

Approved: 4-6-93
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 23, 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: See attached list

Others attending: See attached list

Sen. Oleen announced the committee will hear testimony on SB 196 today, and the following proponents appeared before the committee:

Major Gen. William Hartzog (Attachment 1);
Adjutant Gen. James Rueger (Attachment 2);
John Bowser (Attachment 3).

Sen. Walker asked Maj. Gen. Hartzog how he explained the military's position on this bill, given the Military's treatment of gays, and Maj. Gen. Hartzog answered since the President, who serves as his Commander-In-Chief, is working on this issue and has made the decision to wait for six months before making a decision, he thought it was inappropriate to speak for the President. Sen. Oleen commented SB 196 is similar to a bill which passed by a 39-0 vote in the Senate, but died in the House last year. She also asked Maj. Gen. Hartzog how other states have addressed this problem, and he answered that the precedent for this bill is one in existence in North Carolina and Ft. Bragg. He commented there is not a watershed of discontent at this time; the Military is seeking a level playing field for its personnel. Sen. Ramirez stated he thought there was a federal law that provides that reservists or others in the Military will not be discriminated against by employers, and Mr. Bowser answered that there is a Federal law, and the major Fortune 500 companies comply with it. However, there are small companies where difficulties exist when employees must be away from work. Gen. Rueger stated he is not aware of any reservists who are having problems and reminded the committee this bill covers state active duty also. Sen. Oleen asked Brandon Myers, Human Rights Commission, if any complaint cases have been filed with his agency against employers, and he replied he is not aware of any cases; however, those cases would come under the Federal law and would be referred to the appropriate federal agency.

Sen. Oleen recognized Clark Lindstrom, who had indicated his desire to appear as an opponent on SB 196. The Chairman stated it appears his remarks should have been addressed to SB 197 when the committee heard testimony on it last week. - that SB 197 prohibits discrimination related to public accommodations, employment and credit worthiness and SB 196 prohibits discrimination in housing. She stated the committee wanted to hear his testimony, and since he is from out of town, she asked him to proceed with his testimony even though it is given on the wrong day and the wrong bill. Mr. Lindstrom thanked the committee and stated that public accommodation, although covered under the Federal Soldier and Sailor's Act and the Fair Housing Act of 1988, would involve provisions in the bill being heard today. He gave his testimony (Attachment 4), and commented that there is no need for this bill, and the state agency indicates no cases have been filed with the state and says other provisions in this bill would be covered under the American's Disability Act and that issues addressed need clarification and further study. Sen. Hensley asked Mr. Lindstrom if he is opposed to the amendment to the Kansas Act Against Discrimination, and he answered that he is opposed to the amendment; that he does support the others and that problems addressed by this legislation can be handled by other laws he has mentioned before. Mr. Lindstrom continued by stating there have been no complaints from the Wichita area or McConnell Air Force Base, and Sen. Tillotson stated she is not aware of any problems at Ft. Leavenworth. Sen. Oleen stated in drafting SB 196 and SB 197, housing was purposely separated from

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E
Statehouse, at 11:05 a.m. on February 23, 1993.

public accommodation, employment and credit worthiness, and Mr. Lindstrom stated this a local issue, which needs to be settled by Manhattan landlords and their counsels. Sen. Gooch asked Mr. Lindstrom if he agreed with the rights of all people, that they should be treated fairly and equally, then what was he major objection? If this legislation clears up one area, doesn't he think it would be worth it, he asked. Mr. Lindstrom replied he is concerned with the intent of this legislation and its consequences and repeated that it needs more study and a closer look at its impact. The Chairman, Sen. Oleen, again clarified that public accommodation does not pertain to housing, and Mr. Lindstrom's comments do not impact SB 196.

