organizations operate~~ ORGANIZATION OPERATES A concession
20 ~~stands~~ STAND, a fee of \$100.00 shall be paid for each addi-
21 tional bar.

22 (p) ~~Clubs~~ A CLUB selling beer, wine, mixed spirit drink,
23 and spirits, \$300.00 for clubs having 150 or less ~~duly~~ accredi-
24 ted members and \$1.00 for each additional member. The membership
25 list for the purpose only of determining the license fees to be
26 paid under this ~~section~~ SUBDIVISION shall be the accredited
27 list of members as determined by a sworn affidavit 30 days before

1 the closing of the license year. This ~~section shall~~
 2 SUBDIVISION DOES not prevent the commission from checking a mem-
 3 bership list and making its own determination from the list or
 4 otherwise. The list of members and additional members ~~shall~~ IS
 5 not ~~be~~ required of a club paying the maximum fee. The maximum
 6 fee shall not exceed \$750.00 for any 1 club.

7 (q) ~~Warehouses~~ A WAREHOUSE, to be fixed by the commission
 8 with a minimum fee for each warehouse of \$50.00.

9 (r) ~~Special licenses~~ A SPECIAL LICENSE, a fee of \$50.00
 10 per day, except that the fee for that license or permit issued to
 11 any bona fide nonprofit association, ~~duly~~ organized and in con-
 12 tinuous existence for 1 year before the filing of its applica-
 13 tion, ~~shall be~~ IS \$25.00. Not more than 5 special licenses may
 14 be granted to any organization, including an auxiliary of the
 15 organization, in a calendar year.

16 (s) ~~Airlines~~ AN AIRLINE licensed to carry passengers in
 17 this state, which ~~sell, offer~~ SELLS, OFFERS for sale, ~~provide~~
 18 PROVIDES, or ~~transport~~ TRANSPORTS alcoholic liquor, \$600.00.

19 (t) ~~Brandy~~ A BRANDY manufacturer, \$100.00.

20 (u) ~~Mixed~~ A MIXED spirit drink manufacturer, \$100.00.

21 (v) ~~Brewpub~~ A BREWPUB, \$100.00.

22 (W) A RIVERBOAT CASINO, \$1,000.00.

23 (2) The fees provided in this ~~act~~ SECTION for the various
 24 types of licenses shall not be prorated for a portion of the
 25 effective period of the license.

26 Sec. 24. The following classes of vendors may sell
 27 alcoholic liquors at retail as provided in this section:

1 (a) Taverns where beer and wine may be sold for consumption
2 on the premises only.

3 (b) Class C license where beer, wine, mixed spirit drink,
4 and spirits may be sold for consumption on the premises.

5 (c) Clubs where beer, wine, mixed spirit drink, and spirits
6 may be sold for consumption on the premises only to bona fide
7 members ~~—~~ who have attained the age of 21 years.

8 (d) Hotels of class A where beer and wine may be sold for
9 consumption on the premises and in the rooms of bona fide regis-
10 tered guests. Hotels of class B where beer, wine, mixed spirit
11 drink, and spirits may be sold for consumption on the premises
12 and in the rooms of bona fide registered guests.

13 (e) Specially designated merchants ~~—~~ where beer and wine
14 may be sold for consumption off the premises only.

15 (f) Specially designated distributors where spirits and
16 mixed spirit drink may be sold for consumption off the premises
17 only.

18 (g) Special licenses where beer and wine or beer, wine,
19 mixed spirit drink, and spirits may be sold for consumption on
20 the premises only.

21 (h) Dining cars or other railroad or pullman cars, water-
22 craft, or aircraft ~~—~~ where alcoholic liquor may be sold for
23 consumption on the premises only, subject to rules promulgated by
24 the commission.

25 (i) Brewpubs where beer manufactured on the premises by the
26 licensee may be sold only for consumption on the premises by any
27 of the following licensees:

1 (i) Class "C".

2 (ii) Tavern.

3 (iii) Class "A" hotel.

4 (iv) Class "B" hotel.

5 (j) Micro ~~brewers~~ BREWER where beer produced by the micro
6 brewer may be sold to a consumer for consumption on or off the
7 brewery premises.

8 (K) RIVERBOAT CASINO WHERE ALCOHOLIC LIQUOR MAY BE SOLD FOR
9 CONSUMPTION ON THE LICENSED PREMISES OF THE RIVERBOAT CASINO
10 DURING OPERATING HOURS.

11 Sec. 26b. (1) Alcoholic liquor may be served by any hotel
12 licensed individually under ~~the provisions of~~ this act in the
13 room of a bona fide guest. Spirits or mixed spirit drink shall
14 not be consumed in any place licensed under this act to sell beer
15 or wine and not licensed to sell spirits or mixed spirit drink.

16 (2) A RIVERBOAT CASINO MAY SELL ALCOHOLIC LIQUOR FOR CON-
17 SUMPTION ON THE LICENSED PREMISES OF THE RIVERBOAT DURING OPERAT-
18 ING HOURS.

19 Section 2. This amendatory act shall not take effect unless
20 all of the following bills of the 88th Legislature are enacted
21 into law:

22 (a) Senate Bill No. _____ or House Bill No. 4561 (request
23 no. 00929'95 ***).

24 (b) Senate Bill No. _____ or House Bill No. 4559 (request
25 no. 00929'95 a ***).