

Approved: 3-16-12
Date

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 7, 2012, in Room 144-S of the Capitol.

All members were present except:
Senator Steve Morris-excused

Committee staff present:

Jason Long, 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:

Crystal Swann Blackdeer, Leavenworth County Humane Society
Robert Maxwell, Kansas Real Estate Appraisal Board
Luke Bell, Kansas Association of Realtors
Wendell Turner, Kansas Silver Haired Legislature
Jim Snyder, Kansas Silver Haired Legislature
Kathy Winters, Kansas Family Right Coalition
Heather Morgan, United Methodist Youthville
Gail Cozadd, Kansas Childrens Service League
Christopher Tymeson, Kansas Department of Wildlife, Parks and Tourism

Others attending:
See attached list.

Introduction of Bills

Crystal Swann Blackdeer, President, Leavenworth County Humane Society, requested a bill introduction relating to inspection of pet facilities.

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

Senator Pete Brungardt requested a bill introduction relating to the State Fire Marshall.

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

SB 345 -- Kansas Management Company Registration Act

Chairman Brungardt opened the hearing on **SB 345**

CONTINUATION SHEET

The minutes of the Federal and State Committee at 10:30 a.m. on February 7, 2012, in Room 144-S of the Capitol.

Staff provided an overview of the bill. ([Attachment 1](#))

Robert Maxwell, Chairman, Kansas Real Estate Appraisal Board, (KREAB) appeared as a proponent on the bill. ([Attachment 2](#)) The bill will continue to allow appraisals performed in Kansas to be sold on the secondary market through financial institutions regulated by the Board of Governors of the Federal Reserve System, the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the National Credit Union Administration Board, the Federal Housing Finance Agency, and the Bureau of Consumer Financial Protection. The Kansas AMC Registration Act, modeled on current acts in other states, was designed to comply with this federal mandate.

Luke Bell, Vice President of Governmental Affairs, Kansas Association of Realtors, spoke in favor of the bill. ([Attachment 3](#)) Twenty-eight states have adopted legislation regulating appraisal management companies (AMCs) that will satisfy the minimum registration requirements adopted at the federal level under the Dodd-Frank Act of 2010. For the most part, the states that have adopted legislation have followed the model legislation on the issue drafted by the Appraisal Institute and the Appraisal Subcommittee, which closely mirrors the legislation drafted by KREAB.

Written testimony was provided by Sally Pritchett, Executive Director, Kansas Real Estate Appraisal Board, in support of the bill. ([Attachment 4](#)) The bill which will set the original registration fee will be approximately \$1,500 the first year. The fee will then be reviewed annually to be adjusted as necessary, based upon expenditures associated with the bill.

Written testimony was provided by Kathleen A. Taylor, Kansas Bankers Association, in support of the bill. ([Attachment 5](#))

Mark Freitag, Owner Chief Appraiser, Freitag Appraisal Service, provided written testimony in support of the bill. ([Attachment 6](#))

Written testimony was provided by Mark Johnson, General Manager, LPS Valuations in support of the bill. ([Attachment 7](#))

William C. Baker, Director-Compliance, RLS Valuation, provided written testimony in support of the bill. ([Attachment 8](#))

Written testimony was provided by Scott Dibiasio, Government Relations, Appraisal Institute, in support of the bill. ([Attachment 9](#))

Don Kelly, Executive Director, Real Estate Valuation Advocacy Association, provided written testimony in support of the bill. ([Attachment 10](#))

Chairman Brungardt closed the hearing on **SB 345**.

SB 262 - Grandparent custody, visitation and residency

Chairman Brungardt opened the hearing on **SB 262**.

CONTINUATION SHEET

The minutes of the Federal and State Committee at 10:30 a.m. on February 7, 2012, in Room 144-S of the Capitol.

Staff provided an overview of the bill.

Senator Oletha Faust-Goudeau appeared in support of the bill. ([Attachment 11](#)) In 2007 the “Grandparents as Care Givers Act: was enacted to help grandparents with additional financial assistance while raising their grandchildren. In 2011 legislation was passed giving grandparents interested party status and automatic notification of court room hearings regarding their grandchildren; this legislation is regarding the approval of placement of grandchildren with grandparents during the investigation of the removal of a child or children from the home of their biological parents.

Wendell Turner, Speaker of the Kansas Silver Haired Legislature, spoke in support of the bill. ([Attachment 12](#)) Mr. Turner stated that it took ten months and having to hire an attorney in order to have his grandchildren to come live with them. The Turners were never allowed to speak in court and their attorney was never allowed to attend the back room meetings where the courts decided what to do with the grandchildren.

Jim Snyder, Speaker Pro Tem for the Kansas Silver Haired Legislature, spoke in favor of the bill. ([Attachment 13](#)) The bill’s purpose is to keep families together and to provide a method by which the number of children in Kansas Foster Care is reduced for the benefit of both the child and the Kansas taxpayer.

Kathy Winter, Kansas Family Right Coalition, appeared in support of the bill. ([Attachment 14](#)) Ms. Winter stated that it must be outlined in the law that the children SHALL go to grandparents when removed from their parents’ home.

Heather Morgan, Public Affairs Officer, United Methodist Youthville, appeared in support of the bill. ([Attachment 15](#)) Relatives currently receive preference from the court when determining what is best for the child; the bill would strengthen these requirements as it relates to grandparents and require them to be specifically reviewed as a placement alternative and resource when determining custody, residency, and visitation for their grandchildren.

Gail Cozadd, North Central Region Director of Program Services, Kansas Children’s Service League, (KCSL) spoke in favor of the bill. ([Attachment 16](#)) KCSL supports the concept and intent of the bill, but has some concern that it could result in unintended negative consequences in some private adoptions, and are offering a friendly amendment that would address that concern and an amendment was provided with the testimony.

Written testimony was provided by Ernest Kutzley, Advocacy Director, AARP Kamas State Office, in support of the bill. ([Attachment 17](#))

Gina Meier-Hummel, Director of Children and Family Services, SRS, provided written testimony as neutral on the bill and stated that the expertise for appropriate placement lies with those in the field evaluating all factors, along with court oversight. ([Attachment 18](#))

Chairman Brungardt closed the hearings on **SB 262**.

CONTINUATION SHEET

The minutes of the Federal and State Committee at 10:30 a.m. on February 7, 2012, in Room 144-S of the Capitol.

SB 313 - Allowing liquor consumption on department of wildlife, parks and tourism owned or managed lands and waters

Chairman Brungardt opened the hearing on **SB 313**.

Staff provided an overview of the bill.

Christopher Tymeson, Chief Legal Counsel, Kansas Department of Wildlife, Parks and Tourism, (KDWPT) appeared in support of the bill. (Attachment 19) The bill would allow alcohol possession on KDWPT property subject to restrictions by regulation.

Chairman Brungardt closed the hearings on **SB 313**.

The next meeting is scheduled for February 8, 2012. The meeting was adjourned at 11:45 a.m.