

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on February 10, 2011, in Room 144-S of the Capitol.

All members were present except:

Senator Steve Morris - excused

Committee staff present:

Doug Taylor, Office of the Revisor of Statutes  
Dennis Hodgins, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Connie Burns, Committee Assistant

Conferees appearing before the Committee:

Representative Melody McCray-Miller  
Ben Scott, Topeka Branch NAACP  
Phil Bradley, Craft Brewers Guild of Kansas  
Gary Walker, Hayden High School

Others attending:

See attached list.

### **Introduction of Bills**

Gary Walker, Hayden High School, Topeka, requested a bill introduction concerning bingo games relating to the operation and prizes awarded.

Senator Owens moved that this request should be introduced as a committee bill. Senator Abrams seconded the motion. The motion carried.

### **SB 82-Amendments to laws regarding racial profiling and SB 93-Law enforcement; racial profiling and biased policing**

Chairman Brungardt opened the hearings on **SB 93 and SB 82**.

Representative Melody McCray-Miller appeared as neutral with comments and changes on **SB 82**. (Attachment 1) Representative McCray-Miller stated as a member of the Governor's Task Force on Racial Profiling and a member of the Task force Sub-committee on data collection; the changes submitted for consideration:

1. Biased Policing to "Racial and Biased Based Policing" beginning with Section 1 and throughout the document
2. All complaints should be filed with The Office of the Attorney General vs. Kansas Commission on Police Officer Standard and Training (CPOST) or the Kansas Human Rights Commission
3. Add that all officers that stop and or detain motorists and pedestrians (exempting those that write a citation) shall provide a calling card, similar to a "business card"
4. Extend the Governor's Task Force on Racial Profiling with the duties and goals that encompass reviewing all comprehensive plans of law enforcement agencies and review the annual report of such law enforcement agencies to determine compliance with this act. The task force shall notify any law enforcement agency that the task force finds to be in noncompliance with this act and shall make recommendations for actions the law enforcement agency needs to come into compliance with this act

Senator Oletha Faust-Goudeau appeared as neutral with comments on the bills. (Attachment 2) Senator Faust-Goudeau stated that she did not agree with all of the recommendations as it relates to changing racial profiling to biased policing; and offered an amendment to include the word, "racial and other biased policing" in all areas of both bills.

Ben Scott, President, NAACP Topeka Branch, spoke in opposition to the bills. (Attachment 3) Since the passage of **SB 77** in 2005; the implementation of data collection has not been realized and only a small

## CONTINUATION SHEET

The minutes of the Federal and State Committee at 10:30 a.m. on February 10, 2011, in Room 144-S of the Capitol.

percentage of Racial Profiling complaints are investigated.

The Topeka NAACP strongly believes that proper training for law enforcement officers is important and should be ongoing; and support amendments to KSA 22-4606 – 4611 as recommended by the Citizens for Equal Law Enforcement.

### **Written testimony in Opposition:**

Written testimony was received in opposition to the bills from Juanita Blackmon, Justice Keepers of Wichita, ([Attachment 4](#)) Sheila D. Officer ([Attachment 5](#)) and Walt Chappell, ([Attachment 6](#)) Citizens for Equal Law Enforcement, Wichita, Kansas, recommended amending the statutes by adding original language to strengthen the bill and make the statutes enforceable as it was intended and introduced in 2005.

Written testimony in opposition to the bills was provided by Frank Rodrigues. ([Attachment 7](#)) The bill needs the term “Racial Profiling” without any changes; it needs data collections, and the use of business cards by the officers and complaints filed through the Kansas Attorney General’s Office or the NAACP.

Chairman Brungardt closed the hearings on **SB 93 and SB 82**.

### **SB 80 – alcoholic beverages; amendments relating to beer and microbreweries**

Chairman Brungardt opened the hearing on **SB 80**

Staff provided an overview of the bill.

Philip Bradley, Craft Brewers Guild of Kansas, appeared in favor of the bill. ([Attachment 8](#)) The bill addresses two issues. The first is to allow for 10% alcohol by weight (ABW) micro brewed beer. Some of these craft brews approach the current legal levels and to be competitive and to assure complete compliance are asking the Legislature to adjust these levels.

The second is the equalization of micro brewers and craft brewers sampling rules with farm wineries (farm winery statutes 41-403a); and would make the recent Kansas Days and the upcoming Washington Days simpler and more efficient.

Chairman Brungardt closed the hearing on **SB 80**.

The next meeting is scheduled for February 15, 2011. The meeting was adjourned at 11:18 a.m.