



# SENATE BILL No. 1250

September 20, 1994, Introduced by Senators MC MANUS and KOIVISTO and referred to the Committee on State Affairs and Military/Veteran Affairs

A bill to amend section 28c of Act No 8 of the Public Acts of the Extra Session of 1933, entitled as amended "The Michigan liquor control act," as amended by Act No 133 of the Public Acts of 1992, being section 436 28c of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 28c of Act No 8 of the Public Acts of  
2 the Extra Session of 1933, as amended by Act No 133 of the  
3 Public Acts of 1992, being section 436 28c of the Michigan  
4 Compiled Laws, is amended to read as follows

5 Sec 28c (1) The commission shall not prohibit an appli-  
6 cant for or the holder of a specially designated distributor  
7 license or specially designated merchant license from owning or  
8 operating motor vehicle fuel pumps on or adjacent to the licensed  
9 premises, if both of the following conditions are met

(a) One or both of the following conditions exist

(1) The applicant or licensee is located in a neighborhood shopping center composed of 1 or more commercial establishments organized or operated as a unit which is related in location, size, and type of shop to the trade area that the unit serves, which provides not less than 50,000 square feet of gross leasable retail space, and which provides 5 private off-street parking spaces for each 1,000 square feet of gross leasable retail space

(11) The applicant or licensee maintains a minimum inventory on the premises, excluding alcoholic liquor and motor vehicle fuel, of not less than \$250,000 00, at cost, of those goods and services customarily marketed by approved types of businesses

(b) The site of payment and selection of alcoholic liquor is not less than 50 feet from that point where motor vehicle fuel is dispensed

(2) The commission shall not prohibit an applicant for or the holder of a specially designated merchant license from owning or operating motor vehicle fuel pumps on or adjacent to the licensed premises if ~~both~~ EITHER of the following conditions are met

(a) The applicant or licensee ~~is located in either of the following~~ MAINTAINS ON THE PREMISES A RETAIL BUILDING OF NOT LESS THAN 900 SQUARE FEET OF GROSS LEASABLE RETAIL SPACE

~~(1) A city, incorporated village, or township with a population of 3,000 or less and a county with a population of 31,000 or more~~

1 ~~(11) A city, incorporated village, or township with a~~  
2 ~~population of 3,500 or less and a county with a population of~~  
3 ~~less than 31,000~~

4 (b) The applicant or licensee maintains a minimum inventory  
5 on the premises, excluding alcoholic liquor and motor vehicle  
6 fuel, of not less than \$10,000 00, at cost, of those goods and  
7 services customarily marketed by approved types of businesses

8 (3) The commission shall not prohibit an applicant for or  
9 the holder of a specially designated distributor license from  
10 owning or operating motor vehicle fuel pumps on or adjacent to  
11 the licensed premises if both of the following conditions are  
12 met

13 (a) The applicant or licensee is located in either of the  
14 following

15 (1) A city, incorporated village, or township with a popula-  
16 tion of 3,000 or less and a county with a population of 31,000 or  
17 more

18 ~~(11) A city, incorporated village, or township with a popu-~~  
19 ~~lation of 3,500 or less and a county with a population of less~~  
20 ~~than 31,000~~

21 (b) The applicant or licensee maintains a minimum inventory  
22 on the premises, excluding alcoholic liquor and motor vehicle  
23 fuel, of not less than \$12,500 00, at cost, of those goods and  
24 services customarily marketed by approved types of businesses

25 (4) A person who was issued a specially designated merchant  
26 license or specially designated distributor license at a location  
27 at which another person owned, operated or maintained motor

1 vehicle fuel pumps at the same location may have or acquire an  
2 interest in the ownership, operation or maintenance of those  
3 motor vehicle fuel pumps

4       (5) The commission may transfer ownership of a specially  
5 designated merchant license or specially designated distributor  
6 license to a person who owns or is acquiring an interest in motor  
7 vehicle fuel pumps already in operation at the same location at  
8 which the license is issued