Sen. Oleen recognized Major Gen. James Rueger, who introduced Col. Sykes, who appeared before the committee for confirmation to the rank of Brigadier General for his assignment in the Kansas Air National Guard as Chief of Staff for the Air National Guard. He made a statement (Attachment 5) to the committee, and answered questions. Sen. Gooch stated he noticed there are no blacks in upper levels in the National Guard and that blacks and minorities are not represented in the Reserve and this is a concern of his. Col. Sykes stated it is his desire to have the Guard be representative of the people and in the past he has successfully done that. He stated he has tried to include minorities and has promoted enlisted women. He recalled when he was Commander, he promoted an African woman to the highest rank ever held by a minority. Sen. Gooch stated he serves on two boards which Col. Sykes chairs and knows him personally and stated that he does have a concern for promotions for minorities in the Military and congratulated Col. Sykes for a start in the right direction, but he wants to challenge him to work with minorities. Sen. Oleen asked Col. Sykes if he would be splitting time between Wichita and Topeka, and he answered that he lives in Wichita and would be spending more time in Topeka if confirmed. She also asked him if he had been checked by the KBI, and he did not know but responded he has passed several top clearance checks. Gen. Rueger responded that he has been checked through the KBI, but Col. Sykes was not aware of it.

Sen. Vidricksen requested introduction of a bill (Attachment 6) relating to the use of publicly owned vehicles which has been requested by the Shawnee County Sheriff. Sen. Jones made a motion the committee introduce such a bill, and it was seconded by Sen. Gooch and the motion passed.

Sen. Oleen reminded the committee of the deadline for introduction of bills as announced yesterday. Sen. Hensley introduced his pages who are assisting the committee today.

Meeting adjourned at 11:55.

GUEST LIST

COMMITTEE: Senate Federal & State Affairs

DATE: Feb. 23, 1993

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
CLARK LINDBSTROM	BEN. P. PETERSON	KAA
Carla Dugger	Kansas City	ACHU
Ed Sykes	Rose Hill Ks	KAB AWC
BOB CORAN	TOPEKA	KCCI
Donna Munster	Topeka	Sen. Conf Overighter Comm
Charles G. Breckahn	Topeka	Heli Gen Dept
James F. Rueger	"	" " "
ED BROSIKE	TOPEKA	KCCI
Bowser	Junction City	United Tel.
Brian Nocheim	Lawrence	Pat Hubbell Assoc.
Bridget L. Myers	TOPEKA	KHRC
Robert Lay	Hoyle	KHRC
Mike Dugan	Topeka	KHRC
Mark Turek	Topeka	H
Donnell Or	Topeka	AP
Michelle Roth	Topeka	Sen. Brock (interim)
Laura Boyer	Topeka	Sen. Kans Intern
M. Haaver	"	Capital Source
Sen. Chyptine Downey	Topeka	Senate
Deeey Kelling	Topeka	Admin Asst.
William W. Hartzog	St Riley	US Army
MARSHALL M. KAPLAN	FT. RILEY	U.S. ARMY
Victor M. Hansen	FT Riley	U.S. Army
John R. Tibbitts	FT Riley	US Army
ORVILLE JOHNSON	TOPEKA	CITIZEN

STATEMENT OF

Attach. 1

2/23

MAJOR GENERAL WILLIAM W. HARTZOG

COMMANDER, 1st INFANTRY DIVISION (MECHANIZED) AND FORT RILEY
CHAIRMAN OLEEN AND MEMBERS OF THE SENATE FEDERAL AND STATE AFFAIRS
COMMITTEE: I am Major General William W. Hartzog, the Commanding General
of the 1st Infantry Division (Mechanized) and Fort Riley. I welcome this
opportunity to testify in support of Senate Bill 196. I am charged by my
Commander-in-Chief, the President, and my senior commanders with
maintaining the 1st Infantry Division in a high state of readiness. The
Division must be ready to deploy world-wide for combat operations and to
support other missions of national importance. The quality of life of the
Division's soldiers has a direct effect on their readiness. A key element
of a soldier's quality of life is fair and equitable treatment within the
civilian community in which he finds himself. This is why I strongly
support Senate Bill 196 which guarantees the equal treatment of soldiers in
Kansas. You may ask whether discrimination against soldiers is really a
problem in this state. It is. The legal assistance office at Fort Riley
has documented several instances of discrimination against soldiers.
These include: entertainment establishments imposing a higher cover charge
for soldiers, landlords requiring a higher security deposit from soldiers
or refusing to rent to them all together, and utility companies charging a
higher security deposit to soldiers. Each of these incidents standing
alone may seem insignificant. However, together these and other acts of
discrimination adversely affect the morale and readiness of my Division's
soldiers. Also, with the continuing pressures for base closing, one factor
that the Department of Defense will focus on is the level of community
support which a base enjoys. Passage of Senate Bill 196 will not only
guarantee the equal treatment of soldiers, it will send a strong message
that Kansas values its relationship with the U.S. military. Thank you for
allowing me to testify in support of this important bill.

