

Approved: 2-19-98
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Senator Lana Oleen at 11:10 a.m. on February 17, 1998, in Room 254-E of the Capitol.

All members were present except:
Senator Nancey Harrington - excused

Committee staff present: Mary Galligan, Legislative Research Department
Robin Kempf, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Midge Donohue, Committee Secretary

Conferees appearing before the committee:
Mr. John Heins, Americus

Others attending: See attached list

Senator Oleen announced there was only one bill scheduled to be heard today: **SB 581**, concerning the sale of alcoholic liquor and relating to certain elections, which had been introduced at the request of Representative Shari Weber. She said it was uncertain if Representative Weber would be able to attend committee meeting this morning because the House was in session; however, if she chooses to submit written testimony, it would added to the official record of the committee.

Staff then briefed the committee on provisions of **SB 581**, explaining it would amend the section concerning when the question of licensing the retail sale of alcoholic liquors by the package can be put to a vote. Senator Oleen provided a brief history of package liquor stores, which became legal in Kansas in 1949, and commented on the patchwork collection of liquor laws since that time.

The hearing was opened on:

SB 581 **An Act concerning the sale of alcoholic liquor; relating to certain elections**

Mr. John Heins, Americus, spoke in support of **SB 581**, (Attachment #1), telling the committee he had asked Representative Weber to introduce legislation that would allow the question of retail sale of alcoholic liquor by the package to be put to a vote more often than once in any four years. He said the question was put on the ballot the last general election, but was defeated by two votes. He stated he would like to gather the required signatures to be able to submit the question to a vote without waiting four years.

Mr. Heins called attention to a number of signatures affixed to a statement indicating support for the bill (Attachment #2).

Senator Oleen opened the meeting for discussion, and Senator Becker raised a question concerning a reference in the bill relating to the manner in which the ballot must be marked in order to be valid. The chair indicated staff would ascertain if this was a requirement contained in election laws.

Senator Oleen asked if there were any other questions on the bill; there being none, the hearing was closed on **SB 581**.

The chair then recognized Senator Vidricksen who requested introduction of a bill which would authorize the Kansas development finance authority to issue bonds in connection with the development of statewide projects such as the Land of Ahs.

Senator Jones moved for introduction of the bill. Senator Becker seconded the motion, and the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254-E, Statehouse, at 11:10 a.m. on February 17, 1998.

Attention was then drawn to **SB 518**, relating to the Kansas consumer protection act and the disposal of surplus property, which was heard by the committee on February 10. Senator Oleen opened the meeting for general discussion and indicated that final action would be deferred until additional information that was requested is received. She recalled a concern was expressed at the time of the hearing regarding implied warranties, particularly as they relate to automobiles sold as surplus property. She suggested that the testimony be reviewed, along with the fiscal note indicating an anticipated fiscal impact if the bill is not passed.

Senator Biggs commented that he took exception to testimony offered at the hearing, especially, the reaction to a complaint filed by an individual who had purchased a vehicle from Surplus Property, particularly in light of the fact that only two complaints had been filed in a three-year period. He complimented the Department of Corrections on the important job it is doing in the disposal of surplus property and said he was in agreement with the amendment proposed by the department regarding the disclaimer.

Senator Gooch pointed out that there is an established law specific to the sale of automobiles and suggested this be taken into consideration during deliberations on the bill.

Senator Biggs moved for amendment of the bill as proposed by the Department of Corrections. Senator Becker seconded the motion. The motion carried.

Senator Oleen told the committee discussion would continue on the bill Thursday.

The chair called attention to bills recently assigned to the committee and announced that a demonstration of an ignition interlock device would be scheduled sometime next week to familiarize the committee with the device prior to the hearing on **SB 651**, concerning suspension and restriction of driving privileges and relating to ignition interlock devices.

The meeting adjourned at 11:45 a.m. The next meeting is scheduled for February 19.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: 2-17-98

NAME	REPRESENTING
NEAL McNEILL	ABATE of US MC.
Neal Whitaker	KS Beer Wholesalers Assn
Frances Wood	Woman's Christian Temperance Union of Kansas Kansas Churches of the Nazarene
Jim Walcz	Asst A.G.
Steve Barrick	AG
Tim Madden	KDOC
Amy Lignite	AP
TUCK DUNCAN	Ks. Wine & spirit-7s wholesaler Assn.
Pete Bodyk	KDBR / Alcohol Beverage Control

AMENDING BILL # 581

I am for this amendment.

The town already has a club or bar and tavern.

I would like to see this change looked at favorably.

A handwritten signature in cursive script, appearing to read "John Heins", written over a horizontal line.

John Heins

I am for amending Bill # 581, concerning the sale of packaged liquor. Amending this bill would delete the four (4) year time period in submitting to the city election.

Cindy Bausman

W.R. Shown Jr.

Larry Bird

Garland L. Hinkle

Dab Vincent

the

Deloris Hensley

Melvin B. Hendley

Keith E. Eichen

Johnny D. Drove

Larry Rattigan

John Buchanan

Garland D. Worcester

Larry D. Kable

Jessie T. Kable

Joe Jennings

Mae Pearl

Angela Kinderknecht

Dwain K. Williamson

D. W. Whittington

I am for amending Bill # 581, concerning the sale of packaged liquor. Amending this bill would delete the four (4) year time period in submitting to the city election.

Kenneth L. Olson
Kimberly Schneider
Glenn Schneider
Kathi Olson
Geraldine Otto
Jimmie Wells
Dusty Krause
Matt Krause

Devin Worcester
Susan Worcester
Bryton K. Deharsch
Crista R. Deharsch
Kenneth Lorenz
Donna Miller
Lynn Olson
Mikki Bowne
Jeff L. Wells
Becky Wells
Stephanie Lindsay
Barbara Baine

I am for amending Bill # 581, concerning the sale of packaged liquor. Amending this bill would delete the four (4) year time period in submitting to the city election.

Mary Lueder
Roberta Weiss
Jimmy
Phil Selt
Margaret L. Saterber
William H. Vooker
Carolyn Eckstrom
Phil Selt
June Johnson
Lavore Johnson
Barbara Elbe
Chuck Elbe
Danna Whitely
Jimmy Lee Vooker
Heidi Bausman
Geff Bausman
Phil Terry
W. B. Moulard
Leon E. Millerber