

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 21, 2009, in Room 136-N of the Capitol.

All members were present except:
Senator Steve Morris- excused

Committee staff present:
Connie Burns, Administrative Assistant
Julian Efird, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Jason Long, Office of the Revisor of Statutes

Conferees appearing before the committee:
Bob Alderson, Casey General Stores
Patsy Congrove, Kansas Department of Revenue
Senator Anthony Hensley
George Barbee, Board of Technical Professions
Trudy Aron, American Institute of Architects
Ron Gaches, Kansas Society of Professional Engineers
Melissa Wangemann, Kansas Association of Counties

Others attending:
See attached list.

Senator Brungardt requested two bill introductions. The first bill introduction is regarding licensure of cereal malt beverage retailers.

Senator Brungardt moved that this request should be introduced as a committee bill. Senator Faust-Goudeau seconded the motion. The motion carried.

The next bill introduction is regarding cities payment for public improvements.

Senator Brungardt moved that this request should be introduced as a committee bill. Senator Francisco seconded the motion. The motion carried.

Bob Alderson, Casey General Stores, requested a bill introduction that defines cereal malt beverage to include malt beverages which contain not more than 4% alcohol by weight. (Attachment 1)
Senator Owens moved that this request should be introduced as a committee bill. Senator Ostemeyer seconded the motion. The motion carried.

Patsy Congrove, Kansas Department of Revenue requested a bill introduction regarding updating the bingo statues. (Attachment 2)

Senator Vratil moved that this request should be introduced as a committee bill. Senator Reitz seconded the motion. The motion carried.

Senator Faust-Goudeau requested a bill introduction regarding having cigarette lighters placed under the counters out of reach of those under 18 years of age.

Senator Faust-Goudeau moved that this request should be introduced as a committee bill. Senator Francisco seconded the motion. The motion carried.

Staff provided an overview of **SB 3**.

SB 3 - Senate confirmation oversight committee; membership.

Chairman Brungardt opened the hearing on **SB 3**.

CONTINUATION SHEET

MINUTES OF THE Senate Federal And State Affairs Committee at 10:30 a.m. on January 21, 2009, in Room 136-N of the Capitol.

Senator Anthony Hensley appeared before the committee in favor of the bill. (Attachment 3) The bill would increase the number of Senators on the Senate Committee on Confirmation Oversight from the current six to seven, this allows for avoiding a tie vote; the current proportional representation breakdown of the Senate (31-9), six members committees have five majority party members and only one minority party member. Seven member committees allow for two minority party members. This would also allow the minority party one more member on the committee; the partisan breakdown with this change would be 5-2.

Chairman Brungardt closed the hearing on **SB 3**.

Staff provided an overview on **SB-29**. (Attachment 4)

SB 29 - Board of technical professions; relating to licensure.

Chairman Brungardt opened the hearing on **SB 29**.

George Barbee, Board of Technical Professions, spoke in favor of the bill. (Attachment 5) The major change made in this bill is in the definition of a business entity, to adjust the certificate of authorization renewal cycle, and to authorize the board to issue intern certificates for engineers, land surveyors and geologists. The bill also contains other amendments on page 3 subsection k to include planning and mapping and certain acts associated with public construction work, and clean-up language.

In response to questions by the committee on public funding, Steve Brosemer, Land Surveyor member, responded that it is an attempt to put language back in the bill associated with construction staking.

Trudy Aron, American Institute of Architects, appeared in support of the bill. (Attachment 6) The bill cleans up language, requires business entities, regardless of their form, to register with the Board the same as is currently required of corporations, and provide the Board with additional discipline options.

Ron Gaches, Kansas Society of Professional Engineers, appeared as a proponent of the bill. (Attachment 7) The bill contains a number of minor changes to the licensure law of technical professions that clean up old language in the statutes and eliminate language that is outdated and should be stricken. The bill also makes clear that all business entities providing technical profession services shall be treated the same for the purpose of obtaining a certificate of authorization to operate in Kansas. While the Society supports the intent of this language, it should be modified to be more clear and concise; the meaning of "fixed works" in line 38 is not clear and could be defined. Also the phrase "whose construction involved or required public funding" is not clear.

Melissa Wangemann, Kansas Association of Counties, appeared as an opponent on the bill. (Attachment 8) The Association of Counties is concerned about one provision of the bill; the definition of "practice of land surveying" in new subsection (k)(6) on page 3, lines 37-39. Questions from the Association is the meaning of the term "fixed work"; this term is not defined in the bill or anywhere else in Kansas statute, the meaning of "public funding", only 16 of 105 counties have a land surveyor on staff thus most counties would have to contract with a licensed land surveyor to meet this provision. What problem has occurred that necessiated this change, and why is the requirement aimed solely at government projects? Is a licensed land surveyor necessary for construction staking, and would it also apply to privately-financed projects?

Chairman Brungardt closed the hearing on **SB 29**.

The next meeting is scheduled for January 22, 2009. The meeting was adjourned at 11:35 am