

HOUSE BILL No. 4457

March 16, 1989, Introduced by Reps. Leland, Brown and Wartner
and referred to the Committee on Liquor Control.

A bill to amend sections 19 and 24 of Act No. 8 of the
Public Acts of the Extra Session of 1933, entitled as amended
"The Michigan liquor control act,"
section 19 as amended by Act No. 192 of the Public Acts of 1986
and section 24 as amended by Act No. 153 of the Public Acts of
1981, being sections 436.19 and 436.24 of the Michigan Compiled
Laws; and to add section 17j.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 19 and 24 of Act No. 8 of the Public
2 Acts of the Extra Session of 1933, section 19 as amended by Act
3 No. 192 of the Public Acts of 1986 and section 24 as amended by
4 Act No. 153 of the Public Acts of 1981, being sections 436.19 and
5 436.24 of the Michigan Compiled Laws, are amended and section 17j
6 is added to read as follows:

1 SEC. 17J. (1) THE COMMISSION MAY ISSUE, WITHOUT REGARD TO
2 THE QUOTA PROVISIONS OF SECTION 19C, A COMMUNITY THEATER LICENSE
3 TO ANY BONA FIDE NONPROFIT COMMUNITY ORGANIZATION THAT HAS AS ITS
4 SOLE PURPOSE THE PRODUCTION AND STAGING OF LEGITIMATE THEATRICAL
5 PERFORMANCES AND WHICH OWNS, HIRES, OR LEASES A BUILDING OR SPACE
6 IN A BUILDING WHICH THE ORGANIZATION REGULARLY USES AS A THEATER
7 FOR ITS PERFORMANCES. A LICENSE ISSUED UNDER THIS SECTION IS
8 VALID ONLY FOR 1 LOCATION, IS NOT TRANSFERABLE AS TO OWNERSHIP OR
9 LOCATION, AND SHALL AUTHORIZE THE SALE OF ALCOHOLIC BEVERAGES
10 FROM 1 HOUR BEFORE TO 1 HOUR AFTER A SCHEDULED THEATRICAL PER-
11 FORMANCE SPONSORED BY THE NONPROFIT COMMUNITY ORGANIZATION AND
12 ONLY IN A LOBBY OR OTHER ENCLOSED AREA ADJACENT TO, BUT SEPARATE
13 FROM, THE THEATER IN WHICH THE PERFORMANCE TAKES PLACE.

14 (2) A LICENSEE UNDER THIS SECTION SHALL NOT BE REQUIRED TO
15 OBTAIN AN ENTERTAINMENT PERMIT FROM THE COMMISSION.

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

19 (a) Manufacturers of spirits, but not including makers,
20 blenders, and rectifiers of wines containing 21% of alcohol or
21 less by volume, \$10,000.00.

22 (b) Manufacturers of beer, \$50.00 per 1,000 barrels, or
23 fraction of a barrel, production annually with a maximum fee of
24 \$1,000.00, and in addition \$50.00 for each motor vehicle used in
25 delivery to retail licensees. A fee increase shall not apply to
26 a manufacturer of less than 15,000 barrels production per year.

1 (c) Outstate seller of beer, delivering or selling beer in
2 this state, \$1,000.00.

3 (d) Wine makers, blenders, and rectifiers of wine, including
4 makers, blenders, and rectifiers of wines containing 21% or less
5 alcohol by volume, \$100.00. The small wine maker license fee
6 shall be \$25.00.

7 (e) Outstate seller of wine, delivering or selling wine in
8 this state, \$300.00.

9 (f) Dining cars or other railroad or pullman cars selling
10 alcoholic liquor, \$100.00 per train.

11 (g) Wholesale vendors other than manufacturers of beer,
12 \$300.00 for the first motor vehicle used in delivery to retail
13 licensees and \$50.00 for each additional motor vehicle used in
14 delivery to retail licensees.

15 (h) Watercraft, licensed to carry passengers, selling alco-
16 holic liquor, a minimum fee of \$100.00 and a maximum fee of
17 \$500.00 per year computed on the basis of \$1.00 per person per
18 passenger capacity.

19 (i) Specially designated merchants, for selling beer or wine
20 for consumption off the premises only, but not at wholesale,
21 \$100.00 for each location regardless of the fact that the loca-
22 tion may be a part of a system or chain of merchandising.

