

Approved \_\_\_\_\_  
Date 4-12-91

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

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

2:30 ~~a.m.~~/p.m. on April 10, 1991 in room 527-S of the Capitol.

All members were present ~~except~~:

Committee staff present:

Mary Torrence, Office of Revisor of Statutes  
Deanna Willard, Committee Secretary

Conferees appearing before the committee:

Rep. Betty Jo Charlton  
Rep. Sandy Praeger  
James Mendenhall, Lawrence, Kansas  
Sen. Phil Martin

Hearing on: HCR 5009 - concerning enhancement of Native American Library services.

Rep. Betty Jo Charlton testified that HCR 5009 petitions the U.S. Congress to designate Haskell Indian Junior College as a major research reference library and official repository for Native American literature, records and historical data. (Attachment 1)

Rep. Sandy Praeger said it was a pleasure to speak on behalf of Haskell, that the facility has not been allowed to achieve its potential as a rich education resource for anyone interested in Native American history.

James Mendenhall, Lawrence, spoke in support of the bill. He said many Indian materials are disintegrating because of acid paper; this bill offers a vehicle whereby some of these materials can be saved. Rep. Charlton told the committee that Mr. Mendenhall is a member of the Governor's Commission on Libraries. He provided for the committee letters of support from several history professors and researchers. (Attachment 2)

A motion was made by Senator Walker and seconded by Senator Ehrlich to recommend the bill favorably. The motion carried. Senator Morris wished to be recorded as "not voting."

Senator Martin requested that a bill be introduced concerning property taxation; relating to the general duties and powers of the director of property valuation. (Attachment 3)

A motion was made by Senator Morris and seconded by Senator Vidricksen to introduce the bill and request it be sent directly to the committee of the whole. The motion carried.

The minutes of April 8 and April 9 were approved.

Hearing and action on: SB 2337 - Alcoholic liquor, places where consumption prohibited, exemptions.

The Chairman read the supplemental note explaining that cities could exempt from the prohibition against consumption of alcoholic liquor by city ordinance any national guard armory in which the city has a leasehold interest if the Kansas Military Board consents.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

room 527-S, Statehouse, at 2:30 ~~xx~~ p.m. on April 10, 1991.

A motion was made by Senator Morris and seconded by Senator Strick to recommend the bill favorably. The motion carried.

The Chairman asked staff to explain a bill being drafted pertaining to video lottery. Staff said the basic provisions were 1) the Kansas Lottery would be authorized to operate the lottery through video machines located in licensed clubs, drinking establishments, and cereal malt beverage taverns, 2) persons now owning those types of machines must be certified by the lottery, 3) a distributor must be certified and pay a fee to the lottery, 4) the establishment must contract with and be certified by the lottery, 5) the lottery is in charge of policing the establishments, and 6) counties can opt out in the '92 election.

The lottery has made a recommendation as to what the state's portion should be, but the director doesn't think that needs to be written into statute.

There were various questions on how they would be taxed, the status of a person currently owning machines that won't meet specs, and the percent that would go to the owner of the establishment. The Chairman said he would like to have the bill introduced and questions could be answered at the hearing.

A motion was made by Senator Anderson and seconded by Senator Strick to introduce the bill. The motion carried.

The meeting was adjourned at 3:00 p.m.



STATE OF KANSAS

BETTY JO CHARLTON  
REPRESENTATIVE, FORTY-SIXTH DISTRICT  
DOUGLAS COUNTY  
1624 INDIANA STREET  
LAWRENCE, KANSAS 66044  
913-843-5024  
ROOM 272-W  
STATE CAPITOL BUILDING  
TOPEKA, KANSAS 66612



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
VICE-CHAIR: ENERGY AND NATURAL RESOURCES  
MEMBER: FEDERAL AND STATE AFFAIRS  
LEGISLATIVE, JUDICIAL AND  
CONGRESSIONAL APPORTIONMENT  
TAXATION

April 9, 1991

Re: HCR 5009

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

The 1990 Kansas Governor's Conference on Libraries passed a resolution requesting the designation of Haskell Indian Junior College as a major research reference library and official repository for Native American literature, records and historical data.

HCR 5009 simply petitions the United States Congress to make the designation and ask the National Archivist to lend assistance. Haskell is a federal school. There are no state or local funds involved.

I would be glad to answer any questions.

Betty Jo Charlton

BJC:dr

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P.O. Box 125  
Cherry Valley, NY 13320  
February 25, 1991

James Mendenhall  
Friends of Haskell  
Box 1242  
Haskell Indian College  
Lawrence, Kansas 66046

Dear Mr. Mendenhall:

I am writing to you on learning that you are working to create a repository facility at Haskell Indian College in Kansas for materials relating to Native American studies.

