

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Jan Pauls at 9:00 am on Wednesday, March 16, 2016, 346-S of the Capitol.

All members were present except:

Representative Susan Concannon – Excused

Committee staff present:

Dana Rooney, Kansas Legislative Committee Assistant

Jason Long, Office of Revisor of Statutes

Kyle Hamilton, Office of Revisor of Statutes

Natalie Nelson, Legislative Research Department

Conferees appearing before the Committee:

Dr. Phillip Bradley, Kansas Craft Brewers Guild

Debbi Beavers, Interim Director, Alcoholic Beverage Control

Others in attendance:

[See Attached List](#)

Chairman Pauls opened the meeting and welcomed everyone.

Answers to questions from Ed Klumpp that were asked in yesterday's committee meeting were distributed to members. This response was in the form of an e-mail directed to the committee assistant and attached to the minutes of Tuesday, March 15, 2016, in the Informational Briefing section on **SB479**.

**Bill introductions**

Chairman Pauls asked if there were any bill introductions from the committee and there were none. There were no bills introduced from the audience.

**Hearing on: SB326 — Increasing production limits for microbreweries.**

Chairman Pauls opened the hearing on **SB326** and recognized Senior Assistant Revisor of Statutes, Jason Long, who gave a briefing on the bill.

Chairman Pauls recognized Dr. Philip Bradley, Kansas Craft Brewers Guild, a proponent of this bill who spoke to the committee. ([Attachment 1](#)) There were no questions.

There was no written-only proponent testimony for this bill.

There was no oral or written-only testimony in opposition to this bill.

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Chairman Pauls recognized another conferee, Debbi Beavers, Alcohol Beverage Control, neutral, who spoke to the committee in regard to **SB326**. ([Attachment 2](#)) There were no questions.

There was no neutral written-only testimony provided.

Chairman Pauls closed the hearing on **SB326**.

### **Final action on bills previously heard**

Chairman Pauls began with final action on bills previously heard and drew the committee's attention to **SB243** and asked if there was any interest in passing it out.

*Representative Lane Hemsley moved to pass out favorably **SB243**. Representative John Bradford seconded the motion.*

*Representative Lane Hemsley moved to amend **SB243** with a prepared balloon amendment. ([Attachment 3](#)). It was seconded by Representative Pete DeGraaf.*

Discussion and questions were asked by Ranking Minority Member Annie Tietze; and Representative John Ewy.

*Representative Lane Hemsley closed on his motion to amend **SB243** with a prepared balloon amendment. Motion carried on a voice vote.*

*Representative Lane Hemsley moved to favorably pass out **SB243** as amended. Representative John Bradford seconded. Motion carried on a voice vote.*

Chairman Pauls asked the committee to turn their attention to **SB242** and asked if there was any interest in passing it out.

*Vice Chairman, Representative James Todd, moved to pass out **SB242** favorably for passage. Representative Joseph Scapa seconded. Remarks were made by Representative Todd. Motion carried on a voice vote.*

Chairman Pauls directed the committee to **SB225** and asked if there was any interest in passing it out.

*Vice Chairman, Representative James Todd, moved to pass out **SB225** favorably for passage. Representative Lane Hemsley seconded. Remarks were made by Representative Todd. Motion carried on a voice vote.*

Chairman Pauls next drew the committee's attention to **HCR5022**.

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Vice Chairman, Representative James Todd, moved to pass out **HCR5022** favorably for passage. Representative Joseph Scapa seconded.

Vice Chairman, Representative James Todd moved to amend **HCR5022** with a prepared balloon amendment. (Attachment 4) Representative John Bradford seconded. Remarks were made by Representative Todd and Chairman Pauls. Motion carried on a voice vote.

Vice Chairman, Representative James Todd, moved to pass out favorably **HCR5022** as amended. Seconded by Representative Lane Hemsley. Motion carried on a voice vote.

Chairman Pauls turned the committee's attention to **HR6038** and asked if there was any interest in passing it out.

Representative Joseph Scapa moved to pass out favorably **HR6038**. Seconded by Representative Stephanie Clayton. A question was raised by Representative Ben Scott and a bill summary was given by Senior Assistant Revisor of Statutes, Jason Long. Representative Scapa closed on his motion to pass out favorably **HR6038** and the motion passed on a voice vote.

