

MINUTES OF THE SENATE COMMITTEE ON FINANCIAL INSTITUTIONS AND INSURANCE.

The meeting was called to order by Chairperson Richard Bond at 9:08 on February 2, 1993 in Room 529-S of the Capitol.

Members present: Senators Corbin, Hensley, Lawrence, Lee, Petty, Praeger, and Steffes.

Committee staff present: William Wolff, Legislative Research Department  
Fred Carman, Revisor of Statutes  
June Kossover, Committee Secretary

Conferees appearing before the committee: Ray Shepherd, Gubernatorial Appointee State Bank Board  
Oren Windholz, Gubernatorial Appointee S&L Board  
Chip Wheelen, Kansas Medical Society  
Tuck Duncan, Medevac, Inc.  
Kathy Taylor, Kansas Bankers Association

Others attending: See attached list

Senator Corbin made a motion to approve the minutes of the meetings of January 27 and 28 as submitted. Senator Praeger seconded the motion. The motion carried.

Ray Shepherd, Ft. Scott, KS, Gubernatorial Appointee to the State Banking Board, appeared before the committee for confirmation hearing. (Attachment #1.) Chairman Bond welcomed Mr. Shepherd and asked him to share his impressions of the Board and give a brief personal background. Mr. Shepherd stated that the State Banking Board has a wonderful and hard working staff and feels Kansans have reason to be proud of the banking structure. The Chairman expressed the committee's appreciation to Mr. Shepherd for appearing before the committee and for serving on the Banking Board.

Oren Windholz, Hays, KS, Gubernatorial Appointee to the State Savings and Loan Board, appeared before the committee for confirmation hearing. (Attachment #2.) Mr. Windholz provided a brief personal background as well as a history of his involvement with the Golden Belt Banking and Savings of Ellis, KS and the State Savings and Loan Board. Mr. Windholz acknowledged the limited activity of the S&L Board due to the reduced number of state-chartered savings and loan institutions and advised that Golden Belt Banking and Savings has currently applied for a federal charter. Chairman Bond thanked Mr. Windholz for appearing before the committee.

The resume and questionnaire for A. Lee Williams, Gubernatorial Re-appointee to the Credit Union Council, was distributed to committee members. (Attachment #3.) The chairman requested committee members' input on whether they felt it was necessary to request that Ms. Williams to appear before the committee since she is a reappointee.

The hearing was opened on SB 70, health care provider group definition, peer review. Chip Wheelen, Kansas Medical Society, appeared before the committee as a proponent of this legislation. (Attachment #4.) Mr. Wheelen proposed an amendment, a new subsection (f) on page 3, line 37. At Bill Wolff's request, Mr. Wheelen clarified that the amendment was necessary to clarify the difference between peer review and utilization review. In response to Senator Petty's question, Mr. Wheelen advised that insurance companies do not have access to the information kept on physicians by the National Practitioners Data Bank.

Tuck Duncan, Medevac, (Attachment #5.) requested that the bill be amended to include, under health care provider section, "attendant as defined by K.S.A. 65-6112." Paragraph (4) would be include, "...or appointed by an operator of an ambulance service." There were no further questions and no other conferees on SB 70; the hearing was closed.

Senator Petty made a motion to amend the bill by adding subsection (f) as requested by Mr. Wheelen. Senator Lawrence seconded the motion. The motion carried.

Senator Petty moved to adopt the amendment requested by Mr. Duncan with regard to "attendants." Senator Hensley seconded the motion. The motion carried.

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FINANCIAL INSTITUTIONS AND INSURANCE,  
Room 529-S Statehouse, at 9:08 on February 2, 1993.

Senator Lawrence made a motion to move the bill favorably as amended. The motion was seconded by Senator Steffes. The motion carried.

The hearing was reopened on **SB 37**, which was originally heard on January 26, 1993. The problems with language and definition have now been reconciled with the State Banking Department and the Kansas Banker's Association. Kathy Taylor, KBA, explained the proposed changes and Jim Maag, KBA, noted that the changes have been reviewed by the Bank Commissioner's staff and found to be acceptable. (Attachment #6.) The hearing on **SB 37** was closed. Senator Steffes made a motion to adopt the proposed amendments. Senator Praeger seconded the motion. The motion carried.

