

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

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

11:00 a.m./~~p.m.~~ on March 19, 19 84 in room 254-E of the Capitol.

All members were present except: Senators Francisco, Winter and Gannon

Committee staff present: Russ Mills, Legislative Research
Emalene Correll, Legislative Research

Conferees appearing before the committee:

- Representative Sandy Duncan
- Tom Kennedy, Director, Alcoholic Beverage Control Division
- Colonel Bert Cantwell, Superintendent, Kansas Highway Patrol
- Joe Berger, Sunflower Club Association
- Lyle Eraas, Kansas Club Association

Representative Sandy Duncan appeared on SB 575, an act relating to real estate brokers and salespersons; certification of instructors. He thinks there is a need for a concurrent resolution dealing with the regulatory scheme for the Real Estate Commission as outlined in the Real Estate Commission Administrative Regulation, 86-1-10 (Attachment #1). Discussion followed. The Chairman pointed out that there is currently a motion pending before the Committee on SB 575 and it will be taken up on Tuesday.

The Chairman called the Committee's attention to HB 2813 but no action was taken.

Tom Kennedy, Director of the Alcoholic Beverage Control Division, passed out Memos dealing with SB 746, SB 747, SB 750, and SB 751 (Attachments #2, #3, #4, and #5). Concern was expressed by Joe Berger, Sunflower Club Association, and Lyle Eraas, Kansas Club Association, that the increase in license fees as outlined in SB 751 would create a hardship for the smaller country clubs. They felt more study should be given this bill.

There was discussion on the failure of some clubs to pay the liquor tax on time. Director Kennedy outlined the process for citing these clubs and the penalties imposed.

SB 747, an act concerning alcoholic liquors; private club private parties; allowing temporary membership for "Fund Raising" purposes, was discussed. Joe Berger, Sunflower Club Association, pointed out that there are many Class A clubs, several in smaller communities, that also give such parties and they should be included in the bill. Senator Morris mentioned that they then would have to pay the \$1000 license fee.

No action was taken on these four Senate bills.

Colonel Bert Cantwell, Superintendent of the Kansas Highway Patrol, appeared with regard to his previous request to amend K.S.A. 21-4213 and stated that the best thing would be to leave it as it is now and if it proves to be a problem then he will appear next year to request the amendment.

The meeting was adjourned.

State of Kansas

**PERMANENT ADMINISTRATIVE
REGULATIONS****NOTICE**

The following are permanent administrative regulations which were adopted by a state agency pursuant to K.S.A. 1983 Supp. 77-415 *et seq.* These regulations are scheduled to become effective May 1, 1984, but are subject to legislative review and may be modified or revoked by the Kansas Legislature prior to May 1. Any such legislative action will be reported in the Kansas Register. The May 3, 1984 issue of the Register will contain a complete index to regulations effective May 1, and any legislative actions on them.

**REAL ESTATE COMMISSION
ADMINISTRATIVE REGULATIONS****Article 1.—EXAMINATION AND
REGISTRATION**

88-1-10. Approval of courses of instruction; procedure. (a) As used in this regulation, "school" means an institution, school, association or agency which is qualified under subsection (d) of K.S.A. 58-3046a, and amendments thereto, to offer courses of education.

(b) To request commission approval of a course of education required by K.S.A. 58-3046a, and amendments thereto, each school shall:

(1) Appoint a coordinator to supervise the course; and

(2) Submit all information required by the commission for course approval at least 30 days prior to the first scheduled class session. The information shall include the following:

(A) A completed application for course registration form which has been obtained from the commission;

(B) An application for real estate instructor, completed in accordance with section (e) of this regulation; and

(C) A course syllabus, which shall contain the school name, location and telephone number; name of course; policy regarding attendance and procedure for record-keeping of attendance; instructor's name; prerequisites for course; proposed dates and times of offering; sample of proposed advertising; total amount of attendance fee; total number of class sessions; time spent per session; total hours in the course; course description, including a brief idea of the course content and for whom the course is intended; objectives or aims of the course; methods of class presentations; materials to be used; a detailed course outline; name and author of the textbook; and method used to determine successful completion of the course.

(c) Courses which may be used to meet the requirements of subsection (b) of K.S.A. 58-3046a, and amendments thereto, include the following:

- (1) Real estate finance;
- (2) real estate law;
- (3) real estate appraisal;
- (4) real estate investment; and
- (5) real estate management.

Total instruction time of courses approved under section (b) of K.S.A. 58-3046a, and amendments thereto, shall be not less than two hours.

