

Approved: March 29, 2000
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Representative Tony Powell at 1:30 p.m. on March 9, 2000 in Room 313-S of the Capitol.

All members were present except: Representative Henderson, excused
Representative Rehorn, excused

Committee staff present: Theresa Kiernan, Revisor of Statutes
Russell Mills, Legislative Research
Winnie Crapson, Secretary

Conferees appearing before the committee:

HB 2922:

Proponents

Representative Swenson
Joseph Fehrenbacher
Jeffery Bottenberg, Kansas Peace Officers' Association

Sub SB 304

Proponents

Becca Vaughn, Kansas Disability Rights Action Coalition for Housing
Norma Phillips, Department of Commerce and Housing
Steve Hinds, Wichita Independent Living Resource Center
Shirley Wishom, Stardusters, Topeka
Brian Atwell, Independent Living at Link, Hays
Michelle Campbell, Resource Center for Independent Living, Osage City
Jennifer Schwartz
Michael Reece, Parsons

Opponents:

Larry Ellers, City of Parsons

Written Testimony:

Sharon Huffman, Kansas Commission on Disability Concerns
Jody Anderson, Lawrence
Leroy Bell, Prairie Independent Living Center, Hutchinson
Jeff Farney, Beloit Troy Horton, Center for Independent Living for Southwest Kansas
Troy Horton, Center for Independent Living for Southwest Kansas
Gary Howard, Western Kansas Association on Concerns of the Disabled
Shannon Jones, Statewide Independent Living Council of Kansas
Gary Kent, Ottawa
Lou Ann Kibbee, Western Kansas ADAPT
Blake Knoll, Liberal
Kelly Nightengale, Lawrence Independent Living Resource Center
Derek Poppenhagen, Garden City
Betty Richey, El Dorado
Amy Ritter, El Dorado
Robin Tropper, Kansas Disability Rights Action Coalition for Kansas
Cecil Walker, Jr., Douglass
Michael Weekley, Jr.
Danny Ray Wilson, Douglass

Others attending: See attached list.

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Chairman Powell opened the meeting and recognized Representative Phill Kline for bill introduction request. Representative Kline presented information on violation of federal law concerning harvesting of fetal body parts (Attachment #1).

Without objection bill will be introduced as requested by Representative Phill Kline imposing restrictions on the use of fetal tissue and providing penalties for violation. [HB 3034 introduced March 14.]

Hearing was opened on

HB 2922, Inflicting harm or death to search and rescue dogs, penalty.

Representative Swenson introduced the bill.

Joseph Fehrenbacher, Deputy Director for the Kansas Search and Rescue Dog Association, presented written testimony in support of the bill (Attachment #2). He explained the use of Search and Rescue Dogs and their value.

Jeff Bottenberg, testified in support of the bill on behalf of the Kansas Peace Officers' Association (Attachment #3).

Hearing on HB 2922 was closed.

Representative Freeborn moved that the Committee recommend HB 2922 favorable for passage. Representative Klein seconded, motion passed.

Hearing was opened on

Sub SB 304, Handicap accessibility standards compliance required for certain dwellings funded with public moneys.

Becca Vaughn, Kansas Disability Rights Action Coalition for Housing, presented testimony in support of the bill (Attachment #4). She pointed out the provisions of **Sub SB 304** would apply to dwellings not already covered by existing federal or state laws, such as The Fair Housing Act, which requires basic access in all new privately owned multi-family housing of four or more units; Sec. 504 of the Rehabilitation Act of 1973, which requires a minimum of 5% of the units have full accessibility in all federally funded multi-family units; and the Kansas Act Against Discrimination which mirrors the provisions of the federal Fair Housing Act.

Norma Phillips presented testimony on behalf of the Department of Commerce and Housing in support of the bill (Attachment #5). She presented information on present requirements for funding under HOME and CDBG programs. The department recently announced a pilot program for accessibility modifications across the state funded by non-HUD monies. In 1999 the Department funded a total of 62 units (32 new, 30 rehabilitated). Had this bill been in effect, only about 14 of the total of 62 units would have required additional measures.

