

Approved: MARCH 22, 1993  
Date

## MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Chairman Lana Oleen at 11:05 a.m. on February 10, 1993 in Room 254-E of the Capitol.

All members were present

Committee staff present: Mary Galligan, Legislative Research Department  
Mary Ann Torrence, Revisor of Statutes  
Jeanne Eudaley, Committee Secretary

Conferees appearing before the committee:  
Robert Londerholm, Sr.  
Tuck Duncan

Others attending: See attached list

Sen. Oleen introduced Robert Londerholm and explained the committee's policy regarding confirmations. Mr. Londerholm made a statement (Attachment 1) and emphasized important points. He considers it important that the integrity of racing be continued; that the county fair racing circuit be developed as it has been in other states; and that simulcasting be continued and expanded. He also emphasized that parimutuel has contributed \$6 million to charities and that Kansas' citizens should remember these funds have helped relieve property taxes. Mr. Londerholm then answered questions from the committee; in particular, he discussed simultaneous races and the number of days the horses run at The Woodlands and the fact that the greyhounds may now run the year around. He stated The Woodlands is known as an excellent track throughout the world; that increased simulcasting would raise amounts in the purses; and that the law would have to be changed to allow development of the county fair racing circuit. Sen. Vidricksen recalled the horse people labored hard to receive approval for parimutuel racing and the dog people came on the scene later. He said the horse racing industry wanted equal days for horse racing. Mr. Londerholm stated the commission is making a strong effort to promote the horse track, and that he believes parimutuel is in danger, since Missouri is trying to stay a step ahead on the gambling issues. Consequently, The Woodlands is more threatened than Wichita Greyhound Park. He again emphasized the need for revenue in Kansas.

Sen. Oleen asked Mr. Londerholm to "stand at ease" for a few minutes, since some committee members have to leave the meeting shortly. She called attention to two appointees who have previously appeared before the committee and asked the committee for action. Sen. Tillotson made a motion the committee recommend Dr. Denise Kobuszewski be recommended for confirmation to the Racing Commission; it was seconded by Sen. Vidricksen. The motion passed. Sen. Hensley made a motion the committee recommend Alyce Hayes Brown be recommended for confirmation as chairperson of the Human Rights Commission; the motion was seconded by Sen. Jones. The motion passed.

Sen. Oleen announced that the committee will meet jointly with the Judiciary Committee next Tuesday and Wednesday to hear the Indian Gaming issue.

The committee then returned to questioning Mr. Londerholm on his appointment. Sen. Oleen asked, since the Executive Director has resigned, who will be speaking for the Racing Commission, regarding legislative issues being heard. Mr. Londerholm answered that Janet Chubb has been appointed as executive director, and she will be the Racing Commission's primary spokesperson. He added that he will also be available to assist the committee in order to ensure a smooth transition. Sen. Hensley questioned year-round dog racing and asked if the Wichita facility is also year-round and if the new Pittsburg track will be year-round. Mr. Londerholm answered the Wichita track is year-round and the Pittsburg track will also be year-round. Mr. Londerholm added that Mike Jones is available for any Racing Commission statistics the committee might need.

Tuck Duncan presented a proposed draft (Attachment 2) to the committee and briefly explained provisions. Sen. Vidricksen made a motion the committee introduce it as a bill; and it was seconded by Sen. Jones. The motion passed.

Meeting adjourned at 11:45.

## GUEST LIST

COMMITTEE: Senate Federal & State Affairs

DATE: Feb. 10

[illegible]

ROBERT C. LONDERHOLM, Sr.

Kansas Racing Commission Appointment

Robert C. Londerholm, Sr., has served over 2 and one-half years as a member of the Kansas Racing Commission, having been first appointed by Governor Hayden in the summer of 1990 to serve an unexpired term. He was reappointed by Governor Finney last summer to a full three year term commencing July 1, 1992. He was elected as Chair of the Commission by the other four Commissioners last July.

