

January 26, 1970

SENATE FILE 1122

Passed on File

Law Enforcement 1-26, *Sec 2-10*

See " " 3/2

" State Government 3/10, Sec 3/11

By LANGE and MOGGED
(Van Drie and Fischer of
Grundy)

Passed Senate, Date *2-25-70* Passed House, Date *3-23-70*

Vote: Ayes *45* Nays *9* Vote: Ayes *92* Nays *18*

Approved *April 2, 1970*

A BILL FOR

- 1 An Act relating to seals on alcoholic liquor.
- 2 *Be It Enacted by the General Assembly of the State of Iowa:*
- 3 Section 1. Section one hundred twenty-three point twenty-
- 4 four (123.24), Code 1966, is hereby amended as follows:
- 5 1. By striking from lines three (3) and four (4) the
- 6 words "with the official seal or label prescribed by the commis-
- 7 sion".
- 8 2. By striking from line seven (7) the words "Such seal
- 9 or label shall bear the seal of".
- 10 3. By striking lines eight (8) through thirteen (13),
- 11 inclusive, and inserting in lieu thereof the following:
- 12 "Possession of alcoholic liquors bought or sold in the
- 13 state which do not carry identifying markers as may be
- 14 prescribed by the commission".

EXPLANATION

The provisions of Section 123.24 requiring that liquor seals "shall certify the quality, age and contents of the bottle" are impossible to comply with because of all the brands and types of liquors and wines sold. Such information is obtained by regulation.

This bill provides that the seal with the mandatory legend could be eliminated at the discretion of the Liquor Control Commission and that other markers be used for identification purposes. Special markings are now used on approximately one-third of all liquor sold in the state which goes to retail licensees.

The Governor's Economy Committee has asked the Liquor Control Commission to discontinue accounting for serial numbers found on the presently used seals at a saving.

- 1 Amend Senate File 1122 as follows:
- 2 1. Page 1, lines 12 and 13, by striking the words "bought
- 3 or sold in the state".
- 4 2. Page 1, line 13, by striking the word "may" and by in-
- 5 serting in lieu thereof the word "shall".
- 6 3. Page 1, by adding after line 14 the following new section:
- 7 Sec. 2. Section one hundred twenty-three point seventeen
- 8 (123.173), Code 1966, subsection g, is hereby amended by adding
- 9 after the period in line five (5) of such subsection the following:
- 10 "In the event the commission shall allow packages or containers
- 11 of liquor to be shipped or transported into this state without the
- 12 official seal or label of the commission being first affixed there-
- 13 to by the distiller or manufacturer, the commission shall require
- 14 that such distillers and manufacturers ship or transport packages
- 15 or containers of liquor into this state only in sealed and unopened
- 16 cases which cases shall bear a label, seal or stamp, prescribed
- 17 by the commission, across each part of each case which may be
- 18 opened. Any case of packages or containers of liquor which is
- 19 shipped or transported into this state which is open or not sealed
- 20 as herein required or upon which the prescribed seal, label, or
- 21 stamp of the commission is broken, shall be in violation of this
- 22 chapter."

Filed - *Withdrawn 2-25*
February 16, 1970

By GAUDINEER

- 1 Amend the Gaudineer amendment to Senate File 1122,
- 2 filed February 16, 1970, found on page 511 of the Senate
- 3 Journal, line 8, by inserting after the word "subsection"
- 4 the words and figures "two (2), paragraph".

Filed - *Withdrawn 2-25*
February 17, 1970

By GAUDINEER

- 1 Amend Senate File 1122 as follows:
- 2 By striking all after the enacting clause and inserting
- 3 in lieu thereof the following:
- 4 Section 1. Section one hundred twenty-three point twenty-
- 5 four (123.24), Code 1966, is hereby amended by striking all of
- 6 lines three (3) through fourteen (14), inclusive, and inserting
- 7 in lieu thereof the following:
- 8 "container with such identifying markers as shall be pre-
- 9 scribed by the commission and affixed on the premises of a
- 10 state warehouse or store and no such container shall be opened
- 11 upon the premises of any state warehouse, store or special dis-
- 12 tributor. Possession of alcoholic liquors which do not carry
- 13 identifying markers as shall be prescribed and affixed by the
- 14 commission shall be considered a violation of this chapter."

Filed - *Adopted 2-25*
February 24, 1970

By BALLOUN