

HOUSE BILL NO. 360

INTRODUCED BY METCALF, S. BROWN, KESSLER

IN THE HOUSE

January 20, 1981	Introduced and referred to Committee on Business and Industry.
February 6, 1981	Committee recommend bill do pass as amended. Report adopted.
February 9, 1981	Bill printed and placed on members' desks.
February 10, 1981	Second reading, do pass.
February 11, 1981	Correctly engrossed.
February 12, 1981	Third reading, passed. Ayes, 85; Noes, 12. Transmitted to Senate.

IN THE SENATE

February 13, 1981	Introduced and referred to Committee on Business and Industry.
March 11, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 12, 1981	Second reading, concurred in.
March 14, 1981	Third reading, concurred in as amended. Ayes, 47; Noes, 0.

IN THE HOUSE

March 17, 1981

Returned from Senate with amendments.

April 8, 1981

Second reading, amendments concurred in.

April 9, 1981

Third reading, amendments concurred in. Ayes, 88; Nays, 6. Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 360
2 INTRODUCED BY Mitchell Jean Broad Kessler
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
5 16-4-301 AND 16-4-501, MCA, TO ALLOW A SPECIAL PERMITTEE TO
6 SELL WINE AS WELL AS BEER AND TO ELIMINATE THE TWO DAY
7 MINIMUM FEE FOR CERTAIN PERMITTEES."
8

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

10 Section 1. Section 16-4-301, MCA, is amended to read:

11 "16-4-301. Special permits to sell all alcoholic
12 beverages, ~~or beer,~~ ~~or wine~~ -- application and issuance.

13 (1) (a) Any association or corporation conducting a picnic,
14 convention, fair, civic or community enterprise, or sporting
15 event shall in the discretion of the liquor division be
16 entitled to a special permit to sell beer ~~or wine~~ to the
17 patrons of such event to be consumed within the enclosure
18 wherein the event is held.

19 (b) The application of any such association or
20 corporation shall be presented 10 days in advance and shall
21 describe the location of such enclosure where such event is
22 to be held, the nature of the event, and the period when it
23 is contemplated that the event will be held. The application
24 shall be accompanied by the amount of the permit fee.

25 (c) The permit issued to such association or

1 corporation is a special permit but shall not authorize the
2 sale of beer ~~or wine~~ except starting 1 day in advance of the
3 regular period when events are being held upon such grounds
4 and during the period described in the application and for
5 1 day thereafter.

6 (2) (a) A post of a nationally chartered veterans'
7 organization or a lodge of a recognized national fraternal
8 organization not otherwise licensed under this code shall,
9 in the discretion of the department, without notice or
10 hearing as provided in 16-4-207, be entitled to a special
11 permit to sell beer ~~or wine~~ or a special permit to sell all
12 alcoholic beverages at such post or lodge to members and
13 their guests only, to be consumed within the hall or
14 building of such post or lodge.

15 (b) The application of such nationally chartered
16 veterans' organization or lodge of a recognized national
17 fraternal organization shall describe the location of the
18 hall or building where the special permit will be used and
19 the date it will be used.

20 (c) The special permit issued shall be for a 24-hour
21 period only ending at 2 a.m., and the department may not
22 issue more than 12 such permits to any such post or lodge
23 during a calendar year."

24 Section 2. Section 16-4-501, MCA, is amended to read:

25 "16-4-501. License and permit fees. (1) Each beer

1 licensee licensed to sell either beer or table wine only, or
 2 both beer and table wine, under the provisions of this code,
 3 shall pay an annual license fee as follows:

4 (a) each brewer, wherever located, whose product is
 5 sold or offered for sale within the state, \$500; for each
 6 storage depot, \$400;

7 (b) each beer wholesaler, \$400; each table wine
 8 distributor, \$400;

9 (c) each beer retailer, \$200; with a wine license
 10 amendment, an additional \$200;

11 (d) for a license to sell beer at retail for
 12 off-premises consumption only, the same as a retail beer
 13 license; for a license to sell table wine at retail for
 14 off-premises consumption only, either alone or in
 15 conjunction with beer, \$200;

16 (e) any unit of a nationally chartered veterans'
 17 organization, \$50.

