

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS

The meeting was called to order by CHAIRMAN MILLER at _____
Chairperson

1:30 a.m./p.m. on March 3, 1987 in room 526S of the Capitol.

All members were present except:

Committee staff present:

- Lynda Hutfles, Secretary
- Mary Galligan, Research
- Mary Torrance, Revisor

Conferees appearing before the committee:

The meeting was called to order by Chairman Miller.

The Chairman announced there would be possible discussion and action on HB2174, 2265, 2287, 2309 and 2385 on Wednesday.

HB2305 - Fingerprinting candidates for sheriff & police chief

Representative Martha Jenkins explained the sub-committee report which answered committee questions and incorporated the attorney general's recommendations into the bill. The sub-committee amended the bill to place a time when the candidate shall be fingerprinted and gave the election office the authority to remove the person's name from the ballot if the candidate is found to be unqualified for the office. The cost of the search will be paid by the person being fingerprinted. See attached balloon of the bill. (See Attachment A)

Representative Jenkins made a motion, seconded by Representative Roy, that the subcommittee report be adopted. The motion carried.

Representative Roy made a motion, seconded by Representative Eckert, to report HB2305 favorably as amended. The motion carried.

The Chairman announced several sub-committees to deal with issues in SBL41:

Representative Roe was asked to figure out the question on where liquor can be given away both in dry and in wet counties now that the "open saloon" provision is not in the constitution.

Representative Long was appointed chairman of a sub-committee to work on the sections regarding caterers and temporary permits. Members were Representatives Eckert & Hensley.

Representative Peterson was appointed chairman of a sub-committee, with Representatives Gjerstad, Barr, Sprague and Miller as members, to examine what portions of the Task Force Report should be included in the bill.

The meeting was adjourned.

10 B11

HOUSE BILL No. 2305

By Representative O'Neal

2-11

Attachment A

assuming the office of sheriff of any county in this state, a person, other than an undersheriff or county clerk temporarily serving as sheriff pursuant to K.S.A. 19-804 or 19-804a, and amendments thereto,

0017 AN ACT concerning certain law enforcement officers; relating to
0018 qualifications for holding office or for appointment, election or
0019 nomination thereto.

0020 Be it enacted by the Legislature of the State of Kansas:

0021 Section 1. (a) Before January 1, 1988, each person holding
0022 office as sheriff of any county in this state on the effective date of
0023 this act shall be fingerprinted as provided by this section.

0024 (b) Before ~~appointment to or becoming a candidate for the~~
0025 ~~office of sheriff of any county in this state, a person~~ shall be
0026 fingerprinted as provided by this section.

0027 (c) Fingerprinting pursuant to this section shall be done by
0028 the law enforcement agency of the county ~~before~~ the county
0029 election officer, ~~who shall forward the fingerprints to the Kansas~~
0030 bureau of investigation for a search of ~~local~~, state and national
0031 fingerprint files to determine whether the person qualifies for
0032 the office of sheriff pursuant to ~~K.S.A. 19-801b and amendments~~
0033 thereto. The Kansas bureau of investigation shall certify ~~the~~
0034 result of such search to the county election officer and, if a
0035 ~~criminal~~ record is found, to the attorney general.

0036 Sec. 2. (a) Before January 1, 1988, each person holding office
0037 as chief of police of any city in this state on the effective date of
0038 this act shall be fingerprinted as provided by this section.

0039 (b) Before ~~appointment to~~ the office of chief of police of any
0040 city in this state, a person shall be fingerprinted as provided by
0041 this section.

0042 (c) Fingerprinting pursuant to this section shall be done by
0043 the law enforcement agency of the city ~~before~~ the city clerk, ~~who~~
0044 ~~shall forward the fingerprints to the Kansas bureau of investiga-~~
0045 tion for a search of ~~local~~, state and national fingerprint files to

If the person is a candidate for the office of sheriff, such person shall be fingerprinted at the time of the filing of: (1) Nomination papers or a declaration of intent to become such a candidate; (2) a certificate of nomination as such a candidate of a political party; or (3) a certificate of election to fill a vacancy in such a candidacy.

_____ in the presence of

_____ subsection (a) (3) of

_____ any conviction record of the person, or lack thereof, found as a

_____ assuming

_____ in the presence of

If the person is a candidate for the office of sheriff and is found, as a result of the search, to be unqualified for such office, the county election officer shall notify the person within three days, terminate the person's candidacy and remove the person's name from the ballot.

(d) Fingerprints taken and submitted pursuant to this section shall be on forms approved by the attorney general.

(e) The cost of a search of fingerprint files pursuant to this section shall be paid by the person being fingerprinted.

_____ . The county election officer shall forthwith

0046 determine whether the person qualifies for admission to the law subsection (c) of
 0047 enforcement training center pursuant to K.S.A. 74-5605 and
 0048 amendments thereto. The Kansas bureau of investigation shall
 0049 certify ~~the~~ result of such search to the city clerk and, if a ~~criminal~~, any conviction record of the person, or lack thereof, found as a
 0050 record is found, to the attorney general.

0051 Sec. 3. This act shall take effect and be in force from and
 0052 after its publication in the statute book.

- (d) fingerprints taken and submitted pursuant to this section shall be on forms approved by the attorney general.
- (e) The cost of a search of fingerprint files pursuant to this section shall be paid by the person being fingerprinted.