

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Senator Lana Oleen at 11:10 a.m. on January 27 , 2000 in Room 245-N of the Capitol.

All members were present except. Senator Laurie Bleeker, excused

Committee staff present: Mary Galligan, Legislative Research Department  
Russell Mills, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Judy Glasgow, Committee Secretary

Conferees appearing before the committee: Proponents

Senator Harry Stephens  
Dr. James Barnett, Emporia Physician  
Theresa Walters, Emporians for Drug Awareness  
Cynthia Engle, Morris County Drug Programs  
Randy Rogers, Coffeyville County Sheriff

Opponents

Jim Scott President Kansas Retail Liquor Association  
Amy Campbell, Executive Dir. Ks. Retail Liquor Association  
Maggie Harshfield, Wichita Retailer

Others attending: See Attached list

Chairman Oleen called for introduction of bills. There were none.

Chairman Oleen explained the committee divides its hearing time equally between proponents and opponents on bills where multiple conferee's occur. She then opened hearings on:

**SB 394–Keg Registration**

Chairman Oleen recognized Senator Harry Stephens, a proponent for **SB 394**. Senator Stephens stated that Keg registration is an important step in reducing the availability of alcohol to minors.(Attachment 1) He stated that with identification of each keg by number or code and recording the sale of each purchase, the provider of alcohol by keg to underage consumers could be identified and held responsible. Senator Stephens asks the committee to support the adoption of **SB 394**.

Chairman Oleen called on James A. Barnett, M.D. a proponent for **SB 394**. Dr. Barnett stated that the City of Emporia passed a keg registration ordinance to deal with the issue of underage drinking. (Attachment 2) Lyon County and four surrounding counties have passed keg registration ordinances also. He stated that at this time there are thirteen states that require statewide keg registration and there are 30 states have some other form of keg registration, but do not have statewide legislation. Dr. Barnett provided committee members with a chart which listed the thirteen states who have keg registration along with comments which detail the general feeling from enforcement entities regarding the effectiveness of the law. (Attachment 3).

Dr. Barnett stated that keg registration does not represent a cure-all, but it does represent one small step in reducing the availability of alcohol to minors. The following articles were provided by Dr. Barnett from the internet: [cspinet.org/booze/youth&alcohol.htm](http://cspinet.org/booze/youth&alcohol.htm); dated 1/16/00; [jointogether.org/sa/wire/press\\_releases/reader.jtml?object\\_ID=259451](http://jointogether.org/sa/wire/press_releases/reader.jtml?object_ID=259451) dated 1/18/00; [ncbi.nlm.nih.gov/htbin-post/Entrez/query?db=m12/17/99](http://ncbi.nlm.nih.gov/htbin-post/Entrez/query?db=m12/17/99) [cspinet.org/booze/tas.htm](http://cspinet.org/booze/tas.htm) dated 1/12/00; [nau.edu/~fronske/fas.html](http://nau.edu/~fronske/fas.html) dated 12/29/99; [unl.edu/tcweb/pharm/conditions/fas/fas.outlook.html](http://unl.edu/tcweb/pharm/conditions/fas/fas.outlook.html) dated 12/29/99; [cspinet.org/booze/tas.htm](http://cspinet.org/booze/tas.htm) dated 1/12/00 and [ncadd.org/countrads.html](http://ncadd.org/countrads.html) dated 1/16/00.

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS, Room 245-N Statehouse, at 11:10 a.m. on January 27, 2000.

Chairman Oleen called on Teresa Walter, Executive Director, Emporians for Drug Awareness, who spoke as a proponent for **SB 394**. Ms. Walters stated that beer is the preferred alcoholic beverage of youth. (Attachment 4). A keg provides the most economical means of providing what an equivalent number of cans or bottles would hold. She also indicated that preventing underage youth from drinking represents violence prevention and teen pregnancy prevention and school dropout prevention. Ms. Walters ask the committee to favorably consider keg registration.

Chairman Oleen recognized Cynthia Engle, Chairperson, Anti-Drug Task Force, Morris County, Kansas as a proponent for **SB 394**. Ms. Engle stated that as a substance abuse counselor, teacher and parent, the passage of this bill would serve as a deterrent to beer being so readily available for consumption by underage persons. (Attachment 5) A study by the National Institute on Alcohol Abuse and Alcoholism shows that young people are beginning to drink earlier.