Sen 7+22,
2-23-93
att 1

Attach. 2 23

STATE OF KANSAS
THE ADJUTANT GENERAL
P.O. BOX C-300
TOPEKA, KANSAS 66601-0300

February 23, 1993

KANSAS SENATE
FEDERAL AND STATE AFFAIRS COMMITTEE

Presentation By
The Adjutant General Of Kansas
Major General James F. Rueger

Madam Chairperson and Members of the Committee:

I come before you as a proponent of SB 196. While members of the military (Active, Reserve and National Guard) are covered under federal law, sometimes resolution of cases is a lengthy process. Most cases my department has dealt with have been resolved by informal talks between military member and employer or through liaison with the Kansas Committee for Employer Support of the Guard and Reserve. But, if a resolution is not found, the case is turned over to the U.S. Attorney's office. This proposed legislation would allow military members quicker access to assistance and potential settlement of their claim if complaint cannot be resolved at the lowest level.

I thank the committee for allowing me to appear before you and would be glad to answer any questions.

Sen FxS1.
2-23-93
Att 2

3

STATE OF KANSAS
THE ADJUTANT GENERAL
P.O. BOX C-300
TOPEKA, KANSAS 66601-0300

February 23, 1993

KANSAS SENATE
FEDERAL AND STATE AFFAIRS COMMITTEE

Presentation By

The Adjutant General Of Kansas

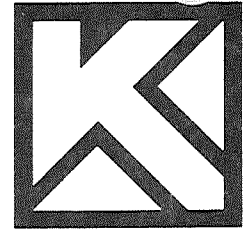
Major General James F. Rueger

Madam Chairperson and Members of the Committee:

I come before you as a proponent of SB 196. While members of the military (Active, Reserve and National Guard) are covered under federal law, sometimes resolution of cases is a lengthy process. Most cases my department has dealt with have been resolved by informal talks between military member and employer or through liaison with the Kansas Committee for Employer Support of the Guard and Reserve. But, if a resolution is not found, the case is turned over to the U.S. Attorney's office. This proposed legislation would allow military members quicker access to assistance and potential settlement of their claim if complaint cannot be resolved at the lowest level.

I thank the committee for allowing me to appear before you and would be glad to answer any questions.

LEGISLATIVE TESTIMONY



Kansas Chamber of Commerce and Industry

500 Bank IV Tower One Townsite Plaza Topeka, KS 66603-3460 (913) 357-6321

A consolidation of the
Kansas State Chamber
of Commerce,
Associated Industries
of Kansas,
Kansas Retail Council

SB 196

February 23, 1993

KANSAS CHAMBER OF COMMERCE AND INDUSTRY
Testimony Before the
Senate Committee on Federal and State Affairs
by
John Bowser

Madam Chair and members of the Committee:

My name is John Bowser. I am employed by United Telephone Company of Kansas, and live in Junction City, a military community. On behalf of the KCCI Military Affairs Committee which I serve as chairman, I would like to take this opportunity to support Senate Bill 196.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

I believe it is important that military personnel not be discriminated against because they are in the military serving their country.

Sen Fr SA.
2-23-93
Cell 3

Although the world is changing and for now appears to be a little friendlier, it is vital that we maintain a strong military. The military must continue to attract and retain qualified personnel. We depend on the young men and women volunteering to join the Active Military, National Guard or Reserves. It is more important today than ever that we insure that no discrimination against them be practiced.

I would like to relate my personal military experience which for me was very positive. I served on active duty in the U.S. Navy for four years and continued to serve my country as a Naval Reservist for 23 years. I was fortunate to have had a very supportive employer.

In the National Guard or Reserves, each person must attend four drills per month and perform fourteen days of active duty for training each year. To meet these objectives, each military person has to deal with real job conflicts and potential discrimination.

In my case, my employer permitted me to be absent from my civilian job for two weeks so that I could attend active duty. I was not required to use this time away from my job as my vacation and my employer financially made up the difference between my military pay and my civilian wages.

