

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE.

The meeting was called to order by Chairperson Senator Nancey Harrington at 10:30 a.m. on March 1, 2001 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Russell Mills, Legislative Research Department
Theresa Kiernan, Office of the Revisor
Nikki Kraus, Committee Secretary

Conferees appearing before the committee: Representative Becky Hutchins
Charles Yunker, American Legion
Gary Slimmer

Others attending: See Attached List

Chairman Harrington opened the hearing on:

HB 2105—An act relating to the use and display of the American flag

Chairman Harrington recognized Representative Becky Hutchins, who presented testimony in favor of the bill. (Attachment 1).

Senator Teichman stated that she thought there was already a Senate bill passed on this same issue. Representative Hutchins stated that there was a bill passed in the Senate and that it was in Appropriations.

Chairman Harrington recognized Charles Yunker, American Legion, who presented testimony in favor of the bill. (Attachment 2).

Senator Vratil stated that there were already statutes in law which contained everything within the bill. Mr. Yunker stated that those laws were not being carried out. Senator O'Connor stated that she had read in a statute that the State Board of Education required the Pledge of Allegiance; Mr. Yunker stated that this was not being upheld if it was the case.

Senator Brungardt stated that if the legislation is repetitious, perhaps a resolution would be appropriate.

Gary Slimmer presented testimony in support of the bill. (Attachment 3).

Theresa Kiernan read from existing law which indicated that the Pledge was required in a certain provision in chapter 73 which required schools and public institutions to display the flag on the main building of administration. Ms. Kiernan stated that there were specifications for the treatment of the displayed flag.

Senator Vratil stated that it might be better to create an amendment to existing law rather than a new law. Senator Teichman stated that the amendment should also include that flag etiquette be taught rather than simply having the information provided.

Chairman Harrington recognized Senator Barnett, who presented information on **SB 328—Concerning registration of certain alcoholic beverage containers**. He stated that he wanted to address concerns from the previous meeting about the Biggs case in the Supreme Court. He stated that this case had little to any bearing on his bill. Senator Vratil stated that the case might have a slight bearing on the bill but that an easy way to avoid that would be to put the bill outside of Liquor Control and then provide specifically in that bill that it has uniform application so that cities and counties could not charter out. He stated that then the bill would

CONTINUATION SHEET
MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE
March 1, 2001

not be subject to Home Rule and it would not be part of the Liquor Control Act.

Senator Barnett presented testimony from Sheriff Randy Rogers of Coffey County in favor of **SB 328**. (Attachment 4). Senator Barnett also presented a packet of information and statistics analyzing alcohol, tobacco, and drug use among teens in Kansas, and nation-wide, in support of **SB 328**. (Attachment 5).

Senator Barnett stated that keg registration had been a bottom-up operation which had started and been passed from county to county, but a state-wide law was necessary. He stated that this law would save lives, and he asked the committee to pass the bill to the Senate.

Chairman Harrington stated that when alcohol, cigarette, and marijuana use is identified among young people, it correlates with suspension and other problems such as gambling, teen pregnancy, and additional substance abuse and dependency. She stated that she thought with the decrease in the availability of alcohol, these problems would also decrease. Senator Barnett agreed, stating that there were many important ramifications to address, including that at three weeks of pregnancy a high alcohol blood level can cause fetal alcohol syndrome.

Senator Gooch stated that from his experience, he believed it was better to leave decisions like this up to local government, but he would like to hear the bill debated on the Senate floor.

In response to questions from Senator O'Connor, Senator Barnett stated that there were over 300 students polled, and that chart compared statistics from before keg registration in 1998 to after keg registration at the end of 2000.

Theresa Kiernan made two technical changes to the bill. She stated that she had added a section to the bill because it was not under the Liquor Control Act. Senator Brungardt stated that there had been discussion the previous day concerning whether or not the bill would be under Liquor Control, and Ms. Kiernan stated that she had made the so that if people wanted to use Home Rule, it would be a separate act but still be in chapter 41 among liquor laws.

Ms. Kiernan briefly explained the substitute bill to the committee.

Senator O'Connor stated that she was concerned that the information should somehow be restricted to only that which directly pertains to the violation of the law in order to interfere less with privacy and confidentiality.

Senator Barnett made a motion to make a substitute bill for **SB 328**. Senator Vratil seconded the motion. The motion passed.

Senator O'Connor made a motion to make a conceptual amendment on her privacy concerns to s**Sub SB 328**. Senator Barnett seconded the motion. The motion passed.

Senator Vratil stated that there should be a technical amendment to change language from "the specific investigation" to "a specific investigation".

Senator Barnett made a motion to recommend amended **sub SB 328** to the entire Senate. Senator Vratil seconded the motion. The motion passed.

Chairman Harrington stated that there would be a press meeting on the 3rd Floor in front of the Old Supreme Court room to publicize the new gambling addiction hotline.

The meeting adjourned at 11:45 a.m. The next meeting is scheduled for 10:30 a.m. on March 6, 2001