

February 27, 1967
STATE AFFAIRS COMMITTEE

The meeting was called to order by the Chairman. All members were present except Mr. Fribley, who was excused.

Mr. Turner was introduced to discuss H.B. 1081, its intent and purpose. He gave some of the history of the original "Private Club Bill", and stated that the modifications as proposed by 1081, are not truly a loosening of the law but rather an effort to make it more enforceable. He discussed the matter of Class A and Class B private clubs, and stated that the rules governing Class B are really a fallacy anyway; that the 30 day waiting period is gotten around by the owner or a patron inviting the applicant as his guest until that period has elapsed; and the membership fee is simply credited to a "set-up" account, so actually the requirements are not doing what they should anyway; also, that many of the Class B clubs are becoming Class A clubs; that the federal exemption is fairly easy to acquire.

Mr. John Deck, City Attorney of Wichita, appeared in support of HB 1081, and pointed out some amendments to the bill as written, that might be desirable. He stated that before the original bill was enacted, Wichita had 94 private clubs which they handled by city ordinance; that it resulted in \$23,500 revenue which was used effectively for enforcement; that now they have 25 Class A clubs and 52 Class B clubs, and it results in an income of something just over \$10,000 for licensing; that there are four Class A's located in Wichita hotels and motels; that a guest does not need to be a member nor wait 30 days; that there are ways of getting around the fee by requiring payment and then crediting it on the bill. He suggested that a time be established for closing instead of the 3:00 a.m. to 9:00 a.m. hour; that there is a terrific problem in policing these clubs when perhaps they choose to become just a restaurant between those hours; that perhaps consumption of alcoholic liquors should be limited to the hours when it can be purchased in liquor stores. He also pointed out the problems involved when a tavern operates as a tavern part of the week, and then on week-ends becomes a private club.

Lt. Bob Stout in charge of the Vice Section of the Wichita Police Department testified that he has six detectives who work primarily in the club enforcement work; that they virtually have to carry a catalog with them to know if they can enter and observe what is going on in certain clubs, because of the peculiar hour arrangements; He stated that everyone should fall under the same statutes in order to simplify enforcement; and was especially concerned with "mixed uses" clubs.

Mr. Ford inquired if indeed the law permitted these places to stay open until 3:00 a.m. and Lt. Stout replied that under Section 14 of the present statutes it is spelled out.

The Chairman inquired if he was saying that the clubs in motels and hotels were not collecting their fee. Mr. Deck stated that he believed Mr. Turner was talking about the Class A clubs located in such places, and that there was no provision that they must make a charge at all. Mr. Bunten inquired if, with the proposed amendments, it wasn't virtually having open saloons, whereas, the open saloon is barred by constitution? Mr. Turner stated that open saloon had never been really defined, but that open saloon probably deals with the sale of liquor whereas the private club law is a consumption law.

Mr. Jelinek stated that he knew some places that were in effect renting a table or booth to customers who would then bring in their own bottle and mix it themselves, and inquired how it could be enforced. Mr. Turner replied that he believed that it could be enforced now under the present law.

Mr. Turner again stated that A Class A club is a non-profit operation and is tax free. Mr. Ford inquired about the Legion and various veterans clubs and Mr. Turner advised him that most of them were Class A.

Meeting was adjourned.

MARGARET GENTRY, Secretary