(d) The commission shall notify the school, in writing, of its decision to approve or disapprove the course. If the commission does not notify the school of its decision within 10 working days of receipt of the request for approval, it shall notify the school, in writing, that the course is under review and indicate the date by which the commission expects to complete its review.

(e) The commission shall register approved courses. Registration of a course shall expire at the end of the calendar year. The commission shall notify the school by November 1 that an application for renewal of courses and instructors is due and send the necessary forms to the school.

(f)(1) Each individual desiring to teach a course approved by the commission shall submit an application for instructor approval obtained from the commission. The application shall contain a resume, outlining the applicant's specialized preparation, training and experience which qualifies the applicant to instruct the course. Each instructor shall be required to show evidence both of knowledge of the curriculum and ability to effectively instruct.

(A) Knowledge of the subject matter shall be shown by meeting at least one of the following requirements:

(i) Holding a college degree in real estate or a college degree in law, business or other academic area directly related to the course which the applicant intends to instruct;

(ii) having at least three years of experience in the professional area of real estate directly related to the course which the applicant intends to instruct; or

(iii) passing an instructor's examination approved by the commission.

(B) Ability to effectively instruct shall be shown by meeting at least one of the following requirements:

(i) Completion, within the preceding two years, of a commission-approved course of study for instructors designed to develop ability to communicate;

(ii) holding a current teaching certificate issued by a state department of education or an equivalent agency in another jurisdiction;

(iii) holding a four-year college or university degree in the field of education; or *law; or*

(iv) having successfully demonstrated the ability to teach in schools, seminars or in an equivalent setting.

(2) The commission, in writing, shall notify the applicant and, if applicable, the school of its decision to approve or disapprove an instructor's application. If the commission does not notify the applicant and, if applicable, the school of its decision within 10 working days of receipt of the application, it shall, in writing, notify the applicant and, if applicable, the school that the instructor's application is under review and indicate the date by which the commission expects to complete its review. The school shall not allow an individual to instruct a course approved by the commission prior to placing verification of commission approval of the instructor on file at the school.

(continued)

(g) The coordinator appointed by each school shall be responsible for regular and consistent evaluation of the course and the instructors. When a school uses an instructor for the first time, the coordinator shall ask each student in the course to complete an instructor evaluation form. Both student and coordinator evaluations shall be submitted to the commission.

Subsequent evaluations of instructors may be completed at the discretion of the coordinator and may be used to measure any changes in the quality of the instructor.

The coordinator shall supply additional student and coordinator evaluations of specific instructors upon request of the commission.

(h) Schools which do not have transcript capabilities shall issue a certificate of completion to each student who successfully completes a course approved by the commission and shall give or mail the certificate to the student. A certificate shall not be issued to any student who was absent more than 10 per cent of the scheduled classroom hours of a principles of real estate course approved by the commission pursuant to subsection (a) of K.S.A. 58-3046a and amendments thereto. A certificate shall not be issued to any student who was absent during any portion of the scheduled classroom hours of a course approved by the commission to meet the eight hours of additional instruction required by subsection (b) of K.S.A. 58-3046a and amendments thereto.

(i) The school shall maintain records of students successfully completing a course approved by the commission for a minimum of three years. Attendance records shall be kept current and available for inspection by commission representatives during regular school hours or upon request.

(j) The school shall notify the commission, in writing, at least 30 days prior to a significant change in a course approved by the commission. Changes to be reported include changes in coordinator, instructor, name or location of school, dates and times the course is offered, and fees charged to students.

Nothing in this regulation shall preclude the commission from approving substitution of an instructor to teach an approved course, provided the instructor meets the qualifications in subsection (f).

(k) A school shall not advertise a course as meeting the educational requirements of the Kansas Real Estate Brokers' and Salespersons' License Act prior to approval of the course by the commission or prior to placing verification of that approval on file at the school. A school shall not advertise that an instructor will teach a course approved by the commission prior to placing verification of approval of the instructor for the course on file at the school. A school or agent of a school shall not guarantee that successful completion of a course will result in the student's passing of a real estate licensing examination.

(l) The Commission may deny, suspend or revoke approval of a real estate course, an instructor or a school if it is determined that the course, instructor or school is not in compliance with K.S.A. 58-3046a, and amendments thereto, or this regulation. Falsification

of attendance records shall be grounds for suspension or revocation. If disciplinary action is taken by the commission, the commission shall issue a written order of suspension, revocation or denial of approval.

