

House Federal and State Affairs Committee

Testimony of Michael K. McVey on February 8, 2013

Introduction

Federal law underpinning

Current state law – very simple

Goal of clarifying legality of current culture of homebrewing in Kansas

Proposed bill walk through:

P 1 Section 1: Coordinates presence of homemade fermented beverages in licensed establishments for limited purposes and not for sale.

P3, adds 41-102(m) with a definition of homemade fermented beverages – key to the law update

P6, amends 41-104 by adding subsection (i)

- (1) Production details
- (2) Producer is not commercial
- (3) Consumption by whom and where
- (4) Events where may be given away

P10 amends 41-407(b) to add subsection (2), to permit production, transportation and storage

P14 amends 41-501 to add subsection (1), to clarify that homemade fermented beverages are non-taxable



February 6, 2013

Kansas State Capitol
House Committee on Federal and State Affairs
300 SW 10th St.
Topeka, Kansas 66612

Chair Siegfried , members of the committee,

My name is Gary Glass, I am Director of the American Homebrewers Association (AHA), based in Boulder, CO, and I support House Bill 2223.

The AHA is a division of the Brewers Association, a not-for-profit trade association that represents America's small, independent brewers, including the nation's homebrewers. The AHA is a membership organization, made up of over 35,000 homebrewer members from around the country, including more than 350 members in Kansas.

I respectfully submit this testimony on behalf of HB 2223, which will allow Kansas homebrewers to participate in legitimate activities that homebrewers across the country currently engage in, and which, up until last year, Kansas homebrewers thought they could legally engage in.

The American Homebrewers Association estimates that there are more than 1,000,000 Americans that make beer and wine at home. Of those homebrewers, 10,000 or more are living here in Kansas. That number will continue to grow as the hobby grows across the country, but only if Kansas remains a place where homebrewers can freely practice their hobby. In 2011, US homebrew supply shops saw on average 24% growth in annual gross revenue, which followed 17% and 16% annual growth rates the previous two years. When we compile data for 2012, I anticipate we will have seen another year of double digit growth.

Homebrewers are a social group. They are passionate about crafting quality beer and love to share their beer and brewing knowledge with fellow homebrewers. Homebrewers also are constantly looking to learn more about beer and brewing, so that they can continue to improve their skills as brewers. Two ways in which homebrewers can improve their brewing skills are by getting feedback on their brews through homebrew competitions and by sharing with fellow homebrewers at homebrew club meetings. House Bill 2223 addresses both homebrew competitions and club meetings.

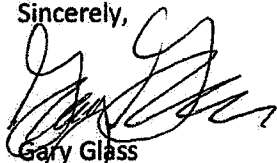
The AHA and the Beer Judge Certification Program (BJCP) jointly sanctioned more than 400 competitions per year in the United States, with more than 80,000 combined entries judged in those competitions. Homebrew competitions are rigorous affairs. Entries are judged by certified beer judges, who have taken a very challenging exam, requiring months of study to pass. Entries in competitions are evaluated in five different areas: aroma, appearance, flavor, mouth feel, and overall impression. Judges provide entrants with extensive notes on their beers, including comments on how the beers can be improved.

As for homebrew clubs, there are now 1425 homebrew clubs in the United States registered with the AHA, 15 of which are in Kansas. Sharing homebrew with fellow club members provides homebrewers with feedback that will help them improve upon their craft. Homebrew clubs also serve as a focal point for local beer communities, as homebrewers are the most knowledgeable of beer consumers. Many of the homebrew clubs across the country support their local communities through philanthropy.

Homebrewers support small businesses. Not only do homebrewers support the businesses that supply the ingredients and equipment to homebrew, but they are also the most ardent supporters of their local craft breweries. Kansas is home to 19 breweries, with at least another four breweries that are actively planning to open. We estimate that at least 90% of professional brewers in the United States got their start as homebrewers. In addition, homebrewers are responsible for launching the majority of new breweries being founded in the United States. Homebrewers also serve as the leading advocates for their local breweries within their communities. Thus, a vibrant homebrewing community directly serves to train new employees for existing and future small breweries, provides a pool of potential entrepreneurs to start new breweries, and helps market the breweries in their area. Passage of HB 2223 will help promote the vitality of Kansas' homebrew community.

In conclusion, I strongly urge you to pass HB 2223, not only is it the right thing to do for Kansas homebrewers, but passage of HB 2223 will prove beneficial to Kansas' business community.

Sincerely,



Gary Glass

American Homebrewers Association Director

gary@brewersassociation.org

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On behalf of the 85 members of the Little Apple Brew Crew in Manhattan, KS, we support the proposed changes to Kansas law embodied in the "Home Brew Bill." As law-abiding citizens who enjoy making, sharing, and competing with each other for bragging rights as to who makes the best homebrew; these minor but important revisions Kansas statutes will only make it clear that we have the right to life, liberty, and the pursuit of outstanding fermented beverages made with our own hands or by fellow home brewers. We encourage you to support our liberty rights, and keep the state and local authorities out of our home brewing activities.

