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State Government
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17 Do Pass 2/25 (p. 516)

SENATE FILE 73

See State Journal 2/4/83

SENATE FILE

73

BY PRIEBE

Passed Senate, Date 2-25-83 (p. 549) Passed House, Date _____
Vote: Ayes 40 Nays 5 Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

- 1 An Act requiring the Iowa beer and liquor control department
- 2 to hold a local public hearing when a state liquor store
- 3 is established or discontinued.
- 4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
- 5

SENATE FILE 73

FISCAL NOTE

REQUESTED BY SENATOR PRIEBE

In compliance with a written request there is hereby submitted a Fiscal Note for Senate File 73 pursuant to Joint Rule 17.

Senate File 73 requires the director of the beer and liquor control department to conduct a public hearing upon a decision to establish or discontinue a state liquor store. The hearing would be held by a designee of the director, in the city affected.

It is estimated that the costs for travel, publication, and lodging will be \$330 per hearing. There will be eight store leases due to expire in fiscal 1984, and six leases due to expire in fiscal 1985.

The estimated additional expenditure is as follows:

Fiscal 1984 - General Fund	\$ 2,640
Fiscal 1985 - General Fund	\$ 1,980

(76S,190,JMN)

SOURCE: BEER AND LIQUOR CONTROL DEPARTMENT
RECEIVED BY THE SECRETARY OF THE SENATE, FEBRUARY 24, 1983
FILED: BY LEGISLATIVE FISCAL BUREAU
MARCH 1, 1983 DENNIS PROUTY, DIRECTOR

1 Section 1. Section 123.20, Code 1983, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. To appoint a designee to conduct a pub-
4 lic hearing upon the establishment or discontinuance of a
5 state liquor store within the city affected.

6 Sec. 2. Section 123.23, Code 1983, is amended to read
7 as follows:

8 123.23 STATE LIQUOR STORES. The department shall establish
9 and maintain in any city which the director ~~may-deem~~ deems
10 advisable, a state liquor store or stores for storage and
11 sale of alcoholic liquor in accordance with ~~the-provisions~~
12 of this chapter. The department may, from time to time, as
13 determined by the director, fix the prices of the different
14 classes, varieties, or brands of alcoholic liquor to be sold.

15 Upon a decision to establish or discontinue a state liquor
16 store, the director shall appoint a designee to conduct a
17 public hearing on the decision within the city affected.

18 EXPLANATION

19 This bill requires the director of the beer and liquor
20 control department to appoint a designee to conduct a public
21 hearing upon a decision to establish or discontinue a state
22 liquor store within the city affected. This bill takes ef-
23 fect July 1 following enactment.

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SENATE FILE 73

S-3135

Amend Senate File 73 as follows:

1. Page 1, by inserting before line 1 the following:
 - "Section 1. Section 123.16, subsection 2, paragraph d, Code 1983, is amended to read as follows:
 - d. The establishment or discontinuance of state liquor stores subject to the procedure of section 123.23.
 - Sec. 2. Section 123.20, subsection 2, Code 1983, is amended to read as follows:
 2. To establish, maintain, or discontinue state liquor stores and to determine the cities in which such stores shall be located, subject to the approval of the city council. However, no a liquor store shall not be established within three hundred feet of any public or private educational institution, except that local authorities may by ordinance reduce such minimum distance."
2. Page 1, line 17, by inserting after the word "affected." the words "Once such a decision has been made by the department, the city council may, within thirty days, pass a resolution approving or disapproving the decision. If a resolution disapproving the decision is passed the department shall not act upon its decision for a period of one hundred eighty days. At the end of that period the department may again announce its decision to establish, relocate, or discontinue a state liquor store and the city council may, within thirty days, pass a resolution approving or disapproving the decision."

S-3135 FILED
FEBRUARY 25, 1983
RULED OUT OF ORDER (p. 549)

BY WILLIAM W. DIELEMAN

SENATE FILE 73

S-3124

Amend Senate File 73 as follows:

1. Page 1, line 15, by striking the word "Upon" and inserting in lieu thereof the words "Prior to".
2. Page 1, line 15, by inserting after the word "establish" the word ", relocate".

S-3124 FILED
FEBRUARY 23, 1983
Adopted 2/25 (p. 549)

BY BERL E. PRIEBE
ROBERT M. CARR

State Government: Renaud, Chair; Chapman, De Groot, Hanson and Woods.

To Pass 4/7/83

SENATE FILE

73

BY PRIEBE

(AS AMENDED AND PASSED BY THE SENATE FEBRUARY 25, 1983)

Passed Senate, Date 2-25-83 (p. 549) Passed House, Date 5-14-83 (p. 2240)

Vote: Ayes 40 Nays 5 Vote: Ayes 78 Nays 13

Approved May 27, 1983

A BILL FOR

1 An Act requiring the Iowa beer and liquor control department
2 to hold a local public hearing when a state liquor store
3 is established or discontinued.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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————— = New Language
by the Senate

1 Section 1. Section 123.20, Code 1983, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. To appoint a designee to conduct a pub-
4 lic hearing upon the establishment or discontinuance of a
5 state liquor store within the city affected.

6 Sec. 2. Section 123.23, Code 1983, is amended to read
7 as follows:

8 123.23 STATE LIQUOR STORES. The department shall establish
9 and maintain in any city which the director ~~may-deem~~ deems
10 advisable, a state liquor store or stores for storage and
11 sale of alcoholic liquor in accordance with ~~the-provisions~~
12 ~~of~~ this chapter. The department may, from time to time, as
13 determined by the director, fix the prices of the different
14 classes, varieties, or brands of alcoholic liquor to be sold.
15 Prior to a decision to establish, relocate or discontinue
16 a state liquor store, the director shall appoint a designee
17 to conduct a public hearing on the decision within the city
18 affected.

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to conduct a public hearing on the decision within the city affected.

SENATE FILE 73

AN ACT

REQUIRING THE IOWA BEER AND LIQUOR CONTROL DEPARTMENT TO HOLD A LOCAL PUBLIC HEARING WHEN A STATE LIQUOR STORE IS ESTABLISHED OR DISCONTINUED.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 123.20, Code 1983, is amended by adding the following new subsection:

NEW SUBSECTION. To appoint a designee to conduct a public hearing upon the establishment or discontinuance of a state liquor store within the city affected.

Sec. 2. Section 123.23, Code 1983, is amended to read as follows:

123.23 STATE LIQUOR STORES. The department shall establish and maintain in any city which the director ~~may deem~~ deems advisable, a state liquor store or stores for storage and sale of alcoholic liquor in accordance with ~~the provisions~~ of this chapter. The department may, from time to time, as determined by the director, fix the prices of the different classes, varieties, or brands of alcoholic liquor to be sold. Prior to a decision to establish, relocate or discontinue a state liquor store, the director shall appoint a designee

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 73, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate

Approved *Moy 27* 1983

TERRY E. BRANSTAD
Governor