

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS

The meeting was called to order by Representative Robert H. Miller at  
Chairperson

2:00 a.m./p.m. on March 6, 19 85 in room 526S of the Capitol.

All members were present except:

Committee staff present:

Lynda Hutfles, Secretary  
Mary Torrence, Revisor's Office  
Russ Mills, Research

Conferees appearing before the committee:

The meeting was called to order by Chairman Miller. The Chairman called attention to the revised agenda which scheduled a hearing on SB105 on Thursday.

SCR1605 - County option on liquor by the drink

Representative Peterson Made a motion, seconded by Representative Aylward, to report SCR1605 favorable for adoption.

Representative Walker made a substitute motion, seconded by Representative Sprague, to amend SCR1605 to read that the sale of intoxicating liquor by the drink could be sold in public place which derive at least 30% of their gross receipts from the sale of food for consumption on the premises. See attachment A. After discussion the vote was called. A division was called - 11-9. The motion carried.

Representative VanCrum made a motion, seconded by Representative Peterson, to report SCR1605 favorably as amended. The motion carried.

The meeting was adjourned.

[As Amended by Senate Committee of the Whole]

As Amended by Senate Committee

Session of 1985

## Senate Concurrent Resolution No. 1605

By Committee on Federal and State Affairs

1-16

0021 A PROPOSITION to amend section 10 of article 15 of the  
0022 constitution of the state of Kansas, relating to intoxicating  
0023 liquors; authorizing the legislature to permit and provide for  
0024 county option in the sale of liquor by the individual drink in ~~in~~ certain  
0025 public places.

0026 *Be it resolved by the Legislature of the State of Kansas, two-*  
0027 *thirds of the members elected (or appointed) and qualified to*  
0028 *the Senate and two-thirds of the members elected (or ap-*  
0029 *pointed) and qualified to the House of Representatives con-*  
0030 *curring therein:*

0031 Section 1. The following proposition to amend the constitu-  
0032 tion of the state of Kansas shall be submitted to the qualified  
0033 electors of the state for their approval or rejection: Section 10 of  
0034 article 15 of the constitution of the state of Kansas is amended to  
0035 read as follows:

0036 "§ 10. Intoxicating liquors. (a) The legislature may pro-  
0037 vide for the prohibition of intoxicating liquors in certain areas.  
0038 Subject to the foregoing,

0039 "(b) The legislature may regulate, license and tax the  
0040 manufacture and sale of intoxicating liquors, and may regulate  
0041 the possession and transportation of intoxicating liquors. ~~The~~  
0042 ~~open saloon shall be and is hereby forever prohibited.~~

0043 "(c) *The sale of intoxicating liquor by the individual drink*  
0044 *in public places is prohibited, except that the legislature may*  
0045 *permit, regulate, license and tax the sale of intoxicating*  
0046 *liquor by the drink in public places in any county in which*  
0047 *the qualified electors of the county have determined, by a*  
0048 *majority vote of those voting thereon, to permit the sale of*

which derive not less than 30% of their gross receipts  
from the sale of food for consumption on the premises  
and which are located in a county where

Atch. A  
3/6/85

ATTACH A

0049 *intoxicating liquor by the drink in public places within the* such  
 0050 *boundaries of the county [or in any county in which the* where  
 0051 *qualified electors of the county approve, by a majority vote of*  
 0052 *those voting on this proposition, to adopt this proposition].”*

0053 Sec. 2. The following statement shall be printed on the bal-  
 0054 lot with the amendment as a whole:

0055 “*Explanatory statement.* This proposed amendment would  
 0056 authorize the legislature to permit, license, regulate and tax  
 0057 the sale of *intoxicating* liquor by the drink *in public places in*  
 0058 ~~*any*~~ county where the voters have approved ~~*its*~~ *such* sale in  
 0059 their county *[or have approved this amendment]*.

0060 “A vote for the proposed amendment would permit the sale  
 0061 of liquor by the drink *in public places in any* county where the  
 0062 voters approve ~~*its*~~ *such* sale in their county *[or approve this*  
 0063 *amendment]*.

0064 “A vote against the proposed amendment would continue  
 0065 the current prohibition against the sale of liquor by the drink  
 0066 *in public places.*”

0067 Sec. 3. This resolution, if approved by two-thirds of the  
 0068 members elected (or appointed) and qualified to the senate and  
 0069 two-thirds of the members elected (or appointed) and qualified  
 0070 to the house of representatives, shall be entered on the journals,  
 0071 together with the yeas and nays. The secretary of state shall  
 0072 cause this resolution to be published as provided by law and  
 0073 shall cause the proposed amendment to be submitted to the  
 0074 electors of the state at the general election in the year 1986  
 0075 unless a special election is called at a sooner date by concurrent  
 0076 resolution of the legislature, in which case it shall be submitted  
 0077 to the electors of the state at the special election.

which derive not less than 30% of their gross receipts from the sale of food for consumption on the premises and which are located in a