(m) Each school offering a correspondence course shall, to the extent applicable, meet all other standards prescribed by the commission and shall require that at least 50 per cent of the passing grade of its corresponding students be based on scores obtained by proctored examinations. (Authorized by K.S.A. 74-4202(b); implementing K.S.A. 58-3046a; effective T-83-32, Oct. 25, 1982; effective May 1, 1983; amended May 1, 1984.)

Article 3.—PERSONS HOLDING LICENSES; DUTIES

86-3-15. Reporting of information. (a) Each licensee shall report any of the following circumstances to the commission, in writing and within 10 days of the date of occurrence:

(1) Any litigation involving the sale of real estate or payment of a commission in which the licensee or the licensee's real estate company is named as a plaintiff or defendant. The report shall include the nature of the allegations, or the licensee shall furnish a copy of the petition;

(2) disposition of litigation reported pursuant to this regulation;

(3) any tax lien, mechanics' lien or court judgment filed against the licensee or the licensee's real estate company;

(4) any voluntary or involuntary petition in bankruptcy filed by or against the licensee or the licensee's real estate company;

(5) any discharge of a bankrupt;

(6) any arrest, indictment or conviction for forgery, embezzlement, obtaining money under false pretenses, conversion, issuing bad checks, extortion, criminal conspiracy to defraud or any like offense;

(7) any change in the licensee's name or trade or business name;

(8) any change in the licensee's residence or business address;

(9) any change relative to a trust account maintained by the licensee pursuant to K.S.A. 58-3061;

(10) any rejection by another state of an application made by the licensee for a broker or salesperson license; or

(11) any suspension or revocation of a broker or salesperson license held by the licensee in another state.

(b) Each partnership, association or corporation whose members or officers are licensed pursuant to K.S.A. 58-3042(b) shall designate a broker who shall be responsible for reporting the information required by this regulation as it relates to the partnership, association or corporation.

(c) Each broker who is responsible for the supervision of an associated or employed salesperson or associate broker shall report to the commission any arrest, indictment or conviction, pursuant to paragraph

(continued)

3-19-84

Attachment # 2

MEMORANDUM

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

FROM: THOMAS J. KENNEDY, Director, ABC Division

RE: Senate Bill 746

DATE: February 28, 1984

PURPOSE

Senate Bill 746, if enacted in its present form, is an act relating to private clubs, amending K.S.A. 41-2601 and provides that guests of a hotel/motel, which has no club, may be granted temporary membership in class "B" private clubs.

PERSPECTIVE

Senate Bill 746 provides that any class "B" club may enter into an agreement with a hotel or motel whereby a guest who is registered at the hotel and who is not a resident of the county in which the club is located, may file application for temporary membership in the club. The temporary membership, if granted, shall be valid for only the period of time that the guest is a bona fide registered guest at the hotel and shall not be subject to the waiting period or dues requirement of the statutes.

A class "B" club may enter into an agreement with a hotel pursuant to this bill only if:

- A. The hotel is located in the same county as the club;
- B. There is no club located on the premises of the hotel; and
- C. No other club has entered into an agreement with the hotel pursuant to this bill.

COMMENTS AND/OR RECOMMENDATIONS

We have received many comments from out of state and out of county guests who have stayed at hotels or motels which did not have a club on premises. Unless these individuals were members of reciprocal clubs they could not legally enter any local private clubs while staying at the hotel or motel.

Attachment # 2

This bill adequately addresses the concerns for those who stay at motels with no private clubs.

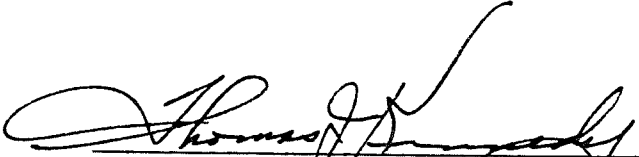
This bill is a good one in that it will permit the hotel or motel to sign an agreement whereby guests of the hotel/motel will be able to have temporary membership in the club during their residency at the hotel/motel. Further, if the club is a reciprocating club, then the guests will be able to visit the other reciprocal clubs. This will entail the club issuing a temporary membership card to the guest.

The bill is restrictive in the sense that the hotel or motel can only sign an agreement with one club. If this arrangement proves unsatisfactory to either party, then they could break the agreement and hopefully sign with someone else.

Our plan would be to furnish a sample agreement to the parties concerned for their use and requesting that a copy be forwarded to the ABC for the file of the licensee.

