

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on January 26, 2006 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Athena Andaya, Kansas Legislative Research Department  
Dennis Hodgins, Kansas Legislative Research Department  
Mary Ann Torrence, Revisor of Statutes Office  
Connie Burns, Committee Secretary

Conferees appearing before the committee:

Philip Bradley, Kansas Licensed Beverage Association  
Carol Williams, Governmental Ethics Commission

Others attending:

See attached list.

Senator O'Connor, appeared before the committee to request two bill introductions.

- Pertaining to certain holders of commercial drivers license that transport children and the request for such records.

Senator Gilstrap made the motion that this request should be introduced as a s committee bill. Senator Vratil seconded the motion. The motion carried.

- Campaign finance prohibiting the use of public funds and resources for lobbying.

Senator Gilstrap made the motion that this request should be introduced as a committee bill. Senator Vratil seconded the motion. The motion carried.

**SB 297 - Sales of Kansas beer and wine by the drink on the state fairgrounds during the Kansas state fair**

Chairman Brungardt opened the hearing on **SB 297**.

Mary Torrence, Office of the Revisor, provided a balloon amendment for the committee to review. The amendment would strike the reference to manufactured by farm winery or microbrewery license in Kansas on page 2 section 5 (b) and page 4 section 2(e) lines 27 - 33 of the bill. (Attachment 1)

Philip Bradley, Kansas Licensed Beverage Association, appeared before the committee with amended language that was adding additional language of any alcoholic drink. (Attachment 2)

Senator Vratil moved the bill be amended to included the balloon provided by the Revisor. Senator Reitz seconded the motion. The motion carried.

Senator Gilstrap moved to pass **SB 297** out favorably as amended. Senator Wilson seconded the motion. The motion carried.

Chairman Brungardt closed the hearing on **SB 297**.

**SB 68 - Elections; establishing requirements for daily reporting of campaign contributions, when**

Carol Williams, Executive Director, Governmental Ethics Commission, provided the committee background information on **SB 68** and the packet of bill from the 2005 Legislature. (Attachment 3) The information provided:

CONTINUATION SHEET

MINUTES OF THE Senate Federal and State Affairs Committee at 10:30 a.m. on January 26, 2006 in Room 231-N of the Capitol.

- **SB 64** - Requires any person who makes an “electioneering communication” or “issue ad” within 30 days before a primary election or 60 days before a general election to file a report disclosing the name of the candidate mentioned in the communication, the name and address of the each person who contributes more than \$50 for the communication, and the name and address of the vendor(s) who paid more than \$50 for the communication. The reports would be filed on the due date for all other campaign finance reports. (Currently in Senate Elections Committee)
- **SB 65** - Requires treasurers for the state and local candidates to file a report with the Secretary of State within 48 hours of receipt of any contribution in the amount of \$300 or more if received by the candidate’s campaign in the last 11 days before an election (Passed the Senate on 2-1-05, is currently in House Fed & State Committee)
- **SB 66** - Requires PACs and party committees to provide more detailed information on expenditures made by the committee that advocate the election or defeat of a state or local candidate (Currently in Senate Elections Committee)
- **SB 67** - Requires the identification of who “paid for” or “sponsored” any paid matter by telephonic means that advocates the election or defeat of a candidate for state or local office. (Passed Senate on 2-16-05, is currently in House Fed & State Committee)
- **SB 68** - Requires a PAC to report any independent expenditure it makes during the last 11 days before an election in excess of \$300 within 48 hours with the Secretary of State. (Currently in Senate Fed & State)

The Chairman expressed his thanks to the Director for the overview of the bills.

Senator O’Connor and Senator Brownlee requested that their comments be recorded in the minutes on the bill:

“As Vice Chair of Elections and Local Government, I strongly object to the obvious attempt to circumvent the committee process of our Kansas Senate by attempting to work campaign finance legislation in this committee that all are aware belong in Elections and Local Government committee.”

Kay O’Connor

“It was pointed out to the committee that only **SB 68** is in this committee officially according to the senate calendar and questions how the committee can hear and work bills which are not assigned to this committee.”

