

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Nancey Harrington at 10:45 a.m. on February 20, 2003 in Room 245-N of the Capitol.

All members were present except: Senator Vratil, excused

Committee staff present: Russell Mills, Legislative Research Department  
Dennis Hodgins, Legislative Research Department  
Theresa Kiernan, Office of the Revisor  
Nikki Kraus, Committee Secretary

Conferees appearing before the committee: Bob Longino, Director, Alcoholic Beverage Control

Others attending: Please see attached.

Chairperson Harrington referred the committee to a follow-up letter from Janet Schalansky's office via Laura Howard, Deputy Secretary, Health Care Policy. ([Attachment 1](#))

Mr. Longino clarified an issue from a previous meeting; he stated that if a person wanted to be a manufacturer in the state of Kansas, they must be licensed and then sell their product to a distributor who would sell it to consumers. If a company is a producer, then they cannot sell to the public. He also stated that there was only one manufacturer in Kansas, Midwest Grain Products, in Atchison. He stated that they send it out of the state to be finished, but that they produce both beverage and non-beverage alcohol.

Senator Lyon asked Mr. Longino what he thought the level of convoluted or confusion was in Kansas liquor laws.

Mr. Longino replied that it was somewhere in the middle; he stated that he did not believe Kansas has a monopoly on confusion.

Senator Lyon asked if he sees reducing alcohol consumption by minors and those who over-consume as important areas, and what the motivations have been for change recently.

Mr. Longino replied that the former issues were concerning; average licensees have complaints that ABC is trying to fix to deal with their frustrations. He stated that the recent motivation for change has been a move to consolidate the Club and Drinking Establishment Act and the Liquor Control Act. He stated that in 1999 they had repealed nearly one-third of these laws but that some were still outdated. Following further discussion, Mr. Longino stated that in regard to underage drinking, minors were less likely to walk in a buy alcohol, but what happens is that it just moves further away from the source. He stated that ABC was not sure how to solve that problem because it wasn't something you can just turn off.

Senator Gooch questioned how you balance out regulations of who drinks in regard to criminal punishment.

Senator Barnett complimented Senator Gooch's comment. Barnett stated that while raising the drinking age from 18 to 21 may have saved lives, it has also made many criminals. He stated that he still thought a life was worth it.

Following further discussion of liquor sales audits, Chairperson Harrington asked if parents who provide liquor in the home where minors are present, why, in addition to the minors leaving the home, are the adults not ticketed.

Mr. Longino stated that it is illegal to supply alcohol to minors. He went on to explain that the House Party Bill addresses that issue regarding underage consumption. He also clarified that if someone was selling

CONTINUATION SHEET

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alcohol and they were not a licensed retailer, then that was also an illegal sale without paying the drink tax.

Senator O'Connor asked Mr. Longino if Kansas law allows a 19 year old to drink wine with his family at Thanksgiving.

Mr. Longino stated that yes, 3.2% CMB was okay, but that he did not know about sacrificial wine etc.

Senator Gooch asked if perhaps we have gone overboard in regulating or limiting this, and wondered if we should go back and start cleaning up things instead of criminalizing people.

Mr. Longino stated that Senator Vratil had mentioned cross-state sales; there are challenges to the three-tiered system. He stated that we should also ask if we are doing the right thing by trying to protect youth from a possible lifetime of addiction or even death too.

Chairperson Harrington thanked Mr. Longino and assigned **SB 230** to a subcommittee of Senator Lyon, Senator Gooch, and Senator O'Connor.

The meeting was adjourned at 11:27 a.m.





# K A N S A S

JANET SCHALANSKY, SECRETARY

DEPARTMENT OF SOCIAL AND  
REHABILITATION SERVICES

KATHLEEN SEBELIUS, GOVERNOR

February 19, 2003

Senator Nancey Harrington, Chair  
Senate Federal and State Affairs Committee  
Statehouse, Room 143-North  
Topeka, Kansas 66612

Dear Senator Harrington:

The purpose of this letter is to provide follow-up to the Senate Federal and State Affairs Committee meeting on February 12, 2003. The committee requested an overview of the infrastructure in place for Kansas Prevention and the FY 2003 expenditures in those efforts.

SRS Addiction and Prevention Services funds a comprehensive infrastructure based on current prevention science. The infrastructure supports research-based practices, data-driven process and outcomes-based planning and evaluation through thirteen Regional Prevention Centers. The thirteen Regional Prevention Centers provide:

- comprehensive science-based technical assistance, support and training to more than 150 community coalitions, task forces and partnerships.
- technical assistance in support of the six core strategies from Center for Substance Abuse Prevention: information dissemination; problem identification and referral; alternatives; education; community-based processes and environmental strategies.
- the use of seven core competencies for community initiatives, which are: leadership; community assessment; outcome-based planning; community action and advocacy; community evaluation; social marketing and leveraging resources.

Information is disseminated and training is provided through the Kansas Family Partnership and Youth Friends. The Kansas Family Partnership provides; (1) state-wide advocacy and support for community coalitions; (2) support for SADD and Leadership to Keep Children Alcohol Free; (3) state-wide prevention training; and (4) coordination for the Regional Alcohol and Drug Abuse Resource center. Youth Friends provides funding for a state-wide school-based mentoring program.

Senate Fed & State

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Date: 02 / 20 / 2003

Attachment # 1

The present system has been in existence for nearly 14 years and has concentrated specifically on four statewide outcomes: (1) reduction of the use of tobacco, alcohol and other drugs by youth; (2) increase the age of initiation of use of substances; (3) increase the perception of risk and harm with the use of substances; and (4) increase the social disapproval of substance use by youth.

The system has seen progress toward these outcomes since measurement began in 1997. Some of the highlights include: a reduction in the use of cigarettes in the prior 30 days by sixth graders, down 1.2% from 1997. The eighth grade demonstrated a 4.3% reduction in usage and the tenth grade students recorded 5% less use than in 1997. The reduction for the seniors was 3.7%.

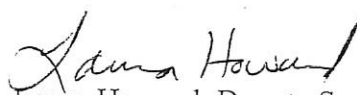
The 30-day usage of alcohol peaked in the state in 1999. However, since that time, the state has recorded decreased use. Since 1999, sixth graders report a 3.2% decrease, while eighth graders use was reduced by 6.7%. The same reduction was seen in the tenth grade report. Twelfth graders reported a 3.8% decrease in use of alcohol in the previous 30 days.

Total fiscal year 2003 expenditures for prevention are:

SGF	\$246,900
Other State Funds (Fee Funds)	\$224,646
Federal Funds	\$2,271,816
Total	\$2,743,362

Please let me know if you have any questions about this information.

Sincerely,

  
Laura Howard, Deputy Secretary  
Health Care Policy

cc: Members of Senate Federal and State Affairs Committee  
Audrey Nogle, Kansas Legislative Research Department