

Approved: 2-17-97
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Senator Lana Oleen at 11:10 a.m. on January 29, 1997 in Room 254-E of the Capitol.

All members were present except: Senator Nancey Harrington - excused

Committee staff present: Mary Galligan, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Midge Donohue, Committee Secretary

Conferees appearing before the committee:

Mr. Randy Hearrell, Kansas Judicial Council
Mr. Jim Yonally, Kansas Coalition for Design, Topeka
Mr. Tracy Diel, State Gaming Agency, Topeka

Others attending: See attached list

Introduction of Bills

A request was made by Mr. Jim Yonally, Kansas Coalition for Design, Topeka, for a bill to set up a system to register individuals who represent themselves as interior designers. He did not have specific language drafted but asked for consideration of a conceptional motion, saying he would be happy to work with the Revisor of Statutes Office in drafting the bill.

A motion was made by Senator Vidricksen and seconded by Senator Schraad that the bill be introduced; the motion carried by voice vote.

Senator Vidricksen made the motion that a bill be introduced to allow farm wineries to purchase wine or distilled wine products from other persons and to allow for the serving and sale of wine on or off the licensed premises. Senator Biggs seconded the motion which carried by voice vote.

A motion was made by Senator Vidricksen for introduction of a bill that would allow wholesalers to sell direct to groups and drinking establishments. The motion was seconded by Senator Becker and carried by voice vote.

Senator Becker moved that a resolution be introduced to amend Article 15 of the Kansas Constitution to allow Kansans to vote on the issue of carrying concealed weapons, thus providing voters with an opportunity to consider both approaches to the issue. Senator Biggs seconded the motion which carried by voice vote.

Mr. Randy Hearrell, Kansas Judicial Council, Topeka, asked that **SB 28** be made into two separate bills because it addressed two distinct issues, saying splitting the bill would allow for more focused hearings .

Senator Schraad made a motion that a new bill be introduced to separate the issues; Senator Becker seconded the motion which carried by voice vote.

Senator Oleen opened the floor for introduction of other bills; none was forthcoming.

Confirmation Hearing -- Tracy T. Diel, State Gaming Agency

Senator Oleen welcomed Tracy T. Diel whose appointment to the State Gaming Agency comes before the committee for recommendation and introduced him to committee members noting that, although he was new to the position, he had a strong background in law. She called attention to information provided in his resume and the appointments questionnaire which had been provided to the committee.

Mr. Diel briefly summarized his personal, educational and employment background, emphasizing his

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL & STATE AFFAIRS COMMITTEE, Room 254- E, Statehouse, at 11:10 a.m. on January 29, 1997.

experience in law enforcement prior to his appointment to the Gaming Agency, having served as chief prosecutor for the City of Topeka and legal advisor to the Topeka Police Department. As a prosecutor, he said he was involved in enforcement as well as compliance and dealt with divergent views. He has been with the State Gaming Agency for approximately a month.

He then gave an overview of the State Gaming Agency for the benefit of the new Committee members, explaining that the primary function of the Agency was to oversee tribal gaming casinos in the State of Kansas. Mr. Diel provided a map (Attachment #1) showing the locations of the four Indian tribes that have compacts with the State of Kansas: Pottawatomie, Kickapoo, Sac 'n Fox, and Iowa, and explained the current status of each operation. Of the four, he said two are currently operating as casinos.

Mr. Diel explained that the Pottawatomie is a temporary facility but is in the process of finalizing a management agreement with Harrah Hotels for a permanent facility south of Mayetta. The Kickapoo Tribe, he said, has a full-time facility located between Horton and Highway 75 and is engaged in expansion which is expected to open in six to eight weeks. He went on to say that the Sac'n Fox anticipate opening within the next four to six weeks and is close to finishing phase one the project. The Iowa Tribe casino, located farther north near the Nebraska/Iowa/Kansas lines, has a compact at the present time, he said, but is not engaged in any type of casino gambling. It does, however, have a management contract with the National Gaming Commission and is awaiting approval from the Federal Commission before breaking ground. He advised that the tribe hoped to have the facility operational within the next year.

Mr. Diel stated that the Agency currently has four full-time employees including himself, a Director of Compliance who is a former law enforcement officer, an agent who is a former KBI agent whose responsibility is compliance checks, and an office assistant. He said he has made a conditional offer of employment to another law enforcement agent pending a background check and hopes to have a total complement of five full-time employees. He advised that the five positions would be funded by the tribes and explained the funding process. Mr. Diel stated that the KBI bills the Gaming Agency for the background checks it does and the tribes pay for those checks. He went on to explain the projected ninety-day time period for the state to perform the background investigations.

