

# HOUSE BILL NO. 5270

October 26, 2023, Introduced by Reps. Wendzel, Paiz, Bierlein, Roth, Wozniak, Bezotte, Schuette and Outman and referred to the Committee on Regulatory Reform.

A bill to amend 1998 PA 58, entitled  
"Michigan liquor control code of 1998,"  
(MCL 436.1101 to 436.2303) by adding sections 303b and 303c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 303b. (1) The grape and wine council is created within  
2 the department of agriculture and rural development.

3           (2) The council consists of 10 members, appointed by the  
4 governor. The governor shall appoint 6 of the members as follows:

5           (a) Two members recommended by the senate majority leader.

6           (b) Two members recommended by the speaker of the house of

1 representatives.

2 (c) One member recommended by the senate minority leader.

3 (d) One member recommended by the minority leader of the house  
4 of representatives.

5 (3) The members first appointed to the council must be  
6 appointed not later than 90 days after the effective date of the  
7 amendatory act that added this section.

8 (4) Members of the council shall serve for terms of 4 years or  
9 until a successor is appointed, whichever is later, except that of  
10 the members first appointed 3 shall serve for 1 year, 3 shall serve  
11 for 2 years, and 4 shall serve for 3 years.

12 (5) If a vacancy occurs on the council, the governor shall  
13 make an appointment for the unexpired term in the same manner as  
14 the original appointment.

15 (6) The governor may remove a member of the council for  
16 incompetence, dereliction of duty, malfeasance, misfeasance, or  
17 nonfeasance in office, or any other good cause.

18 (7) The first meeting of the council must be called by not  
19 later than 6 months after the effective date of the amendatory act  
20 that added this section. At the first meeting, the council shall  
21 elect from among its members a chairperson and other officers as it  
22 considers necessary or appropriate. After the first meeting, the  
23 council shall meet at least quarterly, or more frequently at the  
24 call of the chairperson or if requested by 6 or more members.

25 (8) A majority of the members of the council constitute a  
26 quorum for the transaction of business at a meeting of the council.  
27 A majority of the members present and serving are required for  
28 official action of the council.

29 (9) The business that the council may perform must be

1 conducted at a public meeting of the council held in compliance  
2 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

3 (10) A writing prepared, owned, used, in the possession of, or  
4 retained by the council in the performance of an official function  
5 is subject to the freedom of information act, 1976 PA 442, MCL  
6 15.231 to 15.246.

7 (11) Members of the council shall serve without compensation.  
8 However, members of the council may be reimbursed for their actual  
9 and necessary expenses incurred in the performance of their  
10 official duties as members of the council.

11 (12) The council shall use money in the grape and wine council  
12 fund created in section 303c to support research, education, and  
13 promotion of wineries and the wine industry in this state.

14 Sec. 303c. (1) The grape and wine industry council fund is  
15 created within the state treasury.

16 (2) Not less than \$1,500,000.00 of the revenue generated from  
17 the taxes on wine under section 301 must be allocated to the fund.

18 (3) The state treasurer may receive money or other assets from  
19 any source for deposit into the fund. The state treasurer shall  
20 direct the investment of the fund. The state treasurer shall credit  
21 to the fund interest and earnings from fund investments.

22 (4) Money in the fund at the close of the fiscal year must  
23 remain in the fund and must not lapse to the general fund.

24 (5) The department of agriculture and rural development is the  
25 administrator of the fund for auditing purposes.