

SENATE JOINT RESOLUTION 11

Introduced by Doherty

1/22	Introduced
1/23	Referred to Taxation
1/23	First Reading
1/28	Hearing
2/05	Committee Report--Bill Passed
2/07	2nd Reading Do Pass Motion Failed
2/07	2nd Reading Indefinitely Postponed

1 *Senate* JOINT RESOLUTION NO. 11
 2 INTRODUCED BY *Drutz*
 3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
 6 INTERIM STUDY ON THE LIQUOR LICENSE QUOTA SYSTEM; AND
 7 REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE 53RD
 8 LEGISLATURE.

9
 10 WHEREAS, the liquor license quota system in Montana is
 11 based on population; and

12 WHEREAS, some areas in the state have more licensed
 13 establishments than are needed, while the demand for
 14 licensed establishments in growing areas exceeds the supply
 15 of licenses; and

16 WHEREAS, the current licensing procedure is complex,
 17 burdensome, expensive, and subjective; and

18 WHEREAS, a liquor license, once issued, becomes the
 19 personal property of the holder and may be used as
 20 collateral for loans and sold for much more than the holder
 21 paid for the license; and

22 WHEREAS, the liquor license quota system is inimical to
 23 the operation of a free market; and

24 WHEREAS, there may be constitutional challenges to the
 25 liquor license quota system because of its inherent

1 inequities.

2
 3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
 4 OF REPRESENTATIVES OF THE STATE OF MONTANA:

5 (1) That an appropriate interim committee be assigned
 6 to study the liquor license quota system.

7 (2) That the committee in its study:

8 (a) evaluate the criteria, methods, and costs for
 9 issuing a liquor license under the current system;

10 (b) consider alternatives to the current system;

11 (c) assess the costs to the state of implementing a new
 12 system of liquor licensing; and

13 (d) identify mechanisms for reimbursing current license
 14 holders for the loss in economic value of licenses if a new
 15 system were adopted.

16 BE IT FURTHER RESOLVED, that the interim committee
 17 report the findings of the study to the 53rd Legislature and
 18 present options for legislative consideration if the
 19 committee determines that options are necessary.

-End-



APPROVED BY COMMITTEE
ON TAXATION

1 *Senate* JOINT RESOLUTION NO. 11
2 INTRODUCED BY *D. Huntz*
3

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN
6 INTERIM STUDY ON THE LIQUOR LICENSE QUOTA SYSTEM; AND
7 REQUIRING A REPORT OF THE FINDINGS OF THE STUDY TO THE 53RD
8 LEGISLATURE.

9
10 WHEREAS, the liquor license quota system in Montana is
11 based on population; and

12 WHEREAS, some areas in the state have more licensed
13 establishments than are needed, while the demand for
14 licensed establishments in growing areas exceeds the supply
15 of licenses; and

16 WHEREAS, the current licensing procedure is complex,
17 burdensome, expensive, and subjective; and

18 WHEREAS, a liquor license, once issued, becomes the
19 personal property of the holder and may be used as
20 collateral for loans and sold for much more than the holder
21 paid for the license; and

22 WHEREAS, the liquor license quota system is inimical to
23 the operation of a free market; and

24 WHEREAS, there may be constitutional challenges to the
25 liquor license quota system because of its inherent

1 inequities.

2
3 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
4 OF REPRESENTATIVES OF THE STATE OF MONTANA:

5 (1) That an appropriate interim committee be assigned
6 to study the liquor license quota system.

7 (2) That the committee in its study:

8 (a) evaluate the criteria, methods, and costs for
9 issuing a liquor license under the current system;

10 (b) consider alternatives to the current system;

11 (c) assess the costs to the state of implementing a new
12 system of liquor licensing; and

13 (d) identify mechanisms for reimbursing current license
14 holders for the loss in economic value of licenses if a new
15 system were adopted.

16 BE IT FURTHER RESOLVED, that the interim committee
17 report the findings of the study to the 53rd Legislature and
18 present options for legislative consideration if the
19 committee determines that options are necessary.

-End-