



STATE OF KANSAS

*Office of the Attorney General*

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 66612

CURT T. SCHNEIDER  
Attorney General

June 20, 1975

Opinion No. 75-250

Miss Freona C. Moore, ACSW  
Director  
Social Work Licensing  
2700 West 6th Street  
Topeka, Kansas 66606

RE: 1974 Supp. 75-5346 *et seq.*

Dear Miss Moore:

You have requested an opinion from this office whether K.S.A. 75-5346 *et seq.* requires the licensing of civilian and American Red Cross social workers employed and practicing on federal military installations in the State of Kansas.

The Social Workers Licensing Act addresses itself to the protection of the public "by setting standards of qualification, training and experience for those who seek to engage in the practice of social work and by promoting high standards of professional performance" for Kansas social workers. K.S.A. 75-5346. You advise that the above classes of social workers practice their profession solely on federal military property. Thus the question becomes one of ascertaining whether the state has jurisdiction to require licensing of federal employees.

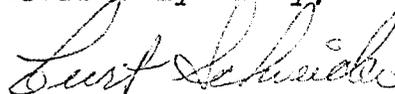
The Tenth Circuit Court of Appeals in *Murphy v. Love*, 279 F.2d 783 (10th Cir. 1957) has concluded that a state has the option to attach reservations to an act ceding territory to the Federal Government, and may thereafter exercise a governmental function so reserved in such territory. However, Kansas in ceding property to the United States for military reserve purposes did not retain any jurisdiction applicable to the instant question under K.S.A. 27-102 which provides:

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"That exclusive jurisdiction over and within any lands so acquired by the United States shall be, and the same is hereby, ceded to the United States, *for all purposes*; saving, however, to the state of Kansas the right to serve therein any civil or criminal process issued under the authority of the state, in any action on account of rights acquired, obligations incurred or crimes committed in said state, but outside the boundaries of such land; and saving further to said state the right to tax the property and franchises of any railroad, bridge or other corporations within the boundaries of such lands; but the jurisdiction hereby ceded shall not continue after the United States shall cease to own said lands." [Emphasis supplied.]

Clearly the limited jurisdiction retained by Kansas over activities on federal military property does not authorize regulation of the social workers practicing exclusively thereon. Accordingly it is the opinion of this office that the State of Kansas is without authority to require the licensing of civilian and American Red Cross social workers employed and practicing on federal military installations located within this state.

Yours very truly,



CURT T. SCHNEIDER  
Attorney General

CTS:JPS:kj