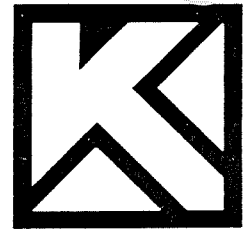
I was one of the fortunate military reservists not to feel job pressure or experience any form of discrimination against me. However, I remember others not so fortunate. Some reservists were afraid to tell their employer they were in the military. They would try to schedule their civilian vacation time so they could go on the required two weeks active duty and not be fired for missing work. Some employers made it very stressful if an employee asked for time off for military duty. These reservists were concerned with keeping their civilian jobs and many eventually resigned from the military.

In closing, discrimination against military personnel is unacceptable. I sincerely hope this committee supports Senate Bill 196.

LEGISLATIVE TESTIMONY

Kansas Chamber of Commerce and Industry

500 Bank IV Tower One Townsite Plaza Topeka, KS 66603-3460 (913) 357-6321



A consolidation of the
Kansas State Chamber
of Commerce,
Associated Industries
of Kansas,
Kansas Retail Council

SB 196

February 23, 1993

KANSAS CHAMBER OF COMMERCE AND INDUSTRY
Testimony Before the
Senate Committee on Federal and State Affairs
by
John Bowser

Madam Chair and members of the Committee:

My name is John Bowser. I am employed by United Telephone Company of Kansas, and live in Junction City, a military community. On behalf of the KCCI Military Affairs Committee which I serve as chairman, I would like to take this opportunity to support Senate Bill 196.

The Kansas Chamber of Commerce and Industry (KCCI) is a statewide organization dedicated to the promotion of economic growth and job creation within Kansas, and to the protection and support of the private competitive enterprise system.

KCCI is comprised of more than 3,000 businesses which includes 200 local and regional chambers of commerce and trade organizations which represent over 161,000 business men and women. The organization represents both large and small employers in Kansas, with 55% of KCCI's members having less than 25 employees, and 86% having less than 100 employees. KCCI receives no government funding.

The KCCI Board of Directors establishes policies through the work of hundreds of the organization's members who make up its various committees. These policies are the guiding principles of the organization and translate into views such as those expressed here.

I believe it is important that military personnel not be discriminated against because they are in the military serving their country.

Although the world is changing and for now appears to be a little friendlier, it is vital that we maintain a strong military. The military must continue to attract and retain qualified personnel. We depend on the young men and women volunteering to join the Active Military, National Guard or Reserves. It is more important today than ever that we insure that no discrimination against them be practiced.

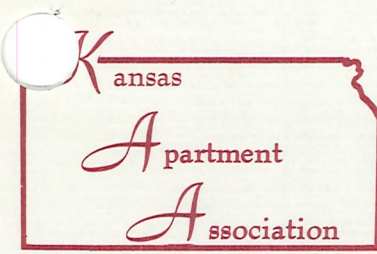
I would like to relate my personal military experience which for me was very positive. I served on active duty in the U.S. Navy for four years and continued to serve my country as a Naval Reservist for 23 years. I was fortunate to have had a very supportive employer.

In the National Guard or Reserves, each person must attend four drills per month and perform fourteen days of active duty for training each year. To meet these objectives, each military person has to deal with real job conflicts and potential discrimination.

In my case, my employer permitted me to be absent from my civilian job for two weeks so that I could attend active duty. I was not required to use this time away from my job as my vacation and my employer financially made up the difference between my military pay and my civilian wages.

I was one of the fortunate military reservists not to feel job pressure or experience any form of discrimination against me. However, I remember others not so fortunate. Some reservists were afraid to tell their employer they were in the military. They would try to schedule their civilian vacation time so they could go on the required two weeks active duty and not be fired for missing work. Some employers made it very stressful if an employee asked for time off for military duty. These reservists were concerned with keeping their civilian jobs and many eventually resigned from the military.

In closing, discrimination against military personnel is unacceptable. I sincerely hope this committee supports Senate Bill 196.



949 Parklane Wichita, Kansas 67218-3201
(316) 682-3508

February 23, 1993

TESTIMONY IN OPPOSITION TO SENATE BILL 196

Good morning Senator Oleen and Members of the State Senate Federal and State Affairs Committee.

