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Testimony Re: SB 269, Sampling at Retail Liquor Stores

House Federal and State Affairs Committee

Presented by Ronald R. Hein

on behalf of

Kansas Restaurant and Hospitality Association

March 8, 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 is neutral on SB 269, sampling at retail liquor stores. This bill, which would permit retail liquor dealers to conduct sampling of product, basically permits licensees for "off-premises" retail liquor sales to achieve the ability to sample product with customers, whereas "on-premises" drinking establishments such as restaurants which serve alcoholic beverages are not permitted, under current law, to provide free samples of alcoholic beverages to our customers.

We understand the concern of those who have been working on this bill both with the Legislature and with other stakeholder groups that they do not desire to see their legislation burdened by efforts to amend other provisions of legislation or other amendments to the alcoholic beverage statutes onto their legislation. However, the KRHA does want to express to the committee that our drinking establishment members have numerous customers who would like to be able to taste an alcoholic beverage (wine, CMB, or otherwise) prior to making their purchase decision. But, as we understand current law, our providers are unable to do so. Therefore, although we are not asking this committee to amend SB 269, we do want to express our desire to have similar legislative authority in the future so that our licensees can enjoy the same benefits that the retail liquor dealers will be able to enjoy in the event that SB 269 passes.

We find ourselves in a situation where micro-breweries can sample, and if this bill passes, retail liquor dealers can sample, and if the beer and wine in grocery stores passes, it is unclear whether grocery stores can sample, but on premises

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restaurants with drinking establishment licenses cannot. This strikes us as unfair, and illogical, and we will be seeking corrective action on this issue, so that competing businesses are treated equally.

We have therefore requested introduction of a bill permitting drinking establishments to sample, which was approved for introduction in Senate Federal and State Affairs last Thursday/

We look forward to continuing a dialog on the issues attached to this testimony, and to continuing to work with this committee.

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

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