STATE OF MICHIGAN

LIQUOR CONTROL COMMISSION

PUBLIC HEARING ON RULE CHANGE - R 436.1133

Proceedings had in the above-entitled case before Chairman Andrew Deloney and Commissioners Dennis Olshove and Teri Quimby, held at the Michigan Liquor Control Commission, 525 W. Allegan Street, Jacquelyn A. Stewart Hearing Room, Lansing, Michigan, on Wednesday, September 6, 2017.

* * *
## CONTENTS

<table>
<thead>
<tr>
<th>SPEAKER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gerry Hoffmann, Edison Neighborhood Assoc.</td>
<td>10</td>
</tr>
<tr>
<td>Laith Hajjar, Birmingham Wine, Inc.</td>
<td>12</td>
</tr>
<tr>
<td>Joel Smitter, Sr., Smitty's Specialty Beverage</td>
<td>13</td>
</tr>
<tr>
<td>Vikrant Bawa, Howard's Party Store</td>
<td>16</td>
</tr>
<tr>
<td>Satpal Singh, Lakeshore Market</td>
<td>17</td>
</tr>
<tr>
<td>Harpal Singh, Custer Party Store</td>
<td>18</td>
</tr>
<tr>
<td>Karamjit Singh, Karamjott Corporation</td>
<td>18</td>
</tr>
<tr>
<td>Jaspal Singh, Kilgore Spirit, LLC &amp; Stockbridge Enterprise, LLC</td>
<td>19</td>
</tr>
<tr>
<td>Brennan Gorman, Brower VanderVeen, PLC</td>
<td>21</td>
</tr>
<tr>
<td>George Matti, Harvest Liquor Shop</td>
<td>23</td>
</tr>
<tr>
<td>Harpreet Multani, Quik N Ez Party Store</td>
<td>24</td>
</tr>
<tr>
<td>Auday Arabo, Associated Food &amp; Petroleum Dealers</td>
<td>25</td>
</tr>
<tr>
<td>Naji Abdal, Abdaal &amp; Jarbo, Inc.</td>
<td>29</td>
</tr>
<tr>
<td>Vikramjit Singh, VIK, Inc., L&amp;L Market, Bourbon Street, Beer City</td>
<td>30</td>
</tr>
<tr>
<td>Gurcharan Singh, M Brothers Inc.</td>
<td>34</td>
</tr>
<tr>
<td>Jason Canvasser, Clark Hill/Kroger &amp; CVS</td>
<td>35</td>
</tr>
<tr>
<td>Zachary Collins, Joe's Party Store</td>
<td>36</td>
</tr>
<tr>
<td>Paul Makkar, Small Business Owners Assoc of MI</td>
<td>39</td>
</tr>
<tr>
<td>Rishi Makkar, United Small Business Owners Assoc.</td>
<td>41</td>
</tr>
<tr>
<td>Lisa Berry, L &amp; B Kwik Stop &amp; North Adams General Store</td>
<td>45</td>
</tr>
<tr>
<td>Steve Sheena, Home Town Beverage</td>
<td>47</td>
</tr>
</tbody>
</table>
SPEAKER (Continued):

Kanwalbaljinder Sandhu, Plainfield Liquor, LLC 51
Nancy Mahlow, Eastside Neighborhood Organization 51
Ramzi Farah, BR Farah, Inc. 52
Stephen P. Ormond, Clark Hill/7-Eleven 53
Rita Ross, Russell Woods Neighborhood 55
Glenda McGadney, Russell Woods-Sullivan Area Association 56
Jerome Crete, Ideal Party Store, Inc. 56
Harparan Singh, Baba Shri Chand, Inc. 58
Mike Mitchell, Markham Enterprises, Inc. 60
Paul DeBartolo, Real Estate Broker 62
Clifton Denha, Wine Palace 65

IN ATTENDANCE:

Kirandit Kaur, McNeil Street Market
Paramjit Singh, Dimp, Inc.
Tarandeep Bhagtana, R. K. Liquor & Charleston Liquor
Ramandeep Singh, 136th One Stop
Sukhinder Singh, Baywood Party Store
Gurvinder Singh, Liquor 1
Manpreet Singh, Short Stop Depot Market
Rigoberto Ramirez, Mahinder, Inc.
Jobal Singh, Stadium Liquor, Inc.
Gurmail Pelia, Singh Property, Inc.
Balwinder Kaur, Ghotra One, Inc.
Balwinder Singh, Juliano's C-Store of Flint
Ghulab Singh, Kamaljeet, Inc. & New Fox Party Store, LLC
Rajwinder Singh, Jackson Party Store
Jaspal Singh, K & J Market
Rajwant Kaur, Beadle Lake General Store
IN ATTENDANCE: (Continued)

Charanjit Singh, Paramjot Ventures, LLC
Lakhwinder Singh, Rozal, Inc.
Dominick Yousif, People's Food Market
Gurpreet Singh, Round Lake Gas
Melvin Kajy, Delta Market Place Inc.
Ram Singh, Sunset Market
Balbir Singh, Mandeep
George Sharrak, Springwell Liquor Store
Paramjit Singh, Rana Foods, Inc.
Srmad Batris, Babel Food Market, Easy Pick Food Market &
Seven Circles, Inc.
Harjinder Singh, Sim's Market
Parmeet Singh, Mac's Food Fair
Navleet Singh, Quick Pick Party Store
Jaswant Singh, One Stop Food Mart
Daljit Singh, Inderjit Liquor, Inc. & Inder, Inc.
Raj-Winder, Inc.
Davinder Singh, U.S. Liquor, LLC
Inderjit Singh, Ronit Multani, Inc.
Inderjit Singh-Shah, Danny's Beverage
Inderjit Singh, Stockbridge Party Store
Sabbbar Jarbou, Liquor Basket Party Store
Manjinder Singh, Liquor King
Ghasse Zitouni, Circle Seven Food #2
Bret Marr, Spartan Nash
Scott Joseph, Carl's Supermarket of Dimondale & Carl's
Amy Drumm, Michigan Retailers Association
Kuldip Singh, Fox Island Party Store
Kashmir Singh, K & K Liquor Inc., AKK Liquor, Kuljot LLC
Nazar Yelda, Village Liquor & Deli
Mahabir Singh, Cheema, LLC, Midway Party Store, Hess Lake
Party Store
Jasbir Singh, Waalkes Food Market
Mohinder Singh
Saad Petros, Pop Top Liquor, Inc.
Nishan Singh, Kings Corner Market
Balbir Singh, Village Party Store
Vinod Arora, Rider Enterprise, LLC
Darshan S. Somal, Raman Party Store
Kashmir Singh, Shamrock Liquor Store
Sandi Cotter, Dykema
Michael J. Brown, Carlin Edwards Brown
John Doyle, Doyle Group Attorneys, P.C.
Ken Schulte, Associated Food & Petroleum Dealers
David Puck, Michigan Licensed Beverage Association
Tom Abro, Sunshine Foods & Beverages
IN ATTENDANCE: (Continued)

Daniel Knaggs, Knaggs Brake, PC
Kuldip Gill, Anoop Petroleum, LLC
Mastan Singh, Raja Mart
Baljinder Singh, Shinda First, LLC
Gurwinder Singh, Parmjot Ventures, LLC
Mukhwinder Singh, Hess Street, LLC
Hardip Singh, Reet Inc.
Gurbinder Singh, Jay’s Party Store, LLC
Ashley Ligon, Clark Hill/7-Eleven, Inc.
Avtar Singh, Liberty Food Center
Gurpreet Singh, Sital Party Store, LLC
Pawanjit Singh, J & B Discount Liquor & Bartender’s Stop
Bhag Singh, MMCII, Inc.
Charanjit Singh, Paramjot Ventures, LLC
Harpal Singh, Old Liberty Food Mart, Inc.
Deedar Singh, Mega Corp of Muskegon, LLC
Matt Miner, Associated Food & Petroleum Dealers
Haytham Jarbou, Roseville Party Store
Karim Jarbo, Jarbo & Abro, Inc., Richmond Ventures, Inc.,
Jarbo Family, Inc., Jarbo & Yatoma, Inc.
Ghazwan Abdul, NKG Business, Inc.
Louis Denha, Wine Palace
Sudaid Yatooma, Sterling Liquor, Inc.
Amandeep Multani, Multani Investments
Sukhinderbir Singh, Boardwalk Party Store, Inc.
Don Nunn, Meijer
Kawaljit Singh, Riverside Liquors
Balvinder Singh, Byron Liquor
Satnam Singh, Tiny Giant Store
Fateh Singh, Badalia Brothers LLC
Lakhwinder Singh, Borculo Liquor LLC
Kulwinder Singh, Algoma Liquor, LLC & 4 Mile Liquor, LLC
Suresh Bhargava, Praal, Inc.
Pawanpreet Singh, Japnoor, Inc.
Talat Shamo
Gorav, Inc.
Manjit Singh, Maninder, LLC
Joydeep Singh, Star Singh, LLC
Abrehet E. Joseph, Partytime Party Store
Freweni Kahasay, Party Cooler, Inc.
Tewelde Bahta, Top Shelf Spirits
Hari Singh, Ghotra, Inc.
Baljinder Singh, Jimmy Short Stop, Inc.
Nick DeBartolo, Real Estate Broker
Bryce Abdal, Buscemi’s of Ann Arbor, Inc.
Andrew Martin, Meijer
Baljit Kaur, J & K Party Store & Harry’s Corner
Gurbachan Singh, J & K Party Store & Raus Beverage
IN ATTENDANCE: (Continued)