My name is Clark Lindstrom, CPM (Certified Property Manager with the National Association of Realtors Institute of Real Estate Management). I live at 138 N. Prescott Ct., Wichita, Kansas, 67212. I am here today, representing the Kansas Apartment Association, as their 1993 President, to speak in opposition to Senate Bill 196, as written. While we support it's overall intent to eliminate discrimination, there are significant questions to be asked and answers to be given before we create more problems than what this legislation attempts to solve.

The Kansas Apartment Association represents over 30,000 apartment units in Wichita and has over 100 members who, like my self, are owners and/or managers of multi-family homes throughout the State. We are also affiliated nationally with the National Apartment Association representing a coalition of over 80,000 members. Other State affiliates are: Apartment Council of Topeka, and the Apartment Association of Kansas City.

One of our objectives, as the largest multi-family trade association coalition in Kansas is to make the apartment industry's experience available in a timely and useful way to Legislative committees when legislation is written, regulations are drafted, and new programs or products are developed that assist the rental housing industry in meeting the need for quality, accessible and affordable rental housing for Kansans. We also rigorously and consistently seek to improve the public understanding of the apartment industry's role as the principle provider of quality, affordable housing for the middle and lower income Kansans.

We appreciate and applaud the military for their present and continued service to this State and the Nation. We too are concerned that some unprofessional individuals who own rental property in Manhattan, Kansas may be overtly and wrongly discriminating against the military or practicing any form of housing discrimination for that matter. I would suspect, as you should, that many or most of these individuals have four units or less and commonly reside in one of the residential units. These individuals make up approximately 61% of this nation's residential rental units and are presently exempt from state and local laws governing the landlord and tenant relationship and fair housing. These units are commonly referred to as "Mrs. Murphy's" and the term comes from the U.S. Civil Rights Act of 1968. This legislation does not address these individuals, but all providers of accommodation, and even if this legislation passed today, may not solve the issue brought before you.

S.F+SA
2-23-93
att 4



949 Parklane Wichita, Kansas 67218-3201
(316) 682-3508

page 2

February 23, 1993

Testimony by Clark Lindstrom, CPM

Senate bill 196 seeks to establish the military as a protected class for public accommodation. This bill wrongly proposes to exceed present Federal Fair Housing Legislation without adequate consideration of it's consequences, specifically detailing the legislation's intent, and outlining how the landlord shall not be liable if the accommodation is refused based upon ability to pay, unsatisfactory previous rental history, or no rental history at all. I find it hard to believe this problem is a prevalent or chronic as may have been the impetus for this legislation. No other states or municipalities, to my knowledge, have this provision. The bill does not address what recourse the landlord or provider of the accommodation may have if it a court finds there was no discrimination. What about those potential damages, court costs and attorney fees? Before you act on this bill and Senate Bill 197 too, we all have a lot of talking to do.

I submit to you that this issue is much larger than it appears. One other side issue to all this is illustrated by the attached recent news article detailing the impossibility, due to "sovereign immunity," for providers of public accommodations to collect for services or products provided.

In conclusion, the multi-family industry and the military and all the people of Kansas need legislation that is enforceable, that can be detailed enough to be carried out by all it effects, and that does not create more problems than it seeks to solve. I appeal to your good common sense and judgment not to allow what may be a local challenge for military officials and landlords in Manhattan set the precedent for the whole State.

I am available for any questions you may have.

Federal employees flaunting immunity

■ **Some federal workers leave court judgments and other debts unpaid because their wages can't be garnished**

Twelve years ago, a California woman suffered serious head injuries when a drunk driver crashed his truck head-on into her car. She sued him and won more than \$300,000 in the court judgment. But she has yet to see a dime of the money because the man's employer won't garnish his wages.

That employer is the federal government. The guilty driver was a sailor who hasn't paid a cent on the judgment against him. Because he draws a federal paycheck, the law protects his salary from any collection proceedings.

It boils down to the doctrine of "sovereign immunity" that says the federal government can't be sued. Many people have successfully sued federal employees. But they can't collect the damages that the court says they are entitled to because the federal government can't be forced to do what private employers routinely do — garnish the wages of their workers to pay court-ordered debts.

