

KANSAS ASSOCIATION OF BEVERAGE RETAILERS



Testimony presented to House Federal and State Affairs Committee
February 3, 2015

Mr. Chairman and Members of the Committee,

Thank you for the opportunity to present testimony supporting HB 2088 amending the Department of Revenue Division of Alcoholic Beverage Control (ABC) process for issuing citations.

The Kansas Association of Beverage Retailers represents the independent Kansas businesses licensed by the State of Kansas for the off-premise sale of strong beer, wine and spirits. Strong beer, wine and spirits are classified by Kansas statute as "alcoholic liquor".

KABR supports the clarification of the process for law enforcement agents to document and notify licensees of violations. It is imperative that the ABC and local law enforcement insure that the licensee is aware of the potential violation so they can take appropriate measures including: disciplinary and corrective actions for employees and preserving evidence such as video or sales records.

While before this committee, KABR urges the Kansas Legislature to review current funding and staffing levels of the agency and consider the following:

1. The Division of Alcoholic Beverage Control has lost enforcement agents since the blanket budget policy passed in 2012 to let unfilled positions expire. While essential agency FTEs such as state hospital direct care staff, corrections officers, and others were exempted from this policy, the ABC was not.
2. ABC currently has only 18 enforcement agents working to regulate the Kansas liquor industry with over 4,794 active liquor licenses and permits. These range from drinking establishment licenses to temporary permits. In recent years, the Legislature has enacted new licenses, including public venues (large stadiums) and microdistilleries and opened up free sampling to the public in nearly every licensed venue, without an increase in staffing.

In recent years, we have spent hours meeting with the agency to coordinate new rules and regulations and streamline procedures within the agency. The Director and his staff have been very helpful and willing to work with stakeholders to implement new laws and establish effective rules and regulations. However, licensees do experience difficulty getting questions answered and complaints followed through. Efforts to ease the administrative burden on the agency have resulted in policies that could weaken overall enforcement efforts, including no longer conducting background checks on licensee employees.

Thank you for your consideration of our concerns.

For more information, contact KABR:
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