Mehar Chauhan, Swaran & Sons Inc.
Avin Yelda, Victory Liquor & Food Store
Eddie Patros, Kelly Corner Party Store
Surinder Singh, Grandville Party Store, LLC
Randhir Billing, Billing Corporation
Jetinder Kaur, Airline Spirit, LLC
Arvinder Singh, Hari's Party Store, Inc.
Jatinderpal Kaur Palia, Sappers LLC
Ajay Sehgal, Sehgal Enterprises, LLC
Greenwood Food & Beverage
Amrinderpal Singh, Airport Party Store
A. Ghotra, Pardesh, Inc.
Bachan Ghotra, Pardesh, Inc.
Sarabjit Kaur, Norton Shores Liquors, LLC
Fuljinder Singh, Isha Ozzie, LLC
Baljit Singh, JB-Hoyt Corp
Surinder Ghotra, Laketon Marathon
Bakhshish Singh, 838 Penn, LLC & L&G Eastwood, LLC
Harbhajan Multani, DN's Party Store & M G Limited
Khattar Singh, Springfield Party Store
Ravinder Kaur, Star Foods & Liquor Corporation
Alka Bhargava, Praal, Inc.
Jason Kajy, Kennedy Liquor & Deli Shoppe, Inc.
Nahidah Meiou, MEIOU, Inc. d/b/a Starr Mart Food Store
Tom Meyer, North Adams General Store
Karnail Singh, Downtown Party Store
Franci Sitto, MTown Liquor, Inc.
Dhiya Dabish, Vintage Village Fine Wine
Bashar Arabo, Pointe Park Party Store
Brian S. Yaldoo, Hills Fine Wine & Spirits
Kulwant Singh, Raman, Inc., Kyogis, Inc., Alpine Liquor
G. Singh, Daler, Inc.
Bimal Singh, Mukh and Ravi, Inc.
Paul's Pantry
Yacoub (Jake) Mio, Park Place Liquor
Kulwant Singh, Royal Liquor
Harmail Singh, Overseas-Urban, LLC & Kaala Mehr, LLC
Sukhraj Singh, Cedar Rock General Store & Alpine Liquor, Inc.

**Five unidentifiable attendees

STAFF IN ATTENDANCE:

Terri Chase, Commission Aide
Steve Creamer, Deputy Director, Executive Services
Lori DeClercq, Court Reporter
Anita Fawcett, Secretary to Chairman
Kerry Krone, Business Manager
STAFF IN ATTENDANCE: (Continued)

Don McGehee, Attorney General Office
Megan Minnick, Licensing Division
Marsha Perilloux, Enforcement Division
Barb Subastian, Regional Supervisor, Enforcement Division
Sara Weber, Director, Licensing Division
Julie Wendt, Director, Executive Services
Julie Wiles, Insurance/Renewal Unit
Lansing, Michigan

Wednesday, September 6, 2017 - 1:05 p.m.

CHAIRMAN DELONEY: We will call this hearing of the Michigan Liquor Control Commission to order. This public hearing is called to order at -- the clock shows 1:04 p.m., on September 6, 2017 at the offices of the Michigan Liquor Control Commission in Lansing, Michigan.

You do have a forum of the Commission present. Commissioner Olshove, Commissioner Quimby and myself, Commissioner Deloney, are present.

This hearing is called in compliance with Sections 41 and 42 of Act No. 369 of the Public Acts of 1969, as amended, and under the authority of Section 215 of Act No. 58 of the Public Acts of 1998, as amended, which authorizes the Commission to adopt rules governing the carrying out of this Act and the duties and responsibilities of licensees in the proper conduct of their licensed businesses.

This public hearing is being held to obtain the input and views of the general public and interested parties concerning the rescission of Licensing Qualification Rule R 436.1133, which limits the distance between specially designated distributor licenses to not less than 2,640 feet, except under certain conditions where the Commission may waive this prohibition.

The Commission submitted a Request for Rulemaking
to the Department of Licensing and Regulatory Affairs on May 8, 2017 for review. This request was approved by the Office of Regulatory Reinvention on May 17 of 2017.

The office -- excuse me -- the Notice of Public Hearing was published in the Traverse City Record Eagle on August 21, 2017, in the Grand Rapids Press on August 22, 2017, and in the Marquette Mining Journal on August 23 of 2017. The Notice was also published in the Michigan Register on September 1, 2017. In addition, the Notice of Public Hearing and the Regulatory Impact Statement was posted on the Commission website on August 10, 2017.

Those who are here to make comments at this public hearing, please make sure you have signed in, indicating your willingness to speak. There is a court reporter present today to make a record of the hearing. Therefore, please state your name and the organization you represent, if any, before giving your presentation. If you have any additional comments to submit in writing, please make sure they are received by Julie Wendt of the Commission staff or by the Commission by 5:00 p.m. on Wednesday, September 13, 2017. Again, any additional comments that anyone wishes to submit in writing, please make sure that they are received by the Commission no later than 5:00 p.m. on Wednesday, September 13, 2017.

Because of the number of people who have asked to
provide an oral statement today, and due to other schedule
obligations, comments will be limited to two minutes and the
hearing will conclude by 4:00 p.m. This Commission has
noticed this meeting pursuant to the Administrative
Procedures Act and the Open Meetings Act and provided this
hearing room today for the purpose of accommodating the
public. Finally, based on the number of people wanting to
speak, we would encourage if there are groups,
representatives or associations, organizations, to assign
spokespersons to present comments.

With that being stated, we will call people to make
comments. We will start with -- I will apologize in advance
if I mispronounce anyone's name. Gerry Hoffmann? Please
come forward.

MR. HOFFMANN: My name is Gerry Hoffmann, President
of Edison Neighborhood Association of Kalamazoo. We have
10,000 people who are not happy about this. As a matter of
fact, my tie has a little voting booth and outside of the
voting booth is the words that say: "I am mad as hell and I
am not going to take this anymore." The idea of pumping more
alcohol into our streets is just insane. If you talk to any
public service -- public safety officer, they will tell you
this is where crime happens -- prostitution, drugs -- right
at the liquor store. Now it is not so bad if you have like a
Meijer or something like that that sells a lot of other
stuff, but to have a lot of little tiny liquor stores, you
are just asking for trouble. You are also, of course, making
it a lot easier for kids to get booze. You are making it too
much of a temptation for adults who have a problem. Last
year, I helped to fight a liquor store that was going to be
put in my neighborhood. It was a football field away from an
elementary school and right across the street from a
substance abuse center; that is like just asking for trouble.
I brought a map today to show you my neighborhood. As a
matter of fact, I can hand it to you and you can take a look
at it. I live right -- this is only a half-mile by a little
more than a half-mile section of our city. I live right in
the middle of it. So, within a half-mile of my house, there
is Howard's Liquor Store, two blocks away; across the street,
there is a beer and wine store; half-mile north of that,
there is On the Rocks Liquor; half-mile northeast is Mills
Street Liquor; about a half-mile to the east, there is Jack's
Liquor. Also, about a half-mile east is Hays Park Liquor;
half-mile to the west is J & B Liquor; two blocks south of
me, is a store that sells beer and wine; about a half-mile
southeast, there is a Citgo that also sells beer and wine.
Less than a mile away, there is also Paul's Liquor; about a
mile is Corkscrew Liquor and another beer and wine store.
All totaled from this, this map shows six liquor stores a
half-mile from my house and three beer and wine stores. But
that map is a year out of date. Since then, you have allowed
two more beer and wine stores; one of which was a Dollar
General -- just insane. I guess the bottom line is we
already have way too much liquor and I am asking you to keep
the half-mile rule. But I am also asking you to enforce it
because I read in Crane's that that is part of the reason
that the Commission wants to get rid of it is because you are
not enforcing it anyway. Do the job. Your job is to protect
us. My neighborhood is in danger because of what you are
trying to do here and I ask you just to do your job. Thank
you.

CHAIRMAN DELONEY: The next matter -- I can't read
the writing, but the address they indicated was 300 E.
Michigan in Three Rivers. I apologize. I can't read the
name. Someone who indicated their address of 300 E. Michigan
in Three Rivers indicated a desire to speak.

UNIDENTIFIED PERSON: We don't want to speak.

CHAIRMAN DELONEY: This person is not coming
forward. Again, I apologize.

UNIDENTIFIED PERSON: Can you spell the name?

CHAIRMAN DELONEY: I can't decipher the letters.

Next is Laith Hajjar. Laith Hajjar?

MR. HAJJAR: Yes. Hello, everyone. My name is
Laith Hajjar. I have a business in Birmingham at 33644
Woodward Avenue. I am totally against what I read in the
paper about the notice of approving the half-mile rules. The reason is if you look at the whole picture, you see a lot of, you know, low income communities going to suffer a lot. If I have a business that is in the low income community, I will take a chance of this law and I will move it to the medium to high income community. So what is going to happen is -- what is going to happen to these buildings? How you guys going to sustain the economy in low income communities? I mean, I think it is a bad move for the Commission to approve and get rid of the half-mile rules and just keep it the way it is in force and that is how you keep the economy level. I understand, you know, the Liquor Control Commission is a part of the economic, you know, organization and you guys have to look into it thoroughly and what I see, you know, I am sorry to say that we are in a world of, you know, lobbyists. I know there is a lot of -- few people who owns or has a big connection with gas stations. They are trying to approve this. And they are trying to pump Lotto money into lobbying and having this approved. This is wrong and this is what I feel about it, you know. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Joel Smitter, Sr.