Senator Oleen advised that, although the committee would not be visiting the Reservations right away, it had received approval to call upon the Reservations later in the Spring.

Senator Becker moved that the appointment of Tracy Diel to the State Gaming Agency be favorably recommended to the full Senate; Senator Vidricksen seconded the motion and it carried by voice vote.

Senator Oleen reviewed committee agendas which were issued two weeks in advance, noting changes and explaining the reasons for the changes. She advised that staff review of **SB 21** and **SCR 1606** would be done on Thursday instead of Friday next week and called attention to the week of February 10 when hearings on both bills will be held in Room 313-S.

Senator Oleen advised that she had visited with the chairman of the House Federal and State Affairs Committee and does not plan to include that committee in the staff briefing next week; however, she said there was another Constitutional amendment on the House side, and a joint meeting on that amendment may be scheduled. If that occurs, she said the committee meeting would be scheduled from 12:00 noon until 1:15, instead of the usual 11:00.

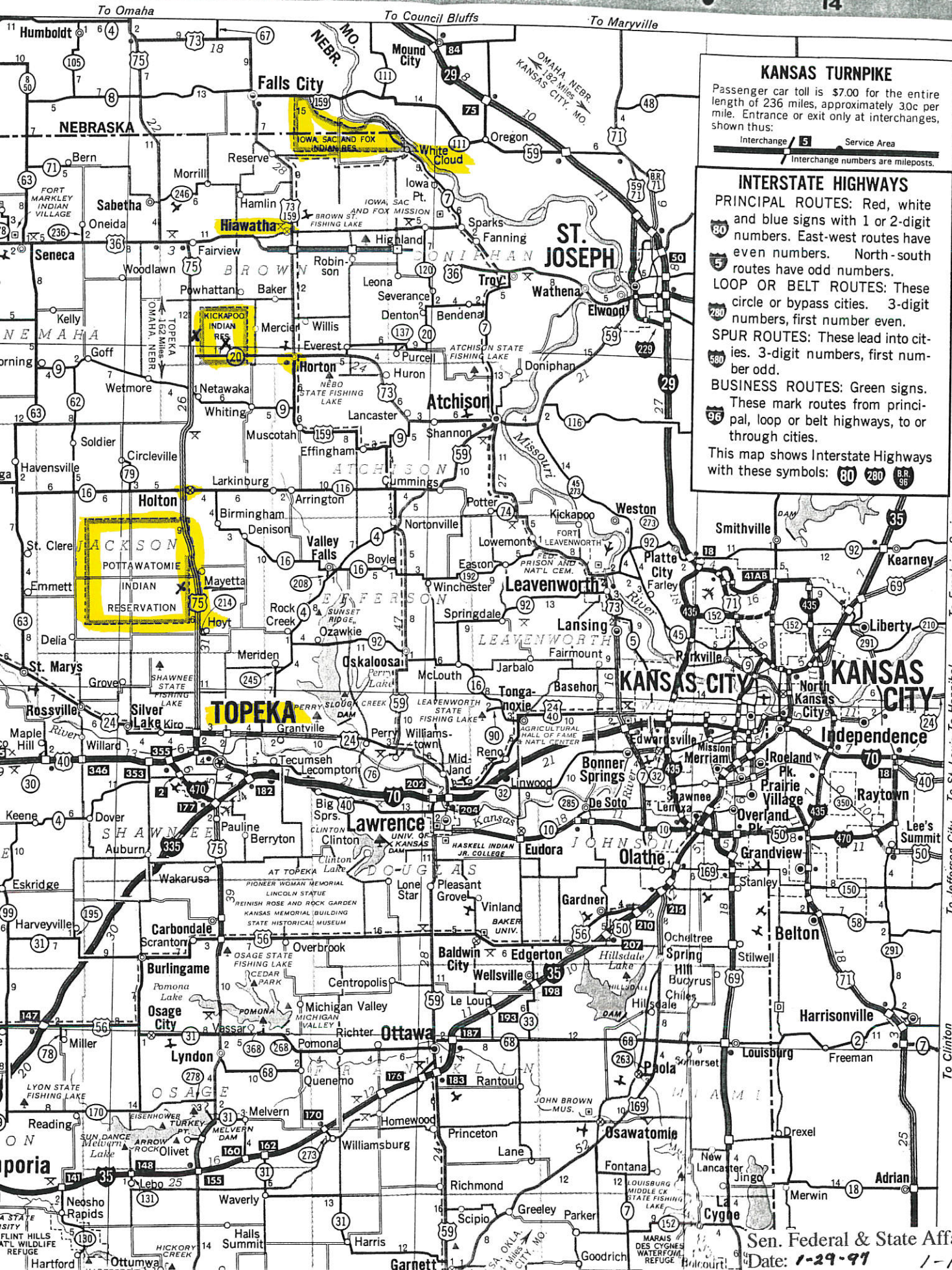
In regard to **SB 29** which was heard by the committee yesterday, Senator Oleen advised that more amendments than usual had been proposed by conferees. She asked staff to prepare a balloon version of the bill incorporating all proposed amendments to present to the committee when the bill is worked. She indicated the committee would continue to accept written testimony for the record and that information would be made available to committee members. She anticipated the bill would be worked sometime next week.

