

KANSAS ASSOCIATION OF BEVERAGE RETAILERS



Testimony presented to Senate Federal and State Affairs Committee
February 11, 2013

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to present testimony regarding SB 7, including amendments to the Liquor Control Act. This is primarily a technical bill, necessary to assure that newly authorized industry practices are regulated under the authority of the Division of Alcoholic Beverage Control.

In 2012, the Kansas Association of Beverage Retailers was neutral on the question of changing Kansas statutes to allow tastings of strong beer, wine and spirits on the premises of a retail liquor store. The promotion of in store liquor tasting was not a priority for our organization in the context of the big box / grocery store / convenience store legislation that was and is on our doorstep yet again.

We did work with the Division of Alcoholic Beverage Control and others to provide input on the bill, with the goal that it would be simple to implement and have clear enforcement parameters. We were not aware that there would be confusion about the products to be sampled on the licensed premises. Now, the rules and regulations that have been established are in jeopardy of legal challenge.

KABR supports the changes to the Liquor Control Act that will make the new sections of the statute supplemental to the Liquor Control Act and clarify the legal manner in which products may be mixed and sampled on the premises. This bill should become law as soon as possible.

KABR also supports the language to expedite the handling of citations by the Division of ABC. Timely notification is important for licensees in order to be able to quickly address problems within the licensed business. The Division has been operating with minimal staff for a number of years, and this has made it difficult for the agency to be able to complete all of the duties of the agency in a timely manner. The deadlines for prosecuting citations must be flexible to allow for extensions when requested. It appears this bill will provide for that flexibility.

This legislation provides mostly technical updates to the Act. KABR urges the Kansas Legislature to take action within the legislative budget process to review current funding and staffing levels of the Division of Alcoholic Beverage Control. We support a fully funded agency capable of regulating legal sales and maintaining a fair and level playing field within the liquor industry in Kansas.

Thank you for your consideration of our concerns.

For more information, contact KABR:
c/o Amy Campbell, Executive Director
P.O. Box 3842, Topeka, KS 66604
campbell525@sbcglobal.net
785-266-3963

House Commerce & Economic
Development Committee
Date: 2.11.13
Attachment #: 6