

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven Brunk at 1:30 p.m. on March 15, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative Kiegerl - excused  
Representative Fund – excused  
Representative Peterson - excused

Committee staff present:

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

Others attending:

See attached list.

The Chairman called on the committee to work **HR 6015 Resolution; requiring Attorney General to bring suit to test constitutionality of a provision of Kansas Expanded Lottery Act.**

Ed Van Petten stood to explain the six steps process that must be completed before construction can begin. First, there has to be a public vote in the county which approves the casino. The Sedgwick County vote did not pass, leaving Sumner as the only county involved. Second, applicants make application with the Kansas Lottery. Kansas Lottery is required to accept all applications filed and then determine if they meet the Statute. Once Kansas Lottery deems that they have received the best offer that the applicant can make, then a contract is entered into. The contract cannot be signed until it has a local endorsement and there are necessary planning and zoning approved. We received from the City of Mulvane ordinances numbers 1359 and 1360, one granting a personal use permit and the other changing the zoning to comply with the requirements of the statute and we acted on the advice of our council in that regard. Once we received that the contract was approved and signed on October 19<sup>th</sup>, last year.

Representative Loganbill asked Ed if they had approved this contract in the manner required by law? Ed said that they did it as they interpreted the Act. Representative Patton said the public referendum had specific terms as to what the question had to be. The referendum was approved before SB 66 so it is impossible for that part to be contemplated for the state owned lottery. Ed said that SB 66 allowed essentially similar language and our council determined that it was, our Commission reviewed it and voted to accept that resolution as fulfilling the requirements of SB 66.

The Chairman made a motion to amend HR 6015 by changing “requesting” to “requiring” on page 1, line 1 plus technical changes by the revisor, seconded by Representative Gregory. (Attachment 1).

Representative Gatewood said that resolutions are non-binding so changing “requiring” to “directing” makes no difference. Mike Heim read from 75.702 which is a statute dealing with the responsibilities of the Attorney General. It says the Attorney General shall appear for the State and prosecute and defend all actions when required by the Governor or either branch of the Legislature. The Chairman called for the vote. The motion carried.

Representative Rubin made a motion to move the bill out favorably as amended, seconded by Representative Knox. The Motion carried.

The Chairman called for the Committee to work **HB 2178 Granting professional licenses to nonresident individuals.**

There were three amendments requested to the bill. The Chairman asked the revisor to explain the amendments. Mike Heim said that the first amendment changes the word “five” to “three” and requires that the spouse be engaged in active practice two of the last three years, rather than two of the last five years (Attachment 2). The second amendment by Representative Knox is a complete rewrite of the bill

## CONTINUATION SHEET

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and it would consider a nonresident spouse as a resident of the State of Kansas for the purposes of professional licensure (Attachment 3). The third amendment was prepared by Kathleen Lippert, Kansas State Board of Healing Arts (Attachment 4).

There was a discussion of these three amendments and a comparison of the Knox amendment that had been withdrawn from consideration.

Representative Rubin said that he would support the Lippert Balloon.

Representative Gatewood said he would support Representative Knox's amendment.

Representative Knox made a motion to pass his substitute bill, Representative Loganbill seconded. The Chairman called for a vote by show of hands. Those in favor were seven and opposed were eleven. The motion failed.

Representative Rubin made a motion to pass the Lippert amendment, seconded by Representative Goico. The motion carried.

The Chairman called for **HB 2229 Schools; equal access by employee associations and organizations** to be worked.

The Chairman said that we have a technical amendment and a substitute bill (Attachment 5). Mike Heim explained the changes.

Representative Brunk said that this allows equal access to any number of professional organizations but not negotiating power.

Representative Loganbill said that the bill was completely destroying the Professional Negotiations Act that we have in the State of Kansas now.

Representative O'Hara said that the bill gives equal access to the teachers and supports the bill.

Representative O'Hara made a motion to pass Sub HB 2229 favorably, seconded by Representative Rubin. Representative Gatewood passed out an e-mail from Gary Sigle (Attachment 6). It shows a representative from the other organization communicating with teachers by e-mail. Either they are breaking the law or they are doing what is allowed anyway. He said the bill was unnecessary or irrelevant. Representative Loganbill said that they already have access. Representative Grosserode said she was one of the teachers who did not join the NEA because of personal political positions. She had not heard that there were other options because they were not allowed access. She supports the bill.

Representative Rubin offered an amendment to keep paragraph (B) as is including keeping all the deletions and add New paragraph (C), adding in the deleted sections from paragraph (B). Representative Rubin moved his amendment, seconded by Representative Goico. The motion carried.

Representative Goico made a motion to pass Sub HB 2229 favorably as amended, Representative Seiwert seconded. The motion carried. Representatives Henderson and Loganbill requested they be recorded as "no" votes.

The next meeting is scheduled for March 16, 2011.

The meeting was adjourned at 2:45 p.m.