

Senate Federal & State Affairs Committee  
Testimony of Richard W. (Rick) Hird

Date: February 21, 2012  
To: Senate Federal & State Affairs Committee  
Re: S.B.390  
From: Richard W. Hird  
Wild Hare Vineyard & Winery, LLC  
856 E 1150 Road  
Baldwin, KS 66006  
785-749-2304 (Home)  
785-843-0450 (Office)

Mr. Chairman and members of the Senate Federal and State Affairs Committee,

My name is Richard W. (Rick) Hird and I own a small vineyard near Pleasant Grove, Kansas, about 5 miles South of Lawrence. Despite the name of my business, I have not yet built a winery. I am a member of both the KGGWA and the KVFWA, the primary organizations of vineyard operators and wineries in the State of Kansas. I am also a lawyer with Petefish, Immel, Heeb & Hird, LLP, in Lawrence.

The purpose of my testimony is to voice my support for S.B.390, with one major exception.

I oppose the proposed change of language in subsection (c) of K.S.A. 2011 Supp. 41-308a, which currently provides that to qualify as a Kansas Farm Winery, at least 60% of the grapes used in the wine must be grown in Kansas unless the Director of ABC grants a waiver. The proposed change of that requirement from 60% to 10% would create a disincentive to plant additional vineyard acreage in Kansas. I was planning to expand my vineyard to provide grapes for my winery, but the introduction of this legislation has caused me to put those plans on hold. I see less reason to make the substantial investment in additional vineyard acreage, with the attendant risk, if I can simply source grapes from existing vineyards in other states, such as Missouri. S.B.390 would weaken the connection between Kansas Farm Wineries and Kansas agriculture. That connection is vital to creating products which are unique to Kansas. The legislature has endorsed agritourism in Kansas and this Bill would be contrary to that legislative intent.

The elimination of the 60% rule for Kansas Farm Wineries would simply open the door for importation of grapes and grape juice from other states, resulting in products which are not truly Kansas products. If a winery wants to purchase grapes and/or juice from other states, a

manufacturer's license is available. Let's not mislead consumers. Please keep the connection between Kansas Farm Wineries and Kansas agriculture intact and retain the 60% requirement.

I urge you to adopt S.B.390 with the exception of the proposed change in subsection (c). Thank you for allowing me to present testimony to the Committee.