Steve Hinds, Consumer Advocate for the Wichita Independent Living Resource Center, presented testimony in support of the bill (Attachment #6). He presented statistics on the number of disabled people in the population of the United States and the state of Kansas. He testified that the few times he had been able to locate an accessible house or apartment for those needing even basic accessibility the rents were so high a person on disability of Social Security could not afford it.

Shirley Wishom presented testimony on behalf of Stardusters Crime Prevention, Inc. of Topeka in support of the bill (Attachment #7). In 1995 Stardusters became the first organization in Kansas to successfully meet qualifying Federal guidelines to become recognized as a Community Housing Development Organization (CHDO) making it eligible to compete for all CHDO set-aside activities under the HOME Investment Partnerships program.

Brian Atwell, Executive Director of Living Independently in Northwest Kansas (LINK), presented

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testimony in support of the bill ([Attachment #8](#)). LINK has five offices serving 21 counties of Northwest Kansas. In 1999 they served 569 consumers.

Michelle Campbell, CAC Coordinator of the Resource Center for Independent Living, Osage City, presented testimony in support of the bill ([Attachment #9](#)). She described the difficulty she has as a disabled person visiting apartments and homes that are not accessible.

Jennifer Schwartz presented testimony in support of the bill ([Attachment #10](#)). She described the difficulties encountered by her daughter Jessica who experiences cerebral palsy.

Michael Reece, Parsons, presented testimony in support of the bill ([Attachment #11](#)). Mr. Reece testified that as an advocate with Southeast Kansas Independent Living Resource Center, Inc., he sees the need for this bill to increase housing options for the disabled.

Larry Ellers presented testimony in opposition to the bill on behalf of the City of Parsons ([Attachment #12](#)). He testified that the requirements for ramps, wider doors, strengthening bathroom walls would impact the Parsons Affordable Housing Program by increasing costs by an additional \$6,000 per home and that the modifications will be very difficult to obtain in an assembly line process. He said that 30% of new housing in Kansas is manufactured housing.

Written testimony in support of the bill was presented by the following:

Sharon Huffman, Kansas Commission on Disability Concerns ([Attachment #13](#)).
Jody Anderson, Lawrence, ([Attachment #14](#)).
Leroy Bell, Prairie Independent Living Center, Hutchinson ([Attachment #15](#)).
Jeff Farney, Beloit ([Attachment #16](#)).
Troy Horton, Center for Independent Living for Southwest Kansas ([Attachment #17](#))
Gary Howard, Western Kansas Association on Concerns of the Disabled ([Attachment #18](#))
Shannon Jones, Statewide Independent Living Council of Kansas ([Attachment #19](#))
Gary Kent, Ottawa ([Attachment #20](#))
Lou Ann Kibbee, Western Kansas ADAPT ([Attachment #21](#))
Blake Knoll, Liberal ([Attachment #22](#))
Kelly Nightengale, Lawrence Independent Living Resource Center ([Attachment #23](#))
Derek Poppenhagen, Garden City ([Attachment #24](#))
Betty Richey, El Dorado ([Attachment #25](#))
Amy Ritter, El Dorado ([Attachment #26](#))
Robin Tropper, Kansas Disability Rights Action Coalition for Kansas ([Attachment #27](#))
Cecil Walker, Jr., Douglass ([Attachment #28](#))
Michael Weekley, Jr. ([Attachment #29](#))
Danny Ray Wilson, Douglass ([Attachment #30](#))

Hearing on Sub SB 304 was closed.

Chairman Powell said it was intended to work **Sub SB 304** today but due to the length of testimony and the late hour it will be considered at a later date.

Meeting adjourned at 3:15 p.m. Next scheduled meeting is March 13.