

Approved: 5-28-93
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Chairman Lana Oleen at 11:20 a.m. on March 24, 1993 in Room 254-E of the Capitol.

All members were present

Committee staff present: Mary Galligan, Legislative Research Department

Mary Ann Torrence, Revisor of Statutes

Jeanne Eudaley, Committee Secretary

Conferees appearing before the committee:

Janet Chubb, Executive Director, Racing Commission

Others attending: See attached list

Sen. Oleen referred to HB 2129, relating to assistance of released inmates, and asked Mary Galligan to brief the committee on amendments (Attachment 1). She explained this bill establishes guidelines for giving funds to inmates upon release from a Correctional institution and provides that the guidelines be put in Corrections Department Rules and Regulations. Sen. Oleen related some history on the bill and the reasons for the amendment. Sen. Gooch stated his support for the bill and amendment, and Sen. Ramirez pointed out that it provides the Secretary of Corrections has discretion in giving funds to the inmates. After clarification on the amendment, Sen. Ramirez made a motion to adopt the amendment, and it was seconded by Sen. Tillotson; the motion passed. Sen. Praeger made a motion the bill be passed favorably as amended, and it was seconded by Sen. Gooch; and the motion passed.

Sen. Oleen directed the committees' attention to SB 380, amending the parimutuel racing act; disposition of moneys from simulcast races, and reminded the committee it amended a portion of SB 412 into SB 380 yesterday. She stated from information provided to the committee by Janet Chubb regarding SB 412, the portion in the amendment was needed by the Racing Commission this session. Sen. Oleen stated she has concern about amending it into SB 380 since that bill may be controversial and that it is the committees'

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E
Statehouse, at 11:05 a.m. on March 24, 1993.

decision to stay with the action it took yesterday on the bill, or to amendment that portion needed by the Racing Commission into a less controversial bill. She stated she has talked to the Chairman of the House Federal and State Affairs Committee and believes there is not sufficient time for them to hold hearings and come to a decision on Senate bills sent to them this late in the session. She stated the intent of this is to address the concerns of the Racing Commission at this time and leave SB 412 in this committee for consideration early next session and pass only the portion the Commission feels is necessary this session. The Committee discussed the status of bills in the House at this time, and Sen. Parkinson stated the provision being discussed should be put on a House bill in order to have it considered yet this session and suggested a likely bill would be HB 2427, relating to certain violations of the parimutuel racing act. Sen. Parkinson made a motion the committee reconsider action taken on Tuesday, March 23, and it was seconded by Sen. Tillotson; the motion passed. Sen. Walker made a motion to include the provision in SB 412, as discussed, into HB 2427, and the motion was seconded by Sen. Parkinson; the motion passed.

Sen. Oleen referred to a balloon (Attachment 2), which would amend SB 380 and asked Mary Torrence to explain its provisions. Janet Chubb stated the Racing Commissions' position and that it understands there is a need to focus on funds used for animal safety and development, due to criticism in the past. She stated the Commission will focus during the interim on this subject. Sen. Ramirez made a motion to adopt the provision of the balloon to SB 380, and it was seconded by Sen. Parkinson ; the motion passed. Sen. Oleen stated the legislative intent is to be specific on how the moneys are spent. Sen. Ramirez made a motion SB 380 be passed as amended, and it was seconded by Sen. Jones; the motion passed.

Sen. Oleen announced HB 2519, relating to the racing commission, audits and reviews, has been referred to this committee, but, due to lateness of this session, she anticipates no hearings will be scheduled. She also announced the committee will probably have one more scheduled meeting to consider subjects for interim studies. Sen. Oleen referred to Committee meeting Minutes for February 3 and 9. Sen. Jones made a motion the Minutes be approved, and it was seconded by Sen. Papay; the motion passed.

Sen. Gooch introduced his intern and pages from his district who have assisted the committee today.

Meeting adjourned at 11:45.

DATE: MARCH 24, 1993

[illegible]

Sen. F. & S. A.
3-24-93
Att. 1

thereto, have deduction of 5% of monthly gross wages paid to the crime victims compensation fund or a local property crime fund for the purpose of victim compensation. The department of corrections is authorized to make this deduction and payment to the crime victims compensation fund or a local property crime fund. In the event a local fund has made a payment to a victim of a property crime under this act and there is an order of restitution for which moneys are being withheld from an inmate under K.S.A. 75-5268 and amendments thereto, the secretary shall cause such moneys deducted for use by the state crime victims compensation board to be paid quarterly to the local fund, if any, then the balance to the state crime victims compensation fund. If there is no order of restitution, then K.S.A. 75-5268 and amendments thereto shall apply to the disposition of funds.

