

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Nancey Harrington at 10:45 a.m. on February 5, 2003 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Russell Mills, Legislative Research Department  
Dennis Hodgins, Legislative Research Department  
Theresa Kiernan, Office of the Revisor  
Nikki Kraus, Committee Secretary

Conferees appearing before the committee: Amy Campbell, The Kansas Assoc. of Beverage Retailers

Others attending: Please see attached.

Ms. Campbell asked for the introduction of two bills by the committee, one dealing with the recodification act, and the other dealing with state license issues. (Attachment 1)

Following discussion, Ms. Campbell stated that the issue of recodification is not necessarily about uniformity.

Ms. Kiernan stated that it would impact that issue because it would impact their home rule.

Chairperson Harrington stated that the committee needed to look at the Liquor Control Act.

Senator Vratil stated that he would like to share with the committee that he worked extensively with the 1999 recodification and that the controversy was totally about home rule powers; he stated that no one has come up with a satisfactory answer.

The committee discussed whether any action might impact the current Kansas court case concerning the city of Wichita and Biggs.

Chairperson asked the committee what its pleasure was.

Senator Barnett stated that he did not know. Senator Vratil suggested an interim study of the issue so as to avoid influencing the court.

Ms. Campbell stated that her members were extremely concerned about court cases and that they did not know which rules to follow. She stated that they wanted recodification to be discussed because they want to know what is in the law and why, etc., and, regardless of the court decision, they would still pursue it. She then asked the committee for the introduction of her second bill dealing with state licensure.

Senator Brungardt made a motion to introduce a bill dealing with state licensure. Senator O'Connor seconded the motion. The bill was introduced.

Chairperson Harrington directed the committee's attention to possible action on:

**SB 33—An act concerning driving under the influence of alcohol or drugs; relating to the penalties therefore.**

Ms. Kiernan presented the committee with an amended version of the bill to meet the concerns addressed by Tuck Duncan in regard to the impoundment of vehicles. (Attachment 2)

CONTINUATION SHEET

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The committee discussed the language of the bill in detail.

Senator Barnett made a motion to amend SB 33 to change p. 4-5 second section to strike the comma and enter the word "or" after the word school; strike the entirety of clause 3 in the second paragraph on p. 4. Senator Vratil seconded the motion to amend. The motion to amend SB 33 passed.

Senator Barnett made a motion to recommend SB 33 favorable for passage to the entire Senate. Senator Vratil seconded the motion. The motion passed.

Chairperson Harrington assigned the bill to Senator Barnett to carry on the floor.

Senator Vratil asked the committee for the introduction of a bill to require a board of education to charge tuition equal to average operating cost per pupil for Missouri students attending Kansas schools. Senator Barnett seconded the motion to introduce. The bill was introduced.

Chairperson Harrington thanked Mr. and Mrs. Beaver for attending the meeting to see through SB 33.

The meeting adjourned at 11:27 a.m.