18 (2) The permit fee under 16-4-301(1) is computed at
 19 the rate of \$15 a day for each day beer or wine is sold at
 20 ~~those events lasting 2 or more days but in no case be less~~
 21 ~~than \$30.~~

22 (3) The permit fee under 16-4-301(2) is \$10 for the
 23 sale of beer or wine only or \$20 for the sale of all
 24 alcoholic beverages.

25 (4) Passenger carrier licenses shall be issued upon

1 payment by the applicant of an annual license fee in the sum
 2 of \$300.

3 (5) The annual license fee for a license to sell wine
 4 on the premises, when issued as an amendment to a beer-only
 5 license, is \$200.

6 (6) The annual fee for resort retail liquor licenses
 7 within a given resort area shall be \$2,000 for each license.

8 (7) Each licensee licensed under the quotas of
 9 16-4-201 shall pay an annual license fee as follows:

10 (a) except as hereinafter provided, for each license
 11 outside of incorporated cities and incorporated towns or in
 12 incorporated cities and incorporated towns with a population
 13 of less than 2,000, \$400;

14 (b) except as hereinafter provided, for each license
 15 in incorporated cities with a population of more than 2,000
 16 and less than 5,000 or within a distance of 5 miles thereof,
 17 measured in a straight line from the nearest entrance of the
 18 premises to be licensed to the nearest boundary of such
 19 city, \$500;

20 (c) except as hereinafter provided, for each license
 21 in incorporated cities with a population of more than 5,000
 22 and less than 10,000 or within a distance of 5 miles
 23 thereof, measured in a straight line from the nearest
 24 entrance of the premises to be licensed to the nearest
 25 boundary of such city, \$650;

1 (d) for each license in incorporated cities with a
 2 population of 10,000 or more or within a distance of 5 miles
 3 thereof, measured in a straight line from the nearest
 4 entrance of the premises to be licensed to the nearest
 5 boundary of such city, \$800;

6 (e) the distance of 5 miles from the corporate limits
 7 of any incorporated cities and incorporated towns is
 8 measured in a straight line from the nearest entrance of the
 9 premises to be licensed to the nearest boundary of such city
 10 or town; and where the premises of the applicant to be
 11 licensed are situated within 5 miles of the corporate
 12 boundaries of two or more incorporated cities or
 13 incorporated towns of different populations, the license fee
 14 chargeable by the larger incorporated city or incorporated
 15 town applies and shall be paid by the applicant. When the
 16 premises of the applicant to be licensed are situated within
 17 an incorporated town or incorporated city and any portion of
 18 the incorporated town or incorporated city is without a
 19 5-mile limit, the license fee chargeable by the smaller
 20 incorporated town or incorporated city applies and shall be
 21 paid by the applicant.

22 (f) an applicant for the issuance of an original
 23 license to be located in areas described in subsection (d)
 24 of this subsection shall pay a one-time original license fee
 25 of \$20,000 for any such license issued. The one-time license

1 fee of \$20,000 shall not apply to any transfer or renewal of
 2 a license duly issued prior to July 1, 1974. All licenses,
 3 however, are subject to the annual renewal fee of \$800.

4 (8) The fee for one all-beverage license to a public
 5 airport shall be \$800. This license is nontransferable.

