

MINUTES OF THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Doug Mays at 1:40 p.m. on March 8, 2001 in Room 313-S of the Capitol.

All members were present.

Committee staff present: Theresa M. Kiernan, Revisor of Statutes
Russell Mills, Legislative Research Department
Shelia Pearman, Committee Secretary

Conferees appearing before the committee:
Senator Kay O'Connor
Representative Mary Cook
Representative Dale Swenson
Dr. Larry Fisher
Danielle Noe, Assistant Secretary of Administration
Andy Sanchez, Kansas Association of Public Employees
Mark Tallman, Kansas Association of School Boards

Others attending: See attached list

Without objection bill will be introduced as requested by Representative Ruff regarding liability of gun owners whose weapons have been stolen. [HB 2564]

Representative Hutchins updated the committee on actions taken by the Topeka/Shawnee County Public Library (TSCPL) regarding **HB 2108**. They plan to adopt section 1.55 (Attachment #1) prohibiting accessibility of potentially harmful obscenity as defined by KSA 21-4301, 21-4301a and 21-4301c to patrons under 18 years of age unless accompanied by a parent or legal guardian. This encompasses all material they cannot legally purchase when classified as a minor. The TSCPL Board of Trustees will meet March 15, 2001 meeting. Additionally, State Librarian Duane Johnson has advised that the Kansas Library Association will provide information regarding this policy during their upcoming Spring and Summer conferences. (Attachment #2)

Chairman Mays re-opened the hearing on SB 180 - Abolish the Kansas Performance Review Board. Ms. Noe provided additional details to questions posed by Committee members yesterday.

Mr. Sanchez opposed **SB 180** and cited the 1999 survey of the Foster Care privatization which continues to experience soaring costs. Eliminating the Kansas Performance Review Boards (KPRB) does away with yet another tool for providing efficiency in government. (Attachment #3) It is KAPE's contention that its members, State employees can provide better and cost efficient service.

The hearing on SB 180 was closed.

Chairman opened the hearing on HB 2067 - Certain animals; penalties for inflicting harm or death. Representative Swenson stated that search and rescue dogs used by a law enforcement or emergency response agency for the purpose of locating persons missing in disasters or other times of need do not have the same protection by K.S.A. 21-4318. as do police or arson dogs. With training costs of approximately \$3,000, this bill would make it a class A nonperson misdemeanor to harm or kill a search and rescue dog (Attachment #4)

Written testimony (Attachment #5) was submitted by Joseph Fehrenbacher, Kansas Search and Rescue Dog Association Director requesting inclusion in K.S.A. 21-4318. With approximate costs of \$3,000 for certification and almost 14 months of training, these dogs are difficult to replace due to their service to locate survivors or victims during post-tornado or post-explosions searches.

The hearing on HB 2067 was closed.

Representative Benlon moved that Committee recommend **HB 2067** favorable for passage.
Representative Barnes seconded the motion. The motion passed.

Chairman Mays opened the hearing on **HB 2411 - Public schools, programs of patriotic exercises.**
Representative Cook deemed that memorizing and reciting the leading principles of the Declaration of Independence will better prepare our students to become effective citizens. (Attachment #6)

Mr. Tallman opposed the bill and stated the Association believes a district's curriculum should be established by the local board of education, not by state statute, as long as the district meets state accreditation requirements. (Attachment #7)

The hearing on **HB 2411** was closed.

Representative Benlon moved that Committee conceptually amend to include all accredited schools.
Representative Dahl seconded the motion. The motion passed.

Representative Cook moved **HB 2411** be recommended as amended favorable for passage.
Representative Hutchins seconded the motion. Upon requested division, motion passed 10-6.

Chairman Mays opened the hearing on **SB 62 - Constitutional awareness act.**
Senator O'Connor expressed her desire to heighten awareness for elected officials to become more familiar with the Kansas and the United States Constitution. (Attachment #8) As Citizen Legislators, they will be working to pass laws which affect both documents and the citizens from their area. The Senate removed the Citizenship test requirement which would have published scores after the officials began their term of office.

Dr. Fisher supported **SB 62** in its original form. (Attachment #9) He stated it is reasonable for the agents in this agreement to acquire knowledge of the contract. He said ignorance, avarice or ambition can lead to dissolution of constitutions over time. He quoted James Madison and other famous statesmen in his written testimony.

The fiscal note from the Division of the Budget estimated the cost for printing to be \$3,100 and postage for handbooks, tests, and results from the tests to be \$2,100 for a two-year period.

The hearing on **SB 62** was closed.

The committee meeting adjourned at 2:50 p.m. The next scheduled meeting is March 12, 2001.