One recommendation is that the agreement be in writing. Therefore, on line 70 and 71, recommend paragraph commencing with (iii) be amended to read: "No other club has entered into an a written agreement with the hotel pursuant to this section."

Recommend approval of this bill.


THOMAS J. KENNEDY DIRECTOR

TJK:cjk

MEMORANDUM

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

FROM: THOMAS J. KENNEDY, Director, ABC Division

RE: Senate Bill 747

DATE: March 19, 1984

PURPOSE

Senate Bill 747 is an act concerning alcoholic liquors; private club private parties; allowing temporary membership for "Fund Raising" purposes, etc.

PERSPECTIVE

Political groups, fund raising organizations, conventioners and others are constantly wanting to host public oriented activities where alcoholic liquors would be sold by the drink.

While the constitutional prohibition against the "Open Saloon" must be kept in mind, we feel the amendments to Kansas Statute Annotated 41-2601 as provided for in Senate Bill 747 would allow flexibility in this area.

Senate Bill 747 provides that any class B club may establish rules whereby a guest at a bona fide private party held on the premises of the club may file application for temporary membership in the club for the period of the private party, and such temporary membership shall not be subject to the waiting period or dues requirement of the Club Licensing Act. A list consisting of the name and address of each private party guest is to be submitted to the club management at least three days in advance of the function and only a person whose name appears on this list may be authorized temporary membership status. Any club intending to issue temporary memberships as authorized under this section must notify the Alcoholic Beverage Control Division of the name of the organization, and the date and time of the function at least seven days prior to the function. Rules and regulations may be adopted, specifying criteria for the extension of the club license over noncontiguous premises and the controlling of functions on such premises.

COMMENTS AND/OR RECOMMENDATIONS

This bill, if enacted, will permit people invited to a bona fide private party, for the purpose of raising funds for whatever purpose, to have a temporary membership in the private club on that day. The club is required to notify the ABC Division of the name of the organization planning the event, the date and time of the function at least seven days in advance of the event.

These temporary memberships are not subject to the ten (10) day waiting period or the minimum ten dollars (\$10) membership fee. The people invited to the party must be listed on a roster which will be submitted to the club three (3) days prior to the event and only a person, whose name appears on this roster may be authorized a temporary membership. Of course, it goes without saying that members of the club may also attend whether or not their name is on the roster.

This amendment is not to be interpreted to mean that the group will be taking over the club or that the club will be loaning their license to the group.

The Director of ABC licenses the club and not the group, therefore, the club is responsible at all times for the conduct of employees and members, regular or temporary, on the premises.

It is envisioned that the group may sell tickets to invited guests prior to the event, then when the guest arrives at the door, their name is checked off the roster and they are admitted as a temporary member with the privilege of purchasing alcoholic beverages, purchasing food or other items or that the club would charge a cover charge at the door, sell alcoholic beverages as well as food to the group, and then, in turn after expenses are deducted, make a contribution or donation to the fund raising group.

Based on requests by groups wishing to conduct fund raising functions, we anticipate a large number of these private party functions.

Under the current private club law, a private party can be held at a private club only if one or more of the hosts are members of that club and only if every guest at the party is a prior personal acquaintance of the host(s) or of another guest who is a member of that club. This restriction tends to limit the people who may legally attend such parties. Also, the Alcoholic Beverage Control Division has routinely advised clubs and private citizens not to publicly advertise such functions since they are limited to guests. If SB 747 is passed, the question of whether or not the host of a fund raiser can advertise the event to the general public has been answered. Our position would be that they could so long as all names were included on the list furnished the club.

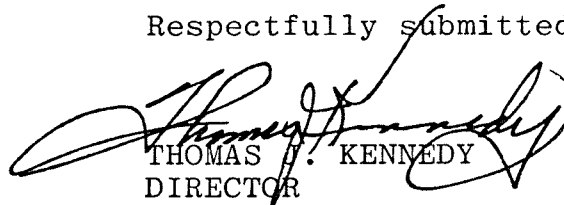
As to the extension of the club license over noncontiguous premises and the controlling of functions on such premises, we feel that the licensee can be held responsible the same as if the activity was held on the regular licensed premises. However, under Federal Law, the licensee will be required to purchase another Federal Retail Stamp costing \$54, if the address is different from that of the licensed premises.

The provisions in this bill that allows club functions on noncontiguous premises may conflict with K.S.A. 41-2608. That statute provides, in pertinent part: "The license provided herein shall be issued for one particular premises which shall be stated in the application and in the license." This situation could best be remedied by amending K.S.A. 41-2608 to state: "The license provided herein shall be issued for one particular premises which shall be stated in the application and in the license, except as authorized by rules and regulations adopted under K.S.A. 41-2601 (b)(3)(B)."

