



BUSINESS MEETING OF THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Wednesday, April 10, 2019
Lansing District Office
525 W Allegan
Lansing MI 48933

Present: Andrew J. Deloney, Chairman
Dennis Olshove, Commissioner

Absent: Teri L. Quimby, Commissioner

Staff: Kerry Krone, Business Manager
Julie Wendt, Director of Executive Services
Sara Weber, Director of Licensing
David Marvin, State Administrative Manager
Pam Hamilton, Director of Finance Division
Liliana Paceagiu, Deputy Director of Finance Div.
Anita Fawcett, Administrative Assistant

The meeting was called to order by Chairman Deloney at 9:33 a.m., noting a quorum was present.

- I. Chairman Deloney advised we have received a request for a declaratory ruling from Attorney Joseph Infante on behalf of his eight clients – Hudsonville Winery, Inc., Nerd Craft, LLC, Allegan Lager Company, LLC, Beer Me Bro, LLC, Arbor Brewing Company, LLC, Hop Lot Brewing Company, Harmony Brewing Company, LLC, and Saugatuck Brewing Company, Inc., respectively. The requests were received on Tuesday, March 12, 2019 in the Lansing office and it is stamped as such.

Chairman Deloney stated the Commission, under administrative rule R 436.1973(1) has 30 days to decide whether or not it will approve the request for a ruling, making the deadline for this decision Thursday, April 11, 2019. He also advised that under R 436.1973, if the Commission decides to approve the request for a declaratory ruling, the Commission has 90 days from the date of receipt for the request to issue the ruling. If the Commission approves the request for a declaratory ruling, the deadline for issuing the declaratory ruling would be Monday, June 10, 2019.

At the Business Meeting of the Commission held on Tuesday, March 26, 2019, Chairman Deloney announced that we were in receipt of this request for a

declaratory ruling, which is a public document. The Commission will, at this time, consider the request for a declaratory ruling.

Chairman Deloney finds that Commissioner Ed Clemente's order of September 20, 2018 with regard to Complaint CV-501753 has already addressed this question. Specifically, the Order concludes that the actions of Saugatuck Brewing Company, Incorporated – a licensee of the Commission – hosting a weekly Bingo tournament, where winners were awarded prizes, violates the statute – specifically MCL 436.1901(2) – prohibiting illegal gambling on the licensed premises. MCL 436.1901(2) states: "A licensee shall not allow unlawful gambling on the licensed premises and shall not allow on the licensed premises any gaming devices prohibited by law."

In response to the complaint that the weekly bingo event constituted illegal gambling under MCL 436.1901(2), rather than request a contested case hearing to dispute the charge and present factual evidence and arguments in support of their position, Saugatuck Brewing Company, Incorporated (1) did not dispute that the weekly bingo event constituted illegal gambling under the code, (2) waived the right to a contested case hearing, (3) acknowledged the violation, and (4) did not appeal the violation order, letting stand the findings of fact and conclusions of law in Commissioner Clemente's order.

After discussion on the record, Chairman Deloney made a motion to deny the request for a declaratory ruling and to deny petitioner's motion to stay enforcement. Supported by Commissioner Olshove, the motion was carried by unanimous vote.

Under R 436.1975, if a request for a declaratory ruling is denied, the commission shall issue a concise written statement of its principal reasons for denial within 30 days of the denial. The deadline for the Commission to issue the written statement is Friday, May 10, 2019.

II. Old Business.

There was no Old Business.

III. New Business.

There was no New Business.

IV. Public Comments.

There were no Public Comments.

V. **Moved by Commissioner Olshove, supported by Chairman Deloney that the minutes of the Commission meeting of March 26, 2019, be approved as written and presented, motion carried by unanimous vote.**

VI. Ms. Hamilton presented the E-Quote report for product listings in three categories (see attached report) and requested approval of the following:

That 114 new items with case size exceptions be approved for listing with an effective date of April 28, 2019, and that 1 new item with case size exception be approved for listing with an effective date of June 2, 2019; and

That 56 regular new items be approved for listing with an effective date of April 28, 2019; and that 5 regular new items be approved for listing with an effective date of June 2, 2019; and

That 25 new items with special packaging be approved for listing with an effective date of April 28, 2019.

