



# SENATE BILL No. 1051

May 22, 1996, Introduced by Senators VAUGHN, V. SMITH, O'BRIEN, CONROY, CHERRY, BERRYMAN, STALLINGS, A. SMITH, PETERS and KOIVISTO and referred to the Committee on Government Operations.

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. "CASINO" MEANS A CASINO THAT IS ESTABLISHED UNDER  
2 THE 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 WHOLESAL 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~~ A CLASS C license selling beer, wine, mixed  
15 spirit drink, and spirits, \$600.00. If a class C licensee sells  
16 beer, wine, mixed spirit drink, and spirits in more than 1 bar, a  
17 fee of \$350.00 shall be paid for each additional bar. In munici-  
18 pally 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 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) CASINO WHERE ALCOHOLIC LIQUOR MAY BE SOLD FOR CONSUMP-  
9 TION ON THE PREMISES DURING OPERATING HOURS.

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

15 (2) A CASINO MAY SELL ALCOHOLIC LIQUOR FOR CONSUMPTION ON  
16 THE PREMISES DURING OPERATING HOURS.

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

20 (a) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
21 no. 07644'96).

22 (b) Senate Bill No. \_\_\_\_\_ or House Bill No. \_\_\_\_\_ (request  
23 no. 07644'96 a).