(c) (1) Upon the release of any inmate on parole, conditional release, *postrelease supervision* or expiration of the inmate's maximum sentence, the inmate shall be provided with suitable clothing and ~~may be provided, pursuant to guidelines established by the secretary of corrections [by rules and regulations]~~ with a cash payment of ~~not more than~~ \$100. Any inmate who is gainfully employed under the work release provisions of K.S.A. 75-5267 and 75-5268, and amendments thereto, or who is gainfully employed by a private business enterprise operating on the grounds of a correctional institution under K.S.A. 75-5288 and amendments thereto, or any other private business at which inmates are permitted to be gainfully employed, or any inmate paroled or released to a detainer shall not be eligible to receive this cash payment.

(2) An inmate released on expiration of the inmate's maximum sentence shall be provided public transportation, if required, to the inmate's home, if within the state, or, if not, to the place of conviction or to some other place not more distant, as selected by the inmate. An inmate released on parole or conditional release shall be provided public transportation, if required, to the place to which the inmate was paroled or conditionally released.

Sec. 2. K.S.A. 1992 Supp. 75-5211 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

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, provided the inmate has a balance of \$500 or less in the inmate's trust account at the time of release. If the inmate subsequently violates a condition of release resulting in reincarceration and is thereafter again released on parole, conditional release, post release supervision or expiration of the inmate's maximum sentence, the inmate may be provided, pursuant to rules and regulations of the secretary of corrections, with a cash payment of not more than \$100.

SENATE BILL No. 380

By Committee on Federal and State Affairs

2-22

AN ACT amending the Kansas parimutuel racing act; concerning disposition of certain moneys from simulcast races; amending K.S.A. 74-8829 and 74-8836 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 74-8829 is hereby amended to read as follows: 74-8829. (a) There is hereby created in the state treasury the Kansas horse breeding development fund to which moneys shall be credited as provided by this act. Expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the commission or a person designated by the chairperson.

(b) Moneys credited to the Kansas horse breeding development fund shall be apportioned into categories corresponding with the various breeds of horses which are participating in live races conducted and simulcast races displayed by organization licensees in direct proportion to each category's contribution to the fund and shall be used in each category to provide:

- (1) Purse supplements to owners of Kansas-bred horses;
- (2) stakes and awards to be paid to the owners of the winning Kansas-bred horses in certain races as determined by the commission;
- (3) a stallion award to each owner of a Kansas-registered stallion which is the sire of a Kansas-bred horse if such horse wins or wins, places or shows in any race conducted at a Kansas race meeting, but no such award shall be paid to the owner of a Kansas stallion that served outside Kansas at any time during the calendar year in which the winning Kansas-bred horse was conceived;
- (4) a breeder's award to each owner of a Kansas-registered mare which is the dam of a Kansas-bred horse if such horse wins or wins, places or shows in any race conducted at a Kansas race meeting; and
- (5) moneys for equine research through institutions of higher education under the state board of regents.

Sec. 2. K.S.A. 74-8836 is hereby amended to read as follows: 8836. (a) Any organization licensee that conducts at least 150 days

(c) Moneys credited to the Kansas horse breeding development fund shall be used only for the benefit of the breed of horses which generates such moneys.

Sec. 2. K.S.A. 74-8831 is hereby amended to read as follows: 74-8831. (a) There is hereby created in the state treasury the Kansas greyhound breeding development fund to which money shall be credited as provided by this act. Expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the commission or a person designated by the chairperson.

(b) Moneys credited to the fund shall be expended as follows:

(1) An amount equal to 15% of all moneys credited to the fund during a fiscal year shall be transferred by the director of accounts and reports on June 30 of each year to the greyhound tourism fund created by subsection (c);

(2) an amount equal to 35% of all moneys credited to the fund during a fiscal year shall be used for research conducted within the state of Kansas relating to the prevention of injury to and disease of greyhounds;

(3) an amount equal to 50% of all moneys credited to the fund during a fiscal year, less the amount determined by the commission pursuant to subsection (b)(4), shall be used by the racetrack facilities where derived to supplement stake races for Kansas-whelped greyhounds as approved by the commission; and

(4) an amount determined by the commission, but not to exceed \$30,000 of the moneys credited to the fund during a fiscal year, shall be used to pay a portion of the administrative costs of the official registering agency designated by the commission pursuant to K.S.A. 74-8832 and amendments thereto.

(c) Moneys credited to the Kansas greyhound breeding development fund shall be used only for the benefit of greyhounds.

(d) There is hereby created in the state treasury the greyhound tourism fund. Moneys in such fund shall be used only for the promotion of greyhound-related tourism. Expenditures from such fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of commerce or a person designated by the secretary.

Renumber remaining sections and amend title and repealer accordingly

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