

Approved April 30, 1983
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Edward F. Reilly, Jr. at
Chairperson

9:00 a.m./~~p.m.~~ on April 20, 1983 in room 254-E of the Capitol.

All members were present except: Senator Meyers and Senator Roitz, who were excused.

Committee staff present: Fred Carman, Assistant Revisor of Statutes
Russell Mills, Legislative Research
Emalene Correll, Legislative Research
June Windscheffel, Secretary to the Committee

Conferees appearing before the committee: Henri Fournier, Executive Director, Board of
Cosmetology
Thomas J. Kennedy, Director, Alcoholic Beverage Control
Senator Leroy Hayden

HB2548 - Cosmetology licensure requirements.

Henri Fournier, Executive Director, of the State Board of Cosmetology, was recognized by the Chairman as a proponent of the bill. Mr. Fournier said that if this bill is enacted it will give them the opportunity to get federal grants and loans in their schools. If they meet the requirements of the federal government their students could apply for loans or grants from the government. There are 28 beauty schools. The Board hopes that the changes can be made so they can receive the federal funds for their students.

HCR5035 - Modifying regulation of alcoholic beverage control director, deliveries by manufacturers and distributors.

General Kennedy appeared before the committee. He distributed copies of a Memorandum dated April 20, 1983 (Attachment #1) which concerns this resolution. It states that the Director of Alcoholic Beverage Control is neither a proponent nor an opponent of this resolution. The proposed changes concerning deliveries of alcoholic liquor and beer pose no enforcement problems. Senator Gannon moved the HCR5035 be reported favorably. 2d by Senator Pomeroy. Motion carried.

HB2548 - Senator Pomeroy moved to amend HB2548 in the appropriate place on page 2, to also provide an exception for registered physical therapists, and to leave it to staff to put the proper wording in the proper places. 2d by Senator Francisco. Motion carried.

Senator Pomeroy moved that HB2548 be reported favorably as amended. 2d by Senator Parrish. Motion carried.

Senator Leroy Hayden appeared to request the committee to introduce a senate concurrent resolution to amend the Constitution to authorize further amendments of the Constitution by the initiative. In the discussion it was made clear that no other measures are before the legislature relating to this kind of an initiative. Senator Pomeroy moved that the resolution concerning the initiative be introduced. 2d by Senator Francisco. Motion carried.

Senator Winter moved to introduce a bill which would raise the sales tax 1% and exempt food and also include in the bill that the local sales tax on food remain unless the local government passed a resolution to exempt that in their area. 2d by Senator Parrish. Motion carried.

Senator Morris moved that the Minutes of January 19, and February 3, 1983, be approved. 2d by Senator Francisco. Motion carried.

The meeting adjourned at 10:00 a.m.

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MEMORANDUM

TO: Honorable Edward F. Reilly, Jr.
Chairman, Senate Federal and State Affairs Committee

FROM: THOMAS J. KENNEDY, Director
ABC Division

RE: House Concurrent Resolution 5035

DATE: April 20, 1983

PURPOSE

House Concurrent Resolution 5035, if enacted, is a resolution concerning the delivery of alcoholic liquors by licensed manufacturers or distributors of the same; modifying Kansas Administrative Regulation 14-4-14.

PERSPECTIVE

House Concurrent Resolution 5035, if enacted in its present form, amends K.A.R. 14-4-14 in the following ways:

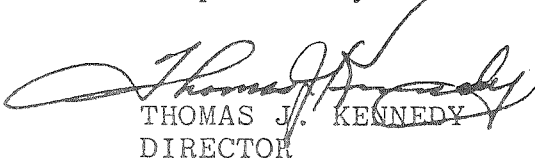
1. It eliminates the provision in (a) that states "all orders from licensed retailers for alcoholic liquor shall be received in the office of a licensed distributor prior to 2:00 P.M."
2. The distinction between alcoholic liquor and beer delivery limitations is eliminated.
3. The restriction regarding what days liquor can be delivered to licensed retailers is changed to prohibit deliveries on Sundays only. The regulation currently prohibits deliveries on Saturdays or Sundays.

COMMENTS AND/OR RECOMMENDATIONS

The Director of Alcoholic Beverage Control is neither a proponent nor an opponent of this resolution. The following are some comments:

1. With the changes as proposed in this resolution, deliveries of alcoholic liquor and beer are still limited to the legal hours that a retail licensee can be open for business. This poses no enforcement problems.
2. Any alcoholic liquor, including beer, can be delivered during business hours Monday through Saturday. No alcoholic liquor or beer can be delivered on Sunday. This change simplifies the regulations and presents no problems.

Respectfully submitted,


THOMAS J. KENNEDY
DIRECTOR

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