6 (9) The license fees herein provided for are exclusive
 7 of and in addition to other license fees chargeable in
 8 Montana for the sale of alcoholic beverages.*

-End-

Approved by Committee
on Business and Industry

HOUSE BILL NO. 360

INTRODUCED BY METCALF, S. BROWN, KESSLER

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
16-4-301 AND 16-4-501, MCA, TO ALLOW A SPECIAL PERMITTEE TO
SELL TABLE WINE AS WELL AS BEER ~~AND TO ELIMINATE THE TWO-DAY~~
~~MINIMUM-FEE-FOR-CERTAIN-PERMITTEES."~~

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

Section 1. Section 16-4-301, MCA, is amended to read:

"16-4-301. Special permits to sell all alcoholic
beverages, ~~or beer, or~~ AND TABLE wine -- application and
issuance. (1) (a) Any association or corporation conducting
a picnic, convention, fair, civic or community enterprise,
or sporting event shall in the discretion of the liquor
division be entitled to a special permit to sell beer ~~or~~ AND
TABLE wine to the patrons of such event to be consumed
within the enclosure wherein the event is held.

(b) The application of any such association or
corporation shall be presented 10 days in advance and shall
describe the location of such enclosure where such event is
to be held, the nature of the event, and the period when it
is contemplated that the event will be held. The application
shall be accompanied by the amount of the permit fee.

(c) The permit issued to such association or

corporation is a special permit but shall not authorize the
sale of beer ~~or~~ AND TABLE wine except starting 1 day in
advance of the regular period when events are being held
upon such grounds and during the period described in the
application and for 1 day thereafter.

(2) (a) A post of a nationally chartered veterans'
organization or a lodge of a recognized national fraternal
organization not otherwise licensed under this code shall,
in the discretion of the department, without notice or
hearing as provided in 16-4-207, be entitled to a special
permit to sell beer ~~or~~ AND TABLE wine or a special permit to
sell all alcoholic beverages at such post or lodge to
members and their guests only, to be consumed within the
hall or building of such post or lodge.

(b) The application of such nationally chartered
veterans' organization or lodge of a recognized national
fraternal organization shall describe the location of the
hall or building where the special permit will be used and
the date it will be used.

(c) The special permit issued shall be for a 24-hour
period only ending at 2 a.m., and the department may not
issue more than 12 such permits to any such post or lodge
during a calendar year."

Section 2. Section 16-4-501, MCA, is amended to read:

"16-4-501. License and permit fees. (1) Each beer

1 licensee licensed to sell either beer or table wine only, or
 2 both beer and table wine, under the provisions of this code,
 3 shall pay an annual license fee as follows:

4 (a) each brewer, wherever located, whose product is
 5 sold or offered for sale within the state, >\$500; for each
 6 storage depot, \$400;

7 (b) each beer wholesaler, \$400; each table wine
 8 distributor, \$400;

9 (c) each beer retailer, \$200; with a wine license
 10 amendment, an additional \$200;

11 (d) for a license to sell beer at retail for
 12 off-premises consumption only, the same as a retail beer
 13 license; for a license to sell table wine at retail for
 14 off-premises consumption only, either alone or in
 15 conjunction with beer, \$200;

16 (e) any unit of a nationally chartered veterans'
 17 organization, \$50.

18 (2) The permit fee under 16-4-301(1) is computed at
 19 the rate of \$15 a day for each day beer or AND TABLE wine is
 20 sold ~~at those events lasting 2 or more days but in no case~~
 21 ~~be less than \$30~~ AT THOSE EVENTS LASTING 2 OR MORE DAYS BUT
 22 IN NO CASE BE LESS THAN \$30.

23 (3) The permit fee under 16-4-301(2) is \$10 for the
 24 sale of beer or AND TABLE wine only or \$20 for the sale of
 25 all alcoholic beverages.

1 (4) Passenger carrier licenses shall be issued upon
 2 payment by the applicant of an annual license fee in the sum
 3 of \$300.

4 (5) The annual license fee for a license to sell wine
 5 on the premises, when issued as an amendment to a beer-only
 6 license, is \$200.

7 (6) The annual fee for resort retail liquor licenses
 8 within a given resort area shall be \$2,000 for each license.