Chairman Pauls next had the committee look at **HCR5023** and asked if there was any interest in passing it out.

Vice Chairman, Representative James Todd, moved to pass out **HCR5023** favorably for passage. Representative Pete DeGraaf seconded the motion. Remarks were made by Representative James Todd, John Bradford, Pete DeGraaf and Ranking Minority Member Annie Tietze. Representative Todd closed on his motion and the motion passed favorably on a voice vote.

Chairman Pauls asked if there was any objection to working **SB326** heard earlier today. There was no objection to working the bill.

Representative John Bradford moved to pass out **SB326** favorably for passage. Representative Chuck Weber seconded.

Chairman Pauls made a motion to amended the bill with a conceptual technical amendment which she will work out with Jason Long, Senior Assistant Revisor of Statutes, and she will look at the bill before it is turned in. Representative James Todd seconded the amendment. Questions were asked by Representative Ben Scott and Dick Jones. The motion to amend **SB326** passed on a voice vote.

Vice Chairman, Representative James Todd moved to pass out **SB326** favorably as amended. Representative Stephanie Clayton seconded the motion. Motion passed on a voice vote.

Chairman Pauls brought the committee's attention to the next bill **Sub SB65** and asked if there was any

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interest in passing it out.

Vice Chairman, Representative James Todd moved to pass out **Sub SB65** favorably for passage. Representative Lane Hemsley seconded the motion.

Representative Brett Hildabrand moved to amend **Sub SB65** with a prepared balloon amendment #4. (Attachment 5) Representative Lane Hemsley seconded the motion.

Senior Assistant Revisor of Statutes, Jason Long, and Representative Hildabrand made remarks and Representatives James Todd, Pete DeGraaf, Steven Becker asked questions on the amendment.

Representative Dick Jones asked Chairman Pauls to be corrected on procedure as he would like to make a substitute proposal on the amendment and remove the word adequate and replace it with reasonable. Chairman Pauls told Representative Jones such a motion could be made or he could also ask the maker of the amendment if that is a friendly modification. Chairman Pauls asked Representative Hildabrand if he would consider this change a friendly modification and Representative Hildabrand did not want to alter the bill.

Chairman Pauls asked if Representative Jones wished to make his substitute motion and he said yes. There was no second on the substitute motion. Motion died for lack of a second.

Back on the motion to amend. There was further discussion by Representative Stephanie Clayton with Senior Assistant Revisor of Statutes, Jason Long.

Vice Chairman, Representative James Todd, requested a division on the amendment into Part A and Part B and to vote on them separately. Representative Nancy Lusk also requested a change. Part A would cover the changes to the dates in the amendment (technical changes). Representative Todd made a motion to pass Part A of the balloon amendment for **Sub SB65**. Representative Nancy Lusk seconded. Motion carried on a voice vote.

Representative Brett Hildabrand led the discussion of Part B of the balloon amendment. Comments and questions were made by Representatives Nancy Lusk, John Bradford, Don Hineman, John Ewy, Steven Becker, James Todd and Senior Assistant Revisor of Statutes, Jason Long.

Representative Hildabrand closed on his motion to pass Part B of the balloon amendment to **Sub SB65**. Motion failed by show of hands, 8 in favor and 13 opposed.

Representative Nancy Lusk made comments on several of the bills that were heard yesterday and today.

Representative Kristey Williams presented a balloon amendment that would combine elements from

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**SB421** (fast pass provision), **HB2440** (permanent or temporary signage), and **Sub SB65**.

*Representative Kristey Williams moved to amend **Sub SB65** with balloon amendment #1. ([Attachment 6](#)) Representative Chuck Weber seconded the motion.*

Representative James Todd requested a division of amendment #1 for **Sub SB65** into Part A (language about the posting) and Part B (remainder of the amendment). Chairman Pauls allowed the division.

*Representative Michael Houser made a motion to table this bill until tomorrow. There was a request for division by Representative Todd. Vote by show of hands: 15 in favor and 6 opposed. Motion to table this bill carried.*

The next meeting of the House Federal and State Affairs Committee will be Thursday, March 17, 2016.

The meeting adjourned at 10:37 a.m.