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**Proponent Testimony in Support of HB 2689
House Federal & State Affairs Committee March 5, 2012**

Chairman Brunk and members of the committee,

First and foremost, I want to thank Rep. Gregory for her introduction of HB 2689 which will hopefully clarify the sale of alcoholic beverages on railroad cars.

Elkhorn Valley Railcar Co. d.b.a. Fremont Dinner Train, a Nebraska corporation, has been in serious discussions with the railroad operators of the Midland Railway in Baldwin City, Kansas about the possibility of moving our operations from Nebraska to that location. However, as questions were asked, it became apparent that we would not be able to serve beer, wine and mixed drinks due to limitations in the Kansas statutes. We are obviously hopeful that your fellow House and Senate members can understand the need we have to compete on a level playing field with other eating establishments. Also, based on our past history, beverage sales in most years have been the difference between profit and loss.

In our 23 plus years of running a dinner train operation, we commonly draw people from a 150 mile radius and as such we are a destination for many people. Historically 18-20 percent of our ridership is from out of state. We are also heavily reliant on group business and have often attracted convention outings.

We again, hope that all concerned can see the win-win value of modifying the laws to give us a chance to succeed. Without question, Kansas has created an overall business atmosphere that initially attracted our attention and has brought us to the cusp of making our ultimate decision to move to your state.

Our thanks to all of your colleagues for your serious consideration on this matter.

Bruce Eveland, President
Elkhorn Valley Railcar

House Federal & State Affairs

Date: 3-05-12

Attachment #

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