As a researcher and writer of books on Native American history and culture (ATLAS OF THE NORTH AMERICAN INDIAN, ENCYCLOPEDIA OF NATIVE AMERICAN TRIBES, and WHO WAS WHO IN NATIVE AMERICAN HISTORY - published by Facts On File in New York City) and as a former archivist for the New York State Historical Association in Cooperstown, New York, I see the need for such a facility, where Indian and non-Indian researchers alike could come to locate difficult to find firsthand accounts and other materials, or could obtain them electronically through the use of computer hookups. My wife Molly Braun, a cartographer and illustrator, who has also worked in Native American studies, would also be able to make use of such a facility.

I would be happy to donate my books to such a facility. I would appreciate if you would keep me informed as to the progress of the research reference library you have planned.

Thank you.

Sincerely,

*Carl Waldman*  
Carl Waldman

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 LIGHT IMPRESSIONS®

January 21, 1991

Mr. James Mendenhall  
Friends of Haskell  
Box 1242  
Haskell Indian College  
Lawrence, KS 66046

Dear Mr. Haskell,

I am in receipt of your letter of January 12, and its attachment along with copies of resolution number CD6. I can only say that I could not recommend more highly any other organization more appropriate for the archiving material in question than the Haskell Indian College. The handling of Native American artifacts brings to the archiving process a range of special needs, including human resources with the sensitivity and understanding of Native American culture and beliefs. Haskell Indian College is one of the few organizations in combining all of the necessary attributes to do the most effective job.

I sincerely hope you have great success in your future undertaking to establish Haskell as the preeminent depository of Native American artifacts.

Sincerely,

*William D. Edwards*  
William D. Edwards  
President

WDE/dp

4700 McKinley Drive  
Boulder, Colorado 80303  
January 7th, 1991

Mr. James Mendenhall  
Friends of Haskell  
Haskell Indian College  
Lawrence, Kansas 66046

Dear James:

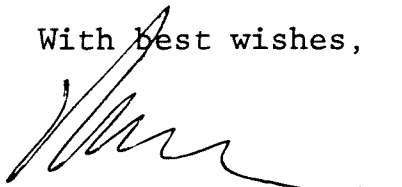
I have switched universities. Arizona was going to hell fast - the classes were climbing to 50-60 each, my grad seminars were being mixed with undergrad courses and virtually destroyed, and I decided to move. I narrowed the choice down to Indiana and Colorado & then picked Colorado because I figured it was much closer to South Dakota and I could get up there from time to time whereas in Indiana I would have a 2 days drive just to get close to SD. So I have finished my 1st semester now & will be teaching a grad law seminar on Indian religious freedom this next semester \* hopefully working on some omnibus legislation which would give traditional people the freedom to practice their customs & ceremonies without being disturbed.

My university address is  
CSERA, Ketchum 30  
Campus Box 339  
University of Colorado  
Boulder, Colorado 80309

Your idea is a good one. There are millions of Indian records scattered around the country in federal repositories and they could all be brought to Haskell & made into a permanent archives. Some years ago I was in Seattle & went to Sand Point Naval station to look at western Washington files & they were a mess. I think you should write up a full proposal and send it to Inouye via the new Indian museum. Haskell could be a field operation of the museum and that is one thing that could be started even before we begin construction of a new building. I would start at the top and work my way down.

I will write a more formal letter when I have some CU stationery and when you send me something more specific on your idea so I can quote from your materials in my letter.

With best wishes,



Vine Deloria, Jr.

Eisenhower Center  
Metropolitan College

January 8, 1991

University of  
New Orleans  
*SHAPING OUR FUTURE*

Lakefront, New Orleans  
Louisiana 70148  
(504) 286-7110

Mr. James Mendenhall  
Friends of Haskell  
Haskell Indian College  
Box 1242  
Lawrence, Kansas

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Stephen E. Ambrose  
*Director*

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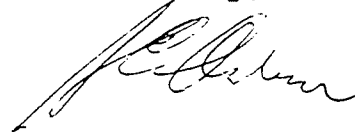
Guenter Bischof  
*Associate Director*  
Ronald J. Drez, Jr.  
*Assistant Director*  
Barry L. Fosberg  
*Project Manager*

Dear Mr. Mendenhall:

I strongly support your proposal to designate Haskell Indian Junior College as a major "Research Reference Library for Native American Literature, Records, and Historical Data."

It seems to me this could be a good thing for American Indians, who desperately need to know more about their past, and for Haskell, which has done so much to aid the Indians.

