

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 23, 2007 in Room 231-N of the Capitol.

All members were present except:  
Senator Roger Reitz- excused

Committee staff present:  
Kathie Sparks, Kansas Legislative Research Department  
Dennis Hodgins, Kansas Legislative Research Department  
Ken Wilke, Revisor of Statutes Office  
Connie Burns, Committee Assistant

Conferees appearing before the committee:  
Ed Van Petten, Kansas Lottery  
Jeff Boerger, Kansas Speedway  
Tracy Stanhoff, Prairie Band Potawatomi Nation

Others attending:  
See attached list.

**SB 66 - Lottery; repeal of sunset; contract renewals; retailer requirements**

Chairman Brungardt opened the hearing on **SB 66**.

Ed Van Petten, Executive Director, Kansas Lottery, appeared in favor on the bill. (Attachment 1) The bill is requesting two amendments to existing statutes and the repeal of another. 1) The elimination of the sunset date of the Lottery 2) Major procurement contracts - this provision is unique to Kansas and no other lottery in the nation has a similar provision, and contractual relationships entered into by any other agency of the State of Kansas, and the provision was not included in the original Lottery Act, and did not go through the committee process. This takes away the ability to renew contracts. 3) Requirement of issuance and displays of a Kansas Lottery certificate have been included in the Kansas Lottery Act since inception; as a practical matter the only entities actually able to sell Lottery products are those specifically outfitted and supplies by the Kansas Lottery. In addition, each retailer must enter into a written contract with the Lottery, so the issuance of a certificate is duplicative, inefficient, and otherwise unnecessary.

The Fiscal Note for the bill was provided. (Attachment 2)

Jeff Boerger, Kansas Speedway President, spoke in favor of the bill. (Attachment 3) The Kansas Speedway and the Lottery have partnered since the start of the track, either through the sale of lottery tickets during race weekends or through the actual sponsorship of races, and have enjoyed a tremendous economic and business relationship. The Speedway respectfully requests that the committee act favorably on the bill.

Staff provided the committee with a technical housekeeping amendment, that changes certificate to contract on page 4 line 23, and the statute that repeals the sunset is KSA 74-8723. (Attachment 4)

Marlee Capenter, Kansas Chamber of Commerce, (Attachment 5) and Ashley Sherard, Lenexa Chamber of Commerce, (Attachment 6) provided written testimony in support of the bill.

Chairman Brungardt closed the hearing on **SB 66**.

**SB 13 - Native American tribal law enforcement jurisdiction; liability insurance coverage, proof of; repealing sunset**

Chairman Brungardt opened the hearing on **SB 13**.

Staff provided an overview of the bill, which deals with insurance covering the law enforcement of the Indian Reservation.

## CONTINUATION SHEET

MINUTES OF THE Senate Federal and State Affairs Committee at 10:30 a.m. on January 23, 2007 in Room 231-N of the Capitol.

Tracy Stanhoff, Chairperson, Prairie Band Potawatomi Nation Tribal Council, appeared in favor of the bill with amendments. (Attachment 7) The committee had suggested amendments and the Tribal Council has no problem with them, but would strongly object to any other amendments that are not a result of an agreement between the Tribes and the state.

The Committee discussed the sovereign immunity for both the Tribes and the state of Kansas.

Staff provided a balloon with language previously discussed. (Attachment 8)

Chairman Brungardt closed the hearing on **SB 13**.

The meeting was adjourned at 11:20 am. The next scheduled meeting is January 24, 2007.