Our associate Scott Sleek looked at how the sovereign immunity doctrine has let people skip out on debts they owe for the problems they have caused others, and even skip out on their debts to the federal Treasury that gives them a regular paycheck.

A U.S. Army sergeant stationed in Michigan



Jack Anderson

Washington merry-go-round

left a \$14,000 phone bill when he was transferred to Colorado. A ward director at a Veterans Administration hospital ran up a phone bill too, but refused to pay, although he worked full time.

A Denver couple was sued by their neighbor over a silly property dispute. The couple countersued and the judge agreed that the original suit against them was frivolous and malicious. They were eventually awarded \$80,000 for the trouble the suit had caused them. But because the neighbor who started the mess was a federal employee, they couldn't collect.

Taxpayers get stiffed in this arrangement too. Federal employees still owe about \$177.5 million in past-due student loans. They went to school on the federal dime. Now they're feeding at the federal trough as employees, but there is no way to collect the loans. Student loans are guaranteed by the federal government, so the taxpayers pick up the tab for bad loans. If the deadbeats work for the government they are protected by federal law from paying their debt to the taxpayers.

Experts say commercial lenders tend to shy away from loans to federal employees since the lenders know they won't be able to garnish wages if the borrower defaults. The taxpayers take it in the shins for bad loans to federal employees, too. Lenders write off defaulted loans as a business expense, and that reduces their taxable income. That means the government loses.

There are a few exceptions. Postal workers and employees of the Federal Deposit Insurance Corp. are subject to wage garnishment. And the government can attach wages for unpaid child support and alimony.

Rep. Andrew Jacobs, D-Ind., has introduced legislation to make that the standard across the board. Sen. Larry Craig, R-Idaho, is sponsoring a companion bill in the Senate.

Such efforts haven't gotten far in the past, but the current political climate is unpredictable. Lawmakers are stung by criticism that they and the bureaucracy are getting special treatment. Congress has passed landmark laws to

minorities and the disabled from discrimination, but those laws don't apply on Capitol Hill. Average Americans pay through the nose when they bounce a check or double-park their car, but members of Congress don't.

A few of those privileges may have to be sacrificed to quell the public's anger, and it would be relatively painless for Congress to sacrifice the sovereign immunity granted to the rank and file.

LIFE GOES ON — In Zagreb, Croatia, there is a cautious mix of religious faith and live-for-the-day attitudes, our reporter Michael Viner discovered while he was there. In spite of the air raids, the movies are crowded. They are among the few commercial establishments that still take local currency. The most popular feature is "Robin Hood: Prince of Thieves." The people of Zagreb say they identify with the underdog bandit fighting against an oppressive regime. On the other hand, some churches are holding 24-hour pray-ins. During the All Saints Day weekend, worshippers burned candles in church cemeteries for those who have died. But as dusk fell, church workers extinguished the candles lest they serve as beacons for Serbian bombers. Early in the conflict, church officials thought some of their churches were hit because of the candles burning all night for loved ones.

MINI-EDITORIAL — A federal survey says the quality of day care is dropping, but parental satisfaction rates are high. There are too many children crowded into day-care centers where they are being watched by too few adults. Yet, nine out of 10 parents say they are happy with their day-care arrangements. The Department of Health and Human Services chooses to interpret the data through rose-colored glasses: If parents are happy, then the system must be working. The truth is, parents have given up expecting more than the minimum for their children. Their choices are limited and they consider themselves lucky if they find a day-care option that is clean, cheap and safe.

Attach. 5

STATE OF KANSAS
THE ADJUTANT GENERAL
P.O. BOX C-300
TOPEKA, KANSAS 66601-0300

February 23, 1993

MADAM CHAIRPERSON AND MEMBERS OF THE FEDERAL AND STATE
AFFAIRS COMMITTEE:

I am Colonel Edward L. Sykes, and I am appearing before you to seek confirmation for appointment to the rank of Brigadier General in the Kansas Air National Guard for my assignment as the Chief of Staff, Kansas Air National Guard.