9 (7) Each licensee licensed under the quotas of
 10 16-4-201 shall pay an annual license fee as follows:

11 (a) except as hereinafter provided, for each license
 12 outside of incorporated cities and incorporated towns or in
 13 incorporated cities and incorporated towns with a population
 14 of less than 2,000, \$400;

15 (b) except as hereinafter provided, for each license
 16 in incorporated cities with a population of more than 2,000
 17 and less than 5,000 or within a distance of 5 miles thereof,
 18 measured in a straight line from the nearest entrance of the
 19 premises to be licensed to the nearest boundary of such
 20 city, \$500;

21 (c) except as hereinafter provided, for each license
 22 in incorporated cities with a population of more than 5,000
 23 and less than 10,000 or within a distance of 5 miles
 24 thereof, measured in a straight line from the nearest
 25 entrance of the premises to be licensed to the nearest

1 boundary of such city, \$650;

2 (d) for each license in incorporated cities with a
3 population of 10,000 or more or within a distance of 5 miles
4 thereof, measured in a straight line from the nearest
5 entrance of the premises to be licensed to the nearest
6 boundary of such city, \$800;

7 (e) the distance of 5 miles from the corporate limits
8 of any incorporated cities and incorporated towns is
9 measured in a straight line from the nearest entrance of the
10 premises to be licensed to the nearest boundary of such city
11 or town; and where the premises of the applicant to be
12 licensed are situated within 5 miles of the corporate
13 boundaries of two or more incorporated cities or
14 incorporated towns of different populations, the license fee
15 chargeable by the larger incorporated city or incorporated
16 town applies and shall be paid by the applicant. When the
17 premises of the applicant to be licensed are situated within
18 an incorporated town or incorporated city and any portion of
19 the incorporated town or incorporated city is without a
20 5-mile limit, the license fee chargeable by the smaller
21 incorporated town or incorporated city applies and shall be
22 paid by the applicant.

23 (f) an applicant for the issuance of an original
24 license to be located in areas described in subsection (d)
25 of this subsection shall pay a one-time original license fee

1 of \$20,000 for any such license issued. The one-time license
2 fee of \$20,000 shall not apply to any transfer or renewal of
3 a license duly issued prior to July 1, 1974. All licenses,
4 however, are subject to the annual renewal fee of \$800.

5 (8) The fee for one all-beverage license to a public
6 airport shall be \$800. This license is nontransferable.

7 (9) The license fees herein provided for are exclusive
8 of and in addition to other license fees chargeable in
9 Montana for the sale of alcoholic beverages."

-End-

HOUSE BILL NO. 360

INTRODUCED BY METCALF, S. BROWN, KESSLER

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS 16-4-301 AND 16-4-501, MCA, TO ALLOW A SPECIAL PERMITTEE TO SELL TABLE WINE AS WELL AS BEER ~~AND TO ELIMINATE THE TWO-DAY MINIMUM-FEE-FOR-CERTAIN-PERMITTEES.~~"

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

Section 1. Section 16-4-301, MCA, is amended to read:

"16-4-301. Special permits to sell all alcoholic beverages, ~~or beer, or~~ AND TABLE wine -- application and issuance. (1) (a) Any association or corporation conducting a picnic, convention, fair, civic or community enterprise, or sporting event shall in the discretion of the liquor division be entitled to a special permit to sell beer ~~or~~ AND TABLE wine to the patrons of such event to be consumed within the enclosure wherein the event is held.

(b) The application of any such association or corporation shall be presented 10 days in advance and shall describe the location of such enclosure where such event is to be held, the nature of the event, and the period when it is contemplated that the event will be held. The application shall be accompanied by the amount of the permit fee.

(c) The permit issued to such association or

corporation is a special permit but shall not authorize the sale of beer ~~or~~ AND TABLE wine except starting 1 day in advance of the regular period when events are being held upon such grounds and during the period described in the application and for 1 day thereafter.

(2) (a) A post of a nationally chartered veterans' organization or a lodge of a recognized national fraternal organization not otherwise licensed under this code shall, in the discretion of the department, without notice or hearing as provided in 16-4-207, be entitled to a special permit to sell beer ~~or~~ AND TABLE wine or a special permit to sell all alcoholic beverages at such post or lodge to members and their guests only, to be consumed within the hall or building of such post or lodge.

