

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman William Mason at 1:30 p.m. on March 22, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative Todd Novascone- excused

Committee staff present:

Russell Mills, Legislative Research Department  
Mary Torrence, Revisor of Statutes Office  
Dennis Hodgins, Legislative Research Department  
Rose Marie Glatt, Secretary

Conferees appearing before the committee:

Senator Tim Huelskamp, 38<sup>th</sup> District, Fowler, KS  
Denny Burgess, City of Wichita  
Mike Pepoon, Sedgewick Country

Others attending:

See Attached List.

**SB 400 - Law enforcement; training of part time law enforcement officers**

Senator Tim Huelskamp, a prime sponsor of **SB 400**, explained that it amends the Kansas Law Enforcement Training Center to clarify what “law enforcement” entails and which employees of the state or local government are considered “part-time” and “full-time” for training purposes (Attachment 1). This bill addresses situations in small towns in which they don’t have resources to hire a full-time law enforcement officer and would still like to qualify for two weeks training at the Kansas Law Enforcement Training Center.

The hearing was closed on **SB 400**.

Ms. Torrence explained that **SB 405** would allow the amount of time for remediation of an environmental contaminated area under the tax increment financing act to be extended from 20 to 30 years. The City of Wichita had requested the bill.

Denny Burgess, City of Wichita, testified in favor of the bill (Attachment 2). He explained that KDHE approval, for the clean-up of environmental contamination in Wichita, was not granted until 2000, leaving only eleven years of the 20 year limit to finish the project. The extension would allow cities additional time to complete the project, with the approval of the Board of County Commissioners and the Board of Education.

Mike Pepoon, Sedgewick Country, stated that in its original form, Sedgwick County opposed **SB 405**, however, they support the current *amended* version of the bill (Attachment 3). The Gilbert and Mosley Project had taken an area that had suffered from groundwater contamination and turned it into one of the finest entertainment districts in their region.

The hearing was closed on **SB 405**.

Representative Siegfroid made the motion to move **SB 400** out favorably. Representative Johnson seconded the motion and the motion carried.

Representative Brunk moved that **SB 405** be passed out favorably. Representative Lane seconded the motion.

Representative Craft made the motion to amend language on page 3, line 18. The word *approves* would be changed to *approve*. Representative Cox seconded the motion and the motion carried..

CONTINUATION SHEET

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE at 1:30 p.m. on March 22, 2004 in Room 313-S of the Capitol.

Representative Brunk moved that **SB 405**, as amended, be passed out favorably. Representative Lane seconded the motion and the motion carried.

**HB 2784 - Allowing federal law enforcement officers arrest powers in certain situations; deemed to be within the scope of their employment.**

Discussion followed regarding an amendment recommended by Thomas A Nunemaker, Asst. Special Agent in Charge, FBI, Kansas City Division.

Representative Freeborn moved that they amend **HB 2784** to include the phrase “and assigned to the Federal Bureau of Investigation” immediately following the words “the United State Government”. Representative Burroughs seconded the motion. The motion carried.

Representative Brunk moved that they pass **HB 2784** out, as amended. Representative Cox seconded the motion.

Representative Siegfried moved that they amend line 14 to strike “view” and substitute “judgement”. Representative Rehorn seconded the motion. The motion carried..

Representative Burroughs made a motion that they amend “sunset language (3 years)” into **HB 2784**. Representative Hutchins seconded the motion. The motion carried.

Representative Brunk closed and made the motion to move **HB 2784** out favorably, as amended. Representative Cox seconded and the motion carried.

### **Liquor Control Act**

The Chairman reviewed the recent court order on the Liquor Control Act, issued March 19, 2004, that upheld the district judge’s ruling. He explained the rationale behind having another uniformity bill on the house floor to send to the Senate. Copies of a **PROPOSED Substitute For Senate Bill 295** were distributed, which included changes made during the interim (Attachment 4).

Discussion followed regarding how “Sunday Sales” and taxes are affected by the substitute bill.

Representative Edmonds made the motion to strike Section 7, pertaining to taxes. Representative Freeborn seconded the motion and the motion carried.

Representative Rehorn made a motion to amend the local option Sunday sales (county) provision as contained in **SB 305** into the bill. Representative Cox seconded.

Due to language difficulties Representative Rehorn withdrew his amendment. Representative Cox concurred.

He restated his amendment.

Representative Rehorn made a motion to adopt Sunday sales, as in **SB 305**, as passed out of the Interim Committee, which allows for city local options. Representative Cox seconded the motion. The motion failed 10-11.

Representative Williams made the motion to amend “Easter” to the list of holidays in section 9, on page 17. Representative Hutchins seconded. The motion carried 17-4

Discussion followed regarding the rationale behind protecting any “holiday” and concern over passing out such a significant bill with little time for review.

Representative Rehorn made a motion to strike, Memorial Day, Independence Day and Labor Day from the list of holidays in section 9, Representative Ruff seconded the motion.

CONTINUATION SHEET

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Discussion followed concerning the impact the bill would have on families and various communities.

The motion failed 9-11.

Representative Hutchins made the motion that **Substitute for SB 295** , as amended, be passed out favorably. Representative Freeborn seconded the motion. The motion carried 13-10.

The meeting adjourned at 3:10 p.m. The next meeting will be March 23, 2004.