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3 GIVHAN AMENDMENT TO THE SENATE TOURISM & MARKETING COMMITTEE  
4 SUBSTITUTE FOR HB539, AS ENGROSSED

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9 On page 2, after line 10, insert the following:

10 This bill would also authorize the Alcoholic  
11 Beverage Control Board to designate in its manufacturer  
12 license each type of alcoholic beverage, whether beer, wine,  
13 or liquor, a manufacturer produces.

14  
15 On page 2, line 22, after "consumption;" insert the  
16 following:

17 to provide further for manufacturer licenses issued  
18 by the Alcoholic Beverage Control Board;

19  
20 On page 12, line 21, after "board." insert the  
21 following:

22 The board may consider each type of alcoholic  
23 beverage manufactured, whether beer, wine, or liquor, as a  
24 separate and distinct operation, and the license shall contain  
25 a designation of each type of alcoholic beverage for which a  
26 federal basic permit or brewer's notice has been filed. No  
27 licensee shall manufacture a specified type of alcoholic

1 beverage until the license contains the designation for that  
2 type.

3  
4 On page 15, after line 24, insert the following:

5 "(3) For purposes of the retail sales permitted by a  
6 qualifying manufacturer under subdivisions (1) and (2), beer  
7 may be transferred directly between qualifying manufacturers  
8 of the same ownership in accordance with all applicable state  
9 and federal laws, rules, and regulations and sold at retail  
10 pursuant to this subsection as if it were manufactured or  
11 produced at the receiving manufacturer's licensed premises;  
12 provided, however, if at any time the combined total barrelage  
13 production of the manufacturers exceeds the 60,000-barrel  
14 limit as provided in subdivision (2), retail sales of  
15 transferred beer pursuant to this subdivision is not  
16 permitted. Taxes shall be levied at the time the beer is  
17 allocated by the receiving manufacturer for the purpose of  
18 retail sale in accordance with subdivision (i)(1). For  
19 purposes of this subdivision, "same ownership" means at least  
20 75 percent ownership or control of one manufacturer by another  
21 manufacturer, or by the same persons for both manufacturers.

22  
23 On page 15, line 25, strike through "(3)" and insert  
24 thereafter the following:

25 (4)  
26

1                    On page 16, line 8, strike through "(4)" and insert  
2 thereafter the following:

3                    (5)