The rules and regulations promulgated will need to be specific so as to eliminate confusion.

The Director of Alcoholic Beverage Control strongly recommends enactment of this bill.

Respectfully submitted,



THOMAS J. KENNEDY
DIRECTOR

TJK:plk

3-19-84

Attachment # 4

MEMORANDUM

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

FROM: THOMAS J. KENNEDY, Director, ABC Division

RE: Senate Bill 750

DATE: February 28, 1984

PURPOSE

Senate Bill 750, as introduced, is an act relating to licensed private clubs; authorizing a train to constitute club premises; temporary membership; amending K.S.A. 41-2601, 41-2608, and 41-2627 and repealing the existing sections.

PERSPECTIVE

This bill, if enacted, would authorize a train to purchase a class "B" private club license. Guests on the train with a ticket may file application for temporary membership in the club. Membership, if granted, would only be valid for the period of time that the guest is a bona fide ticket guest on the train. This temporary membership would not be subject to the ten (10) day waiting period or the annual dues of at least ten dollars (\$10.00).

In the case of a train, the premises may consist of a train either standing or moving, in which case the route or routes of the train will be described instead of a location and the premises would constitute the route or routes.

This amendment establishes an additional category of members, compatible with current statutory provisions.

Currently, K.S.A. 41-2601 permits individuals who are guests registered at hotels and motels and are not residents of the county in which the club is located to have a temporary membership at the class "B" club located on the premises of the motel or hotel, during the period they are a bona fide registered guest at the motel or hotel. This temporary membership is not subject to the ten (10) day waiting period or annual dues of at least ten dollars (\$10.00).

Also, K.S.A. 41-2601 currently authorizes the licensing of class "B" private clubs on property owned or operated by a municipal airport in cities having a population of more than 200,000. Additionally, the statute created a new category of temporary members for clubs located on airport authority property owned or operated by a municipal authority. Persons possessing an air traveler's ticket may receive temporary memberships in such clubs for the date or dates that such ticket is valid. Senate Bill 750, if enacted, would extend these accommodations for travelers to trains, as well.

Attachment # 4

SB 750
February 28, 1984

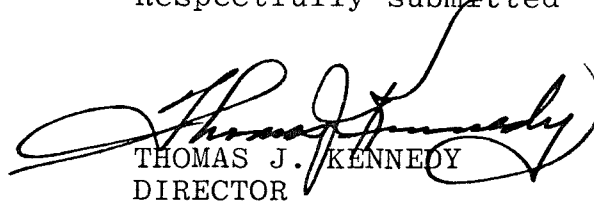
COMMENTS AND/OR RECOMMENDATIONS

If Senate Bill 750 is enacted in its present form, it would appear to be enforceable and would create minimal problems for the division.

All of the concerns we had as reflected in the attached memorandum have been addressed.

Recommend favorable consideration of this bill.

Respectfully submitted


THOMAS J. KENNEDY
DIRECTOR

TJK:cjk

MEMORANDUM

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

FROM: THOMAS J. KENNEDY, Director, ABC Division

RE: Senate Bill 250

DATE: March 7, 1983

PURPOSE

The purpose of this memorandum is to provide follow-up information about Senate Bill 250.

PERSPECTIVE

Per your request, we have contacted Senator Bogina and Mr. D.J. Roberts (913/236-5711) Merriam, Kansas, the owner of the train. We also contacted the Federal Bureau of Alcohol Tobacco and Firearms in Kansas City, Mo. and the Nebraska Alcoholic Beverage Control.

It would appear that Senate Bill 250, with a few amendments, could be a workable piece of legislation. According to Dave Bateman, BATF, a train similar to the one referred to in this bill, would be required to purchase the same type of federal license as do the airlines, that being a Federal Retail Liquor Dealer's Stamp at large. The IRS Form #11 is the application form used and the cost is \$54.00 a year and is applicable for multi-state use.

The Nebraska Alcoholic Beverage Control spokesman stated they sell a railroad license to corporations for \$100 plus a registration fee, plus an additional charge of \$1 per car. This license is good from May 1 to April 30 and is not sold on a pro-rata basis. The holder of the Nebraska railroad license is the operator and authorized to allow consumption, selling and purchasing. Nebraska has no law which would prohibit the selling of Kansas liquor on railroad cars. No liquor tax is collected by Nebraska for sales which are made on railroad cars.

