

Approved: 5/07/12
Date

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven R. Brunk at 1:30 p.m. on April 25, 2012, in Room 346-S of the Capitol.

All members were present except:

Representative Boman – Excused
Representative Huebert – Excused
Representative Carlson – Excused
Representative Peterson - Excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Others attending: See attached.

The Chairman called the committee's attention to **SB 390—Allowing farm wineries to sell wine by the bottle at special events and sell wine produced by farm wineries for consumption on licensed premises.**

Doug Jorgensen said that the City of De Soto was no longer an issue because other arrangements had been made for them so that they are not tied to this bill possibly being passed. They are still going to have the festival and still be able to do what they want to do. But they can't sell product unless we pass this.

The Chairman asked if there were any changes needed to **SB 390.**

Mike Heim reminded the committee what the bill would do.

Representative Rubin moved, Representative Gregory seconded to move out SB 390 favorably for passage the motion carried.

The Chairman called the committee's attention to **SB 379—Farm winery licenses; delete requirement products be grown in Kansas; other changes.**

Mike Heim reviewed the changes in the bill. The change is on page 2, line 30 and changes the current law which is 60% and drops it to 20%.

Representative Rubin moved, Representative Grosserode seconded to move SB 379 out favorably for passage.

Representative Rubin moved, seconded by Representative Grosserode his balloon amendment (Attachment 1).

Philip Bradley said that the growers and winemakers wanted to leave the law alone and not do anything. We have looked at the amendment and we can live with it.

R.E. 'Tuck' Duncan, Kansas Wine & Spirits Wholesalers Assn., said he had no position in regard to the percentage. The manufacturer who calls himself a micro-winery could now bring in juice from anyplace and still be allowed these various perks. Under the law you cannot discriminate between an in state and

CONTINUATION SHEET

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an out of state producer. This is a huge problem. This has serious potential for unintended consequences. The Revisor, Mike Heim explained each section of the amendment. There was some committee discussion of the amendment.

Representative Patton said he opposed the amendment. There is no urgency to do this.

The Chairman recessed working **SB 379**.

The Chairman called upon the committee to work **SB 276–Alcoholic beverages; amendments to law prohibiting licensee from hiring certain employees.**

Mike Heim explained current law as amended by the Senate (Attachment 2).

The Chairman said he would like to hear from law enforcement on the changes made by the Senate.

Ed Klump, KACP, KPOA, said they were very concerned when this came out of the Senate because there is nothing to prevent a convicted felon serving alcohol. You could have a convicted rapist or someone convicted of a homicide employed. It opened this up too wide.

Representative Patton said that this compromise will allow felons to serve alcohol. Secondly, why are we dropping the phrase dealing with someone judged guilty of a morals charge?

Representative Rubin said that removing the requirement for a background check allows them to plead ignorance that they hired a felon.

Philip Bradley said that the Senate wanted to make the employer responsible.

The Chairman recessed working on **SB 276**.

The meeting was adjourned at 3:45 p.m.

The next meeting is scheduled for April 26, 2012.