

Approved: 4-4-96
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Garry Boston at 1:00 p.m. on March 27, 1996 in Room 519-S of the Capitol.

All members were present except: Representative David Adkins, Absent
Representative Richard Aldritt, Absent
Representative William Mason, Absent
Representative Doug Spangler, Absent

Committee staff present: Mary Ann Torrence, Revisor of Statutes
June Evans, Committee Secretary

Conferees appearing before the committee: Rick A. Fleming, Associate Counsel to the Governor
Lt. Col. John R. Mettner, Jr., Legal Advisor to the Adjutant
General, National Guard
Senator Carolyn Tillotson
Gene Johnson, Kansas Community Alcohol Safety Action
Project Coordinators Association

Others attending: See attached list

The Chairperson opened the hearing on **SB 733 - Authorize Governor to enter into an interstate compact entitled "Emergency Management Assistance Compact"**.

Rick A. Fleming, Associate Counsel to the Governor, testified as a proponent stating the Emergency Management Assistance Compact is intended for nationwide participation. At least five states are already members, including Oklahoma and many other states have legislation pending. Many potential emergencies transcend jurisdictional boundaries or require interstate cooperation, including widespread natural disasters, such as floods, blizzards, or prairies fires, nuclear or hazardous waste contamination, civil disturbance or terrorism or a tragedy in the Missouri River, such as a boat wreck or plane crash. **SB 733** would allow Kansas to be able to respond in a timely manner within a preestablished legal framework. (See Attachment #1)

Lt. Colonel John R. Mettner, Jr., legal advisor to the Adjutant General, testified in support of **SB 733**, stating he was directly involved in military support to civil authority and also to assist the Department of Emergency Management. There is need for interstate compacts for emergency activities and the benefits they provide. The idea is that with interstate compacts the Governor of one state can verbally agree with the Governor of another state to provide personnel and equipment in an emergency situation. The large issues between states are set out in the compact; such as, liability for injury, tort liability, reimbursement, and restrictions in use. This frees the Governors to act quickly and smoothly in an emergency to help their neighboring states. (See Attachment #2)

The Chairperson closed the hearing on **SB 733**.

Representative Cox moved and Representative Ballou seconded to move **SB 733** out favorably. The motion carried.

The Chairperson opened the hearing on **SCR 1624 - Provide assessment of needs and resources for treatment of problem gamblers.**

Senator Carolyn Tillotson testified as a proponent for **SCR 1624**, stating only a small percentage of the population are problem gamblers -- ranging from about 1.5 to 6.5 percent of the adult population, depending upon the particular state. However, as gambling becomes more available and conveniently located, problem gamblers are more apt to surface. The situation needs to be assessed and learn how to assist problem gamblers and their families. (See Attachment #3)

Gene Johnson, Legislative Liaison, Kansas Community Alcohol Safety Action Project Coordinators

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE FEDERAL AND STATE AFFAIRS, Room 519-S
Statehouse, at 1:00 p.m. on March 27, 1996

Association, testified in support of SCR 1624, stating addicted individuals could be treated in a similar manner as the treatment for alcoholism or drug addiction. There are many alcohol and drug abuse treatment centers who very well could add to their expertise the treatment of those persons addicted to or suffering from problematic gambling. (See Attachment #4)

The Chairperson closed the hearing on SCR 1624.

Representative Graeber moved and Representative Ruff seconded to move SCR 1624 out favorably. The motion carried.

The Chairperson stated he was going to take the prerogative on the next bill that was scheduled to be worked, HB 2885, but as the result of a bill being heard in the Senate, are going to step over the bill at this time. Believe there is no reason for this committee to work on the bill at this time and the Senate not pass the bill, so consequently, with the approval of the committee, we will step over HB 2885.

Representative Franklin moved and Representative Ballou seconded to move HCR 5032 out favorably.

Representative Nichols moved a priority motion and Representative Lloyd seconded to adjourn. The motion carried.

