

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 February 17, 2009, in Room 136-N of the Capitol.

All members were present except:  
Senator Steve Morris- excused

Committee staff present:  
Jason Long, Office of the Revisor of Statutes  
Dennis Hodgins, Kansas Legislative Research Department  
Connie Burns, Committee Assistant

Conferees appearing before the committee:  
Mayor Carl Brewer, City of Wichita  
Don Moler, League of Kansas Municipalities  
Jason Dilts, ROK ICT  
Philip Bradley, Kansas Licensed Beverage Association  
Frances Wood, Kansans for Addiction Prevention  
Larrie Ann Lower, Wine Institute  
Amy Campbell, Kansas Association of Beverage Retailers  
Senator Chris Steineger

Others attending:  
See attached list.

**Introduction of Bills:**

Senator Faust-Goudeau requested a bill introduction concerning involuntary manslaughter while driving under the influence of alcohol and drugs.

Senator Faust-Goudeau moved that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

**SB 213 - Consumption of alcoholic liquor in entertainment and arts and cultural districts.**

Chairman Brungardt opened the hearing on **SB 213**.

Mayor Carl Brewer, City of Wichita, appeared in support of the bill. (Attachment 1) The bill would create the opportunity for local communities to create specific locations where consumption of alcoholic beverages on public streets, sidewalks and rights-of-way. The success and continuation of this option will depend on its appropriate use; abuse of the opportunity would result in a discontinuance of the practice. Current policing practices should provide the same level of public safety enjoyed throughout the community.

Don Moler, League of Kansas municipalities, spoke in support of the bill. (Attachment 2) The bill would be a positive improvement statewide, and state law does not allow the carrying of open containers anywhere in Kansas on the public rights-of-way.

Jason Dilts, ROK ICT, appeared in support of the bill. (Attachment 3) The passage of the bill will allow the entertainment districts where adults can freely, but responsibly, consume alcohol outside and would do much to foster the kind of growth desperately needed in the downtown area.

Philip Bradley, Kansas Licensed Beverage Association, (KLBA) spoke in favor of the bill. (Attachment 4) Mr. Bradley did request that the bill be amended to allow the businesses to participate; that would allow KLBA patrons to purchase from their businesses and then join the festivities.

Lawrence City Commission, (Attachment 5) Janet Wright, President/CEO, Wichita Festivals, Inc. (Attachment 6) Jason Gage, Salina City Manger (Attachment 7) and Jeffrey C. Fluhr, Wichita Downtown

## CONTINUATION SHEET

Minutes of the Senate Federal And State Affairs Committee at 10:30 a.m. on February 17, 2009, in Room 136-N of the Capitol.

Development Corporation, ([Attachment 8](#)) provided written testimony in support of the bill.

Staff provided an overview of the bill.

Frances Wood, Kansans for Addiction Prevention, spoke in opposition to the bill. ([Attachment 9](#))The bill encourages the consumption of an unwholesome product.

Chairman Brungardt closed the hearing on **SB 213**

### **SB 212 - Wine shipments, certain persons; licensure; limitations.**

Chairman Brungardt opened the hearing on **SB 212**

Staff provided the committee an overview of the bill. ([Attachment 10](#))

Larrie Ann Lower, Wine Institute, spoke in favor of the bill. ([Attachment 11](#)) The bill will enable wineries to make direct shipments of wine in a limited quantity to Kansas consumers. The winery must obtain a special order shipping license from the Kansas Secretary of Revenue and pay a license fee. Each winery can ship up to 12 standard cases of wine of one brand or a combination of brands to one consumer or address per calendar year.

Kansas Viticulture and Farm Winery Association, provided written testimony in support of the bill. ([Attachment 12](#))

Philip Bradley, Kansas Licensed Beverage Association, (KLBA) appeared neutral with concerns on the bill. ([Attachment 13](#)) The concerns for an underage person accessing their product, knowingly or unknowingly, the same standards should be applied to these direct sales or the standard should be modified, and would request language be added “approved by the Director of the Alcohol Beverage Control or their designate.”

Amy Campbell, Kansas Association of Beverage Retailers, (KABR) spoke as neutral on the bill. ([Attachment 14](#)) KABR respectfully asks that any shipping legislation contain the following:

- Provide for the safe and legal sale of the product to someone of legal age.
- Provide for the reliable collection of revenue due to the state.
- Provide for equal licenising requirements

It is very important that the bill creates an incentive for manufacturers who sell their products in Kansas legally now, to suddenly change their marketing plan to bypass State regulation and taxation.

Chairman Brungardt closed the hearing on **SB 212**

### **SB 113 - Legislature; reducing size of Senate, House.**

Chairman Brungardt opened the hearing on **SB 113**.

Senator Chris Steineger spoke in favor of the bill. ([Attachment 15](#)) The bill would downsize Kansas government, this would be accomplished after redistricting in 2010, and would save money with 25% few Legislators.

Chairman Brungardt closed the hearing on **SB 113**.

The next meeting is scheduled for February 18, 2009. The meeting was adjourned at 11:42 am