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CONFERENCE COMMITTEE ON
HB 2719

May 24, 1995 Hearing Room H170
9:00 AM Tape 1

MEMBERS PRESENT:

Rep. Jerry Grisham, Chair
Sen. Gene Derfler
Sen. Joan Dukes
Rep. Bryan Johnston
Sen. Bill Kennemer

MEMBER EXCUSED:

Rep. Bill Markham

STAFF PRESENT:

Greg Moore, Counsel
Annetta Mullins, Assistant

These minutes contain materials which paraphrase and/or summarize
statements made during this session. Only text enclosed in quotation marks

report a speaker's exact words. For complete contents of the proceedings,
please refer to the tapes.

TAPE 1, A

003 NOTE: TAPE FROM 003 TO 067 IS BLANK.

067 CHAIR GRISHAM: Calls the meeting to order at 9:04 a.m. and opens the
work session on HB 2719 A.

HB 2719 A - WORK SESSION

071 GREG MOORE, Counsel: Explains the provisions of the bill and the
differences in the House and Senate versions (EXHIBIT A).

093 REP. JOHNSTON: Comments there may be situations where a person has paid
for the wine at the time it is ordered and under the Senate amendment would
have to pay for it again plus a reasonable handling fee.

105 SEN. DERFLER: Explains the Senate committee did not expect the process
(stated by Rep. Johnston); the Senate is saying if a caterer is catering a
party and is furnishing special wines and there is some left over, the
caterer should be able to sell it. The Senate committee assumes the
caterer owns the wine, not that the person has already purchased it by a
contract with the caterer.

111 SEN. KENNEMER: Explains further that it is currently illegal for the
person to purchase the wine from the caterer.

119 SEN. DERFLER: Adds that if the person had previously purchased the
wine, the person could take it home.

128 SEN. DUKES: Adds that the Senate committee was told the people are not
charged for the unused bottles; a lot of them do charge, but it is not
legal to do that because the caterers cannot sell bottles of alcohol. This

bill was supposed to make it legal for the caterer to sell it. The caterer cannot sell it and they are stuck with the bottles of wine which they probably can't sell. The Senate committee wanted to make sure the caterer

does not become a liquor outlet making money on it. Originally, some of the committee wanted to say they could sell it for what they pay for it, but there was concern.

150 SEN. KENNEMER: Points out that the language says "may" be sold which makes it optional for the caterer to sell at their actual cost. Thinks the

amendment was to prevent them from getting into retailing but would give them a way to get rid of special stock they would not ordinarily keep.

161 REP. JOHNSTON: Suggest that the HB 2719 A be amended to delete "only" and "and a reasonable handling fee".

166 SEN. DUKES: Comments that would be fine.

192 MOTION: SEN. KENNEMER moves that HB 2719 A-Engrossed be amended in line 9 to delete "only" and in lines 10 and 11, delete "and a reasonable handling fee"

196 VOTE: CHAIR GRISHAM, hearing no objection to the motion, declares the motion PASSED. REP. MARKHAM IS EXCUSED.

197 MOTION: SEN. KENNEMER moves that HB 2719 A-Engrossed, as amended, be sent to the House and Senate Floors with a DO PASS RECOMMENDATION.

201 VOTE: In a roll call vote, all members present vote AYE. REP. MARKHAM IS EXCUSED.

204 CHAIR GRISHAM: Declares the motion PASSED and the meeting adjourned at 9:14 a.m.

Submitted by, Reviewed by,

Annetta Mullins Gregory G. Moore
Committee Assistant Committee Counsel

EXHIBIT SUMMARY:

A - HB 2719, Conference Committee Measure Summary, staff, 1 p