Senator Steffes made a motion to move **SB 37** favorably as amended. Senator Lawrence seconded the motion. The motion carried.

Senator Praeger moved to recommend confirmation of Ray Shepherd to the State Banking Board. Senator Petty seconded the motion. The motion carried.

Senator Petty moved to recommend confirmation of Oren Windholz to the Savings and Loan Board. Senator Lee seconded the motion. The motion carried.

Senator Lawrence made a motion to recommend confirmation of A. Lee Williams to the Credit Union Council without an appearance before the committee since this is a reappointment. The motion was seconded by Senator Lee. The motion carried.

The committee adjourned at 9:57 a.m.

The next meeting is scheduled for February 3, 1993.

# GUEST LIST

SENATE

COMMITTEE: FINANCIAL INSTITUTIONS AND INSURANCE

DATE: 2/2/93

NAME	ADDRESS	ORGANIZATION
Ray Shepherd	P.O. Box 112 Ft Scott, KS	State Bankers Assoc.
Harold Couch	1334 S Topeka	Ks Chiropractic Asso.
Barbara Japp Byl	Topeka	Kansas State Nurses Assoc.
Chas Wheelen	Topeka	Ks Medical Soc.
Tuck Duncan	Topeka	medwac
Simlley	"	KBA
Karen White	Topeka	SRS
Donna Maister	"	Confederation of Women's Pro
HARRY SPRENG	Kc.	HUMAN
Nendell Strom	Topeka	AARP-CCTF
Rai Callahan	Topeka	Ka MMCO
BILL SWEED	TOPEKA	NIAA
Kathy Taylor	Topeka	Ks Bankers Assn
Cheryl Aillard	Kansas City	Kaiser Permanente
Kathy Sexton	Topeka	Div. of Budget
Cammie Tiede	Topella	Bd of Healing Arts
Sue Bond	Oreland Park	
John Peterson	Tyrus	Kaiser Permanente
Larry W. Pittman	Topeka	Ks Found for Med Care
Dorothy Parker	Topeka	Food Ind. Ins. Assn
David Hanzlick	Topeka	Ks Dental Assn

FILED

APR 17 1992



RECEIVED

APR 16 1992

KANSAS COMMISSION  
BILL GRAHAM  
SECRETARY OF STATE

**KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT**  
**STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSE**

Kansas Commission  
on Governmental  
Standards & Conduct

**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 unfilled. 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**

S H E P H E R D      R A Y      M I L T O N

Last Name

First Name

MI

S H E P H E R D      M A R Y      E L I Z A B E T H

Spouse's Name

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

1 4 0 2      S O U T H      H O R T O N      P O      1 1 2

City, State, Zip Code

F T      S C O T T      K S      3 1 6 \*\* 2 2 3 \*\* 0 9 0 0

Home Phone Number 223-0479

Business Phone Number

**B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:**

S T A T E      B A N K I N G      B O A R D

List Name of Agency, Commission or Board

M E M B E R

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.

\* 2 9 7 0



- 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. RAY Shepherd Motors INC DBA Shepherd Team Auto PLAZA	Auto Dealership	Stock	— You — Spouse — Jointly	40% 35% 25%
2. Above dealership Building (2549 So. Main St)	"		— You — Spouse — Jointly	100%
3. Dealership Building 1819 S. Main (2568 So)	occupied by Ray Shepherd Motors Inc	Building	— You — Spouse — Jointly	100%
4. Ft Scott, Ks.			— You — Spouse — Jointly	
5.			— 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. NO NC		
2.		
3.		

4/14 2/5/93  
1-2

**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.	RAY Shepherd Motors INC.	PO Box 112 2569 So	Auto Dealership
2.	DBA Shepherd Team Auto Plaza	Ft Scott, KS	

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.			
2.			