The meeting adjourned at 11:20 a.m; the next meeting is scheduled for January 30, 1997.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE GUEST LIST

DATE: 1-29-97

NAME	REPRESENTING
Myron E. Lufke	Ks. Racing & Gaming Commission
Alan Steppat	Pete McBill & Associates
Dan Harner	Visitor
Tracy Diehl	State Gaming Agency
Sherry C Diehl	Visitor
Natalie K. Haag	Board of Indigent Defense
Michelle Peterson	Peterson Public Affairs
Elizabeth M. Howell	Ks Annual Council
Bob Storey	Ks Assn of Professional Surtax
Doug Smith	Ks Assn of Professional Surtax
Rick Scheibe	KDOR
Betty McBride	KDOR
Lashonda Ellington	Sen Gorch Intern
Dave DePue	Ks Council on Voc Ed



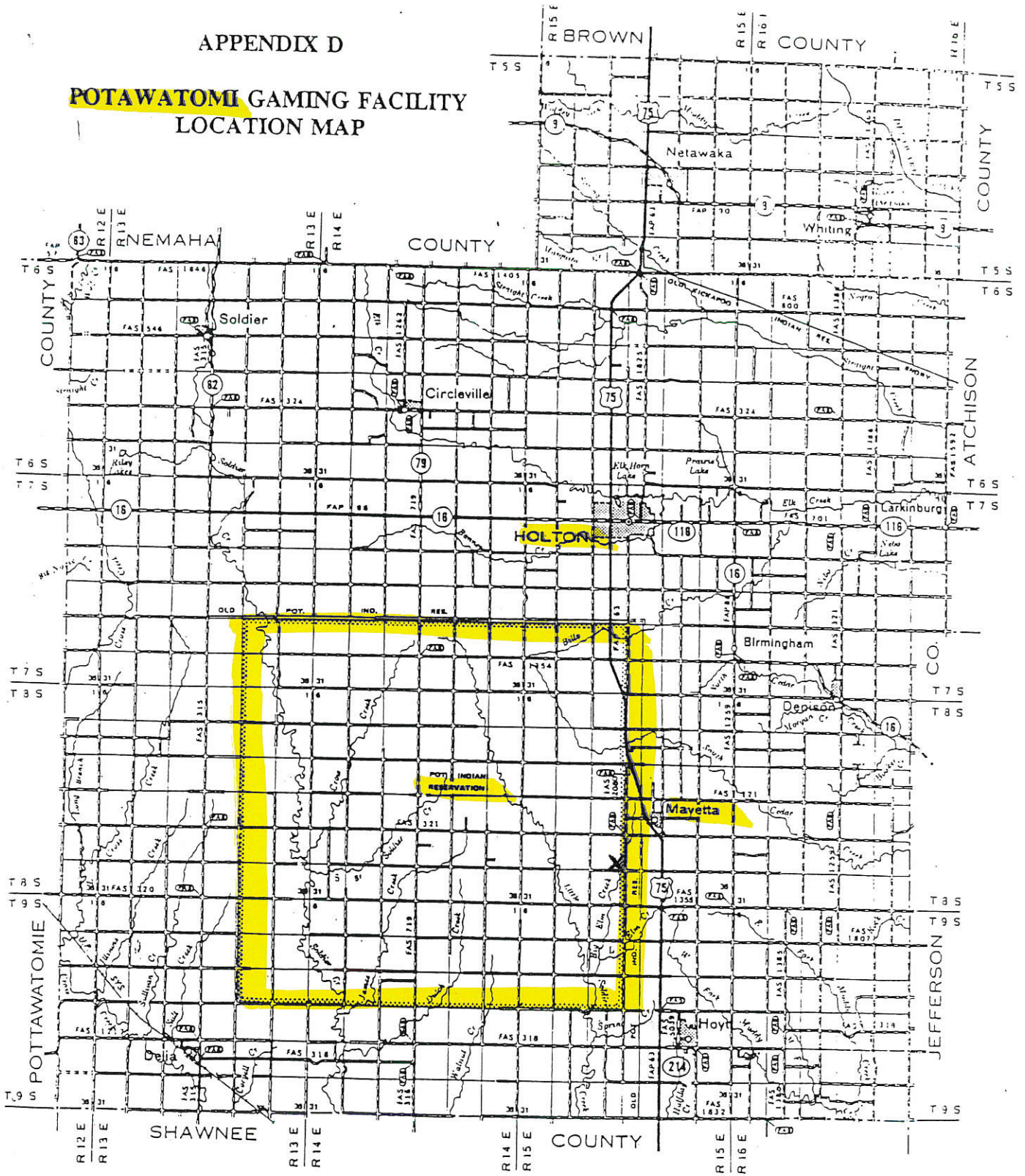
KANSAS TURNPIKE
 Passenger car toll is \$7.00 for the entire length of 236 miles, approximately 3.0c per mile. Entrance or exit only at interchanges, shown thus:
 Interchange / Service Area
 Interchange numbers are mileposts.

