

FEDERAL AND STATE AFFAIRS COMMITTEE

March 4, 1969

The meeting was called to order by the Chairman who introduced Dr. Henry Leland to discuss H.B. 1473. Dr. Leland stated that two years ago the Board of Examiners was created for Psychologists and that he is Chairman of that Board; that this bill provides an amendment whereby the examination can be waived in certain cases where the candidates background is satisfactory and his experience impressive. He requests this because the Kansas need is now about a 50% vacancy and he felt this would relieve the situation somewhat.

Mr. McGill inquired what type of examination is given and Dr. Leland stated that it is a three hour written exam dealing with applied and clinical psychology, ethics, etc. and is now entirely written. Dr. Leland stated that this is offensive to distinguished psychologists who have been practicing for a number of years. Mr. McGill stated that he didn't interpret the language to do what Dr. Leland wants. Mr. Headrick stated that he believed it should be spelled out. Dr. Leland stated that they were certainly not trying to lower standards and would welcome clarification. The Chairman appointed Mr. Headrick, Mr. Buck and Mr. Turner to work with Dr. Leland in clarifying the meaning of the bill.

Mr. Turner discussed H.B. 1293, stating that for sometime he had been very concerned about municipalities coming to Topeka during the Legislative sessions and spending public money for lobbying. He stated that for many years the City of Wichita had maintained a hospitality room; that the Wichita delegation had been instrumental in getting this stopped but that for example the City Attorney was still coming down to discuss municipal matters and entertaining the legislators. He also mentioned the annual dinner which the Department of Agriculture has for Legislators, stating that he had not yet received an answer to his question as to whether public money was used for this. It was determined that this could affect the School Board Association as well. Mr. Turner stated that he believed any representative was willing to talk to the people about matters concerning his home area and that it was not necessary to entertain them for this purpose; that in fact legislators wanted to do the best they can for their home area. Mr. Buck inquired about the dinner and basketball game at Kansas State and Mr. Turner explained that this was an Endowment Fund-Chamber of Commerce thing. Mr. Winters stated that in Johnson County there are 19 cities and that they often have dinners for the delegation to explain the needs; that he believed this is good and informative.

The Chairman called for further discussion on HB 1363, and Mr. Andrews stated that he is not really in favor of this bill; that it gives the Probate Judge a lot of power and that he thought it could "beat the taxpayers to death". Mr. McCray stated that he is one of the sponsors but preferred not to debate the issues and moved that the bill be reported favorably. Motion was seconded by Mr. McGill and carried 11 yes to 4 no.

Mr. Unruh stated that he had an amendment on H.B. 1323, which would specify the test (ASTM) which the people testified is universally used in ascertaining the octane in gasoline. He then moved the adoption of the amendment. Motion was seconded by Mr. Mikesic and carried unanimously. Thereupon, Mr. Unruh moved that the bill as amended, be reported favorably. Motion was seconded by Mr. Mikesic and carried 14 yes to 3 no.

Mr. Turner stated that he had an amendment on HB 1227 concerning the size of towels and other obsolete things in the statute, and moved the adoption of the amendment. Motion was seconded by Mr. McGill. Mr. Unruh then pointed out that the people had also asked that the word "laundered" be substituted for the word "washed" with regard to bed linens. Mr. McGill then pointed out the title needed to be amended too. These amendments were then combined with the original motion, which was seconded by Mr. Andrews, and the amendments unanimously adopted. It was moved, seconded and carried unanimously that 1227 as amended, be recommended favorable for passage.

The Chairman called for discussion on HB 1132. Mr. Turner stated that he had an amendment which had been agreed to by Mr. Linde, and the Chairman stated that he had another amendment also agreed to by the sponsors which takes care of engineers that work for industries. Mr. Keenan stated that it has become the vogue to let administrative agencies have exclusive jurisdiction over their own and he would like to amend the bill to protect the individual against whom charges are made; that this kind of jurisdiction does not give him the protection he is entitled to. He stated that if the individual is not represented by counsel in the Board hearing that if he wants to appeal to District Court he cannot introduce new evidence. The Chairman asked if the two amendments approved by the sponsors could be adopted and then discussion on others had later. Mr. Buchele moved that the two amendments be adopted. Motion was seconded by Mr. McGill and carried unanimously. Mr. Buchele then stated there is a principal of administrative law involved here, and that the individual has two types of recourse, both in the District Court. He stated that Court Reporters make a record of the hearing and the Court can determine if the Board acted unlawfully etc., and that the other is trial de novo, meaning the aggrieved party, once the decision is made, can start all over in the District Court and the original record may not be introduced.

Mr. Keenan moved the adoption of his amendment, which was seconded by Mr. McGill and carried 16 yes to 2 no. Mr. Turner stated that he had one more amendment which was requested by an engineer in Wichita; that Mr. Linde is not in agreement with it; that in fact, all the engineers are not truly in agreement and he felt that KES would probably be opposed to it. He stated that it includes engineers making plats, sub-divisions, etc. The Chairman suggested since the allotted time had elapsed, that this amendment be discussed later.

The meeting was adjourned.