



Nick Jordan, Secretary
Doug Jorgensen, Director

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House Federal & State Affairs Committee
SB 276

Testimony of
Doug Jorgensen
Director, Alcoholic Beverage Control

March 6, 2012

Good afternoon Mr. Chairman and members of the committee. I thank you for the opportunity to appear here today to present neutral testimony on SB 276.

ABC initially proposed this bill to amend K.S.A. 41-2610 making it illegal for a licensee under the Club and Drinking Establishment Act to employ, whether knowingly or unknowingly, persons who have certain criminal convictions.

In the past, ABC has, as a courtesy, conducted criminal history checks on employees of licensees. To perform that courtesy, the department adopted regulations requiring each licensee to register every manager and employee who will be involved with the mixing, selling, serving or dispensing of alcoholic liquor within five days after each employee begins work and upon each renewal of the license.

Due to dwindling resources, ABC can no longer perform background checks on the employees registered with us. ABC was, therefore, willing to revoke the regulations requiring employees be registered within five days after beginning work. However, given the current disqualifying factors in the law, someone must be held accountable for ensuring the people hired by the licensee are qualified to work in the liquor industry. The original intent of this bill was to place that burden clearly on the licensee. The liquor industry opposed the bill in its original form.

The Senate's solution to this dilemma is the amended SB 276 you have before you which removes the felony and intoxicating liquor law convictions from K.S.A. 41-2610. Under this bill, the only restriction on employment at a club or drinking establishment is age.

ABC believes that the qualification for employment at a licensed premises is a policy decision that is the legislature's to direct, and that it is the responsibility of ABC to enforce those legislative decisions.

House Federal & State Affairs

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Attachment # 4