The following attachments were distributed by Gilbert N. Hammond, Sr., Kansas NAACP Communications Director, a proponent for HB 2885, Chris Biggs, Geary County Attorney (See Attachment #5) William L. Deppish, Sheriff, Geary County (See Attachment #6), Thomas L. Clark, Chief of Police, Junction City (See Attachment #7).

The meeting adjourned at 1:30 p.m. No further meetings are scheduled at this time.

FEDERAL & STATE AFFAIRS COMMITTEE GUEST LIST

DATE: March 20, 1996

NAME	REPRESENTING
Mary Shuiers	KDOT
Ron Miller	SRS/ADAS
James O. Ely	Self
Pam Evans	Kansas Lottery
Kevin Spencer	Sumner County Attorney
Kirk T. N. Hammond Sr	J.C. Ks STATE NAACP
Rachel Warren	
Lisa Roberts	
Ann Lucell	Sovereignty
Lyn Petty	Sovereignty
Sai Ann Beal	Sovereignty
Ruby Bracken	Sovereignty
Margaret Harrison	Sovereignty
John Moler	League of KS Muni.
Jack Jordan	
Frank Flandry	Overland Park Ks
Neal Whitaker	KBWA
Ann Hadel	Self
Lene Mith	Self

Bene Johnson

Ks. A.S. AP ASSN

Byron Sowers

Ks Self.

Linda Sowers

Ks Self

FEDERAL & STATE AFFAIRS COMMITTEE GUEST LIST

DATE: March 27, 1996

NAME	REPRESENTING
Jamie Brady	self
Veranda Mitchell	Governor's Office
David Manning	Lt. Gov's Office
Jim Conant	ABC
Gene Krass	Division of Emergency Management
FRANK MOUSEA	" " " "
Chuck Breckel	Adjutant General's Dept
Lt Col Randy Mettner	" " "

STATE OF KANSAS

BILL GRAVES, Governor
State Capitol, 2nd Floor
Topeka, Kansas 66612-1590



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1-800-432-2487
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FAX: (913) 296-7973

OFFICE OF THE GOVERNOR

TESTIMONY IN SUPPORT OF SENATE BILL 733

HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE
WEDNESDAY, MARCH 27, 1996

RICK A. FLEMING, ASSOCIATE COUNSEL TO THE GOVERNOR

Thank you, Mr. Chairman. My name is Rick Fleming, and I am associate legal counsel to Governor Bill Graves.

Governor Graves urges the committee to recommend Senate Bill 733 favorable for passage. Senate Bill 733, which passed 39-0 in the Senate, would place the State of Kansas in the uniform Emergency Management Assistance Compact. This would enable the state to work cooperatively with other member states in the event of a disaster because it answers many of the questions which inevitably arise when states share resources or personnel.

The Emergency Management Assistance Compact is intended for nationwide participation. It has been endorsed by the Southern Governors' Association and the Midwestern Governors' Conference. At least five states are already members, including Oklahoma, and many other states have legislation pending.

Fortunately, there are relatively few disasters which require states to go outside their own borders for assistance. However, many potential emergencies transcend jurisdictional boundaries or require interstate cooperation, including the following:

- Widespread natural disasters, such as floods, blizzards, or prairie fires.
- Nuclear or hazardous waste contamination.
- Civil disturbance or terrorism.
- A tragedy in the Missouri River, such as a boat wreck or plane crash.

When an emergency strikes, there is no time to have teams of lawyers draw up interstate contracts to address issues such as liability, reimbursement, etc. States must either deny assistance or open up potential legal disputes. With passage of Senate Bill 733, Kansas will be able to respond in a timely manner within a preestablished legal framework.

Thank you for your consideration of this important legislation.