Londerholm has previously served state government as Attorney General for two terms in the 1960s, and prior to that as General Counsel of the Kansas Corporation Commission and Chief Attorney of the Department of Revenue, as well as service as an Assistant Attorney General. After leaving state government, he joined the law firm of Hackler, Londerholm, Hinkle, Corder, Martin and Hackler in Olathe as a senior partner, recently retiring from the firm. He is a Colonel in the United States Air Force, now retired.

Londerholm has also served as a member and Chair of the Federal Home Loan Bank of Topeka and, at the request of the federal agencies involved, as a member and later Chair of a consolidated group of failed financial institutions in Eastern Oklahoma, assisting in their return to profitability.

He is married, with four grown children and ten (soon to be 12) grandchildren. He and his wife, Beverly, reside in rural southeast Johnson County. He has also been active in local volunteer groups and government commissions, including service on the Blue Valley School Board in Stanley.

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SENATE CONFIRMATION QUESTIONNAIRE  
APPOINTMENTS BY GOVERNOR JOAN FINNEY

Name: ROBERT CARL LONDERHOLM, Sr.

Home Address: 10910 W. 175th Street

City, State, Zip Code: Olathe, Kansas 66062

Home Phone: 913 / 897-3596

Business Address: 201 N. Cherry - P.O. Box 1

City, State, Zip Code: Olathe, Kansas 66061

Business Phone: 913 / 764-8000 *Is now Retired (1/20)*

Date of Birth: July 5, 1931 Place of Birth Kansas City, MO

Party Affiliation Rep. KBI Check(Yes/No) Yes

Appointed as: Kansas Racing Commissioner

Effective July 1, 1992 for the three year term

ending June 30, 1995 Succeeding Reappointment

Salary \$25,000 per year Statutory Authority KSA 74-8803

Statutory Requirements Citizen of USA; actual resident of Kansas at time of appointment and during term; 5 year resident at time of appointment; no felony conviction prior to or during term of office. (No more than 3 members [of 5] from same political party; each Congressional District shall have at least one Commissioner residing in District at time of appointment.)

1. EDUCATION:

High School Pasadena Junior (now City) College, Lower Division  
Pasadena, CA

Year Graduated 1948

Postsecondary	Degree, etc.	Dates
<u>Kansas City (MO) Junior College</u>	<u>Assoc. in Arts (AA)</u>	<u>1948-1950</u>
<u>University of Kansas</u>	<u>Bach. of Arts (AB)</u>	<u>1951-1953</u>
<u>University of Kansas School of Law</u>	<u>Bach. of Law (LLB)</u> <u>(combined degree)</u>	<u>1952-1955</u>

2. MEMBERSHIP IN BUSINESS, TRADE AND PROFESSIONAL ORGANIZATIONS DURING PAST 10 YEARS:

Dates	Name	Location
<u>1955-Present</u>	<u>Kansas Bar Association</u>	<u>1200 Harrison, Topeka, KS</u>
<u>1969-Present</u>	<u>Johnson County Bar Assn.</u>	<u>7300 W. 110, Overland Park, KS</u>
<u>1969 (original)-Present</u>	<u>American Bar Association</u>	<u>750 N. Lake Shore Drive, Chicago, Ill.</u>

3. HAVE YOU EVER BEEN ELECTED OR APPOINTED TO ANY PUBLIC OFFICE IN KANSAS? x Yes        No  
If so, please list dates and offices held.

Date	Office
<u>1957-1961</u>	<u>Assistant Attorney General</u>
<u>1964 &amp; 1966</u>	<u>Attorney General (served Jan. 1965 - Jan. 1969)</u>
<u>1990 (Aug)-Present</u>	<u>Kansas Racing Commissioner, presently Vice Chairman</u>

4. HAVE YOU EVER BEEN EMPLOYED BY OR HELD A POSITION OR OFFICE WITH ANY FEDERAL, FOREIGN STATE, OR LOCAL GOVERNMENTAL ENTITY OR AGENCY? Yes  
If so, please list dates and offices held:

