

Approved: 3-30-12  
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 March 6, 2012, in Room 144-S of the Capitol.

All members were present except:

Senator Steve Abrams- excused  
Senator Steve Morris - excused

Committee staff present:

Jason Long, Office of the Revisor of Statutes  
Tamera Lawrence, 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:

C.W. Klebe, Attorney General's Office  
Senator Marci Francisco  
Toni Wheeler, City of Lawrence  
Arly Allen, Lawrence Kansas  
Luke Bell, Kansas Association of Realtors  
Ed Jaskinia, Associated Landlords of Kansas  
Martha Neu Smith, Kansas Manufactured Housing

Others attending:

See attached list.

### **Introduction of Bills**

C.W. Klebe, Assistant Attorney General, Concealed Carry Unit, requested a bill introduction concerning Firearms; personal and family protection act; criminal possession of a firearm; expungement.

*Senator Haley moved that this request should be introduced as a committee bill. Senator Faust-Goudeau seconded the motion. The motion carried.*

Senator Owens requested a bill introduction concerning reapportionment.

*Senator Haley moved that this request should be introduced as a committee bill. Senator Faust-Goudeau seconded the motion. The motion carried.*

### **SB 400-- Municipalities; landlord requirement to keep tenants list; changes**

Chairman Brungardt opened the hearing on **SB 400**.

## CONTINUATION SHEET

The minutes of the Federal and State Committee at 10:30 a.m. on March 6, 2012, in Room 144-S of the Capitol.

Staff provided an overview of the bill.

Senator Marci Francisco appeared as a proponent on the bill. (Attachment 1) The bill would make it easier for the city to enforce the ordinances enacted that limit the number of unrelated individuals who can lawfully occupy a dwelling. Senator Francisco asked the Committee to also consider an appropriate change of simply repealing the existing statute altogether and eliminating the restriction on all municipalities in the state.

Toni Wheeler, City Attorney for the City of Lawrence, spoke in favor of the bill. (Attachment 2) The city of Lawrence had requested the bill to help enforce ordinances passed by the governing body that are intended to maintain the single family character of neighborhoods, and to enhance public safety of tenants residing in rental units in residential zoned districts. The amendment to current law would allow only those cities having a rental licensing program would be allowed to seek and obtain the tenants' names before a citation for a code violation is issued.

Arly Allen, Centennial Neighborhood Association in Lawrence, appeared in support of the bill. (Attachment 3) Mr. Allen stated that for the last 10 years, the neighborhood association has been attempting to protect the neighborhoods in the face of the bad law that was passed; and hoped that this bill would allow the City of Lawrence to protect the homes, neighborhoods and schools.

Luke Bell, Vice President of Governmental Affairs, Kansas Association of Realtors, testified in opposition of the bill. (Attachment 4) The bill would effectively reverse the state's long-standing policy against any requirements for landlords to disclose the names of tenants to municipalities. Mr. Bell urged the committee to preserve existing state policy on this issue and protect the privacy rights of tenants by opposing the provisions of the bill.

Ed Jaskinia, President, The Associated Landlords of Kansas, (TALK) appeared in opposition to the bill. (Attachment 5) TALK strongly believes that the existing prohibition on Tenant Registries is good law, good policy, and good for the safety of their tenants.

Martha Neu Smith, Executive Director, Kansas Manufactured Housing Association, (KMHA) provided testimony in opposition of the bill. (Attachment 6) KMHA is opposing the bill due to the fact that manufactured home communities (mobile home parks) are already required by KSA 79-335, 79-336, 79-337 to provide this information to the county clerk or assessor of the county in which the manufactured home community is located. The form was provided that KMHA is required to complete and return; and noted on the form if the home is rented, to list the renter's name. KMHA therefore feels that they are already providing this information and asked to be exempted from this duplicative requirement.

Chairman Brungardt closed the hearings on **SB 400**.

The next meeting is scheduled for March 7, 2012. The meeting was adjourned at 11:35 a.m.