



Nick Jordan, Secretary
Dean Reynoldson, Director

Sam Brownback, Governor

MEMORANDUM

TO: Senator Ralph Ostmeyer, Chairman, Senate Committee on Federal and State Affairs

FROM: Dean Reynoldson, Director of Kansas Alcoholic Beverage Control

DATE: 18 February 2015

SUBJECT: Senate Bill 152

Mr. Chairman and members of the committee. Thank you for allowing us to testify about this bill.

ABC is neutral on the bill but wanted to bring a couple of things to your attention.

The department respectfully suggests the definition of "dispense" be amended to state that the liquor must be dispensed and served by the licensee or licensee's employee to ensure it is not interpreted as allowing for self-dispensing machines. We suggest the definition be amended in the following manner:

"Dispense" means to portion out servings of alcoholic liquor for consumption.

This term shall include the pouring of drinks of alcoholic liquor and opening original containers of alcoholic liquor *by the licensee or licensee's employee* for consumption by consumers, *and shall not include any self-dispensing by a customer.*"

Section 3 changes current law (K.S.A. 41-2643) that requires a caterer to notify ABC at least 10 days before a catered event. This bill would change the 10 day requirement to merely "prior to" the event. In order to provide for the assigning of an agent to attend a catered event, ABC needs

more notice than merely "prior to." Moreover, current law (K.S.A. 41-2643) allows the director to waive the 10-day notice for good cause.

In addition to providing the time, location and names of the contracting parties by the caterer, it is recommended the bill be amended to add a requirement that a diagram of the proposed licensed premises, the date and the responsible party who will be conducting the event. In addition to the records required to be maintained by the caterer it is recommended they also be required to maintain records relating to sales, invoices, returned items and other records required by the director pursuant to rules and regulations.

Thank you again Mr. Chairman for the opportunity to testify about this bill.