INTERSTATE HIGHWAYS
PRINCIPAL ROUTES: Red, white and blue signs with 1 or 2-digit numbers. East-west routes have even numbers. North-south routes have odd numbers.
LOOP OR BELT ROUTES: These circle or bypass cities. 3-digit numbers, first number even.
SPUR ROUTES: These lead into cities. 3-digit numbers, first number odd.
BUSINESS ROUTES: Green signs. These mark routes from principal, loop or belt highways, to or through cities.
 This map shows Interstate Highways with these symbols:

A
B
C
D

APPENDIX D

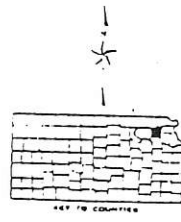
**POTAWATOMI GAMING FACILITY
LOCATION MAP**



LEGEND

- ROADS AND ROADWAY FEATURES**
- PAVED ROAD
 - GRADED AND DRAINED ROAD
 - SOIL SURFACED ROAD
 - TRAVEL OR STONE ROAD
 - NOT GRADED OR DRAINED TRAVEL OR STONE ROAD
 - GRADED AND DRAINED TRAVEL OR STONE ROAD WITH STABILIZED SURFACE
 - INTERMEDIATE ROAD—LOW TYPE
 - PAVED HIGHWAY
 - HIGHWAY WITH FULL CONTROL OF ACCESS AND INTERCHANGE