**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.	RAY Shepherd Motors Inc DBA Shepherd Team Auto Plaza	CHAIRMAN	RAY
2.	National Auto Dealers Ass'n (NADA) 8400 Westpark Dr. McLean, Va (Washington DC)	Kansas DIRECTOR	RAY
3.	Kansas Motor Car Dealers Assn. (KMCDA) 800 SW Jackson Ste 808 Topeka, KS.	Board	Ray
4.	McPherson College McPherson, Kans	Trustee	Ray
5.	Masonic Foundation Topeka, KS	Trustee	Ray

6. FIRST Christian Church 1st Judson Ft Scott Elder  
F141 2/2/93 DEBBY  
1-3 Ray + Mary

- 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.	Income from Building - Ray Shepherd Motors		Jointly owned by Ray & Ma Shepherd
2.	Occupational exp.		
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, Ray Shepherd, 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.

April 14, 1992  
Date

Ray Shepherd  
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES \_\_\_\_.

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

F141 0/2/93  
1-4

SENATE CONFIRMATION QUESTIONNAIRE  
APPOINTMENTS BY GOVERNOR JOAN FINNEY

Name: RAY SHEPHERD

Home Address: 1402 Horton

City, State, Zip Code: Fort Scott, Kansas 66701

Home Phone: 316 / 223-0479

Business Address: RAY SHEPHERD MOTORS, INC DBA  
SHEPHERD TEAM AUTO PLAZA

City, State, Zip Code: Fort Scott, Kansas 66701

U.S. 69 South (PO Box 112)

Business Phone: 316 / 223-0900

Date of Birth: 7/23/19 Place of Birth Boonville, Mo.

Party Affiliation Republican KBI Check(Yes/No) yes

Appointed as: Member of State Bank Board

Effective May 1, 92 for the April 30, 1995 term

ending April 30, 1995 Succeeding Frank Ross, Jr.

Salary NA Statutory Authority K.S.A.  
1991 Sub. 74-3004

Statutory Requirements \_\_\_\_\_

1. EDUCATION: \_\_\_\_\_  
High School See attached sheet

Year Graduated \_\_\_\_\_

Postsecondary	Degree, etc.	Dates
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_____	_____	_____
_____	_____	_____
_____	_____	_____

F141 2/2/93  
1-5

Graduated from High School, 1937, attended William Jewell College two terms; returned home to work in the family car dealership because of fathers illness, (heart). I have taken many industry courses from a few days to months, Ford Motor Co., General Motors, Chrysler, Detroit, Ann Arbor, covering varied and related subjects, including N. A. D. A's work shop courses each year (now a 4 year degreed course), including short hand, typing, bookkeeping, accounting business management, sales management, personnel, just to mention a few.

I still attend at least three workshops yearly, and conduct some myself, two last year and one so far this year.



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

Dates	Name	Location
<u>See attached sheet</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>1961-65</u>	<u>State Highway Commissioner, Fourth Div.</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? No  
If so, please list dates and offices held:


5. HAVE YOU BEEN A REGISTERED LOBBYIST OR EMPLOYED A REGISTERED LOBBYIST AT ANY TIME DURING THE PAST 5 YEARS? No  
If you were a registered lobbyist, did you receive any compensation?         
List groups you represented or for which you employed a lobbyist:


6. EXPERIENCE OR INTERESTS WHICH QUALIFY YOU FOR THE OFFICE TO WHICH YOU HAVE BEEN APPOINTED:  
Now serving 17th yr. on Bd. of McPherson Trustees (Exec. Bd. ~~Served as chairman of a bank board 26 years (No connection~~ with the bank now, nor do I own any stock or interest in any bank. I am now serving as National Auto. Dealers Assoc. Dir. representing Kansas. The organization represents over 19,000 ~~franchised car and truck dealers nationally, directs 920 full-~~ time professional personelle. Served on board of Sisters of Mercy of KS. for 15 years, Ch. of Bd. Ft. Scott-Independence Hosp.
7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE: \_\_\_\_\_

See attached sheet \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. HAVE YOU EVER BEEN A MEMBER OF THE ARMED FORCES OF THE UNITED STATES? No  
If so, please list dates of service, branch of service and date and type of discharge:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

