

## MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Steve Brunk at 9:00 am on Tuesday, February 17, 2015, 346-S of the Capitol.

All members were present

Committee staff present:

Natalie Nelson, Legislative Research Department  
Joanna Wochner, Legislative Research Department  
Stephen Bainum, Kansas Legislative Committee Assistant  
Jason Long, Office of Revisor of Statutes

Conferees appearing before the Committee:

Philip Bradley, Kansas Licensed Beverage Association  
Spencer Duncan, Capitol Connection Kansas  
Dean Reynoldson, Director of Kansas Alcoholic Beverage Control  
Jason Watkins, Executive Director, Kansas Beer Wholesalers Association

Others in attendance:

[See Attached List](#)

### **Hearing on: HB2208 — Prohibition on sales of powdered alcohol.**

Chairman Brunk opened the hearing on **HB2208**. Jason Long, Revisor of Statutes, gave a brief overview of the proposed legislation. ([Attachment 1](#))

Written testimony in support of **HB2208** was presented by:

Philip Bradley. "Powdered alcohol, sometimes known by the commercial name "Palcohol", has gained a fair amount of attention this year. This product is a danger to those who misuse it. It is currently being "snorted". It is too easy to hide or administer surreptitiously to an unsuspecting innocent. And it is hard to detect while being carried, or after being added to drinks and/or food." Philip answered questions from the Committee. ([Attachment 2](#))

Spencer Duncan. "The bill defines powdered alcohol as alcohol prepared in a powdered or crystal form for either direct use or for reconstitution in a nonalcoholic liquid. Last year, "palcohol" was approved by the Alcohol and Tobacco Tax and Trade Bureau, a decision that was reversed a few weeks later. There are some who question its safety and have called for a ban by the Food and Drug Administration." Spencer answered questions from the Committee. ([Attachment 3](#))

Dean Reynoldson. "Our position that the distribution and sale of powdered alcohol is illegal is based on:

1. The fact that K.S.A. 41-101(b) defines "alcoholic liquor" as being "capable of being consumed as a beverage. That would not include powdered alcohol.
2. K.S.A. 41-104 states that everything is prohibited with regard to alcohol unless there is a statute that authorizes it. Having said that we think clarification of legislative intent is in order." ([Attachment 4](#))

CONTINUATION SHEET

MINUTES of the Committee on Federal and State Affairs at 9:00 am on Tuesday, February 17, 2015, 346-S of the Capitol.

Written Only testimony as a proponent of **HB2088** was presented by: Francis Wood, Women's Christian Temperance Union. ([Attachment 5](#))

Chairman Brunk closed the hearing on **HB2088**.

**Hearing on: HB2191 — Alcoholic beverages; sampling by distributor licensees.**

Chairman Brunk opened the hearing on **HB2191** and turned the meeting over to Vice-Chair Travis Couture-Lovelady. Jason B. Long, Revisor of Statutes gave the committee a brief overview of the proposed legislation. ([Attachment 6](#))

Written testimony as a proponent of **HB2191** was presented by: Spencer Duncan. "This bill would allow distributors of alcoholic beverages to provide samples to liquor retailers in an area of licensed premises that is not open to the public. This will better educate retailers so they can be better informed for their customers." ([Attachment 7](#))

Jason Watkins. "It seems unreasonable and unrealistic to ask a business owner, purchasing director, or sales manager to spend money purchasing, stocking, and attempting to sell a product they have not exposure to. Allowing retailers to sample new products will help ensure the likelihood that the retailer is purchasing a product that his or her buyers will like. ([Attachment 8](#))

Chairman Brunk closed the hearing on **HB2191** and advised that the subcommittee was meeting upon adjournment.

The meeting was adjourned at 9:55 am.