FISA
3-27-96
Atch # 1



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
NATIONAL GUARD OF KANSAS
ADJUTANT GENERAL OF KANSAS
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KANSAS 66611-1287



REPLY TO
ATTENTION OF

TESTIMONY TO THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE IN
SUPPORT OF SENATE BILL 733, AS AMENDED BY LIEUTENANT COLONEL JOHN
R. METTNER, JR., LEGAL ADVISOR TO THE ADJUTANT GENERAL,
WEDNESDAY, MARCH 27, 1996

I am Lieutenant Colonel John R. Mettner, Jr. and I am the legal advisor for the Adjutant General of Kansas. In my role as legal advisor, I am directly involved in military support to civil authority and also to assist the Department of Emergency Management.

I am testifying today to answer any questions that you may have in regard to the uniform Emergency Management Assistance Compact, as amended.

My counterparts in each state have been discussing the need for interstate compacts for emergency activities and the benefits they provide. The idea is that with interstate compacts the Governor of one state can verbally agree with the Governor of another state to provide personnel and equipment in an emergency situation. The large issues between states are set out in the compact; such as, liability for injury, tort liability, reimbursement, and restrictions in use. This frees the Governors to act quickly and smoothly in an emergency to help their neighboring states.

Another benefit of the interstate compacts is to allow for training and the sharing of information between the different states as to what equipment and assets they have available. One state may have a water purification system or another might have an over abundance of pumps and generators.

In conclusion, based on the experience of the floods of '93, the hurricanes in Florida and Louisiana and other natural disasters, the interstate compact as a tool is a step forward for each of the states involved.

If there are any questions I would be glad to answer them, otherwise I thank you for allowing me to testify today.

CAROLYN TILLOTSON
 SENATOR, 3RD DISTRICT
 LEAVENWORTH & JEFFERSON COUNTIES



TOPEKA

LEGISLATIVE HOTLINE
 1-800-432-3924

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
 CHAIR: JOINT COMMITTEE ON CHILDREN &
 FAMILIES
 VICE-CHAIR: FEDERAL & STATE AFFAIRS
 MEMBER: AGRICULTURE
 ENERGY & NATURAL RESOURCES
 LOCAL GOVERNMENT

HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE
 PRESENTED BY SENATOR CAROLYN TILLOTSON
 RE: SCR 1624
 MARCH 27, 1996

“While it’s true, as gambling proponents say, that only a small percentage of the population are problem gamblers--ranging from about 1.5 to 6.5 percent of the adult population, depending upon the particular state, the costs to the rest of society of even small percentages of problem gamblers can be extremely high. Moreover, with the increasing availability of gambling, these percentages are rising.”

The above quotation is from a book by Robert Goodman, called “The Luck Business, the Devastating Consequences and Broken Promises of America’s Gambling Explosion.”

As we who served on the interim joint committee on gaming learned, only a small percentage of the population are compulsive, pathological or problem gamblers. But as we make gambling more available and conveniently located, these persons are more apt to surface.

Some may argue that unless we increase gambling opportunities in Kansas, we do not need to deal with problem gamblers and their families. But information from a national gamblers’ hotline operated by the New Jersey Council on Compulsive Gambling indicated they received these calls:

<u>Area Code</u>	<u>1993</u>	<u>1994</u>	<u>1995 (January-November)</u>
913 (Northern Kansas)	22	58	400
316 (Southern Kansas)	11	55	87
816 (Northern Missouri)	18	55	874
Iowa (Total)	71	66	101

Both proponents and opponents of expanding gambling in Kansas agree that expansion is the issue. We have gambling already, in the form of lottery, bingo and parimutuel. That is why I believe we need to act now, to assess the situation and learn how to assist problem gamblers and their families.

I have referred to the joint interim committee on gaming which met last fall. After hearing a lot of testimony, pro and con, about gambling in other states the committee unanimously agreed that problem gamblers exist and that Kansas should deal with them.

I quote from the report of the gaming committee: "The state, whether it does or does not expand gaming, should pass laws setting aside revenue from gaming proceeds to establish an agency dealing with pathological gambling."

Frankly that committee went on to propose we adopt Iowa's law as a model. We considered that approach, but decided that we would take it more slowly, first establishing if there is a need, then determining how to deal with the need.

