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Testimony Re: SB 276
House Federal and State Affairs Committee
Presented by Ronald R. Hein
on behalf of
Kansas Restaurant and Hospitality Association
March 6, 2012

Mr. Chairman, Members of the Committee:

My name is Ron Hein, and I am legislative counsel for the Kansas Restaurant and Hospitality Association (KRHA). The Kansas Restaurant and Hospitality Association, founded in 1929, is the leading business association for restaurants, hotels, motels, country clubs, private clubs and allied business in Kansas. Along with the Kansas Restaurant and Hospitality Association Education Foundation, the association works to represent, educate and promote the rapidly growing industry of hospitality in Kansas.

KRHA strongly supports SB 276 as it was amended by the Senate. Pursuant to current law, the State of Kansas has adopted legislation imposing qualifications that are expected on employees hired by drinking establishments, and the KRHA had previously opposed some of those requirements. For example, it is illegal to hire an employee for certain positions where that individual has been convicted of a DUI. One can be President of the United States with a DUI; or a state legislator; or even a Director of the ABC. To require such a provision simply to be an employee of a drinking establishment is, we believe, a requirement that does not appropriately meet the requirements of a statute which is that the statute must be designed to protect the general welfare of the public. Here, the requirement seems to be substituting the decision that should be more properly made by the employer, by usurpation of that responsibility by the state government. As amended, SB 276 meets the concerns raised by the KRHA on the Senate side.

The KRHA believes that business owners engaged in running restaurants where alcoholic beverages are sold should be permitted to run their businesses based upon their good judgment, without state government putting restrictions on them that do not properly protect the public from harm, and are, instead, simply rules and regulations that make it more difficult for the business owners to operate their businesses.

Thank you very much for permitting me to testify, and I will be happy to yield to questions.

House Federal & State Affairs

Date: 3-06-12

Attachment # 1