

HOUSE BILL NO. 411

INTRODUCED BY BURNETT, BRAND

BY REQUEST OF THE DEPARTMENT OF REVENUE

IN THE HOUSE

January 22, 1981	Introduced and referred to Committee on Business and Industry.
January 23, 1981	Fiscal note requested.
January 27, 1981	Fiscal note returned.
February 5, 1981	Fiscal note revised.
February 10, 1981	Committee recommend bill do pass. Report adopted.
February 11, 1981	Bill printed and placed on members' desks.
February 12, 1981	Second reading, do pass.
February 13, 1981	Considered correctly engrossed.
February 14, 1981	Third reading, passed. Ayes, 36; Noes, 2. Transmitted to Senate.

IN THE SENATE

February 16, 1981	Introduced and referred to Committee on Taxation.
March 17, 1981	Committee recommend bill be concurred in. Report adopted.
March 19, 1981	Second reading, concurred in.
March 21, 1981	Third reading, concurred in. Ayes, 48; Noes, 0.

IN THE HOUSE

March 23, 1981

Returned from Senate.  
Concurred in. Sent to  
enrolling.

Reported correctly enrolled.

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2 INTRODUCED BY Burnett Brand

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5 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION  
6 16-4-501, MCA, TO REDUCE THE ANNUAL FEE FOR AN ALL-BEVERAGE  
7 LICENSE ISSUED TO A UNIT OF A NATIONALLY CHARTERED VETERANS'  
8 ORGANIZATION."

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

11 Section 1. Section 16-4-501, MCA, is amended to read:

12 "16-4-501. License and permit fees. (1) Each beer  
13 licensee licensed to sell either beer or table wine only, or  
14 both beer and table wine, under the provisions of this code,  
15 shall pay an annual license fee as follows:

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

19 (b) each beer wholesaler, \$400; each table wine  
20 distributor, \$400;

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

23 (d) for a license to sell beer at retail for  
24 off-premises consumption only, the same as a retail beer  
25 license; for a license to sell table wine at retail for

1 off-premises consumption only, either alone or in  
2 conjunction with beer, \$200;

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

5 (2) The permit fee under 16-4-301(1) is computed at  
6 the rate of \$15 a day for each day beer is sold at those  
7 events lasting 2 or more days but in no case be less than  
8 \$30.

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

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

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

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

20 (7) Each licensee licensed under the quotas of  
21 16-4-201 shall pay an annual license fee as follows:

22 (a) except as hereinafter provided, for each license  
23 outside of incorporated cities and incorporated towns or in  
24 incorporated cities and incorporated towns with a population  
25 of less than 2,000, \$250 for a unit of a nationally

1 chartered veterans' organization and \$400 for all other  
2 licensees;

3 (b) except as hereinafter provided, for each license  
4 in incorporated cities with a population of more than 2,000  
5 and less than 5,000 or within a distance of 5 miles thereof,  
6 measured in a straight line from the nearest entrance of the  
7 premises to be licensed to the nearest boundary of such  
8 city, \$350 for a unit of a nationally chartered veterans'  
9 organization and \$500 for all other licensees;

10 (c) except as hereinafter provided, for each license  
11 in incorporated cities with a population of more than 5,000  
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13 thereof, measured in a straight line from the nearest  
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18 (d) for each license in incorporated cities with a  
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20 thereof, measured in a straight line from the nearest  
21 entrance of the premises to be licensed to the nearest  
22 boundary of such city, \$650 for a unit of a nationally  
23 chartered veterans' organization and \$800 for all other  
24 licensees;

25 (e) the distance of 5 miles from the corporate limits

1 of any incorporated cities and incorporated towns is  
2 measured in a straight line from the nearest entrance of the  
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5 licensed are situated within 5 miles of the corporate  
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11 an incorporated town or incorporated city and any portion of  
12 the incorporated town or incorporated city is without a  
13 5-mile limit, the license fee chargeable by the smaller  
14 incorporated town or incorporated city applies and shall be  
15 paid by the applicant.

16 (f) an applicant for the issuance of an original  
17 license to be located in areas described in subsection (d)  
18 of this subsection shall pay a one-time original license fee  
19 of \$20,000 for any such license issued. The one-time license  
20 fee of \$20,000 shall not apply to any transfer or renewal of  
21 a license duly issued prior to July 1, 1974. All licenses,  
22 however, are subject to the annual renewal fee of ~~\$1000~~.

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

25 (9) The license fees herein provided for are exclusive

LC 0204/01

1 of and in addition to other license fees chargeable in  
2 Montana for the sale of alcoholic beverages."

-End-

STATE OF MONTANA

REQUEST NO. 203-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 26, 19 81, there is hereby submitted a Fiscal Note for House Bill 411 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

An act to reduce the annual fee for an all-beverage license issued to a unit of a nationally chartered veterans' organization.

Assumptions

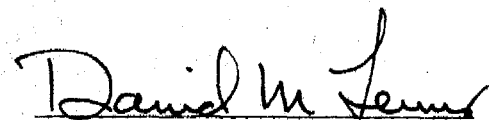
1. There are 56 all-beverage licenses that are issued to nationally chartered veteran organizations in the state.
2. No additional licenses will be issued in the coming biennium to these organizations.
3. The net effect of this proposal is to reduce the license fee by \$150, regardless of location.

Fiscal Impact

This proposal would reduce license fee revenue by \$8,400 in each fiscal year.

Local Impact

Local government revenues would be reduced by \$4,200 state-wide because counties and cities may charge beverage license fees at one-half the state rate.



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-27-81

STATE OF MONTANA

REQUEST NO. 302-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 2, 19 81, there is hereby submitted a Fiscal Note for House Bill 411 (REVISED) pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION

This proposal would reduce the all-beverage license issued to a unit of a nationally chartered veteran's organization.

FISCAL IMPACT

There would be no fiscal impact resulting from this proposal. Prior to the 1975 recodification of state liquor statutes, the proposed fee was in the law. The recodification apparently inadvertently moved the veteran's organization license into the same category as the all-beverages license. Since no change was debated or even seemed to be contemplated by the 1975 Session, the Department, unaware a change had occurred, continued to administer the fee at its pre-1975 level. Thus, the proposal would restore the legal basis for the way the fee is being administered.

PREPARED BY THE DEPARTMENT OF REVENUE

David M Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-4-81

Approved by Committee  
on Business and Industry

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11            Section 1. Section 16-4-501, MCA, is amended to read:

12            "16-4-501. License and permit fees. (1) Each beer  
13    licensee licensed to sell either beer or table wine only, or  
14    both beer and table wine, under the provisions of this code,  
15    shall pay an annual license fee as follows:

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

19            (b) each beer wholesaler, \$400; each table wine  
20    distributor, \$400;

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

23            (d) for a license to sell beer at retail for  
24    off-premises consumption only, the same as a retail beer  
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2    conjunction with beer, \$200;

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5            (2) The permit fee under 16-4-301(1) is computed at  
6    the rate of \$15 a day for each day beer is sold at those  
7    events lasting 2 or more days but in no case be less than  
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12            (4) Passenger carrier licenses shall be issued upon  
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