Karin Brownlee

The meeting was adjourned at 11:15 am. The next scheduled meeting is January 31, 2006.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE GUEST LIST

DATE 1-26-06

Tim Carpenter	C.T.
<del>K. Anna</del>	GEC
Bill Beightel	GEC
Brad Bryant	Sec. of State
Jackson Auermeister	KDOR/ABC
Brad Burke	ABC
Tom Groneman	ABC
Janna Duebar	KDOR
Carole Jordan	KDA
Lindsey Douglas	Hein Law Firm
<del>Tom Wilkin</del>	KNEA
TERRY FORSYTH	KNEA
David R. Corbin	KDOR
Alex Kobayantz	P.I. A
<del>Shelby Simmons</del>	
<del>Tom Jobs</del>	KID
TUCK DUNCAN	KS wine/spirits wholesalers Assn.
Neal Whitaker	KS Beer Wholesalers Assn.
PHIL BRADLEY	KLBA
Amy Campbell	ICABR
Richard Sommers	Kennedy Assn.
STELBY SMITH	-
Andrew Couch	Federico Consulting
Tom Tunnell	KS GRAIN & FEED ASSN

1 incidental thereto.

2 (2) In any state-owned or operated building or structure, and on the  
3 surrounding premises, which is furnished to and occupied by any state  
4 officer or employee as a residence.

5 (3) On premises licensed as a club or drinking establishment and  
6 located on property owned or operated by an airport authority created  
7 pursuant to chapter 27 of the Kansas Statutes Annotated, *and amend-*  
8 *ments thereto*, or established by a city having a population of more than  
9 200,000.

10 (4) On the state fairgrounds on the day of any race held thereon  
11 pursuant to the Kansas parimutuel racing act.

12 (5) On the state fairgrounds, if: (A) Such liquor is domestic beer or  
13 wine or wine imported under subsection (e) of K.S.A. 41-308a, and  
14 amendments thereto, and is consumed only for purposes of judging com-  
15 petitions; *or (B) such liquor is wine ~~manufactured by farm winery li-~~*  
16 *ensees or beer ~~manufactured by microbrewery licensees~~ and is sold and*  
17 *consumed during the days of the Kansas state fair on premises leased by*  
18 *the state fair board to a person who holds a temporary permit issued*  
19 *pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale*  
20 *and serving of such wine or beer, or both.* The state fair board, in its  
21 discretion, may authorize the consumption of such alcoholic liquor on  
22 nonfair days in conjunction with bona fide scheduled events involving not  
23 less than 75 invited guests and subject to any conditions or restrictions as  
24 the board may require.

25 (6) In the state historical museum provided for by K.S.A. 76-2036,  
26 and amendments thereto, on the surrounding premises and in any other  
27 building on such premises, as authorized by rules and regulations of the  
28 state historical society.

29 (7) On the premises of any state-owned historic site under the juris-  
30 diction and supervision of the state historical society, on the surrounding  
31 premises and in any other building on such premises, as authorized by  
32 rules and regulations of the state historical society.

33 (8) In a lake resort within the meaning of K.S.A. 32-867, and amend-  
34 ments thereto, on state-owned or leased property.

35 (9) In the Hiram Price Dillon house or on its surrounding premises,  
36 subject to limitations established in policies adopted by the legislative  
37 coordinating council, as provided by K.S.A. 75-3682, and amendments  
38 thereto.

39 (10) On the premises of the Kansas national guard regional training  
40 center located in Saline county, and any building on such premises, as  
41 authorized by rules and regulations of the adjutant general and upon  
42 approval of the Kansas military board.

43 (11) On property exempted from this subsection (c) pursuant to sub-



*Kansas  
Licensed  
Beverage  
Association*

*President*  
James "Jim" Fager

*Vice Presidents*  
Tammy Davis  
Tom Intfen  
Robert Farha  
Jim Hendricks  
Curt Melzer  
Richard Markle  
Paul Boone  
Billy Long  
Leigh Watkins  
Drew Mullen  
Sean Haydock

*Treasurer*  
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Testimony on SB-297, January 26, 2006  
Senate Federal and State Affairs Committee

Mr. Chairman, and Senators of the Committee,

I am Philip Bradley representing the Kansas Licensed Beverage Assn., the men and women, in the hospitality industry, who own and manage bars, clubs, caterers, restaurants, breweries and hotels where beverage alcohol are served. Thank you for the opportunity to submit testimony today.