(b) The application of such nationally chartered veterans' organization or lodge of a recognized national fraternal organization shall describe the location of the hall or building where the special permit will be used and the date it will be used.

(c) The special permit issued shall be for a 24-hour period only ending at 2 a.m., and the department may not issue more than 12 such permits to any such post or lodge during a calendar year."

Section 2. Section 16-4-501, MCA, is amended to read:

"16-4-501. License and permit fees. (1) Each beer

1 licensee licensed to sell either beer or table wine only, or
2 both beer and table wine, under the provisions of this code,
3 shall pay an annual license fee as follows:

4 (a) each brewer, wherever located, whose product is
5 sold or offered for sale within the state, \$500; for each
6 storage depot, \$400;

7 (b) each beer wholesaler, \$400; each table wine
8 distributor, \$400;

9 (c) each beer retailer, \$200; with a wine license
10 amendment, an additional \$200;

11 (d) for a license to sell beer at retail for
12 off-premises consumption only, the same as a retail beer
13 license; for a license to sell table wine at retail for
14 off-premises consumption only, either alone or in
15 conjunction with beer, \$200;

16 (e) any unit of a nationally chartered veterans'
17 organization, \$50.

18 (2) The permit fee under 16-4-301(1) is computed at
19 the rate of \$15 a day for each day beer or AND TABLE WINE is
20 ~~sold at those events lasting 2 or more days but in no case~~
21 ~~be less than \$30 AT THOSE EVENTS LASTING 2 OR MORE DAYS BUT~~
22 ~~IN NO CASE BE LESS THAN \$30.~~

23 (3) The permit fee under 16-4-301(2) is \$10 for the
24 sale of beer or AND TABLE WINE only or \$20 for the sale of
25 all alcoholic beverages.

1 (4) Passenger carrier licenses shall be issued upon
2 payment by the applicant of an annual license fee in the sum
3 of \$300.

4 (5) The annual license fee for a license to sell wine
5 on the premises, when issued as an amendment to a beer-only
6 license, is \$200.

7 (6) The annual fee for resort retail liquor licenses
8 within a given resort area shall be \$2,000 for each license.

9 (7) Each licensee licensed under the quotas of
10 16-4-201 shall pay an annual license fee as follows:

11 (a) except as hereinafter provided, for each license
12 outside of incorporated cities and incorporated towns or in
13 incorporated cities and incorporated towns with a population
14 of less than 2,000, \$400;

15 (b) except as hereinafter provided, for each license
16 in incorporated cities with a population of more than 2,000
17 and less than 5,000 or within a distance of 5 miles thereof,
18 measured in a straight line from the nearest entrance of the
19 premises to be licensed to the nearest boundary of such
20 city, \$500;

21 (c) except as hereinafter provided, for each license
22 in incorporated cities with a population of more than 5,000
23 and less than 10,000 or within a distance of 5 miles
24 thereof, measured in a straight line from the nearest
25 entrance of the premises to be licensed to the nearest

1 boundary of such city, \$450;

2 (d) for each license in incorporated cities with a
3 population of 10,000 or more or within a distance of 5 miles
4 thereof, measured in a straight line from the nearest
5 entrance of the premises to be licensed to the nearest
6 boundary of such city, \$300;

7 (e) the distance of 5 miles from the corporate limits
8 of any incorporated cities and incorporated towns is
9 measured in a straight line from the nearest entrance of the
10 premises to be licensed to the nearest boundary of such city
11 or town; and where the premises of the applicant to be
12 licensed are situated within 5 miles of the corporate
13 boundaries of two or more incorporated cities or
14 incorporated towns of different populations, the license fee
15 chargeable by the larger incorporated city or incorporated
16 town applies and shall be paid by the applicant. When the
17 premises of the applicant to be licensed are situated within
18 an incorporated town or incorporated city and any portion of
19 the incorporated town or incorporated city is without a
20 5-mile limit, the license fee chargeable by the smaller
21 incorporated town or incorporated city applies and shall be
22 paid by the applicant.