<u>1955-Present</u>	<u>United States Air Force (Reserve); commissioned 2nd Lt. in 1955, presently Colonel (Ret.)</u>
<u>1982-1989</u>	<u>Federal Home Loan Bank of Topeka (10th Dist.); Member and Chairman (2 terms)</u>
<u>1974-Present</u>	<u>Attorney for Johnson County Fire District No. 2 (Rural); later became Asst. Sec. and Asst. Treas. also.</u>
<u>1991-Present</u>	<u>Johnson County Planning Commission, Member</u>

5. HAVE YOU BEEN A REGISTERED LOBBYIST OR EMPLOYED A REGISTERED LOBBYIST AT ANY TIME DURING THE PAST 5 YEARS? Yes  
If you were a registered lobbyist, did you receive any compensation? Yes--legal fees  
List groups you represented or for which you employed a lobbyist:

The Ev. Lutheran Good Samaritan Society--1991; attended Legis. Comm. Mtg. re Public Accommodations Law--application to religious, non-profit nursing homes--exemption for religious preference in admissions; also appeared on spot basis for this and other non-profit groups (Salvation Army, Jewish Federation of Greater KC) circa 1987 -88 re tax exemption laws, Senate and House Committees. R.J. Hines and family--client; circa 1988, appeared before committee re special sewer benefit law, technical issue/amendment.

6. EXPERIENCE OR INTERESTS WHICH QUALIFY YOU FOR THE OFFICE TO WHICH YOU HAVE BEEN APPOINTED:

Have served 2 years (by end of July, 1992) as a Racing Commissioner; have had prior experience in Regulatory state agency--Kansas Corporation Commission General Counsel, 1963-1964; Assistant Attorney General and Attorney General, in late 1950s and in 1960s; also had law enforcement experience on active duty with USAF as Trial Counsel (1955-1957) and later as active Reservist for 25 years; practicing attorney for over 37 years, with speciality in Administrative Law.

7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE: Have been in law

practice in Kansas (and Missouri, 1955, 1957) since 1955, with 2 years in Air Force Judge Advocate Office; as noted above, served as Attorney General of Kansas, Assistant Attorney General, General Counsel of KCC, Chief Attorney of Dept. of Revenue (1961-1962); Member and Chairman of the Federal Home Loan Bank of Topeka (10th Dist.) for 8 years; served as member and later Chairman of a federally (FSLIC/FDIC) taken over Savings and Loan in Oklahoma at request of Fed. agencies, later merged with two other "closed" S & Ls (Victor Fed. Sav. & Loan, later Cimarron Fed Sav. & Loan) and brought it back to profitability (1987-1991); have been involved with other government agencies--Fire District & Jo. County Planning Commission. Served on Kansas Racing Commission for 2 years (Jul, 1992) and enjoy the challenge.

8. HAVE YOU EVER BEEN A MEMBER OF THE ARMED FORCES OF THE UNITED STATES? Yes  
If so, please list dates of service, branch of service and date and type of discharge:

United States Air Force, Reserve; Commissioned 2nd Lt. in Jan., 1955; served 2 years active duty (June, 1955 - June, 1957); Served in Active Reserve from 1957 until 1982, now in USAF, Retired, retaining Commission.

9. HAVE YOU EVER BEEN ARRESTED, CHARGED OR HELD BY FEDERAL, STATE OR OTHER LAW ENFORCEMENT AUTHORITIES FOR VIOLATION OF ANY FEDERAL LAW, STATE LAW, COUNTY OR MUNICIPAL LAW, REGULATION OR ORDINANCE (EXCLUDING TRAFFIC VIOLATIONS FOR WHICH A FINE OF \$100 OR LESS WAS IMPOSED)? No

10. DISPOSITION OF ANY INTERESTS THAT MIGHT HAVE PRESENTED A POTENTIAL CONFLICT OF INTEREST FOR THIS POSITION.

N/A

Return to: Mary Holladay  
Appointment Secretary  
Office of the Governor  
2nd Floor, State Capitol  
Topeka, KS 66612

Robert C. Londerholm, Sr.  
Signature  
Robert C. Londerholm, Sr.