MR. SMITTER: Good afternoon. Guess I'm a little wired. Good afternoon. I am here again to represent Smitty's Speciality Beverage and hopefully, all of the
licensees, here, in the State of Michigan where my campaign as being, please, what allowed the council to think that they could overturn a rule on the books without first having a vote on it? We, as liquor store owners, bought our businesses not because we just wanted to sell liquor. It is because we wanted to create something. After 35 years of pouring my blood, sweat and tears into my business -- as several of these people have done for many, many years -- we were afforded a promise from the State that we wouldn't have competition within a half-mile of us. What does that do? That makes our property, our license, worth more value. Then we can turn around and invest into our community and to our business to further it and become bigger and stronger. By the Commission allowing everyone to have a little more piece of the pie, you are doing nothing to increase the profits in the State of Michigan. In fact, it is probably going to come back and bite everyone in the butt because each community is only going to sell so much booze. If we have to even that up by having five liquor stores in our community, we are under the -- the community is going to purchase as much, we are going to have to lay off people. You're going to have less sales tax. You're going to have less employment taxes coming in; just all the way across the board, things are going to hurt because each individual, as they buy their liquor license for a song -- because now you are destroying the
value of our liquor licenses -- they are going to turn around and open up and they will probably have one person, two people. Well, then, that takes from us and then we have to turn around and lay off people. I don't know where you live, but I know in our community in Grand Rapids, Michigan and East Town in East Grand Rapids, we have already fought to rescind the approval of the beer and wine in that community; that no one followed the rules by filling out the paperwork, sending it to all the neighboring businesses and it just kind of snuck right in. Well, I am grateful that our community said whoa, we don't need anymore beer, wine, liquor stores in our community. They then filed and went to the -- it was the city and had it all revoked and removed so these -- this action on your part, apparently, gave this company some hope -- this gas station some hope. All right. Beer and wine, we can sell. They invest in doing everything that they had to do to get the license approved and the product installed and then all of sudden, boom, now they just lost it all because you guys didn't follow the rules and didn't get permission from that community and pulled the license right out from underneath their feet.

CHAIRMAN DELONEY: Sir, you need to be wrapping up your comments.

MR. SMITTER: Wrapping up my comments is we need you to enforce the protection that we were promised. We
don't need box stores moving in and this is what is going to happen: These box stores are going to say now we don't have to worry about this little liquor license over here. We are well within a half-mile. We are going to open up and here comes another Costco, Meijer, Sam's Club, and they sell everything at cost. How are we going to fight that, except for going out of business? Thank you.

CHAIRMAN DELONEY: Next is Vik Bawa.

MR. BAWA: Good afternoon. My name is Vik Bawa, representing the Howard's Party Store from Kalamazoo. I am totally against this rescinding the half-mile rule because of all the reasons everybody said. It is not going to help any of the small businesses, except big box store. Big box store can be right now can be next door to Joe's Liquor and they can have liquor license, but small business can't afford to stay in business and feed their families. Allowing rescinding this half-mile rule, next door can be Walgreen, Family Dollar, Dollar General. They get the liquor license, small businesses are closed. Their values will be half or less than that so everything that people have worked for -- and that is the American dream -- everybody works for it. Everybody still works for American dream, having their own business. State of Michigan is the only state that allows this protection of half-mile. You take that away, we don't have anything. State of Michigan will lose more population
for small businesses than anybody else. That is where I stand. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Harpuran Singh. Harpuran Singh? Is Harpuran Singh present? Harpuran Singh? Again, I apologize if I am mispronouncing anyone's name. Last call for Harpuran Singh. If not, I will put it at the end, here, and see if that person is here and does wish to speak.

Next is Satpal Singh.

MR. SATPAL SINGH: Here.

CHAIRMAN DELONEY: Please come forward.

MR. SATPAL SINGH: Hello. I am Satpal Singh from Kalamazoo and I am representing the Lake Shore Market in Portage. As everybody knows, that there is no need of changing this rule. We were to request you not to change it without public consent. It will create a lot of problems for the existing businesses, unnecessary competition. Right now, it is hard for a lot of small businesses to survive.

CHAIRMAN DELONEY: Hold on a second, sir. What is the issue? From a technical perspective, what is it?

MS. KRONE: Try that.

(Microphone issue.)

CHAIRMAN DELONEY: I apologize, sir. Please continue.

MR. SATPAL SINGH: It will create unnecessary
competition and profit margins will shrink and a lot of people will have to close their doors and they will lose their livelihood, as well as employment for a lot of people will be destroyed. So we would like -- I don't think there is any need to make more licenses available within half-mile. Half mile is not too far of a distance for anybody to fetch anything. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Harpal Singh.

MR. HARPAL SINGH: Hi, everyone. My name is Harpal Singh. I am from Battle Creek. And I am totally against this law. Already, the business -- because it is -- my store I have four lane across the street. Somebody already opened a store and already lost that and I don't want you guys do this rule against. So I am against this law. That is it. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Harmail Singh? Harmail Singh? 318 E. Emmett Street, Battle Creek.

UNIDENTIFIED SPEAKER: He want to pass.

CHAIRMAN DELONEY: Say that again, sir?

UNIDENTIFIED SPEAKER: He don't want to speak.

CHAIRMAN DELONEY: He does not wish to speak?

UNIDENTIFIED SPEAKER: Skip.

CHAIRMAN DELONEY: Next is Karamjit Singh.

MR. KARAMJIT SINGH: Good afternoon, everybody. My
name is Karamjit Singh. I own the Cedar Rock General Store located on 14 Mile Road at Rockford. I am doing business there almost from 20 years. So my liquor store is located between two gas stations. They both have obtained a beer license after this date and allowed gas station to do so. I have lost almost 25 to 30 percent of business and earning because of this. So now if the Liquor Control Commission gets a law to change the half-mile rule, both these gas stations will definitely get a liquor license. This will be completely devastating for me and it will ruin my business and I will not be able to compete with them. So I am 50 years old and I have been working hard for the past 20 years. I have undergone three back surgeries after my car accident in 2001. So despite this, I still have been working and I do not wish to become a burden on the Michigan State. So I humbly request for not to change that half-mile rule and to respect small business owners like me and many others here today. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Jaspal Singh. Jaspal Singh?

MR. JASPAL SINGH: Good afternoon. My name is Jaspal Singh. I am from Kalamazoo, Michigan. I am doing this business almost 24 years. And this rule been made and there is need for it. Half-mile rule, there was reason for it. Why they have half-mile rule and why they changing it?
I think it is already too close -- half-mile not even enough to open another store and you by taking the other two, that is not fair for all these people in here; should be at least a mile. Have you ever heard or anybody who request or application to Liquor Control Commission: I have to drive too far to get liquor? Nobody. None. If there is, I would like to see that application or request.

And second is, you guys giving this opportunity few people, maybe those people want to open the store and more competition and other people are going to go out of business. So you want these people who struggling that many years during this business; leave them in the business; let them survive or let other people come, take them out of business. And how hard it is to survive this day on this business, you guys have no clue. You guys make 70 percent on liquor already, including the price. I know that. We pay another six percent. There comes 76 percent profit. Of course, you like to reopen other liquor stores. Maybe tomorrow you open a lot of liquor licenses. Hey, anybody can have liquor license; come on; because you make 76 percent. We make 15 percent. Cigarette pack, it cost 35 cents a pack. State make $3; manufacturer make $3. We make 70 cents and we do all the work. Every single individual pack, if we get busted, we got to pay the fine. Same with liquor. You make $3,500 out of me every week. You are happy. Of course, you
will be happy. So, I think this rule should stay as is and should be change the rule to be less than nobody open less than a mile. Because all the stores already on the edge. They are half-mile or little bit, three-quarter mile. They already way too many stores. Liquor price should mention what the Liquor Control should do instead of changing this law half-mile. Liquor should be 25 percent. It hasn't been changed in 20 years; same price. The Lottery Commission, six percent, been 24 years. The --

COURT REPORTER: I'm sorry, sir. The what?

UNIDENTIFIED PERSON: The wages.

MR. JASPAL SINGH: The wages $4 now to $4.50. The Lottery Commission was six percent. It should be doubled because everything been doubled, it should be doubled. Liquor should be at least 25 percent. Cigarettes should be, set the price 20 percent so we can survive. We are barely surviving, here. Because allow the fact, maybe -- maybe 25, 35 percent of people be out of business. I am totally strongly against it and everybody -- does not matter if they come here and speak it or not -- everybody is against this rule. So, please, do your best to be not let this happen. Thank you.

CHAIRMAN DELONEY: Next is Brennen Gorman. Brennen Gorman?

MR. GORMAN: Good afternoon. My name is Brennen
Gorman. I am a liquor attorney. I work with businesses frequently to help get liquor licenses. I am in support of this rescission. I believe that the rule itself is obsolete and I think it is also discriminatory against any new applicants. This was a rule that was established more than 20 years ago and in the time since, there has been plenty of exceptions that have been carved out to it and I believe at this point, the amount of exceptions that have been carved out have made the rule rather null and void. Now, instead of the majority being barred from the half mile, it is the minority that is, in fact, barred because more often than not, they can find an exception to the half-mile rule itself. I think it is discriminatory because at the end of the day, it is an absolute protection against any new business that might want to go in, whether it is, as mentioned, a box store; whether it is a local mom and pop shop. Regardless of the existing licensee's status, whether there are violations, whether the building itself has become run down over 20, 30 years of service and knowing that they have an absolute protection in that half-mile area, this would encourage competition to rescind it and ultimately it will be better off for the State itself. Ultimately, it is not as though there is going to be more liquor licenses as a result of this change. There is still a quoted amount of liquor licenses available in each municipality and under the changes, under
the amount that could be transferred within the county. There will be some effect as a result, to be sure, but I think, indeed, in the grand scheme of the change, it will be a positive one. Thank you.

(Unidentified voices booing.)

CHAIRMAN DELONEY: No public demonstrations, please. Paramjit Singh? Paramjit Singh?