Mr. D.J. Roberts informed us that he would actually own all of the railroad cars and equipment. He will be leasing the engine and the engine crew from a railroad. At the present time, he is not sure where the train will be located, however, he could possibly enter into an agreement with the Rosedale Burlington Yard located at 36 Southwest Blvd., Kansas City, Kansas. Mr. Roberts also discussed the possibility of locating the train and equipment in Kansas City, Missouri.

COMMENTS AND/OR RECOMMENDATIONS

1. Recommend that the train cars be located somewhere in the State of Kansas. The reason for this recommendation is that the train car premises would be available for inspection.

2. Recommend that Senate Bill 250 be amended to state that any and all alcoholic liquor taxes due the state be paid from the county in which the train cars are located. This will solve the 10% excise tax distribution problem.

For example, if the train is parked at the Rosedale Burlington yards in Kansas City, Kansas, Wyandotte County, would receive that portion of the 10% excise tax money which is returned to the city or county where the club is located.

3. Recommend that a provision be included in the bill that would authorize rules and regulations to be promulgated to take care of records and reports, collection and payment of taxes for this train or trains.

5. Recommend that the Director of Alcoholic Beverage Control be authorized to enter into a Memorandum of Record and Agreement with the licensee with respect to other provisions of the Kansas Club Licensing Act and related rules and regulations. For example, the state class "B" club license, the local license (county or city) as well as the Federal Retail Dealer's Stamp at large, should all be displayed prominently in the main club car.

That alcoholic liquors be purchased from a Kansas retail liquor dealer, who possesses the Federal Wholesaler's Basic Permit.

That ABC Agents have the right to make routine inspections.

That all employees engaged in selling, dispensing or serving alcoholic liquor will be registered with the Director.

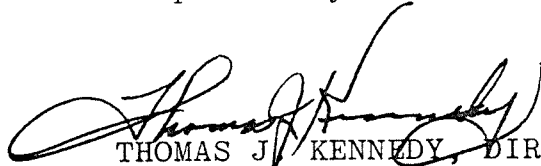
That the temporary membership roster is available for inspection as well as liquor store receipts of purchases. These receipts must be kept on the premises with written authorization, receipts older than for the current month could be kept in Mr. Robert's main office, a place available to our inspectors.

That the club, like all other class "B" clubs be required to make monthly reports pertaining to liquor purchases, sales and excise tax payments, etc.

That the licensee submit a monthly list of all trips planned to include destination, time of departure, expected time of arrival and expected time of return.

COMMENT: Such a Memorandum of Record and Agreement of this nature, signed by the Director of ABC and the licensee, would bring these matters to the attention of the licensee thus avoiding misunderstandings, etc.

Respectfully submitted,



THOMAS J. KENNEDY, DIRECTOR
Alcoholic Beverage Control Division

TJK:cjk

3-19-84
Attachment #5

MEMORANDUM

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

FROM: THOMAS J. KENNEDY, Director, ABC Division

RE: Senate Bill 751

DATE: March 19, 1984

PURPOSE

Senate Bill 751 is an act concerning alcoholic liquor; private clubs; annual license fees, increasing the cost of class "A" club licenses if the club is a social club, from \$250 to \$1,000.

PERSPECTIVE

Senate Bill 751, if enacted in its present form would require class "A" social clubs to pay a \$1,000 license fee instead of the \$250 license fee they are presently paying. Class "A" fraternal and war veteran clubs would continue to pay \$250 annual license fees.

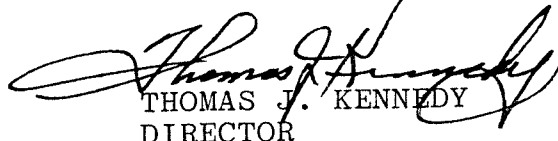
We have 405 class "A" clubs in the state; 102 are social clubs, 119 are fraternal clubs and 183 are war veteran clubs.

COMMENTS AND/OR RECOMMENDATIONS

The increase in license fee for the 102 social clubs from \$250 to \$1,000 would amount to \$76,500 additional income for the state. 50% of this amount or \$38,250 would go to the general fund and 50% or \$38,250 would go to the alcoholism treatment fund. There are no administrative costs if this bill is enacted.

The Director of Alcoholic Beverage Control is neither a proponent nor an opponent of this bill.

Respectfully submitted,



THOMAS J. KENNEDY
DIRECTOR

Alcoholic Beverage Control Division

TJK:pik

Attachment # 5