

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman William Mason at 1:30 p.m. on March 23, 2004 in Room 313-S of the Capitol.

All members were present.

Committee staff present:

Russell Mills, Legislative Research Department
Mary Torrence, Revisor of Statutes Office
Dennis Hodgins, Legislative Research Department
Rose Marie Glatt, Secretary

Conferees appearing before the committee:

Representative Edmonds
James Martinez, Private Citizen
Tracy Diel, KS Racing and Gaming Commission
David Owen, Private Citizen, Topeka
Robin Jennison, Ruffin Companies

Others attending:

See Attached List.

Without objection a House Resolution regarding persecution of Falun Dafa, and other groups in the People's Republic of China was introduced at the request of Representative Rehorn.

HB 2942 - A law requiring registration of offenders convicted of certain felonies; prescribing penalties for certain violations

Ms. Torrence explained that the bill would require registration of people who have been convicted of felonies in which a firearm was used. The registration would be in effect for 10 years.

Representative Edmonds rose in support of **HB 2942** stating that it was proposed in remembrance and honor of Mikiala, one of the victims of a double murder in City of Great Bend. The bill would make dangerous felons more readily identifiable to a community (Attachment 1).

Discussion followed regarding the process of the registration of offenders.

James Martinez, the father of Mikiala, spoke to the Committee regarding what he considered administrative holes in the legal system (Attachment 2). Felons being released on parole with a background of violence with a gun or any weapon should be required to register, not only to the law enforcement agencies but most of all the public. If this law had been in effect, this tragedy may have been prevented and he believes it will save lives.

The Chairman expressed appreciation for the initiative that Mr. Martinez had taken, especially under very difficult circumstances.

The hearing was closed on **HB 2942**.

SB 32 - **Distribution on breakage at greyhound tracks which have closed or no longer conduct races**

Mr. Mills, Legislative Research Department, stated the bill would allow the licensee of a race track facility that closed, to distribute breakage proceeds from live greyhound races to the charitable organizations who had filed applications with the organizational licensee.

Tracy T. Diel, testified that the amendment in **SB 32** was necessary due to the closure of Camptown

CONTINUATION SHEET

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Greyhound Park, in Frontenac, KS, November 2000. Under the "Parimutuel Wagering Act, a charitable organization licensee that conducts parimutuel racing is responsible for dispersing breakage funds. He explained "breakage" and how those funds were distributed. After the Camptown Greyhound Park closed, the Commission did not have the authority to permit the remaining funds (\$8,000 - \$10,000) to be distributed. **SB 32** would allow the organizational licensee to distribute those funds to charitable organizations in southeast Kansas (Attachment 3).

Discussion followed regarding the charities that receive funds and the registration process to request grants.

David Owen, Private Citizen, requested that the Committee not take things on faith when someone says they are going to give money to charity. Through his personal experience he has found that it will go into someone else's pocket eventually (No written testimony).

The hearing was closed on **SB 32**.

SB 407 - Parimutuel wagering; takeout

Ms. Torrence, Revisor of Statutes Office, stated that the bill would allow the KS Racing and Gaming Commission to authorize up to 25.0 percent to be deducted from the total amount wagered in parimutuel pools for multiple and exotic bets. Currently the Commission is authorized to deduct up to 22.0 percent.

Robin Jennison, Ruffin Companies, testified that Kansas' tracks had faced financial challenges for a number of years, largely due to changes in the gaming environment across the country. **SB 407** would give the KS Racing and Gaming Commission flexibility to go up to 25%, on exotic bets, providing an important component in preserving that industry (Attachment 4). Included in his testimony were two documents that contained information on other tracks' take-out rates and the distribution of funds.

Mr. Jennison and Mr. Diel responded to questions regarding issues of competitiveness, profitability and breakdown of take-out. Testimony was distributed regarding data on parimutuel wagering (Attachment 5).

Mr. Mills, responded to questions about the Veteran's Cash Lottery game. The game is available for purchase from May through November 2003 and 2004 only. He provided information on the 2003 breakdown and profit from the game (Attachment 6).

The hearing was closed on **SB 407**.

Representative Williams reviewed the history of **HB 2552** and its failure on the House floor. He explained the importance of the act and the reasoning behind the following motion.

Representative Williams made the motion that they strike the provision of SB 280 and amend in the original HB 2552, known as the unborn victims of violence act. Representative Freeborn seconded the motion and the motion carried.

Discussion followed regarding the differences in language between the *Neighbor amendment* and the original language in the bill; testimony of various conferees; intent of original **SB 280**; and definitions within the bill.

Representative Williams closed and moved his motion. The motion passed 13-7.

The meeting adjourned at 3:10. The next meeting was not scheduled.