

Approved 3/26/87
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:00 a.m./~~p.m.~~ on March 23, 19⁸⁷ in room 254-E of the Capitol.

All members were present ~~except~~

Committee staff present:

Mary Galligan, Legislative Research
Mary Torrence, Assistant Revisor of Statutes
June Windscheffel, Committee Secretary

Conferees appearing before the committee:

Mr. Robert R. Clester, Kansas Sheriffs Association
Mary Lou McPhail, The Kansas Peace Officers Association
Mr. Phil Wilkes, Kansas Department of Revenue

The first conferee was Mr. Robert Clester of the Kansas Sheriffs Association. He spoke as a proponent of HB 2305, concerning fingerprint check of candidates for sheriff or police chief. His prepared statement is part of these Minutes. (Attachment #1) He said the Attorney General had looked this bill over and felt the present law did not eliminate any of the rights of appeal.

The Legislative Chairman of the Kansas Peace Officers' Association, Mary Lou McPhail, expressed the wholehearted support of that organization concerning HB 2305.

Senator Strick moved that HB 2305, be recommended favorably for passage. Seconded by Senator Arasmith. The motion carried.

The Chairman called the Committee's attention to SCR 1606, constitutional amendment for the legislature to regulate the operation of lotteries by bona fide nonprofit organizations. It would allow a constitutional amendment to be placed on the ballot similar to the one concerning lotteries on the November, 1986, ballot. It was a Committee proposal.

Then the Chairman introduced The Reverend Richard E. Taylor, of Kansans for Life at its Best. He said it was his understanding that an Attorney General's opinion concerning casino gambling said that by virtue of the Amendment passed in 1986, the state could operate a casino under certain conditions. The Chairman said it was not the intent to have casino gambling. Mr. Taylor asked if the legislation might be narrowed down to raffles. The Reverend Taylor said that according to discussion in the House the Lottery Commission as now established could operate state-owned casinos without the permission of the Legislature because the Legislature has given them full authority to operate the lottery and the Legislature has not narrowed lottery down. There was more Committee discussion, and Senator Arasmith asked if staff could come up with a definition of raffles to amend this. He said the intent was not to let any nonprofit group do anything it wanted to do. The Chairman asked staff to talk with members of the Attorney General's staff in order to determine any concerns the Attorney General has with this matter

The Chairman asked Mr. Phil Wilkes for his comments on the matter. He said that there would be a lot of people who would get into it who are not legal. Also, it could end up with some competition to the state lottery. The Chairman asked Mr. Wilkes to get with staff to clarify this matter.

The meeting was adjourned at noon.



Kansas Sheriffs Association

3601 S.W. 29th St. #125
Topeka, Kansas 66614

913-273-5959

3/23/87
Attachment # 1

OFFICERS

- President
Sheriff Harris Terry
McPherson County
- First Vice President
Sheriff Darrell Pflughoft
Grant County
- Second Vice President
Sheriff Marion L. Cox
Wabaunsee County
- Secretary-Treasurer
Sheriff Darrell Wilson
Saline County
- Sgt.-at-Arms
Sheriff Grover Craig
Finney County

TO: MEMBERS OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE
 FROM: KANSAS SHERIFFS ASSOCIATION
 REF: SUPPORT OF H.B. 2305

BOARD OF DIRECTORS

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Sheriff Ray McGuire
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- Sheriff Thomas W. Jones**
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- Sheriff J.D. Ochs**
Trego County
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- Sheriff Roy Dunnaway**
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- Sheriff James Jarboe**
Kearny County
- Sheriff Harry Craghead, Jr.**
Hodgeman County
- Sheriff Michael D. Hill**
Sedgwick County
- Sheriff Lynn Fields**
Crawford County

The Kansas Statutes state that a person who has been convicted of a felony or violation of drug and alcohol laws shall not serve as sheriff. This does not, however, prevent such person from running for the office nor does it prevent such person from concealing the fact of his conviction.

In the recent past there have been instances of persons who have been convicted of said violations being appointed, elected and serving as sheriff.

This legislation was requested on behalf of the Kansas Sheriffs Association by Reno County Sheriff Jim Fountain. We are thankful to Representative Michael O'Neal for sponsoring H.B. 2305 and respectfully request passage of the proposed legislation.

ALTERNATE DIRECTORS

- Sheriff Larry Jones**
Rawlins County
- Sheriff Gary O'Brien**
Ness County
- Sheriff William L. Deppish**
Geary County
- Sheriff Daniel R. Morgan**
Miami County
- Sheriff Michael E. Cox**
Meade County
- Sheriff Arlyn Leaming**
Ford County
- Sheriff Bob Odell**
Cowley County
- Sheriff Joe R. Robinson**
Neosho County

KSA:slc

EXECUTIVE DIRECTOR

Robert R. Clester

OFFICE SECRETARY

Sandra L. Cantwell

Attachment # 1
FSA 3/23/87