

FILED MAR 05 1987

SENATE FILE 336  
BY BOSWELL

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to the operation of state liquor stores.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 336

1 Section 1. 1986 Iowa Acts, chapter 1246, section 756, is  
2 amended to read as follows:

3 SEC. 756. The alcoholic beverages control division of the  
4 department of commerce shall adopt reasonable procedures to  
5 expedite the release of lease obligations and to otherwise  
6 minimize expenses incurred as a result of this Act. The  
7 division shall continue to operate one or more state liquor  
8 stores after June 30, 1986 for the purpose of ensuring an  
9 efficient and orderly transition to a system of private  
10 retailers. The division shall not close a state liquor store  
11 before June 30, ~~1987~~ 1988 unless a class "E" liquor control  
12 licensee begins operations within the particular store's  
13 market area. The division shall not close a state liquor  
14 store before June 30, 1988 because a class "E" licensee has  
15 begun operations within the store's market area if the store  
16 is located within the limits of a city which is not contiguous  
17 to another city and if there are no class "E" licensees  
18 operating within the limits of the city where the store is  
19 located. However, the division shall not operate a liquor  
20 store after June 30, ~~1987~~ 1988. ~~However, the division shall~~  
21 ~~not operate a state liquor store after June 30, 1987.~~ The  
22 provisions of the Code concerning the operation of state  
23 liquor stores shall remain in effect to the extent applicable  
24 in the form as they existed prior to the effective date of  
25 this Act and they shall so remain in effect until the division  
26 ceases operation of any liquor stores. The division shall  
27 maintain the existing warehouse distribution personnel for the  
28 transition period of July 1, 1986 through June 30, 1987.

29 Sec. 2. 1986 Iowa Acts, chapter 1246, section 760, is  
30 amended to read as follows:

31 SEC. 760. No state liquor store shall be discontinued  
32 before March 1, 1987 and no class "E" liquor control licensee  
33 shall be allowed to begin doing business before March 1, 1987.  
34 However, the division shall not operate a liquor store after  
35 June 30, ~~1987~~ 1988.

1 Sec. 3. This Act, being deemed of immediate importance,  
2 takes effect upon enactment.

3 EXPLANATION

4 This bill requires the alcoholic beverages division of the  
5 department of commerce to continue to operate a state liquor  
6 store through June 30, 1988, if there are no class "E" liquor  
7 control licensees operating within the store's market area.  
8 The bill also provides that the division shall not close a  
9 state liquor store because of the presence of a class "E"  
10 liquor control licensee within its market area if the liquor  
11 store is located within the city limits of a city which is not  
12 contiguous to another city and there are no class "E"  
13 licensees operating within the city limits of the city where  
14 the store is located.

15 The bill takes effect upon enactment.

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STATE OF IOWA

**FISCAL NOTE TO**

LSB No. 2532S

Staff ID. JEM

BY SENATOR BOSWELL

SENATE FILE 336

In compliance with a written request received March 6, 1987, a fiscal note for SENATE FILE 336 is hereby submitted pursuant to Joint Rule 17. Data used in developing this fiscal note are available from the Legislative Fiscal Bureau to members of the Legislature upon request.

Senate file 336 requires the Alcoholic Beverage Division of the Department of Commerce to continue to operate a state liquor store through June, 30 1988, if there are no class "E" liquor control licensees operating within the store's market area. Additionally, the division shall not close a state liquor store because of the presence of a class "E" liquor control licensee within its market area if the liquor store is located within the city limits of a city which is not contiguous to another city and there are no class "E" licensees operating within the city limits of the city where the store is located. Senate File 336 would take effect upon enactment.

ASSUMPTIONS:

1. All sales, cost of sales, and support expense are based on FY86 levels.
2. Presently there are twelve stores operating and therefore these stores would require no additional expense for FY87.
3. In addition to the twelve stores still in operation twenty-nine stores that are currently closed would be required to reopen.
4. It is assumed that the stores will reopen on May 1, thru June 1, 1986.
5. It is assumed that of the stores that are closed the Division can renegotiate leases at current levels.
6. Consumption will not change.

(dollars in thousands)

	Fiscal Year 1987			Fiscal Year 1988		
	Current Law	Proposed Law	Increase (Decrease)	Current Law	Proposed Law	Increase (Decrease)
<b>REVENUE</b>						
General Fund \$	0	0	0	0	0	0
Federal Funds	0	0	0	0	0	0
Fees	0	0	0	0	0	0
Liquor sales	425	457	32	5,800	6,345	545
Total \$	425	457	32	5,800	6,345	545
<b>EXPENDITURES</b>						
Salaries \$	5	178	128	0	1,065	1,065
(FTE's)	(12.)	(43.0)	(31.0)	(0.0)	(43.0)	(43.0)
Equipment	0	615	615	0	0	0
Support	54	183	129		1,097	1,097
Cost of goods	259	259	0	3,600	3,600	0
Total \$	363	1,235	872	3,600	5,762	2,162
<b>NET EFFECT</b>	<b>\$ 62</b>	<b>\$ -778</b>	<b>\$ -840</b>	<b>\$ 2,200</b>	<b>\$ 583</b>	<b>\$ -1,617</b>

Source: The Department of Alcoholic Beverages

(LSB 2532S, 30)  
*Dennis C. Kelly*  
Fiscal Director

Legislative Fiscal Bureau

Date: 3/26/87

SENATE FILE 337

S-3141

- 1 Amend Senate File 337 as follows:
- 2 1. Page 1, line 24, by striking the word "department"
- 3 and inserting in lieu thereof the words "department
- 4 commission".

-3141

Filed March 11, 1987  
*Filed 4/10 (p. 1204)*

BY FORREST SCHWENGELS

SENATE FILE 337

S-3454

- 1 Amend Senate File 337 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 455B.181, Code 1987, is
- 5 amended to read as follows:
- 6 455B.181 VARIANCES AND EXEMPTIONS.
- 7 The director may, after public notice and hearing,
- 8 grant exemptions from a maximum contaminant level or
- 9 treatment technique, or both. The director may also
- 10 grant a variance from drinking water standards for
- 11 public water supply systems when the characteristics
- 12 of the raw water sources, which are available to a
- 13 system, cannot meet the requirements with respect to
- 14 maximum contaminant level of the standards despite
- 15 application of the best treatment techniques which are
- 16 generally available and if the director determines
- 17 that the variance will not result in an unreasonable
- 18 risk to the public health. A schedule of compliance
- 19 may be prescribed by the director, at the time the
- 20 variance or exemption is granted. The director shall
- 21 also require the interim measures to minimize the
- 22 contaminant levels of systems subject to the variance
- 23 or exemption as may reasonably be implemented. The
- 24 director may also issue variances from other rules of
- 25 the department if necessary and appropriate. The
- 26 director shall submit variances granted regarding a
- 27 wastewater treatment facility to the commission for
- 28 the commission's review within thirty days of the
- 29 granting of a variance. The denial of a variance or
- 30 exemption may be appealed to the department
- 31 commission."
- 32 2. Title, by striking lines 1 and 2 and inserting
- 33 the following: "An Act relating to the wastewater
- 34 treatment facility and making variances granted
- 35 subject to the review of the environmental protection
- 36 commission."

S-3454

Filed April 7, 1987  
*Adopted 4/10/87 (p. 1204)*

BY FORREST SCHWENGELS