Sincerely,



Stephen E. Ambrose

# The University of Kansas

Department of History

12 January 1991

Ms Nellie Buffalomeat  
Library  
Haskell Indian Junior College  
Lawrence, Kansas

Dear Ms. Buffalomeat:

A while back I was asked to give support to your efforts to have Haskell be designated a major research and reference library for Native American literature, records, and historical data. I am certainly in favor of that designation. As one of the nation's leading educational institutions aimed primarily at Indian groups, Haskell is a most logical place for developing such a library. And we need a library that will put priority on collecting Indian records, oral histories, literary papers, and other archival materials. Although some of this collecting is going on elsewhere, no institution has been given adequate funds to undertake the project well.

I would further urge the Archivist of the United States to lend all assistance, professional and financial, to get such a repository established in Lawrence at the Haskell College. Such a library would have the enthusiastic support of historians like myself at the University of Kansas, and we would do whatever we could to promote that establishment.

Sincerely yours,

*Donald Worster*

Donald Worster  
Hall Distinguished Professor  
of American History



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# BUCKNELL

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Department of History

Bucknell University  
Lewisburg, Pennsylvania 17837  
Phone (717) 524-1123

PO Box 1001  
Port Orford, OR  
97465

January 18, 1991

James Mendenhall  
Friends of Haskell  
Haskell Indian College  
Lawrence, KS 66046

Dear Mr. Mendenhall:

Thanks for sending a copy of your and Nellie Buffalomeat's resolution (CD6) to the 1990 Kansas Governor's Conference on Libraries.

You address an urgent need. From my own research and writing I am all too aware that the archives of tribal peoples, if they still exist, are scattered and frequently in disarray. Without direct access to their treaties and other vital documents, these tribes have in a sense lost or misplaced part of their cultural heritage. Those whose oral traditions have also disappeared illustrate, sadly, the truth of the Sioux proverb that peoples without history are like wind on the buffalo grass.

Hence I strongly support your proposal to make Haskell a repository for native materials. The central location of the junior college and the fact that it has a student body from more than 100 tribes in 30 states will help make this repository widely known and directly useful in Indian Country. The forthcoming Whitehouse Conference on Libraries and Information Services should indeed designate Haskell as a major "Research and Reference Library for Native American Literature, Records, and Historical Data," in the words of your resolution, and should fund it as such.

As you know, like other authors I have responded to your requests by donating copies of my books to the Haskell Library. I have been impressed by your extraordinary efforts to put native students in touch with their own heritage and now I must add that your current resolution, and all the work that it represents, prove you a true friend of Indian peoples generally.

Yours sincerely,



Richard Brannon  
Professor Emeritus of History

SENATE BILL \_\_\_\_\_ .

AN ACT concerning property taxation; relating to the general duties and powers of the director of property valuation; amending K.S.A. 79-1404 and repealing the existing section.

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

Section 1. K.S.A. 79-1404 is hereby amended to read as follows: 79-1404. It shall be the duty of the director of property valuation, and he or she shall have the power and authority:

*First.* To have and exercise general supervision over the administration of the assessment and tax laws of the state, over the ~~township and city assessors~~ county and district appraisers, boards of county commissioners, county boards of equalization, and all other boards of levy and assessment, to the end that all assessments of property, real, personal, and mixed, be made relatively just and uniform and at its true and full cash market value; to require all ~~township and city assessors~~ county and district appraisers, county commissioners and county boards of equalization, under penalty of forfeiture and removal from office as such ~~assessors~~ county and district appraisers or boards, to assess all property of every kind and character at its actual and full cash market value.

*Second.* To confer with, advise and direct ~~assessors~~ county and district appraisers, boards of commissioners, boards of equalization and others obligated under the law to make levies and assessments, as to their duties under the statutes of the state.

*Third.* To direct proceedings, actions and prosecutions to be instituted to enforce the laws relating to the penalties, liabilities and punishment of public officers, persons and officers or agents of corporations for failure or neglect to comply with orders of the director of property valuation, or with the provisions of the statutes governing the return, assessment and taxation of property; and to cause complaints to be made against ~~township and city assessors~~ county and district appraisers, county commissioners, county boards of equalization, or other assessing or taxing officers, in the courts of proper jurisdiction, for their removal from office for official misconduct or neglect of duty.

*Fourth.* To require the attorney general, or county attorneys in their respective counties, to assist in the commencement and prosecution of actions and proceeding for penalties, forfeitures, removals and punishments for violations of the laws of the state in respect to the assessment and taxation of property, or to represent

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the director of property valuation in any litigation in which it may become involved in the discharge of his or her duties.