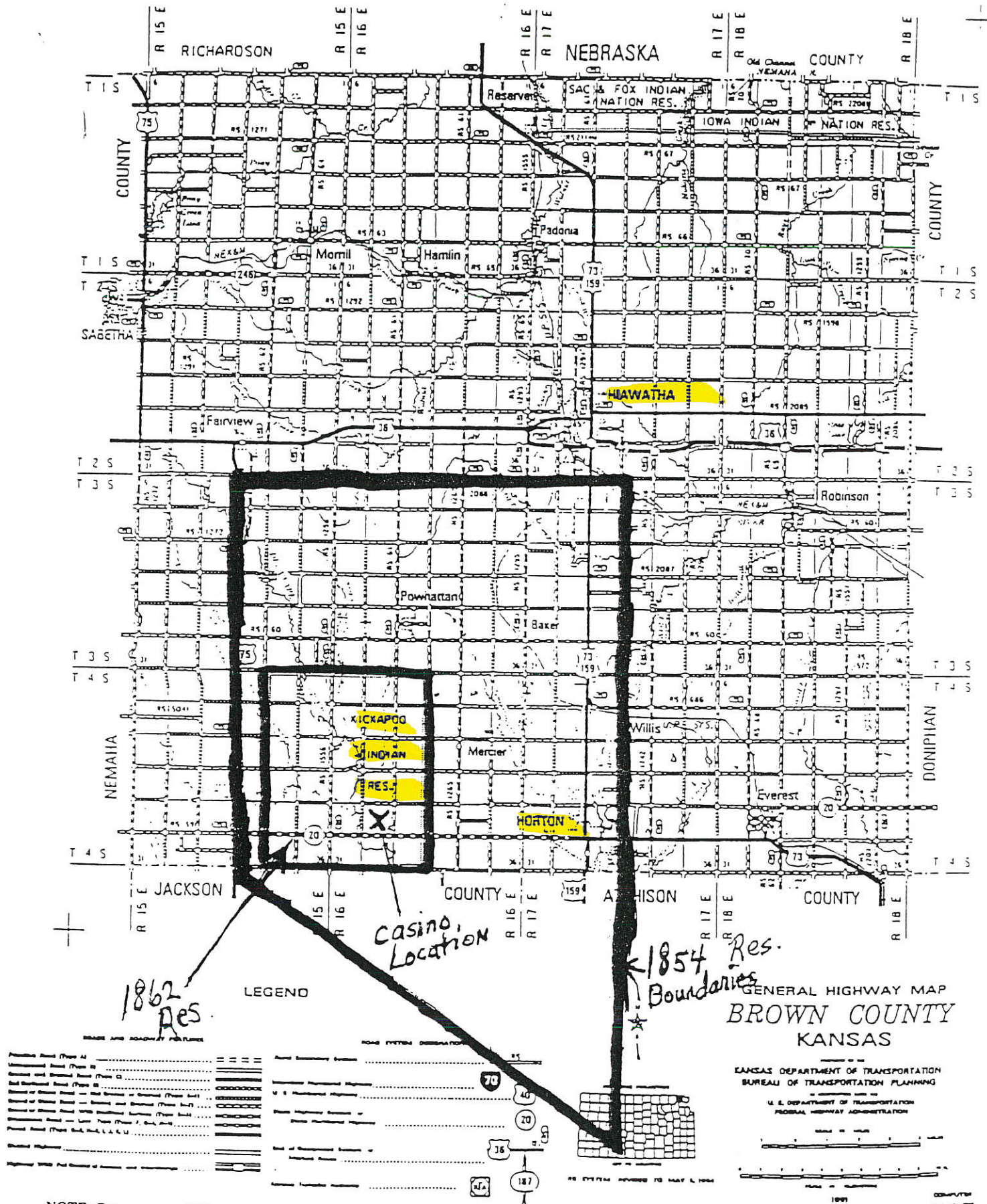
- ROAD SYSTEM DESIGNATION**
- FEDERAL AID INTERSTATE HIGHWAY SYSTEM
 - FEDERAL AID PRIMARY HIGHWAY SYSTEM
 - FEDERAL AID SECONDARY HIGHWAY SYSTEM
 - INTERSTATE NUMBERED HIGHWAY
 - U.S. NUMBERED HIGHWAY
 - STATE HIGHWAY SYSTEM OR STATE NUMBERED HIGHWAY
 - END OF DESIGNATED SYSTEM OR MARKED ROUTE



