

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 12:30 p.m. on April 28, 2004 in Room 231-N of the Capitol.

All members were present except:

Senator Donald Betts- excused  
Senator John Vratil- excused

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:

Michael Gayoso Jr., Member, Kansas Lottery Commission  
Ed Van Petten, Kansas Lottery

Others attending:

See Attached List.

Chairperson Brungardt called the meeting to order and asked the committee to turn its attention to the confirmation hearing for Michael Gayoso Jr., to be appointed as a member of the Kansas Lottery Commission. He asked Mr. Gayoso to the podium.

Mr. Gayoso told the committee about himself and his family. He talked about the future of the Kansas Lottery including the addition of a new game called E-scratch.

Chairperson Brungardt asked the committee for questions.

Senator Gilstrap asked Mr. Gayoso about his education.

Mr. Gayoso explained that he studied to be a Roman Catholic priest for four years.

Senator Teichman asked if traveling from Pittsburgh to Topeka for a meeting will be a burden on Mr. Gayoso's family life.

Mr. Gayoso explained that the Commission only meets four times a year, so the meeting should not pose a problem.

Chairperson Brungardt asked what Mr. Gayoso felt were the challenges and future for the Kansas Lottery.

Mr. Gayoso explained that the E-scratch game is the only one of its kind and should be exciting.

Senator Clark had a question for Ed Van Petten concerning the length of term for members of the Lottery Commission.

Mr. Van Petten explained that the appointees serve four year terms but serve until being replaced. James Cates, the individual who held the seat on the Commission before the appointment of Mr. Gayoso has held his position for longer than four years. He explained that Mr. Gayoso will then actually serve less than four years because Mr. Cates had served longer than his four years.

Senator Clark pointed out an error in the Senate Confirmation Information Summary, presented to the committee prior to the meeting, concerning the expiration of the term for Mr. Gayoso.

Mr. Van Petten explained the summary was wrong and that Mr. Gayoso's term would expire in 2007. He stated that the statute provides for four year terms cyclical.

Chairperson Brungardt thanked Mr. Gayoso

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE at 12:30 p.m. on April 28, 2004 in Room 231-N of the Capitol.

Senator Teichman made a motion to recommend the confirmation of Michael Gayoso Jr. as a member to the Kansas Lottery Commission. The motion was seconded by Senator Barnett. Michael Gayoso Jr. was recommended for confirmation to the position of a member on the Kansas Lottery Commission.

Chairperson Brungardt asked the committee to turn its attention to **SB 305**, that was sent back to the Senate Federal and State Affairs Committee. He explained to the committee that the only thing left in the bill was uniformity in liquor sales.

Theresa Kiernan explained that pre-emptive language was stripped from the bill on the Senate floor. She also explained that the tax language from Senator Barnett's floor amendment that gave money to K-12 education needed to be cleaned-up because the tax portion of the bill was removed.

Senator Clark was concerned why the clean-ups were not done as amendments on the floor. He asked if the committee could just table the bill until it was determined why the bill was sent back to the committee.

Chairperson Brungardt explained that tabling the bill would prevent uniformity in liquor laws.

Senator Clark made a motion to table **SB 305**. The motion was seconded by Senator O' Connor. The motion to table **SB 305** passed 4-3.

Senator Barnett expressed concern with tabling the bill and concern with having non-uniform liquor laws in Kansas.

Senator Clark explained that he wanted the bill tabled until somebody explained why the bill was sent back to committee. He explained that once that was determined, he would be in favor of overturning the motion. He further explained that he was in favor of uniform liquor laws.

Chairperson Brungardt explained that there may not be another chance to hold a meeting. He told the committee members that they would now turn their attention to the confirmation of Carole Gates as Chairperson of the Kansas Lottery Commission. After the confirmation hearing, he said he would give the committee another chance to consider its action on **SB 305**.

Chairperson Brungardt asked the committee to consider the confirmation of Carole Gates.

Senator Teichman made a motion to recommend the confirmation of Carole Gates as Chairperson of the Kansas Lottery Commission. The motion was seconded by Gilstrap. The motion to recommend the confirmation of Carole Gates as Chairperson of the Kansas Lottery Commission passed.

Chairperson Brungardt asked the committee for additional discussion on **SB 305**.

Senator Barnett again expressed concern on non-uniform liquor laws. He asked the Chair to consider an additional meeting once the reason behind sending the bill back to committee was determined.

Chairperson Brungardt explained that he could not guarantee any additional meetings because of time constraints.

Senator O' Connor explained that a two-thirds majority was needed to reverse the motion to table the bill.

Senator Clark explained that when the Leadership Offices provided the information as to why the bill was sent back to the committee, he would be the first to reverse the motion.

Chairperson Brungardt thanked the committee.

The meeting was adjourned at 1:00 p.m.

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE at 12:30 p.m. on April 28, 2004 in Room 231-N of the Capitol.