*Fifth.* To require township, city, county, state or other public officers to report information as to the assessment of property, collection of taxes, receipts from licenses and other sources, the expenditure of public funds for all purposes, and such other information as may be needful or desirable in the work of the director of property valuation, in such form and upon such blanks as the director of property valuation may prescribe. Also, to make and prosecute such research and investigation as to the detailed properties of corporations, the business, income reasonable expenditure and true values of the franchise and properties of all public service corporations doing business in this state, as will enable the director of property valuation to ascertain a fair and equitable basis of assessing the same and of making and recommending proper legislation to the legislature, from time to time, and to direct the local assessing and taxing officers in making such assessments.

*Sixth.* To require individuals, partnerships, companies, associations, joint-stock companies and corporations to furnish information concerning their capital, funded or other debts, current assets and liabilities, value of property, earning, operating and other expenses, taxes and other charges, and all other facts which may be needful or desirable to enable the director of property valuation to ascertain the value and relative burdens borne by all kinds of property in the state.

*Seventh.* To summon witnesses from any part of the state to appeal and give testimony and to compel said witnesses to produce records, books, papers and documents relating to any subject or matter which the director of property valuation shall have authority to investigate or determine, subject to the restricts of K.S.A. 79-1424.

*Eighth.* To cause the deposition of witness residing within or without the state, or absent therefrom, to be taken, upon notice to the interested parties, if any, in like manner that the depositions of witnesses are taken in civil actions pending in the district court, in any matter which the director of property valuation shall have authority to investigate and determine.

*Ninth.* To investigate the work and methods of local ~~assessors~~ county and district appraisers, broad of county commissioners and county boards of equalization in the assessment, equalization and taxation of all kinds of property, by visiting the counties of the state.

*Tenth.* To carefully examine into all cases where evasion or violation of the laws for assessment and taxation of property is alleged, complained of, or discovered, and to ascertain wherein

existing laws are defective, or are improperly or negligently administered, and to prepare and recommend measures best calculated to remedy the defects discovered.

*Eleventh.* To investigate the tax systems of other states and countries, and to formulate and recommend such legislation as may be deemed expedient to prevent evasion of assessment and tax laws, and to secure just and equal taxation and improvement in the system of taxation in the state.

*Twelfth.* To inquire into the system of accounting and auditing public funds in use in townships, cities, counties and state, and to devise and prescribe a uniform system of auditing and accounting of the receipts and disbursements of public funds in the municipalities of the state.

*Thirteenth.* To consult and confer with the governor and attorney general of the state upon the subject of taxation, the administration of the laws in relation thereto, and the progress of the work of the director of property valuation, and to furnish the governor, from time to time, such assistance and information as he or she may require.

*Fourteenth.* To transmit to the governor and to each member of the legislature, thirty days before the meeting of the legislature, the report of the director of property valuation, covering the subject of assessment and taxation, the results of the investigations of the director of property valuation, its recommendations for improvement in the system of taxation; in the state, together with such measures as may be formulated for the consideration of the legislature.

*Fifteenth.* To make appraisement and assessment of all railroad and the property railroad corporations, excepting such real estate as is not used in the daily operation of its railroad, of all telegraph lines and property, of all telephone lines and property, the property of all express companies, sleeping car companies, and private car lines, doing business within the state of Kansas, of gas pipe lines and property, of all oil pipe lines and property, of all street railroads, electric lines and property, and all express company property, within and with corporate limits of cities doing business in the state.

*Sixteenth.* To require any county board of equalization, at any time after its adjournment, to reconvene and to make such orders as the director of property valuation shall determine are just and necessary, and to direct and order such county boards of equalization to raise or lower the valuation of the property, real or personal, in any township or city, and to raise or lower the valuation of the property of any person, company, or corporation; and to order and

direct any county board of equalization to raise or lower the valuation of class or classes of property; and generally to do and perform any act or to make any order or direction to any county board of equalization or any ~~local assessor~~ county and district appraiser as to the valuation of any property or any class of property in any township, city or county which, in the judgment of said director of property valuation, may seem just and necessary, to the end that all property shall be valued and assessed in the same manner and to the same extent as any and all other property, real or personal, required to be listed for taxation.

Seventeenth. To extend all statutory deadlines prescribed for the mailing of valuation notices, certification of appraisal rolls and the completion of valuation and classification hearings which, in the judgment of the director of property valuation, may seem just and necessary to secure the orderly operation of the system of property taxation within the state; provided however, the director shall not have the authority to extend the deadlines prescribed by K.S.A. 79-2005, and amendments thereto.

Sec. 3. K.S.A. 79-1404 is hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.