I will first detail my qualifications for this appointment. I was born in 1943 and grew up in Princeton, Kentucky where I received my high school diploma from Caldwell County High School in 1962. I subsequently attended the University of Wisconsin, graduation in 1967 with a degree in electrical engineering. I was also commissioned as a Second Lieutenant upon graduation through the Air Force ROTC program. I then entered the Air Force and attended Undergraduate Pilot Training, receiving my wings in 1968. I was then assigned to McConnell Air Force Base, Kansas, where I was qualified in the F-105. I was reassigned to Khroat Royal Thai Air Base, Thailand where I completed a Southeast Asian tour flying 118 combat missions. Following my combat tour I spent two years as a jet instructor at Reese Air Force Base, Texas. In June of 1972 I left active duty and became a member of the Kansas Air National Guard.

I joined the 184th Tactical Fighter Group (184TFG) as an F-105 instructor pilot on 16 June 1972. I served as the Chief of Academic Training from 1972 to 1981. In 1981 I was selected as the Deputy Commander of Maintenance and in 1982 was selected to be Deputy Commander for Operations. In this capacity I led the 184TFG on deployment to Oman, making the unit the first in the Air National Guard to deploy to a site east of the Suez. In 1984 I was selected to be the senior representative for the entire Air National Guard (ANG) at Headquarters, Tactical Air Command (TAC). In this capacity I worked directly with the Commanding General of TAC and advised him on all ANG issues. In 1986 I returned to Kansas to assume command of the 184TFG.

I became commander of the 184TFG on 3 May 1986 and served in this capacity until 19 September 1992. The 184TFG is the largest of this nation's flying units and its commander is responsible for over a billion dollars in assets, with an annual budget of over 50 million dollars

*Sen F+DQ.
2-22-93
att 5*

and 1,600 employees, 800 of whom are employed in a full-time status. During my tenure as the commander I successfully managed two major aircraft conversions, from F-4 to the F-16A and then to the F-16C. I also oversaw the construction of over 40 million dollars of new, federally funded facilities. I played an active role in obtaining much of this funding. The accomplishments of which I am most proud, however are the one which enhanced the lives of the people of the 184TFG. These included significant advancements in the recruiting and promotion of minorities and women and the forming of the finest employee assistance program (EAP) in the ANG. The 184th won the award for the best wellness program in the ANG in 1991 and we were the first unit in the ANG to have a full-time EAP position on our staff. I also worked actively to build an atmosphere which encouraged unit members to be active in the community.

I was very active in the community myself during my tenure as commander, to include service on many boards and civic organizations. This included a two years as the President of Quivera Council of the Boy Scouts of America and President for two years of the Kansas Aviation Museum Board, a position which I still hold. I was also honored in 1990 by being selected as Admiral Windwagon Smith XVII for the Wichita Riverfestival.

I retired from federal service in November 1992 and am currently starting a real estate investment business called Prairie Estates. Prairie Estates was founded in January 1993 by myself and a partner. We are primarily involved with investment in residential real estate.

As Chief of Staff, Kansas Air National Guard I will be responsible to The Adjutant General of Kansas to keep him advised of all operational elements affecting the Kansas Air National Guard. This will include unit flying activities, mission readiness and aircrew manning of all ANG units in the state. Additionally, I will keep The Adjutant General advised of any mission changes, aircraft upgrades and facilities at Forbes or McConnell. I will provide recommendations regarding maintaining Forbes and McConnell as strong presences in the state and Air national Guard community and also future roles and missions for both of these units.

I am extremely proud to be a member of the Kansas Air National Guard and look forward to the challenges of my new assignment. Thank you for your time and support.

Edward L. Sykes
Colonel, KSANG
Chief of Staff

SENATE CONFIRMATION QUESTIONNAIRE
APPOINTMENTS BY GOVERNOR JOAN FINNEY

Name: EDWARD L. SYKES

Home Address: 6721 S. 159th St. E.