23 (j) Specially designated distributors licensed by the com-
24 mission to distribute alcoholic liquor other than wine and beer
25 in the original package for the commission for consumption off
26 the premises, \$150.00 per year; and \$3.00 additional fee for each
27 \$1,000.00 or major fraction of that amount in excess of

1 \$25,000.00 of the total retail value of merchandise purchased
2 under each license from the liquor control commission during the
3 previous calendar year.

4 (k) Hotels of class A selling beer and wine, a minimum fee
5 of \$250.00 and for all bedrooms in excess of 20, \$1.00 for each
6 additional bedroom, but not to exceed \$500.00.

7 (l) Hotels of class B selling beer, wine, and spirits, a
8 minimum fee of \$600.00 and for all bedrooms in excess of 20,
9 \$3.00 for each additional bedroom. If a hotel of class B sells
10 beer, wine, and spirits in more than 1 public bar, the fee shall
11 entitle the hotel to sell in only 1 public bar, other than a bed-
12 room, and a license shall be secured for each additional public
13 bar, other than a bedroom, the fee for which shall be \$350.00.

14 (m) Taverns, selling beer and wine, \$250.00.

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

21 (o) Clubs selling beer, wine, and spirits, \$300.00 for clubs
22 having 150 or less duly accredited members and \$1.00 for each
23 additional member. The membership list for the purpose only of
24 determining the license fees to be paid under this section shall
25 be the accredited list of members as determined by a sworn affi-
26 davit 30 days before the closing of the license year. This
27 section shall not prevent the commission from checking a

1 membership list and making its own determination from the list or
2 otherwise. The list of members and additional members shall not
3 be required of a club paying the maximum fee. The maximum fee
4 shall not exceed \$750.00 for any 1 club.

5 (p) Warehouses, to be fixed by the commission with a minimum
6 fee for each warehouse of \$50.00.

7 (q) Special licenses, a fee of \$50.00 per day, except that
8 the fee for that license or permit issued to any bona fide non-
9 profit association, duly organized and in continuous existence
10 for 1 year before the filing of its application, shall be
11 \$25.00. Not more than 5 special licenses may be granted to any
12 organization, including an auxiliary of the organization, in a
13 calendar year.

14 (r) Airlines licensed to carry passengers in this state,
15 which sell, offer for sale, provide, or transport alcoholic
16 liquor, \$600.00.

17 (s) Brandy manufacturer, \$100.00.

18 (T) A COMMUNITY THEATER LICENSE, \$100.00.

19 (2) The fees provided in this act for the various types of
20 licenses shall not be prorated for a portion of the effective
21 period of the license.

22 Sec. 24. The following classes of vendors may sell alco-
23 holic liquors at retail as provided in this section:

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

26 (b) Class C license where beer, wine, and spirits may be
27 sold for consumption on the premises.

1 (c) Clubs where beer, wine, and spirits may be sold for
2 consumption on the premises only to bona fide members, who have
3 attained the age of 21 years.

4 (d) Hotels of class A where beer and wine may be sold for
5 consumption on the premises and in the rooms of bona fide regis-
6 tered guests.

7 Hotels of class B where beer, wine, and spirits may be sold
8 for consumption on the premises and in the rooms of bona fide
9 registered guests.

10 (e) Specially designated merchants, where beer and wine may
11 be sold for consumption off the premises only.

12 (f) Specially designated distributors where alcoholic
13 liquor, except wine and beer, may be sold for consumption off the
14 premises only.

15 (g) Special licenses where beer and wine or beer, wine, and
16 spirits may be sold for consumption on the premises only.

17 (h) Dining cars or other railroad or pullman cars, water-
18 craft, or aircraft, where alcoholic liquor may be sold for con-
19 sumption on the premises only, subject to rules promulgated by
20 the commission.

21 (I) COMMUNITY THEATERS OPERATED BY BONA FIDE NONPROFIT COM-
22 MUNITY ORGANIZATIONS, WHERE BEER, WINE, OR SPIRITS MAY BE SOLD
23 FOR CONSUMPTION ON THE PREMISES FROM 1 HOUR BEFORE TO 1 HOUR
24 AFTER A SCHEDULED THEATRICAL PERFORMANCE.