After discussion, the following twenty one (21) products were denied as the Commission does not want to be the wholesaler for these products:

Benchmark Beverage Company, LLC	50ml Sammy Slam Jelly Mosc	72 Bottles/case
	50ml Sammy Slams Jelly Ornge	72 Bottles/case
	50ml Sammy Slams Jelly Chrry	72 Bottles/case
Lehman's Orchard, LLC	375ml Lehman's Farmhouse Gin	12 Bottles/case
Park Street Imports LLC	200ml Blue Marble Bloody Mary	24 Bottles/case
	200ml Blue Marble Clnn Toast	24 Bottles/case
	200ml Blue Marble Coconut Isld	24 Bottles/case
	200ml Blue Marble Cosmo	24 Bottles/case
	200ml Blue Marble Greyhound	24 Bottles/case
	200ml Blue Marble Long Isld	24 Bottles/case
	200ml Blue Marble Marble-Rita	24 Bottles/case
	200ml Blue Marble Mojito	24 Bottles/case
	200ml Blue Marble Moscow Mule	24 Bottles/case
	200ml Blue Marble Screwdriver	24 Bottles/case
	200ml Blue Marble Vodka Soda	24 Bottles/case
	200ml Blue Marble Whiskey Cola	24 Bottles/case
Luxco, Inc.	50ml Arrow Schnapps Conter Bin	60 Bottles/case
	100ml Stock 84 Riserva	20 Bottles/case
Caribbean Distillers, LLC	750ml Club Caribe Onrge Van	12 Bottles/case
Stoller Imports, Inc.	750ml Thatcher's Cucumber	12 Bottles/case
Diageo Americas, Inc.	750ml Ciroc Snap Frost w/2-50ml	6 Bottles/case

Moved by Commissioner Olshove, supported by Chairman Deloney that the above actions be taken in accordance with the E-Quote report dated April 2, 2019, as written and presented; motion carried by unanimous vote.

- VII. Ms. Paceagiu presented licensee requests for special price reductions on spirit products in accordance with the provisions of the Commission's Order of September 11, 2012 regarding special price reductions on spirit products, which was effective on January 1, 2013. She advised there were fifty seven (57) different licensees requesting price reductions; that 1780 product price reductions could be approved; and that 9 product price reductions should be denied.

Moved by Commissioner Olshove, supported by Chairman Deloney that the 1780 special price reductions be approved as indicated on the attached Approval for Price Reduction on Liquor reports, motion carried by unanimous vote.

Moved by Commissioner Olshove, supported by Chairman Deloney that 9 special price reductions be denied for the reason stated in the attached Notification of Denial for Price Reduction reports, motion carried by unanimous vote.

- VIII. Ms. Hamilton requested approval of a bulletin for the submission of quotations for the Quarterly Price Book, which is effective July 28, 2019. She advised this is a routine bulletin sent out quarterly to Vendors of Spirits and Vendor Representatives to remind them of the deadlines for the next price book.

Moved by Commissioner Olshove, supported by Chairman Deloney, that Bulletin No. 2019-02, Quarterly Price Book Deadline Dates, be approved as written and presented, motion carried by unanimous vote.

With no further business, moved by Commissioner Olshove, supported by Chairman Deloney, that the business meeting be adjourned at 9:42 a.m., motion carried by unanimous vote.

Andrew J. Deloney
Chairman

Anita Fawcett
Administrative Assistant



BUSINESS MEETING OF THE
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, April 30, 2019
Lansing District Office
525 W Allegan
Lansing MI 48933

Present: Teri L. Quimby, Commissioner
Dennis Olshove, Commissioner

Absent: Andrew J. Deloney, Chairman

Staff: Pam Hamilton, Director of Finance Division
Liliana Paceagiu, Deputy Director of Finance Div.
Anita Fawcett, Administrative Assistant

The meeting was called to order by Commissioner Quimby at 9:35 a.m., noting a quorum was present.

I. Moved by Commissioner Quimby, supported by Commissioner Olshove that the minutes of the Commission meeting of April 10, 2019, be approved as written and presented, motion carried by unanimous vote.

II. Ms. Hamilton requested approval of a bulletin for the revised quotation filing deadline dates and effective dates for new items, proof changes and case size changes for the 2019 New Item Price Lists. She advised this bulletin will replace Bulletin No. 2018-05.

Moved by Commissioner Quimby, supported by Commissioner Olshove, that Bulletin No. 2019-03, Revised Quotation Filing Deadline Dates for 2019, be approved as written and presented, motion carried by unanimous vote.

III. Ms. Paceagiu presented licensee requests for special price reductions on spirit products in accordance with the provisions of the Commission's Order of September 11, 2012 regarding special price reductions on spirit products, which was effective on January 1, 2013. She advised there were seventy-seven (77) different licensees requesting price reductions; that 2155 product price reductions could be approved; and that 2 product price reductions should be denied.

Moved by Commissioner Quimby, supported by Commissioner Olshove that the 2155 special price reductions be approved as indicated on the attached Approval for Price Reduction on Liquor reports, motion carried by unanimous vote.

Moved by Commissioner Quimby, supported by Commissioner Olshove that 2 special price reductions be denied for the reason stated in the attached Notification of Denial for Price Reduction reports, motion carried by unanimous vote.

IV. Old Business.

There was no Old Business.

V. New Business.

There was no New Business.

VI. Public Comments.

There were no Public Comments.

With no further business, moved by Commissioner Quimby, supported by Commissioner Olshove, that the business meeting be adjourned at 9:38 a.m., motion carried by unanimous vote.

Teri L. Quimby
Commissioner

Anita Fawcett
Administrative Assistant