Chairman Oleen introduced Randy Rogers, Coffey County Sheriff, as a proponent to **SB 394**. Sheriff Rogers stated that keg registration is a major concern of importance to law enforcement. (Attachment 6). Coffeyville County recently passed a Keg Registration Resolution. The cost to implement this system is less than 60 cents a piece to register a keg. Sheriff Rogers stated that underage drinking is at an all time high and adults must take action to turn this trend around and make a difference in the lives of young adults. He ask the committee to give **SB 394** favorable consideration.

Chairman Oleen then tuned to opponents of **SB 394**. She recognized Jim Scott, President, Kansas Retail Liquor Dealers Association, and a businessman.

Mr. Scott stated that he was appearing in opposition of **SB 394** on behalf of over 680 Kansans who operate liquor stores in almost every incorporated city in the state. (Attachment 7). Mr. Scott noted the higher penalty for the liquor store owner if an error was made in keg registration, rather than intentionally selling to a carload of underage teenagers. Mr. Scott stated that laws should be reasonable, valid and serve the public and he did not believe that **SB 394** meets those minimum requirements.

Chairman Oleen recognized Amy Campbell, Executive Director Kansas Retail Liquor Dealers Association, as an opponent to **SB 394**. Ms. Campbell stated that **SB 394** does not deter underage consumption, but represents an invasion of privacy, and some law enforcement officials might abuse the privilege against both retailers and customers. (Attachment 8) **SB 394** creates an additional layer of regulation for retailers. Ms. Campbell stated that **SB 394** is not an effective method of prevention for underage drinking.

Chairman Oleen recognized Maggie Harshfield, Wichita, Kansas an opponent to **SB 394**. Maggie Harshfield stated that she is the owner of Maggie's Adult Wine & Spirits in Wichita, Kansas and is concerned about a statewide law that looks good, but doesn't accomplish anything. (Attachment 9) Ms. Harshfield stated that the Emporia ordinance has been in effect for a few weeks, and citizens will not be able to measure its success for some time. Ms. Harshfield ask the committee to see if the current laws can work before more are applied.

The following proponents submitted written testimony for **SB 394**; Robert Longino, Acting Director, Alcoholic Beverage Control (Attachment 10); Jolene M. Grabill, Kansas Coordinators of Alcohol Safety Action Projects Association (Attachment 11); Rosalie Thornburgh, Bureau Chief of Traffic Safety, Department of Transportation (Attachment 12); Mothers Against Drunk Driving, Kansas State Office, (Attachment 13); Carla Stovall, Office of the Attorney General (Attachment 14); The Kansas Medical Society, Topeka, Kansas (Attachment 15); Regional Prevention Center of Northwest Kansas, Hays, Kansas (Attachment 16); Regional Prevention Center of South Central Kansas, Newton, Kansas (Attachment 17); The Southwest Kansas Regional Prevention Center, Garden City, Kansas (Attachment 18); Kansas Family Partnership, Inc., Topeka, Kansas (Attachment 19) The City of Council Grove, Kansas (Attachment 20); Don and Bonnie Kaufman, Individual (Attachment 21); Krueger & Aranda, Attorneys at Law, Emporia, Kansas (Attachment 22); John Heim, Superintendent of Schools, Emporia 253 (Attachment 23); Emporia Area Chamber of Commerce, Emporia, Kansas (Attachment 24).

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS, Room 245-N Statehouse, at 11:10 a.m. on January 27, 2000

The following opponents submitted written testimony against **SB 394**; Kurt J. Bossert, Bossert Liquor Store, Topeka, Kansas (Attachment 25) and Kelly Driscoll, Kansas Licensed Beverage Association, Topeka, Kansas (Attachment 26).

Chairman Oleen closed the hearing on **SB 394** but advised the committee and those present that the committee would continue to receive written testimony concerning the bill.

The meeting adjourned at 12:05 p.m. The next meeting will be Monday, January 31, 2000 at 11:00 a.m.