23 (f) an applicant for the issuance of an original
24 license to be located in areas described in subsection (d)
25 of this subsection shall pay a one-time original license fee

1 of \$20,000 for any such license issued. The one-time license
2 fee of \$20,000 shall not apply to any transfer or renewal of
3 a license duly issued prior to July 1, 1974. All licenses,
4 however, are subject to the annual renewal fee of \$800.

5 (8) The fee for one all-beverage license to a public
6 airport shall be \$300. This license is nontransferable.

7 (9) The license fees herein provided for are exclusive
8 of and in addition to other license fees chargeable in
9 Montana for the sale of alcoholic beverages."

-End-

1 HOUSE BILL NO. 360

2 INTRODUCED BY METCALF, S. BROWN, KESSLER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTIONS
5 16-4-301 AND 16-4-501, MCA, TO ALLOW A SPECIAL PERMITTEE TO
6 SELL TABLE WINE AS WELL AS BEER ~~AND TO ELIMINATE THE TWO-DAY~~
7 ~~MINIMUM FEE FOR CERTAIN PERMITTEES; AND PROVIDING AN~~
8 IMMEDIATE EFFECTIVE DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 16-4-301, MCA, is amended to read:

12 "16-4-301. Special permits to sell all alcoholic
13 beverages, or beer, or AND TABLE wine -- application and
14 issuance. (1) (a) Any association or corporation conducting
15 a picnic, convention, fair, civic or community enterprise,
16 or sporting event shall in the discretion of the liquor
17 division be entitled to a special permit to sell beer or AND
18 TABLE wine to the patrons of such event to be consumed
19 within the enclosure wherein the event is held.

20 (b) The application of any such association or
21 corporation shall be presented 10 days in advance and shall
22 describe the location of such enclosure where such event is
23 to be held, the nature of the event, and the period when it
24 is contemplated that the event will be held. The application
25 shall be accompanied by the amount of the permit fee.

1 (c) The permit issued to such association or
2 corporation is a special permit but shall not authorize the
3 sale of beer or AND TABLE wine except starting 1 day in
4 advance of the regular period when events are being held
5 upon such grounds and during the period described in the
6 application and for 1 day thereafter.

7 (2) (a) A post of a nationally chartered veterans'
8 organization or a lodge of a recognized national fraternal
9 organization not otherwise licensed under this code shall,
10 in the discretion of the department, without notice or
11 hearing as provided in 16-4-207, be entitled to a special
12 permit to sell beer or AND TABLE wine or a special permit to
13 sell all alcoholic beverages at such post or lodge to
14 members and their guests only, to be consumed within the
15 hall or building of such post or lodge.

16 (b) The application of such nationally chartered
17 veterans' organization or lodge of a recognized national
18 fraternal organization shall describe the location of the
19 hall or building where the special permit will be used and
20 the date it will be used.

21 (c) The special permit issued shall be for a 24-hour
22 period only ending at 2 a.m., and the department may not
23 issue more than 12 such permits to any such post or lodge
24 during a calendar year."

25 Section 2. Section 16-4-501, MCA, is amended to read:

1 "16-4-501. License and permit fees. (1) Each beer
2 licensee licensed to sell either beer or table wine only, or
3 both beer and table wine, under the provisions of this code,
4 shall pay an annual license fee as follows:

5 (a) each brewer, wherever located, whose product is
6 sold or offered for sale within the state, \$500; for each
7 storage depot, \$400;

8 (b) each beer wholesaler, \$400; each table wine
9 distributor, \$400;

10 (c) each beer retailer, \$200; with a wine license
11 amendment, an additional \$200;

12 (d) for a license to sell beer at retail for
13 off-premises consumption only, the same as a retail beer
14 license; for a license to sell table wine at retail for
15 off-premises consumption only, either alone or in
16 conjunction with beer, \$200;

17 (e) any unit of a nationally chartered veterans'
18 organization, \$50.