UNIDENTIFIED PERSON: Skip.

CHAIRMAN DELONEY: Paramjit Singh, is he present?

UNIDENTIFIED PERSON: Skip.

CHAIRMAN DELONEY: He might be out in the hall. Paramjit Singh? Not hearing back from Paramjit Singh, we will move on to the next one, George Matti.

MR. MATTI: My name is George Matti. I have a store in Ypsilanti, Michigan. We bought it 15 years ago. There is three gas stations around the corner from me, a hundred yards away. One was trying to get a liquor license last year and you guys denied them because of the half mile rule. You guys gave them a beer and wine instead and if you guys rescind this rule, the other three gas stations -- the other two gas stations will probably all have liquor licenses, which is only 150 yards away from me. We bought this store 15 years ago. I just turned 70 years old and I was hoping to leave it with my two sons that are working with me and if I leave it with them, they are going to not have a
very profitable liquor store and they are not going to make
as much money for their family as they are barely making it
now and it will be not so good for their future and my future
is almost done, so I was hoping to leave it with them at a
profitable pace, which is not going to happen if you guys
rescind this rule and that is my comment and that is all I
have to say.

CHAIRMAN DELONEY: Thank you. Next is Harpreet
Multani.

MR. MULTANI: I am Harpreet Multani from Quik N Ez
Party Store on Plainfield. And I talked to a lot of my, you
know, police guys live around our store and they say, you
know, crime is going up and myself was robbed two months ago
from gun point and they can't find them. They are coming to
the clubs and emptying their hands and crime is going up. In
the old neighborhood, very good; 20 years I have this store
and never happen things. I never call the police and crime
is going break ins and people buy the booze; all they are
trying to buy and that will -- if you start a new rule, then
we will have everybody out of business. All the gas
stations, everywhere, across the street, people are getting
licenses then we will be done. Hard work and we have to make
money. We have to live. We have to pay mortgage and
everything and we will be out of business and how we going to
feed our family? So I will request you, please don't use new
law and thank you, sir.

CHAIRMAN DELONEY: Thank you. Next is Auday Arabo.

MR. ARABO: Good afternoon, Chairman, Members of the Commission. My name is Auday Arabo. I am the President and CEO of AFPD. I want to thank you for this hearing. It is unfortunate that we actually had to sue the State to actually have this hearing. That being said, for the record purposes, we really want to make sure that this Commission has no bias one way or another and really gets to listen to everybody in this room, whether they are for or against it. Because in talking to a lot of these people beforehand, they really feel that you are not here to listen. So you may have your strong opinions on the issue. I just ask you to have an open mind on the issue.

We have been around since 1910, 107 years old. We actually have members that actually support the rescission. The majority of our members oppose the rescission. We are here to oppose the rescission because we think we should not throw the baby out with the bath water; that is why we actually have a solution in the House and the Senate. There are a number of reasons you should keep the half-mile rule in place. First of all, it's been around since 1979. This is the first Commission in 38 years to ever even think about abolishing it, number one.

Number two, we have not seen any objective policy
reasons why you would like to get rid of this and I will go through some of your arguments you listed previously.

Number three, most importantly, in December of 2013, this Commission -- Chairman Deloney and Commissioner Olshove -- signed off on the declaratory ruling in the Holly Foods case, declaring how great the half-mile rule is. That decision was challenged in the Ingham County court system. At that time, Judge Canady came out and said this rule is not discriminatory and is right for the state.

Another issue I have heard or I have read some of your articles that there is a conflict with the new statute 2016. We were part of that group that actually helped draft that statute that you refer to and number two, if you read this morning's paper, Senator Jones, who is the author of that bill, came out and said this is not the interpretation that we had when we passed that bill. I am not sure where you got your interpretation from. I'd like to -- I hope you actually talk to your Attorney General's office, but we are actually considering asking the Attorney General for his own ruling on where the conflict stands.

I have heard, also, protectionist. The word -- these liquor store owners are protectionists. You have 4,500 licenses in the State of Michigan. We also do business in Ohio. There's 400 licenses in the State of Ohio. There is no such thing as protectionist on the half-mile rule. These
men and women have put their life savings in these stores
based on a system that was in front of them. It's been in
front of them for 38 years and now you just want to pull the
rug out from underneath them without -- not just due process,
but an open hearing process. And I have heard, also, some
saying, well, we have a quota in place. Well, the quota is
not to increase licenses. But you are wrong. It is an
increase -- geographic -- geographic saturation because what
happens is, there is a hot corner and now we're going to have
two stores on every corner and when you say they can't move,
well, they can move. A couple years ago -- you have a county
transfer system so I can move within the county. So great
example is the City of Howell, where they are supposed to
have eight or nine licenses, but I can move anywhere now from
Livingston County and place it in Howell and now Howell is
oversaturated because the quota counts against where it
originated, not where it's actually placed. So to say
they're not going to cause a saturation, is really being
dishonest. Some areas are going to be oversaturated. Some
areas will not have service. There is a fix to it. We
believe our House Bill is the fix. We still have open arms
and hope you actually agree with that. We are set to have a
hearing on that very soon. We have been working with the
Governor's office on this issue, as well, and really want you
to, kind of, take this to heart. There is a reason that 70
percent of all the spirits sold in the state today is done by small business owners. This has a huge small business impact if you actually rescind the rule. These people, like I said, they don't have 401(k)s or a retirement plan. Their store is their retirement plan.

CHAIRMAN DELONEY: Mr. Arabo, you are at your two minutes so please try to wrap up your comments.

MR. ARABO: I will. Thank you. Just in closing, I would like to just really talk about what I understand as free competition. You cannot talk about free competition in a system that is closed. Every one of these licenses, if you want to see how much they purchased from the State, it is online. So I could go see Rishi, here, in Grand Rapids. He has this much business and I could open up a store next to him. So don't talk about free competition on one end by getting rid of the half-mile rule and then keep State controls on the other end. You want free competition, let's abolish the MLCC. Let's abolish the entire system and go to an open system. So we don't think that is really being up front.

So thank you for your consideration and we strongly urge you -- our 3,000 members strongly urge you to keep this rule in place. It is not broken. Liquor licenses -- liquor sales are up. M-Live actually had an article two weeks ago that showed every man, woman and child in the State of
Michigan can drink up to eight drinks a week in terms of the value and the sales that the State does. We know it is a cash cow. Don't break the system when it is not broke.

Thank you.

CHAIRMAN DELONEY: Next is Naji Abdal. Naji Abdal?

MR. ABDAL: My name is Naji Abdal, Abdaal & Jarbo. When we bought our business, everybody here when he buy his business, he was depending on this rule. You know, that there is half-mile, nobody can open another business close to him. So we paid money for that. Not only we depend on it and we pay extra money for that because we know nobody will come and open beside my store. Other thing: What will happen if somebody come and open close to me, beside me, within quarter mile or less beside my store? For sure, he going to get half of my business. If that happens, believe me, we are going to close the door. I work -- me and my family, seven persons for seven years, to make some money to do this business. I am not all of the business; half of the business, I got a partner. So how can I lose this business? This business is making living for my family. How can I send my children to the college? Who going to pay for tuition? How am I going to pay for my mortgage? How can I pay for all these taxes? Everybody know how is paying them. So I don't know. Why they want to change it? There is no big reason to change it. Now half-mile -- it was one mile. Now they make
it half-mile. It is okay. We depend on that half-mile. So why do they want to change this over? Please keep this rule because we want to keep making living to our families from this business. We cannot lose it. For sure, we cannot lose it. If we lose it, we going to lose our homes. We cannot lose too many things in our life, so please keep this rule. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Vikramjit Singh. Vikramjit Singh?

MR. VIKRAMJIT SINGH: Sorry; coming. My name is Vik Singh and I am from Grand Rapids. I currently own and operate two liquor stores with SDD licenses and I am currently developing my third.

I believe in the development and stability of everyone's business or businesses. The half-mile rule has played a very strong role in determining where we may or may not open an establishment with an SDD license. Not allowing strong concentrations of SDD licenses in any given geographical area has been a staple rule in determining where new SDD licensed establishments open. We have all been following this rule and for this rule to be terminated at the state level, will mean an open market for anyone to relocate or open a new shop elsewhere. For those who operate high volume locations, this rule especially affects them. If I decide tomorrow to transfer my SDD license adjacent to one of
these high-volume stores, I am now posing a risk and creating
more competition to this already competitive market.

I quote this from the Michigan website of the
Office of Performance and Transformation, also known as OPT:

"The mission of the Office of Regulatory
Reinvention (ORR) is to simplify Michigan's
regulatory environment by reducing
obsolete, unnecessary and burdensome rules
that are limiting economic growth."

I personally feel that the termination of the
half-mile rule does not fit in with this mission statement or
their guidelines. The half-mile rule is not obsolete because
established businesses depend on this rule to ensure their
stability and that another competitor will not open up next
door or across the street from them. I feel it is necessary
to avoid an abundance of SDD licensees within any given area.
The rule allows certain distances to be maintained between
licensees and this prevents extensive competition between
them. Fortunately, Michigan has a state minimum for pricing,
allowing everyone to be at a fair and level playing field.
For example, if the state minimum were to be rescinded as
well, it would create cut throat competition and unfair
business practices. For those who have smaller
establishments, this could mean the possible risk of not
being able to compete amongst their competitors and could
even result in establishments closing or relocating. The rule also is not burdensome to economic growth. I feel, in a sense, it promotes economic growth by not allowing concentrations of SDD licensees within any area. It promotes new SDD licensees to invest in areas that otherwise do not have establishments. If the rule was to ultimately be terminated, it would allow for concentrations of these licenses in any given area. Investors and businessmen would be more inclined to open shops in areas that are already developed, not allowing for the spread of growth and development. The ORR is responsible for rescinding over 2,122 obsolete and burdensome rules, as stated on their website, since April of 2011. Only 15 MLCC rules have been rescinded. This accounts for .70 percent, not even 1 percent of the rules rescinded have been MLCC rules. I believe the MLCC does a good job changing with times and writing regulations as we see a diversifying and growing economy, but I do not believe that removing Rule 436.1133 is something the MLCC should do. I believe it is one of the biggest changes to its Code out of all the past changes and rescission of rules.