The interim committee on gaming also received testimony from Dr. Earl Grinols, department of economics, University of Illinois. Dr. Grinols researched the impact of gambling in Illinois. He came to the conclusion that casinos rely on problem gamblers for more than half of their revenue.

In an article from "Family Circle" magazine, February 1, 1996, Durand Jacobs, clinical professor of psychiatry at Loma Linda University Medical School in California, is quoted regarding his studies of teen gamblers. "One million juveniles in this country have serious gambling-related problems," he said.

Another sociologist, Ronald Pavalko, director of the Center for Gambling Studies at the University of Wisconsin said in the same "Family Circle" article, that many older adults, (seniors) develop serious gambling problems. They have the time, the money, are often lonely and seeking excitement or escape from loneliness.

Page 3, SCR 1624
March 27, 1996

Unfortunately the seniors are extremely vulnerable. If they lose their life savings, they don't get another chance.

There is very little help available currently in Kansas for the problem gambler. One Gamblers Anonymous chapter in Wichita and four Gamblers Anonymous chapters in the Kansas City area.

House Federal State Affairs Committee

SCR 1624
Testimony
March 27, 1996

Good Afternoon Mr. Chairman, and Members of the Committee,

My name is Gene Johnson and I represent the Kansas Community Alcohol Safety Action Project Coordinators Association. We support the concept contained in SCR 1624 for those persons who suffer patterns of problem gambling behavior. These problems can also extend past that "gambling person" to the family, close associates or friends, and vocational pursuits.

With advent of the extension of gambling throughout our State, I am sure we will see more individuals who become addicted to chronic gambling behavior.

This legislation is somewhat proactive in nature as it will provide the Task Force to investigate the problems surrounding problem gamblers and their families.

It is our belief that these addicted individuals can be treated in a similar manner as the treatment for alcoholism or drug addiction. Throughout the State we have many alcohol and drug abuse treatment centers who very well could add to their expertise the treatment of those persons addicted to or suffering from problematic gambling.

Again, we support the concept of SCR 1624 and hopefully this committee will move toward its passage during the 1996 session.

Respectfully,


Gene Johnson
Legislative Liaison

Kansas Community Alcohol Safety Action Project Coordinators Association

FSA
3-27-96
Atch # 4

GEARY COUNTY ATTORNEY

120 EAST 8TH STREET
JUNCTION CITY, KANSAS 66441-2590

(913) 762-4343

CHRIS BIGGS COUNTY ATTORNEY
THOMAS P. ALONGI ASSISTANT

RUSS ROE ASSISTANT
MARC BENNETT ASSISTANT

Dear legislator:

I am writing this letter in support of the NAACP here in Junction City and in opposition to the proposed concealed firearm legislation.

As a prosecutor, I witness on a daily basis the tragedy and suffering associated with violent crime. I am familiar with the arguments for and against private citizens carrying concealed firearms. I believe my position is based on my years of practical experience. There is a substantial difference between allowing people to exercise the right to bear arms at home, or in a place of business, versus allowing them to pack concealed weapons on their person in public.

A law allowing private citizens to carry concealed weapons on their person will not reduce crime. A concealed weapon is a deterrent to no one. Logically, if you want to deter a criminal, wear a firearm on your hip where he can see it. This is now legal in Kansas under State Law, although it may be restricted by Municipal Ordinance. A concealed weapon will only lead to an escalation of violence where both victims, innocent bystanders, and an occasional criminal is killed. The argument that a citizenry armed to the teeth will deter crime is much like Archie Bunker's classic position that to deter highjacking all passengers should be armed while boarding a flight. While this might in some instances accomplish the purpose, the social cost and ultimate death toll would far outweigh any advantage gained by arming all passengers.

I believe that a concealed firearms law will result in only a few citizens carrying weapons. Among those who do will be some individuals who will be looking for an excuse to use a weapon, and those planning criminal activity or involved in criminal activity will use the law as justification for packing weapons. Law enforcement officers will be at a substantially greater risk.

