

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman William Mason at 1:30 p.m. on February 12, 2004 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Russell Mills, Legislative Research Department
Mary Torrence, Revisor of Statutes Office
Dennis Hodgins, Legislative Research Department
Rose Marie Glatt, Secretary

Conferees appearing before the committee: None

Others attending:

See Attached List

The Chairman requested bill introductions.

Without objection a bill was introduced by Representative Gilbert concerning racial profiling by law enforcement.

Without objection, Representative Rehorn requested a bill introduction, on behalf of Unified Government of Wyandotte County concerning property taxation; relating to unpaid real property taxes; judgement and enforcement thereof pursuant to code of civil procedure.

Without objection, Representative Rehorn requested a bill introduction, on behalf of Representative Tom Thull, concerning the division of power and duties of emergency management.

Without objection, Representative Rehorn introduced a bill regarding medical standards for outpatient surgical clinics.

Without objection, Representative Novascone requested a bill introduction regarding the percentage taken by the Kansas Racing Commission on track wages.

Without objection, Steve Kearney, Executive Director of Kansas County and District Attorneys Association requested a bill regarding the limitation of "good time" to fifteen percent for juveniles, as it is to that of adults.

Without objection, Representative Ruff, requested a bill regarding Apprenticeship Council terms of office in the Kansas Department of Human Resources.

HR 6013 - Memorializing Congress to maintain Kansas' military installations.

Representative Lane stated that the purpose of the Resolution was to send a strong message to the U.S. Congress and the President of the United States of the huge importance that our Kansas military installations have on our Kansas economics (Attachment 1).

HB 2420 - Children's internet protection act

Mr. Mills reviewed the supplemental bill, that prohibits certain acts and provides remedies for violations of the act. Discussion followed regarding the fiscal note on the bill.

Representative Hutchins moved that they recommend HB 2420 favorably for passage. Representative Dahl seconded the motion.

Testimony was distributed from Representative Hutchins regarding a Supreme Court decision and relevant correspondence (Attachment 2). Discussion followed regarding changes in the status of opponents regarding this bill and current filtering systems in Kansas libraries. Representative Rehorn

CONTINUATION SHEET

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stated that it was his understanding that the state libraries were not in agreement with the bill and had given him alternative language, which essentially paralleled the federal law, which does not allow for federal funding if appropriate filters are not in place. A question was raised regarding the liability and penalties of Library Boards and Directors.

Representative Hutchins moved that HB 2420 be passed out favorably. Representative Dahl seconded. The motion carried.

HOUSE Substitute for SB 9 -Native American tribal law enforcement officers; jurisdiction.

The Chairman stated that many people had worked hard on the issues that had resulted in many compromises. He commended the efforts of all parties involved.

Russell Mills briefed the Committee on the history of the bill. Testimony was distributed from Representative Hutchins regarding comments from the Attorney General's office and the Jackson County Commission (Attachment 3).

Representative Hutchins moved the adoption of the balloon on H Sub for SB 9. Representative Freeborn seconded

Ms. Torrence's explained the balloon on **H Sub for SB 9** (Attachment 4) which consists of changes to re-letter and re-number subsections, clarification of language, liability for mutual aid agreement, maps reflecting boundaries defined in the act, and the addition of a three year sunset clause.

Discussion followed regarding the state and counties' liability due to wrongful acts by American Tribal Law Enforcement Officers. The Committee's attention was directed to the testimony from the Attorney General's office as well as the Jackson County Commission. The issue of land in trust was defined and discussed. A question of support of law enforcement officers in the counties was raised.

The Chairman called for a vote on the adoption of balloon amendment on **H Sub for SB 9** made by Representative Hutchins and seconded by Representative Freeborn. The motion carried.

Representative Rehorn made a motion to move H Sub for SB 9 as amended, out favorably. Representative Cox seconded the motion. The motion carried thirteen to eight.

The meeting adjourned at 2:30. The next meeting is February 16, 2004.