

Approved: By e-mail
Date: 4-30-99

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS.

The meeting was called to order by Chairperson Representative Susan Wagle at 1:30 P.M. on April 28, 1998 in Room 313-S of the Capitol.

All members were present except: Rep. Benlon, excused

Committee staff present: Theresa Kierman, Revisor of Statutes
Mary Galligan, Legislative Research
Russell Mills, Legislative Research
Judy Swanson, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Theresa Kiernan, Revisor of Statutes, gave a brief overview of **SB 72**, Memorial for Kansas firefighters on state capitol grounds.

Rep. Cox moved to amend **SB 72** by striking Line 16 (N/E corner) and inserting "at a site to be selected by Architectural Services. Rep. Gilbert seconded the motion. The motion passed.

Rep. Mays said that regardless of where the bill says a memorial is to be located, the Capital Area Plaza Authority has final authority where anything goes on the Capitol grounds.

Rep. Vickery made a motion to recommend **SB 72** as amended favorable for passage. Rep. Franklin seconded the motion. The motion passed.

SB 57, Designating October 14, Dwight D. Eisenhower Day, was reviewed by Revisor Kiernan.

Rep. Freeborn moved to recommend **SB 57** favorable for passage. Rep. Hutchins seconded the motion. The motion passed.

Rep. Freeborn moved to recommend **SCR 1607**, Encouraging the observance of Dwight D. Eisenhower Day favorable for adoption. Rep. Hutchins seconded the motion. The motion passed.

SB 6, Alcoholic beverages; liquor licensees; requiring licensees to be current in payment and filing of all state taxes, and **SB 15**, Alcoholic beverages; open container enforcement by ABC officers, were reviewed by Revisor Kiernan.

Chair Wagle said liquor retailers were opposed to **SB 6**, but she would like to see New Section 5 of the bill amended into **SB 15** to allow liquor to be served in the Kansas National Guard building in Salina.

Chair Wagle then told Committee members there has been concern from fireworks dealers that they cannot sell fireworks in December 1999 for the new millennium celebration. Discussion followed on amending permission for such fireworks sales into **SB 6**.

Rep. Klein moved to amend **SB 15** by adding Section 5 from **SB 6** into **SB 15**. Rep. Vining seconded the motion.

Rep. Freeborn opposed the proposed amendment because she wanted **SB 15** to stay as is. Rep. Edmonds agreed with Freeborn's comments.

Rep. Edmonds made a substitute motion to recommend **SB 15** favorable for passage without amending the bill. Rep. Freeborn seconded the motion.

The sale of fireworks was then discussed. Nebraska and neighboring states have authorized December 1999 fireworks sales in advance of the new millennium celebration, therefore Kansas could lose business if they were not able to sell fireworks also. If a bill were passed the State Fire Marshal could then authorize the sale of fireworks from 12/28/99 through 01/00.

Rep. Wagle said liquor dealers are working on a bill and need a vehicle for their proposal. Rep. Mays said **SB 6** would set a dangerous precedent for businesses. Rep. Edmonds questioned why **SB 115** could not be used as a vehicle for the fireworks sales.

Vote was taken on Rep. Edmonds substitute motion. The motion carried.

Rep. Klein presented a balloon to allow for December 1999 fireworks sales and moved to introduce it as Substitute for SB 6. Rep. Rehorn seconded the motion. The motion passed.

Rep. Klein moved to pass Substitute for SB 6 favorable for passage. Rep. Franklin seconded the motion. The motion carried.

Mary Galligan, Legislative Research, reviewed **SB 351**, Census data used for congressional and legislative redistricting required to be based on actual enumeration and not sampling. Committee discussion followed. Rep. Rehorn said all evidence points to the fact that using the sampling method of census taking is more accurate. Rep. Wagle said actual enumeration has proven to be more accurate. Rehorn said to the contrary Blacks and Hispanics were undercounted by over 10% using enumeration. Rep. Edmonds said the Legislature had authorized a half-million dollars to the Secretary of State to take out non-Kansans, and if this bill were passed we would be saying we want a less accurate accounting. "Enumerate" is used in the Federal Constitution per Edmonds. Rep. Franklin questioned how sampling could be more accurate than enumeration when 90% (approximately 26 million) of the people would be found by computer (using sampling) not by actual count.

Rep. Klein moved to amend SB 351 so just the most accurate count would be used. Rep. Rehorn seconded the motion. After discussion the motion failed.

Rep. Klein moved to amend SB 351 by adding New Section 3: Notwithstanding the provisions of Sections 1 and 2 for the purpose of making or submitting grant applications the Secretary of State or any political subdivisions of the State may use any census data available for such grant applications. Rep. Rehorn seconded the motion.

Rep. Edmonds made a substitute motion to recommend SB 351 favorable for passage with no amendments. Rep. Freeborn seconded the motion.

After discussion, Rep. Edmonds withdrew his substitute motion, and Rep. Freeborn withdrew the second of the motion.

Vote was taken on Rep. Klein's motion to amend SB 351. The motion carried.

Rep. Klein moved to report SB 351 as amended favorable for passage. Rep. Gilbert seconded the motion. The motion passed.

Rep. Cox made a motion to approve the Committee meeting minutes of March 24, March 29, March 30, March 31 and April 8. Rep. Mays seconded the motion, and the motion passed.

Meeting adjourned at 3:25 P.M.