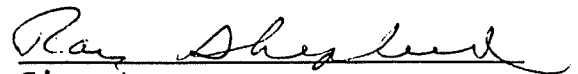
9. HAVE YOU EVER BEEN ARRESTED, CHARGED OR HELD BY FEDERAL, STATE OR OTHER LAW ENFORCEMENT AUTHORITIES FOR VIOLATION OF ANY FEDERAL LAW, STATE LAW, COUNTY OR MUNICIPAL LAW, REGULATION OR ORDINANCE (EXCLUDING TRAFFIC VIOLATIONS FOR WHICH A FINE OF \$100 OR LESS WAS IMPOSED)? No

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Aware of none  
\_\_\_\_\_  
\_\_\_\_\_

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

  
Signature

F171 2/2/93

SUPPLEMENTAL FOR #6

The attached sheet indicates some of the Boards and Organizations I have been, or am associated with. Having grown up in an automobile dealership, active, and still am, gives a wide comprehensive business background. We operated 36 years without a 'red' month, never made big money because of our philosophy of doing business. We sold over 50,000 cars and trucks and never sued anyone or was sued. (Regulations now preclude that). Being selected as National Time Quality Dealer, the highest business honor afforded a franchised dealer is indicative of some successful experience. Having been on a Bank Board for over 26 years afforded knowledge in the banking industry.

# Introducing Ray Shepherd



Kansas Motor Car Dealers Association.

Past President

Past Vice President

Past Treasurer

Past Regional Vice President

Board of Directors

Kansas Quality Dealer, 1981

Natl. Auto. Dealers Assn. Quality Dealer of the Year, 1981

Time Magazine National Quality Dealer Winner, 1981

Ford Mtr. Co. Gov. Affairs Comm, State of Kansas

(Co-Chaired with Merle Kelly, Chanute)

Chrysler-Plymouth Dealer Council

St. Louis Lincoln-Mercury Dealer Advertising Association

Past President and Director

Mid-West Ford Dealers Advertising Association

Board Member, Past Pres.

Dodge Dealers Council—three terms

Chrysler-Plymouth Dealers Adv. Assoc.—Past-President

Lincoln-Mercury Dealers Council—District and Regional

Ford Dealers Council—six terms

Small Business Adm. Bd. (Federal Appointment)(K.C.)

State Highway Commission—served two terms as Commissioner 4<sup>th</sup> Dist.

University of Kansas, Pittsburg

Automotive Technology Board, one term

Mercy Hospitals of KS—Ch. of Bd.—Mercy Hospital, Fort Scott, KS; Mercy Hospital, Independence KS

McPherson College—Board of Trustees, Executive Board, since 1975, Sec'y of Corp.

Security State Bank, Fort Scott

Chairman of Board since organized in 1962 - 1988

First Christian Church, Fort Scott

Elder, Trustee, Past Deacon and Chairman of the Board

Ray Shepherd Mtrs. Inc., and Team Mtrs., Inc., Fort Scott

Chairman of Board

Ray Shepherd Leasing Co., Inc.—Chairman of Board

Red Cross, Fort Scott, Past Chairman and Director

YMCA Director for 24 years

Fort Scott Area Chamber of Commerce

Past Director and Chairman

United Way, Fort Scott

Past Director and Chairman, Drive Chairman

KS Assoc. of Commerce and Industry—Past Director

Fort Scott Industries (Industrial Arm of Area Chamber of Commerce)

Past Director and President

Fort Scott Rotary

Mid-America—Parsons—County Industrial Development, Southeast Kansas

Director 16 years, Vice President

Mo-Kan Area Council Boy Scouts

Board

Masonic Orders:

AF & AM; Scottish Rite; York Rite; Royal Arch; Grand Commandry; Eastern Star; Shrine; Kansas

Masonic Foundation and Trustee

NADA National Auto Dirs. Assoc - KANS. Director - 50 Directors Rep. 19,800  
 FORD MOTOR CAR ARBITRATION BOARD - Mid West Region Dealer  
 5 1/2 years. 3-member Board - Handled over 1500 cases.

F141 2/2/93  
 1-10



# STATE OF KANSAS

## SENATE RESOLUTION No. 1830

A RESOLUTION congratulating and commending Ray Shepherd, National Quality Dealer of the Year and 1981 Kansas Dealer of the Year.