Alcohol is a $6 billion industry in Michigan and it is still growing. If MLCC were to terminate the half-mile rule, SDD licensees would start migrating to denser, more populated areas. Bars and stores with SDD licenses have

DEPARTMENT OF LICENSING & REGULATORY AFFAIRS - MICHIGAN LIQUOR CONTROL COMMISSION
their previous year and year to date purchases available to view online and to the public. This would, in turn, cause smaller SDD licensees who may not be doing so well to be motivated to move and not compete with high volume stores.

The following is written on the public notice for this meeting and I quote:

"The rescission of R 436.1133 will allow businesses and communities to determine the best placement of quota specially designated distributor licenses to maximize package liquor service to the surrounding geographical area."

Now I believe, even on a local level, this change will be frowned upon. Communities do not want to see the maximization of package liquor sales into their area. Currently, with the half-mile rule in place, it would take an individual, to walk a half mile, roughly six minutes if walking five miles per hour. This is also the time it would take to walk from one competitor to the next. I am stating this fact to put into perspective of how close we already are. More requests will pour in to transfer SDD licenses into concentrated areas and if this rule is rescinded, we may see, for the first time, four liquor stores at every corner of an intersection.

CHAIRMAN DELONEY: Sir, you are past two minutes;
if you could wrap up.

MR. VIKRAMJIT SINGH: I have firsthand experience in the past that local communities tend to be one sided. They do not favor liquor stores and they can easily be manipulated. On a more local level, politics plays a factor or can even bring about licensees to bribe their way into an area. They will favor them more. I will wrap myself up there. Thank you.

CHAIRMAN DELONEY: Thank you. Next, Tarandeep Bhagtana? Tarandeep Bhagtana from Battle Creek?

UNIDENTIFIED VOICE: Pass.


MR. GURCHARAN SINGH: Good afternoon. My name is Gurcharan Singh from Mt. Pleasant. My dad opened business around 15 years ago; paid for my schooling and then I had an option to a job or do the business. I chose the business, but now I am double-minded. I am thinking about moving out of the state and -- because if this happens, it is going to help my family in the future and things like that and also investments, like, I am asking my family from other states to come in Michigan and do this business but not now because this will not help them at all and put their lives in, like, not danger, but like their future, at least, financially. So recently I just -- we just asked them to buy a business
elsewhere, which was Kentucky which has been good for them so far.

I also want to say that we work hard for our money. We don't take any benefits from the state -- most of us probably don't take any benefits from the state -- which will happen if you guys hurt us financially. We will have to take EBT and other benefits. I also employ around six or seven individuals. I pay for their insurance, health insurance and taxes and all that stuff. So if this happens, it is going to hurt us and the only option that we have is either close our doors and move out of the state and invest our money somewhere else. Thank you.

CHAIRMAN DELONEY: Thank you. Next, Jason Canvasser.

MR. CANVASSER: Good afternoon, Commissioners. My name is Jason Canvasser and today I am speaking on behalf of both the Kroger Company of Michigan and Woodward Detroit CVS Company. Both Kroger and CVS favor rescission of the half-mile rule, Rule 436.1133. You have -- should have correspondence from both -- from Kroger and CVS from myself in support of the rescission, but I just wanted to say a few things in addition to what is contained therein. This rule is antiquated. It is anti-competitive. It is anti-business and it is extremely burdensome. CVS and Kroger have both been precluded on numerous occasions from adding spirits to
their existing location because of the half-mile rule and because no exemption exists to allow them to be able to make those sales. And often times, it is an advantage for their competitor. Neither CVS, nor Kroger believe that rescission will result in an overabundance of liquor sales. Liquor SDD licenses are quota restricted and in fact, being an attorney that sells and buys liquor licenses on a routine basis for clients, the prices are astronomical in many locations right now and the supply is very limited and I think the rescission will only increase the secondary market for licenses. It will only increase that demand. And it will create a more competitive and pro-business atmosphere here in Michigan. And so therefore, on behalf of Kroger and CVS, we applaud your efforts to rescind this rule and we ask that you do, in fact, rescind the rule. Thank you.

CHAIRMAN DELONEY: Next is Zachary Collins.

MR. COLLINS: Hello. I am from Joe's Party Store in Kentwood. I am not in favor of the rescission of this rule. I have read through your regulatory impact statement and Page 8, Section 29, you mention saving time and money without having to have the Liquor Control Commission go out and send people to measure the distance between locations. Guys, it is 2017 -- GPS works just as well. Does the State still enforce that 1,000 foot rule between billboards? We will see. But, let's see. There is not much doubt the
strain that the rescission of this rule is going to have on
our small businesses. Independent retailers, we struggle
enough as it is. And across the street from my store, there
is a CVS and a Speedway. Kentwood has about 17 licenses due
to a 2016 consensus versus the population and about 15 are
taken. If two licenses are available in Kentwood, and these
two stores are right across the street from mine -- which now
sell beer, which drove my beer prices down -- are they going
to get licenses? Are they going to be able to sell minimum
state-shelved priced liquor? I mean, can you make it anymore
difficult for us? We do the best we can with what we have
got and it is hard enough the way it is. These big box
stores are trying to choke us out and I understand you can
kind of see it as a -- you can call it discriminatory if you
want, but frankly, like, we are the ones doing what we can.
You have CVS. You have Speedway, Walmart, Meijer. They make
their margins on everything else they sell. So when it comes
to their pennies, selling that beer at cost, they make a
penny per case. Like, look at all the people in the room.
We can't make a penny per case, two pennies per case. We
have families. We have mortgages. We have taxes we gotta
pay, which ultimately, go back to you guys and there is
nothing we can do about it and you know, if I have to drop my
prices, I have to drop my prices, because if I don't,
customers will be, like, oh, I can go right across the street
to Speedway and get that 15-pack for $10. Like, come on, guys. You got to think. You got to think about the bigger picture, here, not about padding the pockets. It's not about the lobbyists. It's about these small businesses that make America great for what it is, which makes Michigan for what it is. We do, what? $6 billion a year in liquor sales? And you break that up and spread it a little bit more, what's it going to do to those communities? You're not really making that much more money off it, but you are hurting us independent retailers and if it is a store opening within a half-mile, well, there is not much we, who have already been here for years, can do about it. There's a strip mall right behind my store. If another liquor store pops up in there, there goes more of my business. I mean, they are only a hundred feet away and people would rather go there because it is that much closer. What are we supposed to do? So on behalf of my store and everybody here, for the most part, none of us want to see this passed. We don't need a more difficult industry to exist in. And we will do everything we can to fight it. It is not fair that you guys just went about this and didn't ask anybody's opinion until now. I mean, the AFPD had to sue you just to get a public hearing? Come on. I thought this was a democracy. All right. Thank you.

CHAIRMAN DELONEY: Next is Paul Makkar.
MR. PAUL MAKKAR: My name is Paul Makkar. I am representing Small Business Owners Association, a 400-strong member association, mostly coming from India. And also representing my own business, Rishi's International Beverage of Grand Rapids and I am also representing all of my independent store owners. I wanted to speak something else but now I'll focus on the Kroger and the other Meijer who came up with alternative argument. Come on, guys, you know. For you guys, the liquor is a loss leader. You advertise big minimum prices and then you make money. This is our livelihood. So don't say that, you know, there is not enough competition or the revenue is huge, you know. Those are all bogus.

Now take you to the half-mile except. It is 40-year old. Now focus for a second on my first speaker, then Mr. Vik Singh, and Joe's Party Store. So consider to those people that speak. Forty years ago we have half-mile rule or one-mile rule, how many guys were there 40 years ago? I will give you example: Suppose there were 1,000 and now there are 4,000 or 40,000 cars? How hard it is to drive up half-mile rule? So we need to go into the, you know, aesthetics of that. What is the reason?

Another important issue I would highlight is when these people are coming in, the independent, sole owners, they are speaking from their heart. They are representing
their family. Suppose how many other stores -- liquor stores in the whole state? 10,000? 20,000? We are talking about multiplied by four in each family. So we are talking about 80,000 so I am hoping that members, here, sitting, are having a human heart, not a corporate heart. Corporate heart is dead. It has no -- no thinking. It is just about money. We are living in a neighborhood. We talk to our friends, our neighbors. We go to parties, their kids. There are so many things are involved which is behind the curtain you don't see that. And then there are other issues. Those are highlighted. Those are very important. Don't just rush it. You know, otherwise, I don't see any reason. The reasons presented by the Commission are not strong reasons that you have to rescind the whole law, you know, for that. So I will appreciate whatever AFPD, small business owners associations are doing. We will highly appreciate that you please talk to us, consider the reasons they have given, not go for the big boxes or my attorney friend who lived in our region. Compare those regions -- where the human face is on those regions. So make it important. Take these issues with you in your heart and share with your family. Maybe they can guide you in that. So that is my whole thing and I think the rest of people will say something about that, but my whole focus is to give it a human face. Go home; talk to your family and tell them the stories of every person is coming here; that
they are going through this. They are scared. They are worried about their business. They are worried about their families. They are thinking about moving out of the state if you do this. So please, you know, that is only we can beg. Thank you very much.

