### HOUSE BILL NO. 334

## INTRODUCED BY GOULD, DRISCOLL, PAVLOVICH, GAGE, MAZUREK

### IN THE HOUSE

	TIA	11115	10035
January 22, 1985			Introduced and referred to Committee on Business and Labor.
February 2, 1985			Committee recommend bill do pass as amended. Report adopted
February 4, 1985			Bill printed and placed on members' desks.
			Second reading, do pass.
		•	Considered correctly engrossed.
February 5, 1985			Third reading, passed. Ayes, 99; Noes, 0.
			Transmitted to Senate.
	IN	THE	SENATE
February 7, 1985			Introduced and referred to Committee on Business and Industry.
March 13, 1985			Committee recommend bill be concurred in. Report adopted.
March 15, 1985			Second reading, concurred in.
March 18, 1985			Third reading, concurred in. Ayes, 49; Noes, 0.
			Returned to House.
	IN	THE	HOUSE
March 19, 1985			Received from Senate.
			Sent to enrolling.
			Reported correctly enrolled.

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4	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING BEER
5	WHOLESALERS TO RENT TO RETAILERS PORTABLE EQUIPMENT FOR
6	COOLING AND DISPENSING BEER; AMENDING SECTION 16-3-241,
7	MCA."
В	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 16-3-241, MCA, is amended to read:
11	"16-3-241. Furnishing of fixtures or advertising
12	matter to retailers by brewers and wholesalers unlawful
13	exceptions. (1) It shall be unlawful for any brewer or
14	wholesaler to lease, furnish, give, or pay for any premises,
15	furniture, fixtures, equipment, signs, or any other
16	advertising matter or any other property to any retail
17	licensee, used or to be used in the dispensation of beer in
18	and about the interior or exterior of the place of business
19	of any licensed retailer, or furnish, give, or pay for any
20	repairs, improvements, painting, or decorating on or within
21	such premises; provided, however, that it shall be lawful
22	for a brewer or wholesaler to furnish, give, or loan to a
23	retail licensee:
24	(1)(a) bottle openers, can openers, and trays, with or
25	without advertising matter thereon;

1	(2)(b) advertising matter or novelties, of a value of
2	not to exceed \$50 per brewery in any calendar year to any
3	one retailer, for display use on the interior of said
4	retailer's place of business;
5	(3)(c) not more than two illuminated or electrical
6	signs, each of not more than 630 square inches in area,
7	which signs may bear the name, brand name, trade name,
8	trademark, or other designation indicating the name of the
9	manufacturer of beer and the place of manufacture, for
0	display by the retail licensee on and within the interior of
1	his place of business or in the windows inside the place of
2	business of the licensed retailer and only if the particular
.3	brand of beer so advertised on such signs is actually
4	available for sale on the licensee's premises at the time of
.5	such display; and
.6	(4)(d) maintenance or repair services on draft beer
17	equipment to keep it sanitary and in good working condition.
8	(2) A wholesaler may rent portable equipment used for
.9	the temporary cooling, handling, and dispensing of draft
20	beer to a special permittee or a retailer for use in
21	catering an event off his regular premises if the rental is
22	at a fair market value computed under principles the
23	department may define by rule."

24

NEW SECTION. Section 2. Extension of authority. Any

existing authority of the department of revenue to make

### LC 0654/01

- l rules on the subject of the provisions of this act is
- 2 extended to the provisions of this act.

# APPROVED BY COMM. ON BUSINESS AND LABOR

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3	PAVLOVICH, GAGE, MAZUREK
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5	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING BEER
6	WHOLESALERS TO RENT FURNISH TO RETAILERS PORTABLE EQUIPMENT
7	FOR COOLING AND DISPENSING BEER; AMENDING SECTION 16-3-241,
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13	matter to retailers by brewers and wholesalers unlawful
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15	wholesaler to lease, furnish, give, or pay for any premises,
16	furniture, fixtures, equipment, signs, or any other
17	advertising matter or any other property to any retail
18	licensee, used or to be used in the dispensation of beer in
19	and about the interior or exterior of the place of business
20	of any licensed retailer, or furnish, give, or pay for any
21	repairs, improvements, painting, or decorating on or within
22	such premises; provided, however, that it shall be lawful
23	for a brewer or wholesaler to furnish, give, or loan to a
24	retail licensee:
25	$\frac{1}{2}$ bottle openers, can openers, and trays, with or

1	without advertising matter thereon;
2	(2)(b) advertising matter or novelties, of a value of
3	not to exceed \$50 per brewery in any calendar year to any
4	one retailer, for display use on the interior of said
5	retailer's place of business;
6	(3)(c) not more than two illuminated or electrical
7	signs, each of not more than 630 square inches in area,
8	which signs may bear the name, brand name, trade name,
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L 2	his place of business or in the windows inside the place of
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L <b>4</b>	brand of beer so advertised on such signs is actually
15	available for sale on the licensee's premises at the time of
16	such display; and
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18	equipment to keep it sanitary and in good working condition.
19	(2) A wholesaler may rent FURNISH portable equipment
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### HB 0334/02

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2	INTRODUCED BY GOULD, DRISCOLL,	2	$\{2\}$ (b) advertising matter or novelties, of a value of
3	PAVLOVICH, GAGE, MAZUREK	3	not to exceed \$50 per brewery in any calendar year to any
4		4	one retailer, for display use on the interior of said
5	A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING BEER	5	retailer's place of business;
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10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	manufacturer of beer and the place of manufacture, for
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14	exceptions. (1) It shall be unlawful for any brewer or	14	brand of beer so advertised on such signs is actually
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16	furniture, fixtures, equipment, signs, or any other	16	such display; and
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