WHEREAS, On February 7, 1981, Ray Shepherd, President of Ray Shepherd Motors, Inc., of Fort Scott, Kansas, was named as the TIME Magazine National Quality Dealer of the Year, a program co-sponsored by TIME Magazine and the National Automobile Dealers Association; and

WHEREAS, Mr. Shepherd was selected from a group of 64 automobile dealers nominated from the some 22,000 franchised automobile dealers of the United States; and

WHEREAS, He was nominated to represent the state of Kansas by his fellow franchised dealers by being named 1981 Kansas Dealer of the Year; and

WHEREAS, He received the honor based upon his exceptional performance in his dealership combined with distinguished community and state service, which includes serving as Commissioner of the Kansas State Highway Commission from 1961 to 1965; and

WHEREAS, This is the highest honor which can be bestowed upon a franchised automobile dealer; and

WHEREAS, The people of Fort Scott and the state of Kansas are proud of his achievement and of the high business and civic standards he has set for himself personally: Now, therefore,

*Be it resolved by the Senate of the State of Kansas:* That we congratulate and commend Ray Shepherd, National Quality Dealer of the Year; and

*Be it further resolved:* That the Secretary of the Senate be directed to send an enrolled copy of this resolution to Mr. Ray Shepherd, Ray Shepherd Motors, Inc., P. O. Box 112, Fort Scott, Kansas 66701.

Senate Resolution No. 1830 was sponsored by Senator Robert V. Talkington.

I hereby certify that the above RESOLUTION originated in the SENATE, and was adopted by that body

April 1, 1981

Ross O. Dugan  
President of the Senate.

Lu Kenney  
Secretary of the Senate.

F141 3/2/93

1-11



FILED

APR 13 1992

BILL GRAVES  
SECRETARY OF STATE

RECEIVED

APR 10 1992

Kansas Commission  
on Governmental  
Standards & Conduct

KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSEAPPOINTMENT TO STATE OFFICE IS SUBJECT TO SENATE CONFIRMATION

**INSTRUCTIONS.** This statement (pages 1 through 4) must be completed by each person who 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 remains unfiled. Also, any individual who intentionally fails to file as required by law, intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

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**A. IDENTIFICATION:**

PLEASE TYPE OR PRINT

W	i	n	d	h	o	l	z			O	r	e	n			M													
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Last Name

First Name

MI

W	i	n	d	h	o	l	z			P	a	t	r	i	c	i	a			A									
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Spouse's Name

P	O	B	o	x		1	0	8	3																				
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Number &amp; Street Name, Apartment Number, Rural Route, or P.O. Box Number

H	a	y	s			K	a	n	s	a	s		6	7	6	0	1												
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City, State, Zip Code

9	1	3	**	6	2	5	**	9	4	9	2
---	---	---	----	---	---	---	----	---	---	---	---

Home Phone Number

			**			**					
--	--	--	----	--	--	----	--	--	--	--	--

Business Phone Number

**B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:**

S	a	v	i	n	g	s		a	n	d		L	o	a	n		B	o	a	r	d							
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List Name of Agency, Commission or Board

M	e	m	b	e	r																							
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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.

9	2	3	5
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- 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. Golden Belt Banking and Savings Ellis, Ks 67637	Savings Assoc.	stockholder	X	You
			X	Spouse
				Jointly
2.				You
				Spouse
				Jointly
3.				You
				Spouse
				Jointly
4.				You
				Spouse
				Jointly
5.				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 X.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

E. **RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and all 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.	St. Anthony Hospital	Hays, Ks 67601	General Hospital
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 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.	Golden Belt Banking and Savings Ellis, Ks 67637	director	self
2.	Western Plains Service Corp. (subs. of Golden Belt) Hays, Ks 67601	director	self
3.			
4.			
5.			

- G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commission 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 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 X.

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

H. **DECLARATION:**

I, Oren M. Windholz, 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.

4-9-92

Date

[Signature]

Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES \_\_\_\_.