*We support SB-297.*

The farm wineries and microbreweries procedures were created to help foster businesses create opportunity. KLBA has long been a strong supporter of these homegrown businesses. The Kansas State Fair is and has been a premier showcase of the best and brightest of our fair state. This bill allows the State Fair Board, at their discretion and according to their rules and policies to enter into a contract with a party/parties that would allow the ABC, at their discretion and according to the statues, regulations and policies, to grant a temporary permit to allow such a permit holder to operate a venue to sell Kansas Farm Winery and Kansas Microbrewery products at and during the state fair. We believe this is in the best interest of all our citizens and under the existing laws and regulations will be a safe and welcome addition.

In order to avoid problems that have resulted in numerous suits in other states, and the US Supreme court desion, when advantages are shown to in-state vs out- state products by the regulatory or legislative bodies, we ask you to amend this bill to allow the possibility for the temporary permit holder to sell all those alcohol products that are legal for sale on premise in Kansas. It is worthy to note that although this allows for all those items to be offered for sale, the State Fair Board could limit the items that the venue could offer under their contract. Suggested changes are on the back of this page.

In addition we ask you to recall the supporting testimony offered at the March 9, 2005 hearing when this issue was separated into SB-297. Also with these changes it would minimize the expenses to the department.

*Therefore, we ask for the above amendments and then urge you to pass SB-297.*

Thank you for your time.

Philip Bradley  
Executive Director



On page 2

12 (5) On the state fairgrounds, if: (A) Such liquor is domestic beer or  
13 wine or wine imported under subsection (e) of K.S.A. 41-308a, and  
14 amendments thereto, and is consumed only for purposes of judging competitions;  
15 or (B) such liquor is ~~wine manufactured by farm winery licensees~~  
~~16 or beer manufactured by microbrewery licensees~~ legally available in Kansas -and is  
sold and  
17 consumed during the days of the Kansas state fair on premises leased by  
18 the state fair board to a person who holds a temporary permit issued  
19 pursuant to K.S.A. 41-2645, and amendments thereto, authorizing the sale  
20 and serving of such ~~wine or beer, or both~~ products. The state fair board, in its  
21 discretion, may authorize the consumption of such alcoholic liquor on  
22 nonfair days in conjunction with bona fide scheduled events involving not  
23 less than 75 invited guests and subject to any conditions or restrictions as  
24 the board may require.

On page 4

25 (e) A temporary permit shall be issued for a period of time not to  
26 exceed three consecutive days, the dates and hours of which shall be  
27 specified in the permit, *except that the director may issue one temporary*  
28 *permit, valid for the entire period of time of the Kansas state fair, which*  
29 *authorizes the sale and serving by the drink of* ~~only wine manufactured~~  
~~30 by farm winery licensees or beer manufactured by microbrewery licensees,~~  
~~31 or both alcohol products legal in Kansas, on the state fairgrounds on premises~~  
*specified in the temporary*  
32 *permit, by a person who has entered into an agreement with the*  
33 *state fair board for that purpose.* Not more than four temporary permits  
34 may be issued to any one applicant in a calendar year.

**2004**  
**PAC AND PARTY COMMITTEE**  
**INDEPENDENT EXPENDITURE ACTIVITY**

**KANSAS DEMOCRATIC PARTY**

Printing and Postage \$265,687

**WHICH CANDIDATES  
BENEFITTED FROM THESE  
EXPENDITURES?**

**KANSAS REPUBLICAN PARTY**

Printing and Postage \$ 4083

**CLUB FOR GROWTH PAC**

Postage \$28,663  
Printing/Mailings/Radio Time 82,674  
TOTAL \$111,337

**KANSANS FOR A MODERATE GOVERNMENT**

Postage \$22,004  
Printing \$26,645  
GOTV Calls \$ 9,807  
TOTAL \$58,456

**2002**  
**PAC INDEPENDENT EXPENDITURE ACTIVITY**

**PRO-KAN-DO PAC**

Printing and Postage \$29,527  
Telephone Bank Calls \$43,187  
TOTAL \$72,714

**KANSANS FOR DEMOCRATIC LEADERSHIP**

Radio Advertisements \$153,100  
Telephone Bank Calls \$ 98,222  
TOTAL \$251,322