City, State, Zip Code: Rose Hill KS 67133

Home Phone: 316 / 776-2011

Business Address: Kansas National Guard
P.O. Box C-300

City, State, Zip Code: Topeka Ks 66601-0300

Business Phone: 913 / 266-8001

Date of Birth: 15 June 1943 Place of Birth Rice Lake Wis

Party Affiliation Republican KBI Check (~~Yes~~/No) No

Appointed as: Chief of Staff, Kansas ANG

Effective 19 Sep 92 for the _____ term

ending _____ Succeeding _____

Salary _____ Statutory Authority 48-208

Statutory Requirements _____

1. EDUCATION:
High School Caldwell CO High School Princeton KY

Year Graduated 1972

Postsecondary	Degree, etc.	Dates
<u>University of Wisconsin</u>	<u>BS-EE</u>	<u>1962-1967</u>
<u>Wichita State University</u>	<u>MBA</u>	<u>1978-1981</u>
_____	_____	_____

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

Member of Kansas Air National Guard for 20 years including 6 and one half
years as commander of the 184th Fighter Group

7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE: _____

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:

April 1967 - June 1972 USAF Honorable

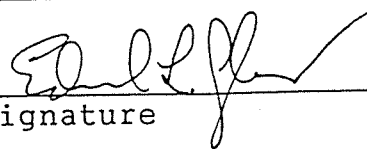
August 1984 - April 1986 USAF Honorable

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.

None

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


Signature



- C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint vent 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 exceed \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, 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 X.

	BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
1.	NONE			___ You ___ Spouse ___ Jointl;	
2.				___ You ___ Spouse ___ Jointl;	
3.				___ You ___ Spouse ___ Jointl;	
4.				___ You ___ Spouse ___ Jointl;	
5.				___ You ___ Spouse ___ Jointl;	
6.				___ You ___ Spouse ___ Jointl;	
7.				___ You ___ Spouse ___ Jointl;	

- 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 \$500 or more in the preceding 12 months.
- If you have nothing to report in Section "D", check here X.

	NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY
1.	NONE		
2.			
3.			

E. RECEIPT OF COMPENSATION: List all places of employment in the last calendar year, and 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 returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF S. AS SECTION "B", CHECK HERE X.
If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS		ADDRESS	TYPE OF BUSINESS
1.				
2.				

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 X.

	NAME OF BUSINESS		ADDRESS	TYPE OF BUSINESS
1.				
2.				

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

	BUSINESS NAME AND ADDRESS		POSITION HELD	HELD BY WHOM
1.				
2.				
3.				
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 fees or commissions 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 X.

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, Edward L. Sykes, 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 criminal misdemeanor.

2 Dec 92

Date

Edward L. Sykes

Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 0.

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

SENATE BILL NO. _____

By _____

AN ACT concerning motor vehicles; relating to the use of publicly owned motor vehicles; amending K.S.A. 8-301 and 8-307 and repealing the existing sections.

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

Section 1. K.S.A. 8-301 is hereby amended to read as follows: 8-301. (a) Except as provided in subsection (b), no person or employee of the state or , county or any governmental subdivision shall operate or drive or cause to be operated or driven any state, county or other publicly owned automobile, automobile bus, motor bus, or other motor vehicle for private use or-for , private business or for pleasure.

(b) The provisions of subsection (a) shall not apply to any city or county law enforcement officer, if such officer has the prior approval of the head of such officer's law enforcement agency, for the use of such motor vehicle.

Sec. 2. K.S.A. 8-307 is hereby amended to read as follows: 8-307. Except as provided under the provisions of K.S.A. 8-301, and amendments thereto, no officer or employee of the state of Kansas or political subdivision shall use any vehicle for any personal use whatsoever. Any officer or employee who shall violate any of the provisions of this act ~~or-any-act-of-which-it-is-amendatory~~ shall be deemed guilty of a nonperson unclassified misdemeanor, and upon conviction ~~thereof~~, shall be fined not less than ~~one-hundred-dollars-(\$100)~~ \$100 nor more than ~~five--hundred dollars--(\$500)~~ \$500 for each offense. Nothing contained in this section shall be construed as making it unlawful for any officer or employee with the consent of the head of the state agency or political subdivision of which ~~he--or--she~~ such person is an officer or employee, to drive such vehicle to and from, and keep the same at ~~his-or-her~~ such person's place of residence, if such

Sen 7 & SA,
2-23-93
Att 6

the same at ~~his-or-her~~ such person's place of residence, if such place of residence is located within a reasonable distance of ~~his~~ ~~or-her~~ such person's official headquarters as an officer or employee of such state agency.

Sec. 3. K.S.A. 8-301 and 8-307 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.