

Approved: 3/26/12
Date

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven R. Brunk at 1:30 p.m. on March 06, 2012, in Room 346-S of the Capitol.

All members were present except:

Representative Holmes – Excused
Representative Peterson – Excused
Representative Seiwert - Excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Julian Efid, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Ron Hein, Kansas Restaurant and Hospitality Association
Philip Bradley, Kansas Licensed Beverage Association
Rebecca Rice, Kansas Clubs and Associates
Doug Jorgensen, Kansas Department of Revenue, Alcoholic Beverage Control
Ed Klumpp, The Kansas Association of Chiefs of Police
R.E. ‘Tuck’ Duncan, Kansas Wine & Spirits Wholesalers Association
Christopher Tymeson, Kansas Department of Wildlife, Parks and Tourism

Others attending: See attached.

Christine Ladner introduced a bill on Human Trafficking.

Representative Kinzer introduced a bill about city annexation of fire district land.

Representative Arpke introduced a bill about State fire marshals; prohibiting adoption of certain fire codes. They were all received without exception.

The Chairman opened the hearing on **SB 276–Alcoholic Beverages; amendments to law prohibiting licensee from hiring certain employees.**

Mike Heim said the bill deals with employment and strikes some language in the current law prohibiting the hiring of certain employees who have been found guilty of a felony involving moral charges.

Ron Hein presented testimony as a proponent of **SB 276 (Attachment 1)**. He stated that business owners should be allowed to run their businesses based on their good judgment, without government restrictions.

Philip Bradley presented testimony as a proponent of **SB 276 (Attachment 2)**. He said that this bill places the responsibility of deciding who to hire on the business.

Rebecca Rice presented testimony as a proponent of **SB 276 (Attachment 3)**. She said that the bill allows employers to make the best business decision regarding whom to employ as servers and bartenders.

CONTINUATION SHEET

The minutes of the House Federal and State Affairs Committee at 1:30 p.m. on March 06, 2012, in Room 346-S of the Capitol.

Doug Jorgensen presented testimony as neutral on **SB 276** (Attachment 4). **SB 276** removes the felony and intoxicating liquor law convictions restrictions on employment at a club or drinking establishment. Representative Brunk expressed concern over allowing businesses to freely hire anyone. Representative Knox said that as the bill stands no employers would be required to do background checks. Doug said that they could do background checks through the FBI but this bill does not require it.

Ed Klumpp presented testimony as an opponent of **SB 276** (Attachment 5). He said that to suddenly swing the pendulum to the other side of the issue and allow any felon to work in these environments is to invite big problems. From experience we know that some club owners will not control this. We need to move the pendulum to the middle to prevent serious felons from working in these environments. Representative Huebert asked if there was time to amend the bill and get it to the house floor.

Written testimony in support of **SB 276** was submitted by:
William W. Sneed, Kansas Unified Development (Attachment 6).

The Chairman closed the hearing on **SB 276** and opened the hearing on **SB 288—Alcoholic beverages: repealing the proportionate pricing requirement for sales of liquor by the drink.**

Mike Heim said that this bill defines an individual drink to be not more than 8 oz. of wine, 32 oz of beer or cereal malt beverage or 4 oz of single spirits or combination of spirits.

Ron Hein presented testimony as a proponent of **SB 288** (Attachment 7). **SB 288** repeals the proportional drink pricing structure.

Philip Bradley presented testimony as a proponent of **SB 288** (Attachment 8). Philip said that they approve the intent to repeal the confusing concept of proportionate pricing.

Doug Jorgensen presented testimony as a proponent of **SB 288** (Attachment 9). Doug said that the adoption of a definition of individual drink and individual serving, limiting the amount of alcohol that may be sold in any one drink, will help prevent over-service and over-consumption of liquor.

Written testimony in support of **SB 288** was submitted by:
William W. Sneed, Kansas Unified Development (Attachment 10).

The Chairman closed the hearing on **SB 288** and opened the hearing on **SB 275—Alcoholic beverages: repealing the laws pertaining to salesperson's permits.**

Mike Heim said that this bill would repeal some statutes that authorize or require a salesperson's permit for taking orders for alcoholic liquor.

R.E. 'Tuck' Duncan presented testimony as a proponent of **SB 275** (Attachment 11). He said that they saw no adverse impact by the elimination of the requirement for a permit to sell beverage alcohol.

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Rebecca Rice presented testimony as a proponent of **SB 275** (Attachment 12). Rebecca said that salesmen permits do not provide any particular benefit to our members or their customers.

Doug Jorgensen presented testimony as a proponent of **SB 275** (Attachment 13). Doug said that neither ABC nor the industry could name any compelling reason to issue or require salesperson's permits.

The Chairman closed the hearing on **SB 275** and opened the hearing on **SB 313—Allowing liquor consumption on department of wildlife, parks and tourism owned or managed lands and waters.**

Mike Heim said this bill amends the statute dealing with where you can consume alcoholic beverages and allows consumption on department of wildlife, parks and tourism owned or managed lands and waters.

Christopher Tymeson presented testimony as a proponent of **SB 313** (Attachment 14). He said that this bill allows state parks to be competitive with co-located federal parks.

The Chairman closed the hearing on **SB 313**.

The Chairman called upon the committee to work **HB 2689—Liquor licenses; railway cars.**

Representative Gregory moved, Representative Wolfe-Moore seconded to pass HB 2689 out favorably for passage as a substitute bill. The motion carried.

The Chairman called upon the committee to work **SB 274—Alcoholic beverage; authorizing temporary permits for special events.**

Representative Rubin moved, Representative Loganbill seconded to move SB 274 out favorably for passage. The motion carried.

The next meeting is scheduled for March 07, 2012.

The meeting was adjourned at 2:57 p.m.