CHAIRMAN DELONEY: Next is Rishi Makkar.

MR. RISHI MAKKAR: Thank you. To the Commission, my name is Rishi Makkar. I am a second generation shopkeeper in Grand Rapids, Michigan. I had the privilege, over the last 25 years, to work with numerous Commissions. And I can't speak for everyone, but personally, in every Commission, I have seen partner. I felt that we are the face of the Commission because we are in front of the clientele and the customers every day. We represent the best interest of the Commission. We want to make sure that we are not selling to minors. We want to make sure that we are complying with the rules and regulations laid out for not only our benefit, but for our community's benefit. So even in today's Commission, and Commissions past, I see in you a partner. I feel that we are not able to survive without you guys. Likewise, you are not able to survive without us. It's a symbiotic relationship that I value very much. Previous Commissions, I have felt, have been a little bit more small business oriented. I think that focus has always been on making sure that the small businesses have the tools
that they need to survive. Certainly, every political campaign I see, that seems to be the message that is given to me by the guys that want my vote. Hey, we are here for you guys. It is just that it seems that now when people are getting into those positions, the roles change. When you asked for my vote, you are for small business. When you receive my vote, all of a sudden, you are for special interest. So I see a little bit of disconnect in our partnership that is straining the relationship. Recent administrations and Commissions, unlike previous, have also favored distributors. Quietly, you will advertise on your website steady increases given to the distributors because you realize that they have overheads that are higher than they were 15, 20 years ago. We are in a three-tier system. There is three pieces. Right? If you realize that the middle is being strained -- the distribution -- because they are paying higher taxes; they are paying higher unemployment; they are paying higher insurance and you say to them, hey, you guys deserve more because they have more lobbying power. They have more money. And I respect that. I don't have that. But what I do have is thousands of store owners that are your eyes and ears in the community, every day, day in and day out. We have the same overheads that those distributors have. Our payrolls are higher than they were 10 years ago. Right? Our insurance is higher than it was 10
years ago. Our rent is higher. Everything is higher for us, just like it is for the distributors. So please note that if the distributors deserve more compensation, as you have given numerous times in your tenure, that so do the retailers. As a community -- and I can't speak for all the stores, but as a store, we invest back into our community. When you go -- when a customer comes and says, hey, my son's leg was amputated; I am having a fundraiser; that is the human side. We are there for them. You know, we give from what the community has given us, back to the community. Most of us, here, are all family men and women, right? So we see that side of our community. We are there to help them. The bogus party stores, I think, will number less than a few percentage points. Ninety-nine percent of us are there to serve the community and make an honest living.

As far as fair competition, it is funny; fair competition in a controlled environment. Right? So you are saying, there is no competition in tier one. There is no competition in tier two, but all of a sudden, the retailer is a criminal because we have to compete. If it's fair competition, then let's abolish the MLCC. And let me take my chances on my own. But I wouldn't like to see that happen. I think you guys are a good partner. You should continue to be a good partner. Just like we've done our due diligence, I think the Commission owes us the same due diligence.
Lastly, the government is for the people and not for special interests. I challenge you to find a majority in any community that favors this rule. So if this is about special interests, let's please take that out. Please ask not only of the business owners, please go into those communities. I welcome you into my store and you can ask the members of the community that I serve day in and day out if they favor this rule or not and I can promise you that 90 percent of them do not favor changing this rule. So we are here for the people, as I am as a business, as Kroger is, as anyone else is, we are here for our communities. So in my humble opinion, none of the communities favor this rule. So why is it being passed and slipped underneath? That is all I have to say. Thank you for your time.


UNIDENTIFIED PERSON: He just left. He was here.

CHAIRMAN DELONEY: I heard someone in the audience say he just left. He was here. Again, at the end of the hearing, we will call to see if any of the folks are back and wish to make a comment.

UNIDENTIFIED PERSON: I can speak for him.

CHAIRMAN DELONEY: He indicated a desire to speak.

MS. BERRY: Hello. From what I am hearing, most of the people are from Grand Rapids. They are from the Detroit area. They are from the bigger areas. I represent the smaller area. Back in July -- I own a party store in a very, very small town called North Adams. In the village, from the 2016 population, we only have about 477 people, that is men, women and children. The township, which is Adams, there is less than 2,500 people. In July, I had received a phone call from another business owner asking me how the gas station that had just reopened this spring, how are they getting their liquor license? He was there that morning. It was the Friday before the Fourth and he said how are they getting a liquor license? We can throw a stone far enough to land in their parking lot. And I started calling. I called the Commission. My husband had called AFPD. By Monday, the Liquor Commission had sent someone out. They did the measuring and they are less than 800 feet away from me. So my question is: They have the gas that pulls their people in, but if they need liquor, they come to me. I am doing everything possible as far as running drawings and keeping my
prices down. I can't compete with Walmart, but I can compete. We have had a day off, maybe one, in the last year-and-a-half. Because I do work on smaller margins.

I have another location on the south side of Jackson and it is the same situation. You know, we are out in a very small community. There is gas stations -- and nothing against gas stations. I need my gasoline, but there is gas stations that if -- I am, maybe, a half-mile from 127. There is a Shell station right there and if these people pull off the highway, I am going to lose any of that business also. And it is already with minimum wage going up, it is going up again. I am going to have to cut back on my employees' hours. When I bought the North Adams store -- I own another store on the north side. I am selling it on a land contract because I didn't have a liquor license to pull people to that store. So that store, I went ahead and gave up in favor of my liquor stores. And I just have, you know, if this passes, how am I supposed to split such a small amount with another company? Because at that point, the BP is probably going to get their license because they have left their shelves empty. Apparently, they know more than what I do. They are very confident they are going to have that liquor license. So my question is: How am I supposed to keep competing? And it is going to be with nothing. Twenty years ago when I bought my first store -- I am in the
minority being a woman owning businesses -- especially liquor stores. And if I would have known that this was the path it was going to take, I would have possibly bought and went into another type business. I just -- I don't see how this is going to do me any good. How I'm going -- I paid more for the stores I have because they had a liquor license; because I am it. So now, I am having to re-think what am I going to have to do to be able to make up that margin? I do keep my prices at state minimum. I have to compete against the Walmarts and the Meijer and the bigger stores because like they said, the beer, I can't compete at pennies over the dollar on a case of beer. So I don't know what we are going to end up doing if this does pass because suddenly the investment that when I get ready to retire in the next eight to 10 years, everybody is going to have the same thing that I have and where am I going to be? So other than that, I guess that is all I have to say. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Steve Sheena.

MR. SHEENA: Good afternoon. Steve Sheena from Home Town Beverage, Dearborn. Thank you for meeting today. My question is to you: We had a liquor license and in the same token, you gave another license -- resort license -- right there directly across the street from the establishment. That license was in escrow because of
construction. I don't know how that slipped in within the half-mile ruling. What I hear contradicts two laws -- half-mile ruling and resort license. What is a resort license? Can you please specify what is a resort? What is the definition of resort? Inner city or outer city? Okay. That is one thing, which is law 436.153 contradicting law 436.1133 on the Code law -- on the Code law rule books. We seen the American dream slipping away over here slowly, but surely. Don't take that away from us; don't take it from everybody out here.

Two, to do some interest of others; Kroger, Meijers, CVS, they don't keep an eye on their liquor store like these people do. We monitor it. It is open in the public. Can you stop kids from taking away from it? Okay? They are going to get bottle and empty it out and kids go out there and have a party and kill somebody. It is unmonitored, unregulated. One thing, go ahead; give it to them. But when accidents happen, it is too late. We have it behind the counter. We keep a close eye on it. We keep good records. We are your partners from the beginning to the ends. Please, don't kick us to the curb and feed us to the wolves. Let us fight for what we have. Don't take it away from us. This is our livelihood. We think highly of you people. Think about you living in a decent house and living here. Another house come up across from you or next to you. Is your house value
going to be the same as it was by itself? You are
deregulizing (sic.), demoralizing all the business interest
and the value where they put their heart and effort into it.
They got kids going to school. I am one of them. I got kids
in college. I strive to make an honest living. And let's
put it this way: If you want to sit down and talk about
positive things, let's sit down and talk about positive
things. How can we improve our business? How can we improve
our bottom line? There is a lot of way to make good money.
We are your partner. We made the State over -- what is it?
Over $900 million in profit through the State; maybe it will
reach $1 billion right now. We did that with all our hard
working for you. No Meijers, no Kroger, no CVS work hard as
we are for you. Okay. We are dedicated to you. We are
committed to you. My question is: Let's improve our bottom
line. The bottom line is the cost of living is becoming the
opposite way now. Actually, we are 15 percent in deficit --
not 15 percent we are making right now. According to the
years, cost of living goes every year -- 1.7, 1.8, 1.0, 1.5.
If we add that in, by then it's about 35 percent. We are not
asking for the world. We are asking the committee to be fair
and square to everybody. Increase the fee of licensee a
little bit to compensate for what you are asking for -- the
half-mile ruling. Increase the bottom line to 25, 27
percent. Let's compromise somewhere. Let's make -- by doing
that, we are generating more taxes to the state. We are not
taking away from you. We are adding more to you. So please,
think about it seriously, not just take. I mean, let's put
it this way: The founding father for this law, if they are
alive now, they will turn in their grave. Let's respect
their laws in the past. If it is not broken, don't fix it.
I urge you to look into it deeply and seriously. If we could
do -- ask us for opinions. We could give a lot of opinions.
Let's improve the services, for instance, from the
warehousing.

CHAIRMAN DELONEY: Sir, you are at two minutes.
Please wrap up your comments.

MR. SHEENA: Now we are going to add more
licensees, how we going to get more service? We can't even
add one item. We need to help the customers. We need an
extra item. We cannot add one more item. You have to have
five, six cases. Any more burden on individuals? Thank you
very much. God bless you.