Any workable law will certainly have restrictions on public places where no weapon should be, such as, bars, schools, etc. This leads to the practical problem of guns being carried, then stored, misplaced, and/or stolen.

F&SA
3-27-96
Atch #5

Most violent crime involves passion and/or drugs and alcohol. A law allowing private citizens to have concealed weapons will inevitably result in the following: more accidental deaths, more robbery victims being killed, more crimes of passion involving firearms, more law enforcement officers killed in the line of duty.

I support the NAACP and strongly oppose any law allowing concealed weapons to be possessed by private citizens.

Sincerely,


Chris Biggs
Geary County Attorney

KS HOUSE, FEDERAL & STATE AFFAIRS

REF: HB 2541

We tell our children it is wrong and harmful to smoke, yet we do.

We tell our children it is wrong and not healthy to drink, yet we do.

We tell our children that guns are dangerous, yet we want to let almost everybody carry a concealed one.

It seems to me that we are not being very good role models when we do all of this.

Law enforcement officers are trained then retrained, then retained in the use of weapons and deadly force. Not just one time, then get a license that is good for five years or more.

The more weapons that are on the streets the more likely the more weapons related incidents there will be. We should strive to decrease these incidents rather than creating new opportunities for weapons to be involved.

We urge you to consider the serious ramifications of this concealed carry bill and urge you just not to pass it simply because a few other states have. Kansas should be a leader in the safety and common sense of our people.

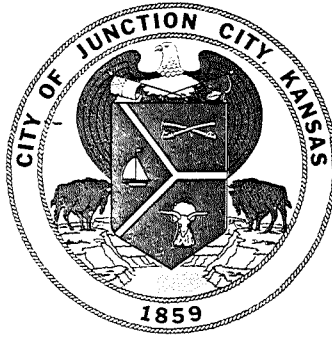


William L. Deppish
Sheriff, Geary County, KS

First Vice-president, Kansas Sheriffs' Association

F&SA
3-27-96
Atch #6

THOMAS L. CLARK
CHIEF OF POLICE



210 E.9TH STREET
JUNCTION CITY, KANSAS 66441
913-762-5912
FAX: 913-762-3931

POLICE DEPARTMENT

March 26, 1996

Mr. Gilbert Hammond
428 W. 13th
Junction City, Ks. 66441

Dear Mr. Hammond,


Junction City Police Department, like Police Departments across the United States are facing more and more weapons on the streets. Currently police officers know if they see a firearm in the hands of a suspect, training tells them the proper action to take to protect themselves. If the proposed legislation is passed I see complications between police and citizens exercising their right to bear concealed weapons.

Police officers are tested, trained and continually re-trained for stability, competency and proficiency and still make tragic mistakes.

Initial testing and a permit does not come close and will only allow more tragic mistakes in the civilian population.

As a life long resident of Kansas a 30 year police officer and now Police Chief of Junction City, Kansas, I must oppose the carrying a concealed weapons legislature.

Sincerely,



Thomas L. Clark
Chief of Police

TLC:psp

FSA
3-27-96
Atch # 7



STATE OF KANSAS



GARRY G. BOSTON
REPRESENTATIVE, SEVENTY-SECOND DISTRICT
14 CIRCLE DRIVE
NEWTON, KANSAS 67114-1328



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIR: FEDERAL & STATE AFFAIRS
MEMBER: BUSINESS, COMMERCE & LABOR
ECONOMIC DEVELOPMENT

Memorandum

TO: House Federal and State Affairs Committee Members

FROM: Representative Garry Boston, Chairman

DATE: May 1, 1996

RE: April 29 Committee Minutes

Enclosed are the minutes of April 29. If there are any additions or corrections, please notify me or June, Committee Secretary, before 4:00 p.m. today. Otherwise, the minutes will stand as approved. Thanks again for all of your hard work on the committee.

Garry

Enclosures