FILED

MAY 12 1992

BILL GRAVES  
SECRETARY

## KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

## STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSE

## APPOINTMENT TO STATE OFFICE IS SUBJECT TO SENATE CONFIRMATION

**INSTRUCTIONS.** This statement (pages 1 through 4) must be completed by each person whose appointment to a state position is subject to Senate confirmation (K.S.A. 46-247 and 46-248). Failure to complete and return this statement may result in a fine of \$10 per day for each day it remains unfiled. Also, any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 913-296-4219.

A. IDENTIFICATION:

PLEASE TYPE OR PRINT

L O N D E R H O L M R O B E R T C. S.

Last Name

First Name

MI

L O N D E R H O L M B E V E R L Y J.

Spouse's Name

10910 W 175th ST

Number &amp; Street Name, Apartment Number, Rural Route, or P.O. Box Number

OLATHE KANSAS 66062

City, State, Zip Code

913\*\*597\*\*3596

Home Phone Number

913\*\*764\*\*8000

Business Phone Number

B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:

KANSAS RACING COMMISSION

List Name of Agency, Commission or Board

COMMISSIONER

Position

\* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

\* 2376

- C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income in, which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here \_\_\_\_.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
1. Hackler, Londerholm, Hinkle, Corder Martin & Hackler 201 N. Cherry Olathe, KS 66061	Law Firm - Professional Corporation	Stockholder Officer (Vice Pres.) Director	X	33.33% You Spouse Jointly
2. Hackler Investors Joint Venture 201 N. Cherry, Olathe, KS 66061	Joint Venture - ownership + operation of real estate Office Bldg + other	Partner (Joint Venture)	X	5.5% You Spouse Jointly
3. Beverly J. Londerholm & Mary Alice Perry 3001 W. 50th Terr. Westwood, KS 66205	Ownership + operation of SFR rental property in Westwood	1/2 interest jointly w/ sister	X	50% You Spouse Jointly
4. Robert C. Londerholm, Sr. & Beverly J. Londerholm - 5353 Birch Roeland Park, KS 66205	Ownership + operation of	Joint ownership	X	50% You Spouse Jointly
5. Camelot Ranch, Inc. 10910 W. 175th St. Olathe, KS 66062	Farm, real estate operation + related bus.	Major stockholder w/ wife - closely held Family Corporation	X	48% You Spouse Jointly
6.				You Spouse Jointly
7.				You Spouse Jointly

- D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here \_\_\_\_.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1. Estate of Andrew L. Londerholm, Uncle	—	Robert C. Londerholm
2. Estate of Gladys A. Blakesley, (Dec.) Aunt	—	Beverly J. Londerholm
3.		



KANSAS COMMISSION ON GOVERNMENTAL  
STANDARDS AND CONDUCT

Attachment

E. RECEIPT OF COMPENSATION (Cont.)

1

3.	Johnson County Fire District	201 N. Cherry	Governmental
	No. 2 (Rural)	Olathe, KS. 66061	Entity-Fire
			District
			(Asst. Sec.-
			Asst. Treas.)

**E. RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE \_\_\_\_.

If you have nothing to report in Section "E"1, check here \_\_\_\_.

NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1. Harkler, Londerholm, et al	201 W. Cherry Clatsop, KS 66061	Law Firm - Professional Corp.
2. Robert C. & Beverly J. Londerholm	5353 Birch Rockwood Park KS 66205	Ownership & operation of single family residence.

3. See Attached

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.

If you have nothing to report in Section "E"2, check here \_\_\_\_.

NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1. Dept. of Commerce - Bureau of Census	401 + State Ave - K.C. KS	Govt. - part time Field Interviewer
2. Beverly J. Londerholm & Mary Alice Parker	3001 W. 50th Terr. Westwood KS 66205	Ownership & operation of single family residence - Rental Property

**F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section. If you have nothing to report in Section "F", check here \_\_\_\_.

BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1. Harkler, Londerholm, Hinkle, Gordon et al 201 W. Cherry, Clatsop, KS 66061	Officer & Director (Vice Pres)	Robert C. Londerholm
2. Camelot Ranch, Inc. 10910 W. 175th St Clatsop, KS 66062	Officers & Directors Pres. & Sec-Treasurer (Family Corp.)	Robert C. Londerholm Beverly J. Londerholm
3. Harkler - Investors Joint Venture 201 W. Cherry, Clatsop, KS 66061	Partner	Robert C. Londerholm Sr.
4.		
5.		

- G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here \_\_\_\_.

NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1. See H. Kler Londerholm et al. a Professional Corporation - Salaries Employee	281 N. Cherry Olathe, KS 1000 W. Ave. North 5000 Falls S.D. 57617	Robert C. Londerholm, Jr.
2. Evangelical Lutheran Good Samaritan Soc.	9100 Park Lane, KS	"
3. Lakewood Village Inc.	420 East Santa Fe Olathe, KS	"
4. Salvation Army	5501 W. 41st St. KS	"
5. Jewish Federation/Jewish Community Temple of Greater	20 N. Cherry Olathe, KS	"
6. Johnson County Fire Dist. No. 2 (Rural)	302 6th St. Glenwood, Ia	"
7. Glen Haven Home, Inc.	1455 Hospital Rd. 61292	"
8. Illinois Hosp Nursing Home - St Louis	700 Hoffman Dr. Wentworth, Wis.	"
9. Faith Village	53094	"
10.		
11.		
12.		
13.		

\* Note: These are the major clients represented by undersigned in 1991 - represent approx. 85-90% of work for the law firm (corp.)

H. **DECLARATION:**

I, Robert C. Londerholm Sr., declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

May 11, 1992  
Date

Robert C. Londerholm, Sr.  
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 1.

Return your completed statement to the Secretary of State, State House, Topeka, Kansas 66612.

2/10/93

T. Duncan  
(Attach. 2)  
3 RS 0988

DRAFT

SENATE BILL NO. \_\_\_\_\_

By Committee on Federal and State Affairs

AN ACT concerning employment; prohibiting certain acts by employers and providing a remedy for violations.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) As used in this section, "lawful consumable products" means products the use or enjoyment of which is lawful and which are consumed during use or enjoyment, including food, alcoholic or nonalcoholic beverages and tobacco.

(b) No employer shall:

(1) Discharge or refuse to hire any individual, or otherwise disadvantage any individual with respect to compensation, terms, conditions or privileges of employment, because the individual uses lawful consumable products off the premises of the employer during nonworking hours; or

(2) require as a condition of employment that any employee or applicant for employment abstain from using lawful consumable products off the premises of the employer during nonworking hours.

(c) It is not a practice to disadvantage any individual pursuant to this section for an employer to offer, impose or have in effect a health or life insurance policy that makes distinctions between employees for the type of coverage or the cost of coverage based upon the employees use of lawful consumable products.

(d) The provisions of this section shall not be deemed to protect any use of a lawful consumable product which materially:

(1) Threatens an employer's legitimate conflict of interest policy reasonably designed to protect the employer's trade secrets, proprietary information or other proprietary interests; or

Sen F. & S.A.  
2-10-93  
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(2) relates to a bona fide occupational requirement and is reasonably and rationally related to the employment activities and responsibilities of a particular employee or a particular group of employees rather than to all employees of the employer.

(e) Violation of this section shall render the employer liable to the aggrieved individual for the payment of a civil penalty in an amount not to exceed \$2,500, as fixed by the secretary of human resources. Such penalty shall be imposed only after notice and opportunity for hearing in accordance with the provisions of the Kansas administrative procedure act, to the extent applicable. Any order of the secretary of human resources imposing such penalty shall be subject to review in accordance with the act for judicial review and civil enforcement of agency actions.

(f) Nothing in this section shall be construed to prohibit an employer from making available to employees who use lawful consumable products, programs, free of charge or at reduced rates, which encourage the reduction or cessation of the use of lawful consumable products.

(g) The provisions of this section shall not be construed to prohibit unified school district policies that forbid use of legal consumable products by district employees at official school district events or at any time when the employee is performing duties as an employee.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.