Haymaker, Richard

From: Karin Lijana Matura [klijanamatura@ilwsdi.org]
Sent: Tuesday, June 24, 2014 4:49 PM
To: Stephen B Schnorf; Materre, Gloria
Cc: Haymaker, Richard; Cynthia Cronin-Cahill; Amy Kurson; Bill Morris; Donald O'Connell; Maria Saldana; James Pandolfi; James Webster
Subject: 6 24 14 Letter re Retail Warehousing Rule 100 250

June 24, 2014

SENT VIA E-MAIL

Illinois Liquor Control Commission
100 West Randolph Street, Ste 7-801
Chicago, IL 60601

ATTN: Stephen Schnorf, Chairman and Gloria Materre, Executive Director

Dear Chairman Schnorf and Executive Director Materre:

As you are aware, at the ILCC hearing on June 4, 2014, the Commission's Legal Staff introduced a proposed Rule 100.250 on Retail Warehousing. That rule was held for further discussions. The Wine and Spirits Distributors of Illinois (WSDI) would like to take this opportunity to reiterate its position that Rule 100.250 is consistent with and correctly implements the Illinois Liquor Control Act (ILCA).

Section 5-1(d) of the ILCA expressly provides that:

> A retailer's license shall allow the licensee to sell and to offer for sale at retail, **only in the premises specified in the license**, alcoholic liquor for use or consumption, but not for resale in any form…

Section 1-3.22 of the ILCA further provides that " 'To sell' includes to keep or expose for sale and to keep with intent to sell."

As this express language demonstrates and, as both ABDI and Commission Legal Staff agree, there is no authorization in the ILCA for a retail licensee to store or warehouse alcoholic liquor at an un-licensed premises or for a retail licensee to sell or transfer alcoholic liquor to another licensee.

Commission Rule 100.250 as submitted by WSDI and ABDI and as introduced by Mr. Haymaker is consistent with and correctly implements the ILCA.

Respectfully,

Karin Matura

CC: Richard Haymaker, Chief Legal Counsel
Cynthia Cronin Cahill, Commissioner
Amy Kurson, Commissioner
Bill Morris, Commissioner
Donald G. O'Connell, Commissioner
James Pandolfi, Commissioner
Maria Saldana, Commissioner