

Approved: 3/26/12
Date

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven R. Brunk at 1:30 p.m. on February 13, 2012, in Room 346-S of the Capitol.

All members were present except:

Representative Huebert – Excused
Representative Peterson - Excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Representative Reynaldo R. Mesa
Eric Stafford, The Kansas Business Coalition for Immigration Reform
Allie Devine, Kansans for Sensible Immigration Policy
Bishop Scott J. Jones, Kansas Area of The United Methodist Church
Tamar Jacoby, ImmigrationWorks USA

Others attending: See attached.

Representative Jim Howell introduced a bill about regulations on school busses.

Representative Judith Loganbill introduced a bill about discharging a firearm inside or into a city.

The Chairman opened the hearing on **HB 2712–Kansas business workers and community partnership act; undocumented aliens.**

Mike Heim explained the bill. The name of the bill is on page 4, lines 39-40. The bill authorizes a procedure for persons that are here unlawfully present in the United States to work for certain qualified Kansas employers. The first section is definitions. The goals of the legislation are in Section 2. Section 3 and 7 thru 10 deal with the Secretary of Labor. Section 4 contains the qualifications of the aliens and Section 6 has the criteria the employer must meet. Section 11 deals with the handling of funds set up by the act.

Representative Wolfe-Moore asked what “biometrics” on page 2 line 9 meant. The Chairman indicated that some of the witness would be able to explain that.

Representative Loganbill asked what the definition of “alien” was as this bill changes it. Mike said he thought that the definition in the bill was consistent with other statutes.

Representative Knox asked if the Federal government could prosecute an employer who hired an illegal alien.

Representative Gatewood asked if the workers under this act would be subject to all of the labor, workers compensation laws.

Representative Kiegerl commented about Section 4 that says the worker is not eligible for unemployment

CONTINUATION SHEET

The minutes of the House Federal and State Affairs Committee at 1:30 p.m. on February 13, 2012, in Room 346-S of the Capitol.

benefits if he is terminated for cause. What about workers compensation, would those rules apply?

Representative Mesa testified as a proponent of **HB 2712** (Attachment 1). He said that the agricultural businesses in his district are facing shortages of workers. This is not about amnesty.

Representative Knox asked if this legislation addressed the issue of the Federal government coming against the state or the people involved in this program. Representative Mesa said that Allie Devine had made some contact with the Federal government on these issues.

Representative O'Hara commented that this would make a legal status for those who are illegally in Kansas. Representative Mesa did not think that it created legal status.

Eric Stafford presented testimony as a proponent of **HB 2712** (Attachment 2). He said that the bill was pro-Kansas, pro-business, a pro-economic growth alternative for the legislature to consider. Our immigration policy is broken, it has long been ignored by Congress and states are starting to take the issue into their own hands. He said that HB 2712 works within the confines of the federal immigration matrix through a program developed by the Kansas Secretary of Labor.

Representative Rubin asked if this bill would make it harder to enforce Federal immigration laws. Eric did not think that it would because it was working within the current laws of the Federal government. Do you have any concern that the bill would make Kansas a magnet for illegal immigration. Eric said no because the bill states they must be a resident of Kansas for at least five years.

Allie Devine gave testimony as a proponent of **HB 2712** (Attachment 3). She said that this was a policy of support, not a policy of amnesty.

Representative Rubin asked how their proficiency in learning English would be measured.

Representative Knox referred to page 2, line 18-19 asking if anyone in the program would have employment authorization from the Federal government. Allie said that was true.

Representative Loganbill asked if the definition of alien was pulled from the Federal language. Allie said that they would correct the definition to current usage..

Representative Brunk asked who initiated this program, is it the State of Kansas or the Federal level? Allie said that it was the State of Kansas that initiates the program. Representative Brunk asked if we had approval from DHS to run this program. Allie said that they had conversations about it

Bishop Scott Jones presented testimony as a proponent of **HB 2712** (Attachment 4). He said that Kansas needs immigrants for a number of reasons, but we must respect the laws of our country. We are concerned about population decline in our rural counties.

Tamar Jacoby testifies as a proponent of **HB 2712** (Attachment 5). **HB 2712** is a thoughtful, carefully crafted proposal for making the best of a broken system. This is just the sort of experimentation we need in the states. It is good for Kansas and the immigration debate.

The next meeting is scheduled for February 14, 2012.

The meeting was adjourned at 3:04 p.m.