19 (2) The permit fee under 16-4-301(1) is computed at
20 the rate of \$15 a day for each day beer or AND TABLE wine is
21 ~~sold at--those-events--lasting-2-or-more-days-but-in-no-case~~
22 ~~be-less-than-\$30~~ AT THOSE EVENTS LASTING 2 OR MORE DAYS BUT
23 IN NO CASE BE LESS THAN \$30.

24 (3) The permit fee under 16-4-301(2) is \$10 for the
25 sale of beer or AND TABLE wine only or \$20 for the sale of

1 all alcoholic beverages.

2 (4) Passenger carrier licenses shall be issued upon
3 payment by the applicant of an annual license fee in the sum
4 of \$300.

5 (5) The annual license fee for a license to sell wine
6 on the premises, when issued as an amendment to a beer-only
7 license, is \$200.

8 (6) The annual fee for resort retail liquor licenses
9 within a given resort area shall be \$2,000 for each license.

10 (7) Each licensee licensed under the quotas of
11 16-4-201 shall pay an annual license fee as follows:

12 (a) except as hereinafter provided, for each license
13 outside of incorporated cities and incorporated towns or in
14 incorporated cities and incorporated towns with a population
15 of less than 2,000, \$400;

16 (b) except as hereinafter provided, for each license
17 in incorporated cities with a population of more than 2,000
18 and less than 5,000 or within a distance of 5 miles thereof,
19 measured in a straight line from the nearest entrance of the
20 premises to be licensed to the nearest boundary of such
21 city, \$500;

22 (c) except as hereinafter provided, for each license
23 in incorporated cities with a population of more than 5,000
24 and less than 10,000 or within a distance of 5 miles
25 thereof, measured in a straight line from the nearest

1 entrance of the premises to be licensed to the nearest
2 boundary of such city, \$650;

3 (d) for each license in incorporated cities with a
4 population of 10,000 or more or within a distance of 5 miles
5 thereof, measured in a straight line from the nearest
6 entrance of the premises to be licensed to the nearest
7 boundary of such city, \$800;

8 (e) the distance of 5 miles from the corporate limits
9 of any incorporated cities and incorporated towns is
10 measured in a straight line from the nearest entrance of the
11 premises to be licensed to the nearest boundary of such city
12 or town; and where the premises of the applicant to be
13 licensed are situated within 5 miles of the corporate
14 boundaries of two or more incorporated cities or
15 incorporated towns of different populations, the license fee
16 chargeable by the larger incorporated city or incorporated
17 town applies and shall be paid by the applicant. When the
18 premises of the applicant to be licensed are situated within
19 an incorporated town or incorporated city and any portion of
20 the incorporated town or incorporated city is without a
21 5-mile limit, the license fee chargeable by the smaller
22 incorporated town or incorporated city applies and shall be
23 paid by the applicant.

24 (f) an applicant for the issuance of an original
25 license to be located in areas described in subsection (d)

1 of this subsection shall pay a one-time original license fee
2 of \$20,000 for any such license issued. The one-time license
3 fee of \$20,000 shall not apply to any transfer or renewal of
4 a license duly issued prior to July 1, 1974. All licenses,
5 however, are subject to the annual renewal fee of \$800.

6 (8) The fee for one all-beverage license to a public
7 airport shall be \$800. This license is nontransferable.

8 (9) The license fees herein provided for are exclusive
9 of and in addition to other license fees chargeable in
10 Montana for the sale of alcoholic beverages."

11 SECTION 3. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON
12 PASSAGE AND APPROVAL.

-End-

March 11, 1981

SENATE STANDING COMMITTEE REPORT
(Business and Industry)

That House Bill No. 360 be amended as follows:

1. Title, line 7.

Following: "~~PERMITTEES~~"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 6, line 10.

Following: line 9

Insert: "Section 3. Effective date. This act is effective on
passage and approval."