

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Nancey Harrington at 10:45 a.m. on January 28, 2002 in Room 245-N of the Capitol.

All members were present except: Senator Brungardt, excused

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

Conferees appearing before the committee:

Senator David Adkins  
Dennis and Linda Beaver  
Robert Nichols  
Margi Grimwood, Emporians for Drug Awareness  
Gerald Beaver  
Karen Thompson  
Stephanie Neu, Regional Prevention Center, Education and Training  
Consultant, Overland Park  
Dr. Dennis Hoss  
Sheriff John Calhoon, Atchison County  
Tuck Duncan, Kansas Wine and Spirits Wholesalers Association

Others attending: Please see attached.

Chairperson Harrington opened the meeting by asking the committee for bill introductions.

Tom Palace, Petroleum Marketers and Convenience Store Association of Kansas, asked the committee for the introduction of a bill regarding video gaming machines.

Senator Vratil made a motion to introduce the bill. Senator Gilstrap seconded the motion. The bill was introduced.

Senator Vratil asked the committee for the introduction of three bills. He stated that the first two dealt with school finance, one allowing any school to use a local school tax as an enhancement fund to increase their general fund budgets by five percent, and the other dealing with a capital outlay fund to allow funds going forward to pay for utilities, insurance premiums, and technical expenses. He stated that the third bill had been requested by Senator Emler as a result of an increase in citation fees; local courts were granting diversions and then keeping the diversion funds for themselves instead of passing them along to the state.

Senator O'Connor made a motion to introduce the three bills. Senator Barnett seconded the motion. The bills were introduced.

Chairperson Harrington opened the public hearing on:

**SB 33– An act concerning driving under the influence; relating to the penalties therefor**

Theresa Kiernan briefly explained the bill to the committee.

Senator Barnett presented testimony in support of the bill. (Attachment 1)

Senator Adkins presented testimony in support of the bill. (Attachment 2)  
The committee discussed concerns about the impact on a family if the family car were impounded.

CONTINUATION SHEET

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE at 10:45 a.m. on January 28, 2002 in Room 245-N of the Capitol.

Dennis and Linda Beaver presented testimony in support of the bill. ([Attachment 3](#))

The committee expressed its sympathy over the loss of their son. Senator Gooch stated that he shared their pain through the loss of his own son, though through different circumstances.

Robert Nichols presented testimony in favor of the bill. He stated that he had been a college roommate and lifelong friend of the Beaver's son, Casey. He stated that he and some other friends has organized Casey's Journey, a bicycle ride across the nation in honor of Casey with the goal of speaking to as many people as possible. He stated that although **SB 33** might not eradicate drinking and driving, it was another tool in the toolbox, and he was strongly in support of the bill's passage.

Margi Grimwood presented testimony in support of the bill. ([Attachment 4](#))

Jerry Beaver presented testimony in support of the bill. ([Attachment 5](#))

Karen Thompson presented testimony in support of the bill. ([Attachment 6](#))

Stephanie Neu presented testimony in support of the bill. ([Attachment 7](#))

Dr. Hoss presented testimony in favor of the bill. He stated that he was an optometrist in Lawrence, and Casey had been one of the best pre-optometry students he had ever worked with in his twenty years in practice. He stated that Casey had a bright future, and that the drunk who hit and killed him destroyed that.

Sheriff John Calhoon presented testimony in support of the bill. ([Attachment 8](#))

Tuck Duncan presented testimony as a proponent, but raised some technical concerns with the bill and suggested a few revisions. ([Attachment 9](#))

Chairperson Harrington drew the committee's attention to the written testimony in support of the bill:

Attorney Richard Dearth, City Attorney, City of Parsons ([Attachment 10](#))

Theresa Walters, Director, Emporians for Drug Awareness ([Attachment 11](#))

Matt Sutherland, MADD ([Attachment 12](#))

Kerry Stafford, Executive Director, MADD, New York ([Attachment 13](#))

Lyon County Commission ([Attachment 14](#))

The committee also received a fiscal note on the bill. ([Attachment 15](#))

Chairperson Harrington closed the public hearing and adjourned the committee meeting at 12:00 p.m.

The next meeting will be a joint meeting with House Federal and State Affairs at 12:00 p.m. on January 30 in Room 313-S.