

House Bill 224

In The House

January 15, 1981

Introduced and referred
to Committee on Business
and Industry.

February 2, 1981

Committee recommend bill
do not pass.

1 HOUSE BILL NO. 224
2 INTRODUCED BY Shawn Lee

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR THE
5 TRANSITION FROM STATE-OPERATED STATE LIQUOR STORES TO STATE
6 LIQUOR STORES OPERATED UNDER AGENCY AGREEMENTS; PROVIDING
7 CERTAIN RIGHTS FOR EXISTING EMPLOYEES; AND PROVIDING AN
8 IMMEDIATE EFFECTIVE DATE; AMENDING SECTION 16-2-101."
9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 16-2-101, MCA, is amended to read:

12 "16-2-101. Establishment of state liquor stores --
13 kinds and prices of liquor. (1) The department shall
14 ~~establish--and~~ maintain one or more stores, to be known as
15 "state liquor stores", as the department finds feasible for
16 the sale of liquor in accordance with the provisions of this
17 code and the rules made thereunder.

18 (2) The department shall enter into an agency
19 ~~agreement or employ--the--necessary--help~~ to operate said
20 stores and shall designate the duties to be performed by the
21 ~~agent or employees.~~

22 (3) The department may from time to time fix the
23 prices at which the various classes, varieties, and brands
24 of liquor may be sold, and prices shall be the same at all
25 state stores."

1 ~~NEW SECTION.~~ Section 2. Transition to agency stores.
2 (1) After [the effective date of this act], no new state
3 liquor store may be opened and no person may be hired by the
4 department to help to operate a state liquor store.

5 (2) Whenever the number of personnel employed in a
6 state liquor store falls below 50% of the number employed as
7 of the [effective date of this act], the department shall
8 enter into an agency agreement for the operation of that
9 store. In entering into such an agency agreement, the
10 department must give first preference as agents to the
11 persons employed in that store at the time its status as a
12 state-operated store is terminated. Second preference must
13 be given to persons who own the structure and appurtenant
14 land that houses the existing state store.

15 (3) Personnel who are eligible to retire upon
16 termination of the state-operated store may elect to do so.
17 All personnel must be offered the opportunity to transfer to
18 another state liquor store for employment or be terminated.

19 Section 3. Codification instruction. It is intended
20 that section 2 be codified as an integral part of Title 16,
21 chapter 2, part 1, and the provisions of Title 16 apply to
22 section 2.

23 Section 4. Effective date. This act is effective on
24 passage and approval.

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