CHAIRMAN DELONEY: Thank you. Next card -- I can't
make out the name, but they indicate they are the owner of
Plainfield Liquor in Grand Rapids. I apologize.

COURT REPORTER: Could I get your name, sir? Could
you spell it for me, please, real quick?

MR. SANDHU: Kanwal Sandhu.

COURT REPORTER: "G"?
MR. SANDHU: Kanwal Sandhu. "K". Good afternoon, sir. The reason for my investment is all this law and with this kind of legislation, you are discouraging those being here. And as you know, my store was, when I bought that store, it was near the bankruptcy. So we build it. We create a job here. We put investment here without any kind of help of government and this kind of legislation where you going to make it, it will destroy everything -- destroying the family; that is all I wanted to say, sir. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Nancy Mahlow?

MS. MAHLOW: I am sorry. Thank you. I kind of feel like a fish out of water because I don't own a store, but I am here on behalf of -- I live here in Lansing and I am here on behalf of the 30 plus neighborhood organizations and approximately 200 neighborhood watch groups that we have, here, and we are very, very much against this change. We have stores in our neighborhoods. We work with our store owners; some are good, some are not. But we don't want to increase and we don't want to lose what we have. So therefore, this would cause them to close. I am not in the business part of it. I don't know the business part of it. I know what works in our city and this change will not. So I am here on behalf of the neighborhood leaders in Lansing. Please don't change this. Thank you.
CHAIRMAN DELONEY: Next is Ramzi Farah. Ramzi Farah, Fenton, Michigan?

MR. FARAH: Yeah, hi. And my name is Ramzi Farah from Fenton Party Shop in Fenton. I just want to say something. When I came like 35, 37 years ago to this country, I was attracted to the liquor store business because of its stability and the reason why is because of that half mile. You could invest money, you know, in five, 10 years, the money -- I mean, the value, is going to be there, you know. And as the years went by, you know, you know, working seven days a week, you know, 10 years later, you know, I bought another liquor store with higher volume, you know, and so on, you know. And the thing is this: The values of our stores, you know, are dependent on this half-mile rule because, you know, you know that nobody is going to open a store next to you and take half your business, whatever, you know. If you spend -- invested, let's say, half a million dollars, you know that the half million is not going to become 200 or whatever, you know, when somebody else is going to open next door. So, you know, I feel that this rule, you know, it is like somebody pulling the carpet, you know, from underneath our feet, you know. And I mean, look at everybody here, you know. We all came -- I mean, most of us came from, you know, different country. We working hard, you know. And, you know, all the money that we made is hard earned

52

DEPARTMENT OF LICENSING & REGULATORY AFFAIRS - MICHIGAN LIQUOR CONTROL COMMISSION
money and, you know, our children, you know, like my son, he is in law school -- I mean, in med school. And I am sure, you know, a lot of the owners, here, you know, they have the same thing. I mean, we work hard and the next generation, you know, is going to be like you guys, you know, they are going to be American. They are going to be well educated, whatever. Why? Because of that half-mile rule, you know. That kept us, you know, going, knowing, you know, what we going to make, you know. The profit, whatever, not like somebody else is going to open next door and then all of a sudden, the value of your store is half or less than that. So, you know, I appreciate you guys, that you don't change the stability that we have right now in our business. Thank you.

CHAIRMAN DELONEY: Thank you. Next, Stephen Ormond?

MR. ORMOND: Good afternoon, Commissioners. Thank you for this hearing. My name is Steve Ormond with the Clark Hill Law Firm representing 7-Eleven and also the numerous individual independent franchisees who operate the 7-Eleven stores. This is not an easy question for us because we face the regulatory barrier of the half-mile rule regularly and we have had to tell our clients that they could not place a liquor license in given locations many, many times. By the same token, we have been able to place liquor licenses and so
how do we look at this? All right. When I hear about the competitive impact, I think in a quota-limited environment, which this is, for spirits, I don't believe there is a net increase in competition if the half-mile rule is eliminated. I believe that what happens is the location of the competition changes but not the extent of it. So for every -- if we are going to think of winners and losers in competition, for every winner in competition, there is going to be a loser in competition in a quota-limited environment. So we see both sides of this. On balance, we think that the public is better served if as many unnecessary regulatory barriers to the creativity and business sense of the individual business people who do this business, as many of those barriers that can be eliminated, should be eliminated because I think the net increase -- we think the net increase in economic activity, generally, will serve everyone. For sure, there are individual stories and I am impressed by the presentations of many of the people here. And I trust the Commission will hear everything with an open mind. But I believe in the spirit of regulatory reinvention. It is appropriate for the Commission to remove the half-mile rule. Thank you.

CHAIRMAN DELONEY: Thank you. Next is Francis Sitto. Francis Sitto from Detroit? Franci Sitto from Detroit? Next is Rita Ross. Rita Ross?
MS. ROSS: Good afternoon, everyone. My name is Rita Ross. I am from the City of Detroit, Michigan. It is my home and has been my home for 50 years. I represent a neighborhood that housed 1,400 families. We live in a radius of 32 blocks. Within that area, there are six liquor stores and as I speak to you today, last night, we are appealing a seventh liquor store -- a grocery store -- bad business decision. His business can't survive selling stale meat and peppers. So he decided that what would be best for him is to sell liquor with his beer and wine license, whereas there is already a store right across the street from him. And he has been given approval to do that. And we are fighting it. I don't think I need to tell anybody here this devastating affect in the City of Detroit, on homes, on children, on families. I have a family, too. It is not just -- I have two biological kids and I can't tell you how many foster kids I have raised in my home who have come from the affects of alcohol in the community. We now have another item that is affecting us, which is cannabis. There is an over concentration of alcohol in our neighborhood and you can see it through the affect of our children and our families. I do not support having liquor stores everywhere and my community does not and we are fighting hard with the Mayor of the City of Detroit to try to rectify that. We need help to do it. You know. It will be on all of our backs because we are --
you need to make a living and you have a family, we need to
make a living and we have a family, as well. And that
over-concentration of alcohol in our neighborhood, does not
need to be. We actually have too many as it is now. That is
all I have to say.

CHAIRMAN DELONEY: Thank you. Next is Glenda
McGadney.

MS. MCGADNEY: Good afternoon, everybody. My name
is Glenda McGadney from Detroit, Michigan, Russell Woods
Association and I concur with my neighbor, long-time
neighbor, Rita Ross. In my community, we have six liquor
stores and we have a small area that has been around for
decades and it has affected our community greatly. I support
the continuation of the half-mile rule and hopefully, you as
Commissioners, will keep that in place. Thank you so much.

CHAIRMAN DELONEY: Thank you. Next is Jerome
Crete. Jerome Crete?

MR. CRETE: My name is Jerome Crete. I am from
Ideal Party Store in Bay City. I am a third generation
owner. My grandfather started the business in 1934 so we
have been 83 years dealing with changes in the environment
that we operate. My biggest concern with the proposed change
with the half-mile rule is changing the rules in the middle
of the game. I have been personally in the business --
involved in the business myself for 38 years. And during
that time, I have been affected on both ends of the half-mile rule where I was prevented from getting a license because the half-mile rule wouldn't let me put a store there and also, I have been -- I have invested very heavily in the businesses that I have today -- thousands -- hundreds of thousands of dollars in those businesses today because of the half-mile rule being in place. My decision to invest those hundreds of thousands dollars in my business were greatly dependent on that half-mile rule being in place. So by removing that half-mile rule in the middle of the game, it puts a business like myself and other businesses that are, here, too, that have invested heavily in their businesses, based on that rule, at a disadvantage. And we are at a disadvantage, especially to companies -- the larger companies that have the dollars -- Kroger, Meijers; you know, they already get advantages within the suppliers and the Commission now. For them to be able to put stores wherever they want, it is a competitive disadvantage to us, especially when you are changing the rules in the middle of the game. It is like -- I kind of liken it to changing the rules for a doctor. Somebody spends $300,000 to invest in their education to be a doctor but we change the rule in the middle of the game, and say, okay, you know what? Anybody that wants to be a doctor can get a license. They don't have to invest in the education. It may be an extreme example, but when you are a
small business owner like myself and you have invested so
heavily, based on that rule being in place, it is a tough
pill to swallow to know that that could just be wiped away
overnight. My family has 83 years invested in a small
business where we support local organizations all over our
community. We are a home neighborhood business and always
have been. We have been fighting competition. I understand
competition. I am not afraid of competition. I just want
fair competition. Changing the rule in the middle of the
game is not fair competition. Thank you for your time.

CHAIRMAN DELONEY: Again, we had several folks who
indicated a desire to speak, but they did not answer when
their name was called. I will try their names one more time
so they can have their opportunity. Harpuran Singh?
Harpuran Singh?

MR. HARPURAN SINGH MULTANI: Here. Hello,
everybody. My name is Harpuran Singh Multani and I am in
Portage. I have store there. And I will sum up in one
minute. I have just only three things to say. See what the
people all crying for? One thing. Second thing is that any
one of you ask for the neighborhood peoples, living in those
neighborhoods, do we need some more stores? 99.1 percent
will say hell, no. Third thing is that if you not listening
to any of these peoples, not listening to the public peoples,
then who you guys going to listen? To Meijer? Walmart?
Sam's Club? Only those people? Because they have big money? Do they know when the election is? Be good human being and listen to the pain of people. They already have too many problems and I request to you guys if you go home, sit with yourself, in peace, and see what you are going to do. And I am sure if you are living in those neighborhoods, you will move very next day because you have choice. A lot of people don't have choice, you know. They cannot move. So please, be humble; be nice and that is what the God like it. Feel the pain of the other people. I can feel my pain, but if I feel the pain of the other people, that is what God like it. Thank you.

