



ADMINISTRATIVE  
MEETING OF THE  
MICHIGAN LIQUOR CONTROL COMMISSION

Held: Tuesday, April 3, 2012  
Lansing District Office

Present: Andrew J. Deloney, Chairman  
Teri L. Quimby, Commissioner  
Donald B. Weatherspoon, Commissioner  
Julie Wendt, Director of Executive Services Division  
Tom Hagan, Director of Enforcement Division  
Sharon Martin, Director of Licensing Division  
Gerald Whalen, 1<sup>st</sup> Assistant Attorney General  
Anita Fawcett, Executive Services Division

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The meeting was called to order by Chairman Deloney at 11:05 a.m., noting a quorum was present.

- I. **Moved by Commissioner Weatherspoon, supported by Commissioner Quimby, that the minutes of the Commission meeting of March 27, 2012, be approved as written and presented, motion carried by unanimous vote.**
  
- II. Ms. Wendt presented a request for a proposed rescission of Promulgated Rule 436.1425. She stated the rescission of R 436.1425 is being proposed under Section 44(1) of the Administrative Procedures Act, MCL 24.244(1), because the rule conflicts with the Michigan Plumbing Code and duplicates provisions contained in the State Construction Code and local health department ordinances. Furthermore, the Michigan Plumbing Code has in place regulations pertaining to separated rest rooms for each sex in facilities where plumbing fixtures are required. Ms. Wendt stated because the MLCC will rely on these regulations in the future to ensure that on-premises licensed establishments meet all state and local plumbing codes as required by R 436.1003, R 436.1425 is obsolete and is eligible for rescission under Section 44(1).

Chairman Deloney advised this rescission was initiated by the Commission as the rule conflicts with requirements imposed by state and local codes. He advised this rule sometimes complicates matters and duplicates a number of other rules regarding plumbing fixtures.

**Moved by Chairman Deloney, supported by Commissioner Quimby, that the rescission of administrative rule R 436.1425 of the On-Premises Licenses Rules as approved by the Office of Regulatory Reinvention, be approved and formally adopted by the Commission to be effective after filing with the Secretary of State, motion carried by unanimous vote.**

**IV. Old Business**

Ms. Wendt advised that Senate Bill 874 which amends the Liquor Control Code to change the standard for local governmental units to request the Commission to suspend or revoke an off-premises license for three or more instances of selling alcoholic liquor to a minor from a calendar year to a consecutive 12-month period and lowers the population threshold from 750,000 to 600,000 relating to the exception to the requirement for approval of on-premises licenses by local governmental units, was submitted to the Governor on April 2, 2012. She further advised that a bill analysis is being prepared as requested by the Office of Policy and Legislative Affairs.

**V. New Business**

There was no new business.

**VI. Public Comments**

There were no public comments.

**With no further business, moved by Commissioner Weatherspoon, supported by Commissioner Quimby, that the business meeting be adjourned at 11:09 a.m., motion carried by unanimous vote.**

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Anita Fawcett  
Executive Services

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Andrew J. Deloney  
Chairman