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Consulting



ADK

October 7, 2021

Testimony for the Special Committee on Liquor Law Modernization

Chairman Barker, Senator Ally and Members of the Committee,

I am Philip Bradley representing several of the groups that this will directly affect. Including the Kansas Licensed Beverage Association, the KS Craft Brewers Assn., the KS Viticulture and Farm Winery Assn. and the Artisan Distillers of KS. These represent the interests of the citizens of Kansas, men and women in the hospitality industry, who own, manage and work in Kansas bars, breweries, wineries, vineyards, clubs, caterers, hotels, and restaurants. These are the places you frequent and enjoy with the tens of thousands of employees that are glad to serve you. Thank you for the opportunity to speak today and I will be brief.

You have mentioned many issues that are of concern to one or more of my clients. To ease understanding and be as brief as possible I will limit our comments just a few major items. We hope that after the research by your staff is available and the items you are going to address is decided, that we could present you with more detailed and specific testimony.

Farm Wineries

For years there has been an intersection of concepts in the KS winery industry. This license was created to boost agriculture and specialty crops by assist building a wine business in KS using Ks grown fruits. As time progressed it became clear that there was also a significant interest in making wine w/o the requirement of using Ks grown fruit, Ks wine w/o KS farms, if you will. This intersection culminated last session with the passage of the measure that would phase out any percentage of KS grown inputs.

The challenge is that the actual name of the license and many factors require the link to KS agriculture. There fore we propose a solution that should satisfy all the parties main concerns. And could be immediately implemented with agencies already in exisitance. That solution is simply to form another license that would have all the same qualifications and benefits as the Farm winery license now, an "Urban Winery" (as a working name), that has no KS agriculture requirments. At the same time, amend the Farm winery license to require applicants to ask and be awarded (if deemed qualified) a KS Agriculture linked qualification, by KS Department of Agriculture. If they do not meet that level, they may be awarded an "Urban Winery" license, if meeting all the usual things.

I have spoken to KDA and they seemed agreeable, especially as they were where most of the ag related items were hosed and implemented.

We would also ask you grant ability for CMB licenses as you have recently for the Producers license, and the DE license.

Craft Breweries

Delivery to home is addressed below. We also favor this improvement.

Transporting License to License- i.e. Caterers. For Microbreweries that also have Catering licenses there has surfaced an issue that needs addressing. For the benefit of both Wholesalers, Breweries and the quality of product, a better solution is called for. When a Brewery operating under their Catering license contracts to supply their craft beer to an event, they must first send/sell that beer to a licensed Distributer/wholesaler, and then buy back and have re-delivered back to them that beer. We understand issues with the tiered system and are not asking to break that. We are asking for a practical logistical solution. Such as establishing a “neutral” area on the brewery site that they could transfer the items to, hold them there, complete paperwork for ownership transfer and re-transfer, to and from the wholesaler to caterer. Pay an appropriate fee to the wholesaler and then be able to use the beer under the catering contract and catering rules.

Delivery

We are in favor of license to home deliveries. Many states allow this and even more have made this possible during and following the pandemic. A decent close example of legislation is Iowa. This issue has some complexities; however those have been solved time and time again in states all over. We believe that service by the licensee, as well as by some conditioned third parties is safe and desired by the public.

There have been many other issues and ideas mentioned in the first meeting. We have an interest and information on most of those. To be efficient and in consideration of your time, we have limited ourselves the above items at this time. We ask to comment later on any issues you decide to advance. We thank those who have worked on these issues and thank you for your consideration.

We all ask you to please bear in mind our concerns and pass legislation that would progress our abilities to serve Kansans safely and efficiently.

Our industry is a working, compliant contributor to the success of the state of Kansas. We thank you for your attention and consideration. I am available for your questions today and at your convenience.

Philip Bradley

pbcc consulting representing;
Kansas Licensed Beverage Association
Kansas Viticulture & Farm Winery Association
Craft Brewers Guild of Kansas
Kansas Homebrewers Alliance
Artisan Distillers of Kansas
Equal Entertainment Group

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“A leader is one who knows the way, goes the way, and shows the way.”

– John C. Maxwell