CHAIRMAN DELONEY: Thank you. Karamjit Singh? Karamjit Singh? Karamjit Singh from Rockford?

UNIDENTIFIED PERSON: He already spoken.


MR. MITCHELL: Sir, I had a card in.

CHAIRMAN DELONEY: What is your name, sir?

MR. MITCHELL: Mike Mitchell.

CHAIRMAN DELONEY: Yes. I apologize. Thank you, sir. Please come forward.

59
MR. MITCHELL: My name is Mike Mitchell. I am the Vice-President of Markham Enterprises. We own gas stations and liquor stores in the state. Many of the people here I know and I think it is important we talk about competition -- the folks from Krogers and CVS. 7-Eleven just bought 2,200 stores from Sunoco for $3.3 billion and make it seem like these people are against free, open market and competition. Why don't you look around the room, here? These people work 70, 80 hours a week. They overcome social barriers. They've overcome language barriers. And when I walk into Jessie's store or Harry's store or Sam's Store or Jay's store, they know who I am. They talk to me. They are living off the overflow from the big companies now. So it is not that they are afraid of competition. They will compete with each other all day long. But when Krogers can sell gas 10 cents cheaper than my guys can buy it, that is not really fair. So we'll talk about competition. On an even playing field, these folks will compete all day long. They've done it. If you walk into these small towns especially, you see they are ingrained in their community. People there know them. They respect them. I think it is important to understand that the investments made there, if these folks can't make a living, the only last piece of value they have is their license, right? And then it's easy to have somebody come in and say, oh, I'm going to bail you out and give you high dollar for
your license and we lose that. When I go to Kroger or CVS --
I shop there. Most of the time, I have a great experience.
They don't know who I am. They don't have what I have
sitting for me on the counter when I walk in the door. These
people make their living off of hard work, dedication to
their community. I think it's really unfair to paint a brush
that they're afraid of competition. It's who they want to
compete against. They don't have loss leaders. They don't
have the extra things that they can do to bring people in the
door. What they do have is strong work ethic, strong
attitudes, strong ties to community and everyday, these folks
-- anybody here work less than 70 hours in the last six
months? Raise their hand. They're here. This is what they
do. It is not -- they are not afraid of competition. I put
10 of these guys competing against each. It is who they are
competing against and the resources that they are allowed.
We need to protect the small business. We need to protect
the independent people, not because they are afraid of
competition but we need to protect them because eventually
all that is left is big box stores. They are living off what
you guys forget. Leave them alone for it. Thank you.

MR. PAUL DeBARTOLO: Commissioner, I wasn't sure
where to turn my paper in.

CHAIRMAN DELONEY: Please come forward. Did you
fill out a card?
MR. PAUL DeBARTOLO: Not really. I did but I didn't turn it in.

CHAIRMAN DELONEY: Please make sure to identify yourself before you speak. While he's filling out his card, just a reminder that following the conclusion of the hearing, those who wish to submit written comments have until -- those comments must be received by the Commission by 5:00 p.m., Wednesday, September 13, 2017, so a week from today. Again, those comments must be received by the Commission by 5:00 p.m., Wednesday, September 13, 2017.

Please proceed, sir.

MR. DeBARTOLO: Thank you, Mr. Commissioner. My name is Paul DeBartolo. I'm from Grand Rapids, Michigan. I am a real estate broker involved with the liquor store business and represent most of the Punjabis at one time or another inside of this room. And I think that one thing I just -- a partner of mine just built a liquor store in Grand Rapids. And one thing that the public sector does not understand is what the private sector goes through in order to build a business. They don't go through the turmoil and the time, and the money and the effort and everything else that we go through to fight through the Zoning Commission; to fight through the Planning Commission; to fight through everything else just to be able to hang a sign on a building and open our doors and fill them with inventory and hope and
pray that we do enough business to pay our debt service and may have a little bit of money left over. I also think that the public sector does not understand what all of these people in this room -- what all of these faces, all different colored faces that come from every part of the world, what they go through to operate a business and the hours that they work. I was in a store awhile back and talked to a husband and wife. They both worked. They have no employees. They can't afford employees and they both work well over 100 hours a week, each of them. And they have little children -- sent their children back to India for the summer and people wouldn't understand it and I admit it, I don't understand that because I couldn't do that, but these people do. They sacrifice everything for their children. They sacrifice everything so their children can live better and not work as hard as they do and have to do the things that they did to accomplish what they have accomplished in life. Out of everybody that has been here today, there have been several opponents of this law, which personally, I believe should stay in effect. You should not change. There have been three opponents to this law and my guess is that all three of those people that were opponents of this law, were likely paid to be here. Whereas, everybody else took time; took their own gasoline; took their own energy; took time away from their store and it cost everybody else to be here and
drive to Lansing and make it in this room today. If I were sitting in a Planning Commission or a Zoning Commission, which I have been in several being in the real estate business for 40 years; I have been in front of the Planning Commission and the Zoning Commission many times and if there were this many opponents to a project that somebody was proposing, that project would be squashed. There wouldn't even be any question and I understand the woman from Detroit that is from the neighborhood organization. Those neighborhood organizations have tremendous power over what happens in neighborhoods and that is because, I believe, that these Commissioners -- and whether they are Planning Commissioners or whether they are Zoning Commissioners, they realize that they are public servants; that they work for the public, whether it's the City of Grand Rapids, City of Detroit or the city of wherever, but they realize they are public servants because that is what they were hired to do and you know, I would respectfully submit, unpopularly maybe to some, that if the Commission cannot understand that they are public servants, representing the public, then the Michigan Liquor Control should probably find new public servants and that is all I have to say.

CHAIRMAN DELONEY: Those are all the cards we have from folks indicating a desire to speak today.

MR. CLIFTON DENHA: Sir, my son filled out my card
and he mistakenly --

MR. LOUIS DENHA: Sir, I can attest to the fact that my dad shares the illness of shyness and I filled out his sheet.

CHAIRMAN DELONEY: What is your name, sir?

MR. LOUIS DENHA: I am Louis Denha.

MR. CLIFTON DENHA: And I am his father and I wanted to speak, but my son put on there, didn't want to speak because he thought I was too shy to speak.

CHAIRMAN DELONEY: Come forward. Again, state your name, for the record, so that we have a record of those who are speaking today.

MR. CLIFTON DENHA: My name is Cliff Denha. I own the Wine Palace in Livonia. My family has been in the liquor business for 60 years if my father was alive. And I think the human aspect is what is missing here. I can tell you from personal experience, I employ 15 people and I can tell you we have 15 different liquor licenses within three miles of me and I mean, you could just -- it is unbelievable, but here is my point: Every day I have somebody come and ask me for a donation -- every day. And I try to do the best I can. They go to these big box stores. I am sorry. I am not authorized to do that, but they come to us. So this is what's going to hurt: If the big box places take over, you are going to lose the human aspect of taking care of people
who God forbid, have cancer or God forbid, they need to raise
money for some kind of surgery or something like that, which
happens to us on a daily basis. So I think that the
Commission should take -- I mean, out of my 15 people, four
people are family members. Eleven people are regular people
from the neighborhood that I have been employing all my life.
And these people -- this is their starter jobs. This is what
we do. We take care of them. We groom them. So I think the
Commission should -- there is no need to rescind this rule.
There is plenty of competition. Just look at Ohio. Ohio has
450 licenses and they, basically, do the same amount of
business as we do in Michigan with 4,500 licenses. So I
think that is just what I wanted to say. Thank you.

CHAIRMAN DELONEY: Thank you. Those are the people
that have indicated a desire to speak. Again, I'll say it
again, anyone who wishes to submit written comments, they
must be received by the Commission by 5:00 p.m., Wednesday,
September 13, 2017. Again, that is a week from today. We
have received several cards from folks who are present, here,
today, not indicating a desire to speak. Also, we have
already received several written comments that are part of
the public record. They are part of the record for this
hearing. And again, people have until Wednesday,
September 13, 5:00 p.m. to have their comments received by
the Commission. So that is the business we had before us
today. At this point, I would entertain a motion to adjourn.

MR. MITCHELL: Sir, may I ask one more question? Is any of that information being relayed to the people that couldn't get it upstairs? It is my understanding that the Fire Marshall shut us down; a lot of people upstairs. If they checked in up there, is there any way to let them know they have a short time for this?

CHAIRMAN DELONEY: This is being publicly recorded by our court reporter. So everything that happened, everything that was said on the record today is public record. So again, I will entertain a motion to adjourn. Is there support?

COMMISSIONER QUIMBY: So moved.

CHAIRMAN DELONEY: Moved by Commissioner Quimby.

Is there a second?

COMMISSIONER OLSHOVE: Second.

CHAIRMAN DELONEY: Seconded by Commissioner Olshove. Any further discussion? Hearing none, all in favor will indicate by saying aye.

COMMISSIONER QUIMBY: Aye.

COMMISSIONER OLSHOVE: Aye.

CHAIRMAN DELONEY: Aye. The ayes have it. We are adjourned; that being 2:44 p.m.

(Hearing concluded at about 2:44 p.m.)

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67

DEPARTMENT OF LICENSING & REGULATORY AFFAIRS - MICHIGAN LIQUOR CONTROL COMMISSION
* * *

I HEREBY CERTIFY that I reported stenographically, the foregoing testimony and proceedings on the date and place hereinbefore set forth; that the same was later reduced to typewritten form, and that the foregoing is a true, full and correct transcript of my stenographic notes so taken.

__________________________
Lori K. DeClercq, CSR-3053
Dated: September 28, 2017