

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven Brunk at 1:47 p.m. on February 10, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative Rocky Fund – Excused
Representative Mike 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 for bill introductions.

Senator Robert Olson introduced a bill similar to SB 39 concerning the sex offender registration bill.

Representative Kinzer introduced a bill similar to SB 165 concerning licensing abortion clinics and a second bill concerning vital statistics in the way in which still-births are reported.

Speaker Doug Mays introduced an insurance bill defining life policies to allow critical illness riders.

Representative Melody McCray-Miller introduced three bills concerning children and families dealing with temporary custody, familial or kinship care and permanency rights.

The Chairman called for the Committee to work **HB 2013 Sale and purchase of rifles and shotguns**

Representative Carlson made a motion to pass the bill out favorably, seconded by Representative Goico.

Representative Knox said that he considered this a clean-up of state law. All it says is that it is lawful to sell or buy from someone in a contiguous state.

Representative Loganbill said that she would vote yes.

The motion carried.

The Chairman called for the Committee to work **HB 2035 Amending Statutes regulating late-term and partial birth abortions.**

Representative Huebert made a motion that HB 2035 be passed out favorably, seconded by Representative Goico.

The Chairman advised that there was a small clean-up amendment and the revisor would explain it. Mike Heim explained that this amends section 3 of the bill which deals with late term abortions and adds a new subsection which is a clarification that prosecution of violations of this section may be brought by the attorney general or by the district attorney or county attorneys for the county where any violation of this section is alleged to have occurred.

Representative Brunk made a motion that this amendment be accepted, Representative Rubin seconded, the motion carried.

Representative Huebert made a motion to pass the bill favorably as amended, Seconded by Representative Rubin.

Representative Loganbill asked what was the fiscal note on this. Dennis Hodgins said that it would be close to \$300,000 to the state. She said what was missing was a fiscal note from SRS. She was also concerned as to what happens to the young woman who is in the custody of the state and they want to seek a judicial bypass. Mike Heim said that SRS would be the legal guardian and the bill would cover

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that situation.

The motion carried.

The Chairman called the Committees attention to **HB 2006 Repeal of KSA 76-731a, which grants residency for tuition purposes to certain aliens who are unlawfully present in the United States**

Representative Knox made a motion to pass the bill favorably, seconded by Representative Kiegerl.

Representative Goico said that the bill would require that the birth certificates be checked to see if they are citizens of Kansas. He also asked if there was a fiscal note on the bill.

Representative Goico made a motion that the bill be tabled until we get a fiscal note, Representative Gatewood seconded. Representative Goico requested that their votes be recorded. Representatives Victors, Goico, Loganbill, Gatewood and Wolfe Moore voted to table the bill. The motion failed.

Representative Kiegerl said that the fiscal note was not a reason to oppose the bill.

Representative Huebert said that rules for the Committee are not the same as the rules for the Committee of the Whole.

Representative Rubin said that the deciding factor should be whether we are a country of laws or not. One thing we can do is not make it attractive for those who break our laws to come to Kansas for benefits that are not offered elsewhere.

Representative O'Brien also wanted to see the fiscal note.

Representative Goico wanted to remind the Committee that the law says they must attend Kansas high schools for three years and signed an intention to become a citizen. Since they have been here for three years they are not being attracted by in-state-tuition. The law we are talking about is a state law and it has been the subject of numerous lawsuits. The securing of our borders has nothing to do with this bill.

Representative Gatewood said he was anxious to see the fiscal note because there is going to be some costs associated with it. We don't fund K through 12 the same way we do higher education. So the dollars that are obtained from these children of immigrants is above what we gain otherwise. So it is a net gain for our universities. Kansas wants cheap immigrant labor so why should we punish their children.

Representative Loganbill said that this bill was about education, not terrorism. She said we were visiting the sins of the parents on the child, they have no choice.

Representative Wolfe Moore said that by repealing the in-state-tuition bill we are denying these students an education.

Representative Kiegerl said that Kansas has limited resources and the immigrants are financially motivated.

Representative Patton said that there was no testimony that they could not get an education if it was not for this bill. This is not a criminal law. No one is being punished, it is about respect for law.

Representative Rubin agreed with Representative Patton and agreed that this was enforcing the law.

Representative Gregory said that she had the fiscal note for **HB 2006** on her computer. It indicated that revenue would be increased under this bill.

Representative Goico asked if the fiscal note could be passed out to the Committee before the vote. He also said that he had the tuition information for all the schools we are talking about and everyone should be able to see them before we vote.

Representative Grosserode said that the state was subsidizing those students who receive in-state-tuition rates.

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Representative Gatewood said that those who testified against this bill were not monetarily motivated. The two young ladies who testified are only interested in benefiting Kansas.

The fiscal note was provided to staff who verified that it was the “official” fiscal note and they distributed the fiscal note to the Committee.

The Chairman called upon Representative Knox to close on his motion.

The Chairman called for the vote. The motion carried. Representatives Victors and Henderson requested to be recorded as no votes.

The next meeting is scheduled for February 14, 2011.

The meeting was adjourned at 2:55 p.m.