

Approved: March 27, 2000
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairman Representative Tony Powell at 1:30 p.m. on March 1, 2000 in Room 313-S of the Capitol.

All members were present except: Representative Vining, excused.

Committee staff present: Theresa Kiernan, Revisor of Statutes
Russell Mills, Legislative Research
Mary Galligan, Legislative Research
Winnie Crapson, Secretary

Conferees appearing before the committee:

Proponents:

Representative Flower
Russ Jobbins, Convenience Store Operator, Winchester
Steve Kearney, Petroleum Marketers and Convenience Store Assn of Kansas

Opponents: None

Others attending: See attached list.

Chairman Powell opened the hearing on:

HB 2917, Administrative fines for cigarette tobacco infractions; if more than three years passed between infractions, new occurrences considered first occurrence

Representative Joann Flower, sponsor of the bill, introduced Russ Jobbins who had called to her attention the need for this legislation,

Mr. Jobbins presented written testimony (Attachment #1). He noted that while he and other convenience store operators understand the need for such laws and provide constant training for their employees, he believes there should be time limitations in the statute to differentiate between a human error and pattern and practice. He suggests providing that an infraction after a lapse of three years should be regarded as a first occurrence.

Steve Kearney presented the written testimony of Tom Palace, Executive Director of the Petroleum Marketers and Convenience Store Association of Kansas (Attachment #2). He stated retailers of tobacco products do not condone selling tobacco products to minors and work hard to educate employees about the state law. PMCA's position is that responsible retailers should have the opportunity to wipe the slate clean if they remain violation free similar to traffic infractions.

The Revisor distributed a balloon with technical amendments to Sec. 1 (f).

Hearing on **HB 2917** was closed.

Meeting adjourned at 1:50 p.m. Next meeting is scheduled for March 6.