Joseph A. Aistrup, Ph.D.
Legislative Liaison
Little Apple Brew Crew

The Topeka Hall of Foamers has hundreds of members and guests all coming together to discuss the many aspects of creating high quality fermented beverages.

In support of the changes to Kansas Law, proposed in the "Home Brew Bill", The Topeka Hall of Foamers would like to speak to a few points.

It is currently legal for a resident of Kansas to create home brew on their property, for the consumption of family members residing on that property.

Currently, home brewers cannot share our homebrew with our family or friends, nor can we legally transport our homebrew to any gathering. This is a craft where the home brewer is in a sense a chef that lives to share what they have created with friends and family. Home brewing is truly an art and most professional brewers that we know, were once home brewing in their kitchen.

As a club, we would like to be able to gather and sample each other's homebrew, talk about recipes, equipment; everything that will make us better brewers. Maybe more of us will become professional brewers if we are able to share our art.

This legislation ensures that home brewers can share their products and that the growing craft beer industry gets a boost. Nationally, home brewers, their family and friends have pushed the craft beer industry to new heights.

Please help us get Home Brew laws in line with other states.

Thank you,

Topeka Hall of Foamers

From: cyburai@gmail.com [<mailto:cyburai@gmail.com>] **On Behalf Of** Sean Belden
Sent: Tuesday, February 05, 2013 11:01 AM
To: Steve Cook
Subject: Re: House Hearing on Friday Morning

Sean Belden
Lawrence Brewers Guild, Lawrence, KS

Why I support changes outlined in this bill:

As a home-brewer I take pride in my hobby. Especially a hobby that has a long history of taking the fruit of agriculture (grain, hops) and turning it into a liquid beverage that was a cornerstone in the founding of the US, and our state. What I cannot do under current legislation is share legally outside of my immediate family. This inhibits feedback that all new hobbyist craves, and slows the growth of a hobby and process that goes back at least 5000 years. I am proud to have the skills to be a brewer, and happy that our home-brew club has supported my hobby. My home-brew club, the Lawrence Brewers Guild, has helped new home-brewers succeed at their new hobby since 1993. Under current law, this gather of people looking to expand thier knowledge and get feedback from other people is at risk. The proposed changes in this bill will allow the club to continue while maintaining a good relationship with the state and commercial alcohol manufacturers/distributors/retail sales.

As a beer judge, this bill will allow my knowledge of beer to help others refine their skills, get constructive feedback, and potentially take a hobbyist to a professional brewer (as has happened in our club 3 times).

Sean Belden
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February 5, 2013

Kansas State Capitol
Committee on Federal and State Affairs
300 SW 10th St
Topeka, Kansas 66612

Chairman, members of the committee:

My name is Augustine Iacopelli and I am the President of Wichita Homebrewers Organization (WHO).

WHO is a homebrewers' club whose mission is to share our passion for the hobby of homebrewing with like-minded enthusiasts in the Wichita metropolitan area as well as South-Central Kansas. This homebrewers club, originally established as Derby Brew club, earned the 1997 "Club of the Year" award by the American Homebrewers Association. This award is the highest honor that a collection of homebrewers organized as a club may achieve, and our club is the only in the State of Kansas to win this award in the history of the AHA.

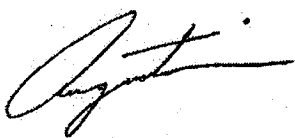
Because we have an active and growing community of individuals in the Wichita and surrounding area who seek to advance the shared knowledge of homebrew hobbyists in the area, I respectfully submit this testimony on behalf of the membership of Wichita Homebrewers Organization and all homebrewers within the Wichita, Kansas, and surrounding areas.

Our club has met every month to evaluate one another's homebrewed beverages, often in comparison with craft beers produced and distributed legally within the State of Kansas. Further, our collective love for the production of homemade beer enhances the joy we have for Kansas made craft beer and for beers at our favorite microbreweries, brewpubs and other beer establishments in our communities. As an organization we have also helped inspire local homebrewers to become professional brewers. Members of our organization have been inspired to become entrepreneurial, opening and operating the highly successful Wichita Brewing Company and Pizzeria in Wichita, Kansas and soon to open Walnut River Brewing Company in El Dorado, Kansas. Both of these organizations are creating new Kansas jobs and Kansas pride in locally produced goods.

Further, a recipe created by one of our members, Paul Rau of Wichita, Kansas, inspired an entry by Wichita Brewing Company and Pizzeria into the 2012 Great American Beer Festival held in Denver, Colorado. This entry shows the partnerships possible between home and craft brewers to enhance and grow the local economy, creating Kansas jobs and tax revenues for the State. All this was inspired by fellow Kansans who simply love the art of making beer and want to share this love with others who similarly support and enjoy this hobby.

In conclusion, I sincerely request support for passage of SB 112 and HB2223 on behalf of the tax paying voters of the Wichita and South-Central Kansas area. Thank you for your time and your consideration on behalf of the hundreds of local homebrewers residing in Wichita and surrounding area.

Sincerely,



Augustine Iacopelli
Club President
Wichita Homebrewers Organization