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

FILED 2/5/93  
2-4

SENATE CONFIRMATION QUESTIONNAIRE  
APPOINTMENTS BY GOVERNOR JOAN FINNEY

Name: Oren M. Windholz

Home Address: 3703 Fairway Drive

City, State, Zip Code: Hays, KS 67601

Home Phone: 913 / 625-9492

Business Address: same

City, State, Zip Code: \_\_\_\_\_

Business Phone: \_\_\_\_\_ / \_\_\_\_\_

Date of Birth: June 3, 1941 Place of Birth Hays, KS

Party Affiliation Democrat KBI Check(Yes/No) \_\_\_\_\_

Appointed as: member, Savings & Loan Bd

Effective 3/11/92 for the 3 year term  
ending 6/30/95 Succeeding Candy Murphy, resign.

Salary \_\_\_\_\_ Statutory Authority 74-3113

Statutory Requirements \_\_\_\_\_

1. EDUCATION:

High School St. Joseph Military Academy (now Thomas More Prep), Hays

Year Graduated 1959

Postsecondary	Degree, etc.	Dates
<u>Ft. Hays State University</u>	<u>B.S. Business</u>	<u>1966</u>
_____	_____	_____
_____	_____	_____

F111 2/2/93



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

Dates	Name	Location
<u>1973 to 1992</u>	<u>American College of Healthcare Execs.</u>	<u>Chicago, IL</u>
<u>1966 to 1991</u>	<u>Chamber of Commerce</u>	<u>Hays, KS</u>
<u>1966 to 1991</u>	<u>Kansas Hospital Association</u>	<u>Topeka, KS</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>1979-80</u>	<u>Governor's appointment to Private Industry Council</u>
<u>1982</u>	<u>Democratic Precinct Committeeman</u>
<u>      </u>	<u>      </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?   No    
If so, please list dates and offices held:

<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>
<u>      </u>	<u>      </u>

5. HAVE YOU BEEN A REGISTERED LOBBYIST OR EMPLOYED A REGISTERED LOBBYIST AT ANY TIME DURING THE PAST 5 YEARS?   No    
If you were a registered lobbyist, did you receive any compensation?         
List groups you represented or for which you employed a lobbyist:

<u>      </u>
<u>      </u>
<u>      </u>

6. EXPERIENCE OR INTERESTS WHICH QUALIFY YOU FOR THE OFFICE TO WHICH YOU HAVE BEEN APPOINTED:
- Degree in Business Administration from Ft. Hays University
- 25 years experience in hospital administration
- 20 years as stockholder and board member of Golden Belt Banking and Savings Association, Ellis, KS
- Charter member, board of directors of Ellis County Economic Development Corp.
7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE: \_\_\_\_\_
- Above and past board of directors, Blue Cross of Kansas
- Past trustee, St. John's Rest Home Foundation
- Past president, Catholic Hospital Association of Kansas
- Past president, Thomas More Prep Endowment Foundation
- Founding president, Bukovina Society of the Americas (Historical Society)
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:
- 1960-62 1st Lt. Medical Service Corps, Honorable discharge
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

F/41 2/2/93

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FILED

APR 16 1992

BILL GRAVES  
SECRETARY OF STATE

## 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

WILLIAMS ALVIS L

Last Name

First Name

MI

WILLIAMS Boyd L

Spouse's Name

3405 S KNIGHT

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

WICHITA KANSAS 67217

City, State, Zip Code

316 \*\* 45 \*\* 2589

Home Phone Number

316 \*\* 685 \*\* 9555

Business Phone Number

B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:

KANSAS CREDIT UNION COUNCIL

List Name of Agency, Commission or Board

COUNCIL MEMBER

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.

\* 1554



**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
			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
2.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
3.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
4.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
5.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
6.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	
7.			<input type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> 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.		
2.		
3.		

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3-2

**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.	Technical Employees' Audit Union	655 Long Hills Dr. Wanda Va 22190	(Audit Union)
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 \_\_\_\_.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Beech Aircraft	Garage 12112 Wanda Va	(Aircraft)
2.			

**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.	KET (Kaiser Electronic Technical Association)	Board of Directors	LL
2.			
3.			
4.			
5.			

F/41 2/2/93



- 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.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, W. Lee Williams, 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.

