

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 January 29, 2004 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Russell Mills, Legislative Research  
Dennis Hodgins, Legislative Research  
Theresa Kiernan, Revisor of Statutes' Office  
John Beverlin, Committee Secretary

Conferees appearing before the committee:

Robin Jennison, Governmental Services  
Sherry Diel, Executive Director, Kansas Real Estate Commission  
Bill Yanek  
Phil Wilkes, Administrator, Charitable Gaming, Department of Revenue

Chairperson Brungardt called the meeting to order and asked the committee for approval of previous minutes.

The minutes for the January 13, January 14, January 15, and January 20 meetings were approved on a motion by Senator Teichman, seconded by Senator Clark and motion carried.

Chairperson Brungardt asked the committee for bill introductions.

Senator Vratil asked the committee to introduce a bill referred to as the Fairness in Private Construction Contract Act.

Senator Vratil made a motion to introduce the bill. Senator Barnett seconded the motion. The bill was introduced.

Senator Betts asked the committee to introduce three bills. The first bill concerned minority and small business owners, the second concerned environmental TIF legislation, and the third concerned domestic battery.

Senator Betts made a motion to introduce the bills. Senator Clark seconded the motion. The bills were introduced.

Chairperson Brungardt asked Robin Jennison to the podium for further bill introductions.

Mr. Jennison requested that the committee introduce a bill to increase the take out percentage in parimutuel pools from 22 percent to 25 percent.

Senator Clark made a motion to introduce the bill. Senator Teichman seconded the motion. The bill was introduced.

Chairperson Brungardt asked Sherry Diel to the podium for further bill introductions.

Ms. Diel requested that the committee introduce a bill concerning disciplinary actions against real estate licensees (Attachment 1).

Senator Teichman made a motion to introduce the bill. Senator Vratil seconded the motion. The bill was introduced.

Chairperson Brungardt asked Bill Yanek to the podium.

Mr. Yanek presented an amendment to the bill introduced by Ms. Diel (Attachment 2). He stated that the Real Estate Commission had no problem with his amendment.

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Senator Teichman made a motion to amend the bill. The motion was seconded by Senator Vratil. The bill was amended.

Chairperson Brungardt called the committee to take action on **SB 295--KU hospital authority; agricultural remediation board; terms of members thereon, expiration dates.** He asked Theresa Kiernan to review the bill for the Committee.

Senator Barnett made a motion to recommend SB 295 favorable for passage. The motion was seconded by Senator Clark. SB 295 was recommended favorable for passage.

Chairperson Brungardt welcomed Phil Wilkes to the podium.

Mr. Wilkes provided a department overview of charitable gaming (Attachment 3).

Chairperson Brungardt asked the committee for questions.

Senator Lyon asked whether there was a definition of bingo.

Mr. Wilkes answered that it was in the statutes, but was pretty basic.

Senator O' Connor asked for a reason in the decline of bingo at churches.

Mr. Wilkes said that bingo at churches was primarily a social event at rural area Catholic Churches. He stated the population in these areas were declining. He further stated that bingo organization in northeast Kansas had dropped drastically for this reason.

Senator Lyon asked Mr. Wilkes what he thought would happen if the state stopped regulating bingo.

Mr. Wilkes answered that there would be an increase in prizes to the point where there would be just a few large bingo organizations. He stated there would be an increase in cheating on bingo.

Senator O' Connor asked for the prize limit.

Mr. Wilkes stated that 25 games could be held per gaming session. He stated the total for all 25 games is 1200 dollars. He explained that regular games could not be over 50 dollars each and special games could not be over 500 dollars each.

Senator O' Connor asked how long the current 1200 dollar limit had been around.

Mr. Wilkes answered since 1978. He further stated that in the year 2000, two new games were introduced that substantially increased the total for the session. He explained that an establishment could have two progressive games per session with a limit of 1000 dollars each. They could then have 20 regular games with a payout of 50 dollars each. He explained that the total payout for the session then could be increased to 3000 dollars.

Chairperson Brungardt thanked Mr. Wilkes. He then called the committee to take action on **SB 290--Revising the membership of the capitol areal plaza authority.** He asked Ms. Kiernan to provide the committee with a quick review of the bill.

Chairperson Brungardt asked the committee for questions.

Senator O' Connor asked what the authority did.

Ms. Kiernan answered that the authority approved additions and changes to the capitol area plaza.

Chairperson Brungardt stated essentially the authority was a review board of things that would effect the area.

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Senator Clark stated that the bill causes conflict in separation of powers. The problem exists with the city government official that is appointed by the mayor. He wanted to know whether that appointee was an executive branch appointee.

Ms. Kiernan stated that she was not certain.

Senator Clark stated he wished for the question to be answered before action was taken on the bill.

Senator Vratil asked whether the issue could be resolved by having the representative of Topeka appointed by the governor.

Senator Clark answered that he believed that was possible.

Chairperson Brungardt asked the committee if there was sufficient concern to revisit the issue.

Committee members answered yes.

Chairperson Brungardt asked the staff to find answers to the problems with **SB 295**. He then adjourned the meeting.

The meeting was adjourned at 11:45 a.m. The next meeting is scheduled for February 3, 2004, at 10:30 a.m. in room 231-N.