GENERAL HIGHWAY MAP
JACKSON COUNTY
KANSAS

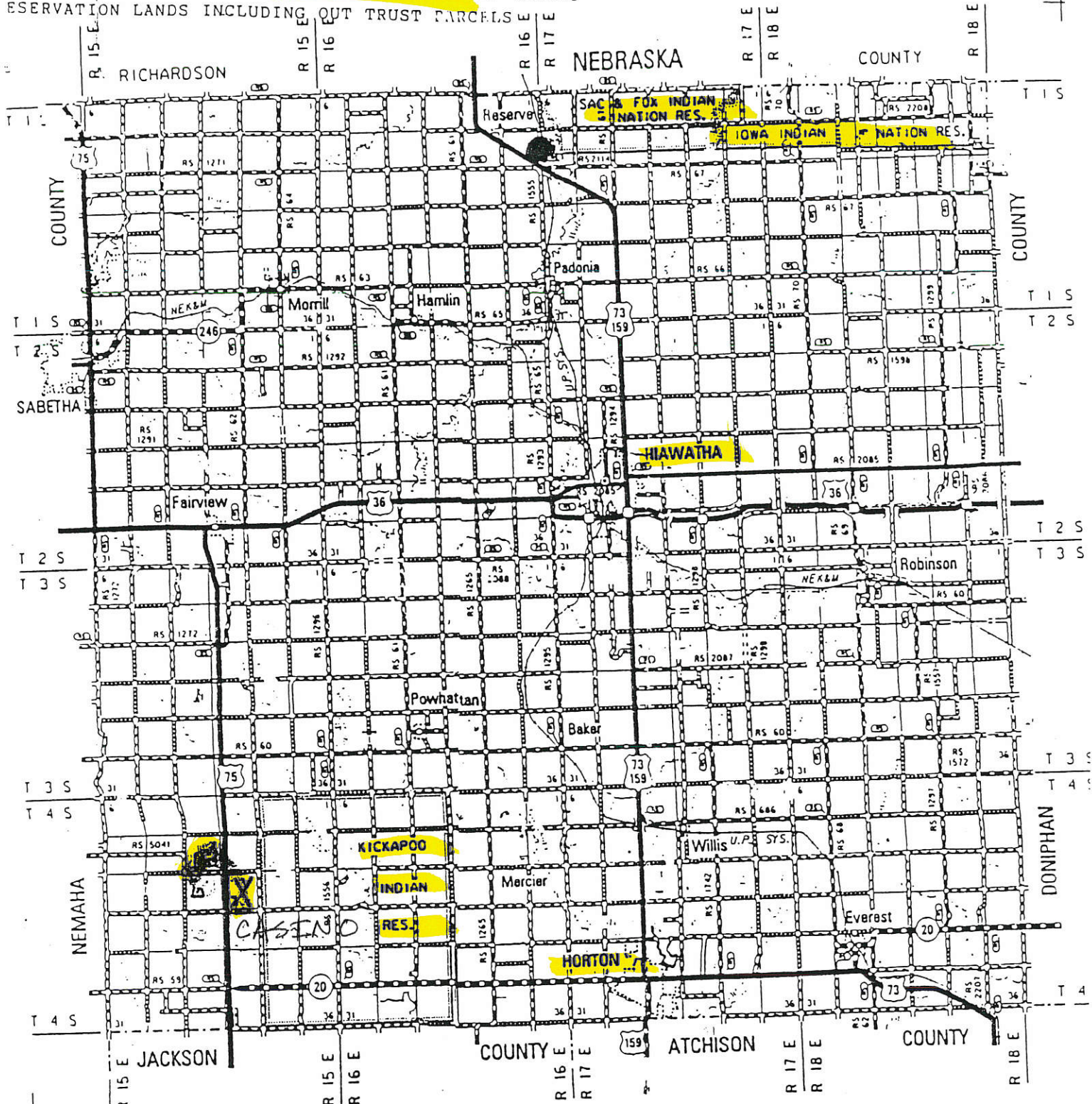
KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF TRANSPORT PLANNING
DESIGNED AND DRAWN BY THE DIVISION OF
ROADS AND BRIDGES

KICKAPOO COMPACT-APPENDIX "D"



NOTE: For purposes of this compact, the reservation boundaries are as indicated in the inset area labeled "1862 Res.". The Kickapoo Nation considers the boundaries established by the Treaty of May 15, 1854, to be its true reservation boundaries pursuant to Article I of the Constitution and By-Laws of the Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas.

CLASS GAMING COMPACT SAC & FOX TRIBE AND KANSAS
RESERVATION LANDS INCLUDING OUT TRUST PARCELS



SEE MAP A
MAP B
MAP C

LEGEND

ROAD AND ROADWAY FEATURES		ROAD SYSTEM DESIGNATION	
• Road (Type 1)	=====	Rural Secondary System	----- RS -----
• Road (Type B)	=====	Interstate Numbered Highway	70
• Road (Type C)	=====	U.S. Numbered Highway	40, 20, 36, 187
• Road (Type D)	=====	State Highway System or State Numbered Highway	36, 187
• Road (Type E)	=====	Line of Discontinued System or Municipal Route	-----
• Road (Type F)	=====	County Turnpike Authority	-----

GENERAL HIGHWAY MAP
BROWN COUNTY
KANSAS

PREPARED BY THE
KANSAS DEPARTMENT OF TRANSPORTATION
BUREAU OF TRANSPORTATION PLANNING
IN COOPERATION WITH THE
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

SCALE IN MILES
SCALE IN KILOMETERS

ROAD SYSTEM REVISED TO MAY 8, 1964

1961