4-10-97  
Date

W. Lee Williams  
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES \_\_\_\_.

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

F144 2/2/93

SENATE CONFIRMATION QUESTIONNAIRE  
APPOINTMENTS BY GOVERNOR JOAN FINNEY

Name: Al Lee Williams

Home Address: 3408 S Knight

City, State, Zip Code: Wichita, KS 67217

Home Phone: 316 / 945-2589

Business Address: 9555 Corp Hills Drive

City, State, Zip Code: Wichita KS 67207

Business Phone: 316 / 685-7587

Date of Birth: 3-10-1958 Place of Birth: Clarksville, TEXAS

Party Affiliation: Democrat KBI Check (Yes/No) Yes

Appointed as: CREDIT UNION Council Member

Effective 6/13/92 for the 3-year term

ending 6/12/95 Succeeding herself

Salary \$35/hour Statutory Authority 17-2232

Statutory Requirements \_\_\_\_\_

1. EDUCATION: Clarksville High School (TEXAS)  
High School 1976

Postsecondary	Degree, etc.	Dates
<u>EAST TEXAS STATE UNIV.</u>	_____	<u>1976-1979</u>
_____	_____	_____
_____	_____	_____

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

Dates	Name	Location
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

Date	Office
<u>1991 - Pres</u>	<u>COUNCIL member</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? NO  
If so, please list dates and offices held:

_____	_____
_____	_____
_____	_____

5. HAVE YOU BEEN A REGISTERED LOBBYIST OR EMPLOYED A REGISTERED LOBBYIST AT ANY TIME DURING THE PAST 5 YEARS? NO  
If you were a registered lobbyist, did you receive any compensation?  
List groups you represented or for which you employed a lobbyist:

_____
_____
_____

WHICH YOU HAVE BEEN APPOINTED:

12 years experience in a credit union.  
my goal is to assist wherever needed  
to assist in the development of the credit  
union movement

7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE:

I've  
been involved in Chamber activities, CM Chapter  
officer and a previous member of this  
council

8. HAVE YOU EVER BEEN A MEMBER OF THE ARMED FORCES OF THE  
UNITED STATES?

NO  
If so, please list dates of service, branch of service and  
date and type of discharge:

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

*A. De Williams*  
Signature

F141 2/2/93

3-7



## KANSAS MEDICAL SOCIETY

623 SW 10th Ave. • Topeka, Kansas 66612 • (913) 235-2383  
WATS 800-332-0156 FAX 913-235-5114

February 2, 1993

TO: Senate Financial Institutions and Insurance Committee  
FROM: Kansas Medical Society *Chap W. Wilson*  
SUBJECT: SB 70 as Introduced

Thank you for the opportunity to express our support for the provisions of SB 70. This bill was requested by the Kansas Medical Society in order to protect privileged information that is often requested of physicians in order for them to be credentialed by an insurer prior to entering into a participation agreement. Such information is frequently required in order to become a preferred provider and may include details of litigation in progress as well as the physician's liability history.

If the physician refuses to provide the requested information, the insurer refuses to establish a participation agreement. In that event, a hardship can be created for those patients who have an established relationship with the physician and are insured by the preferred provider plan. Physicians are, of course, reluctant to share information which could jeopardize a medical malpractice case or be otherwise misused. Unless a remedy is obtained, some patients will experience a lack of continuity in their medical care and could experience access problems as well.

Because the credentialing process is nearly identical to the peer review activities engaged in by hospital medical staffs and other similar health care providers, we elected to address the identified problem by amending K.S.A. 65-4915 in a manner that would define insurers which engage in peer review functions so that their peer review records and findings would be protected from legal discovery. It has been suggested, however, that this protection could be misapplied to interfere with a patient's ability to obtain information regarding payment of benefits under the insurance policy. For this reason we respectfully request adoption of a clarifying amendment as follows.

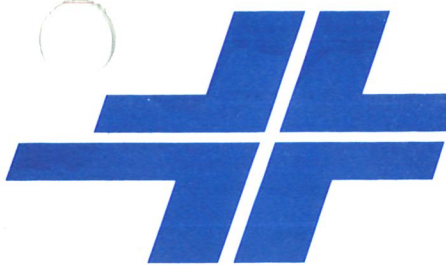
Insert new subsection after line 37 of page 3

(f) Nothing in this section shall be construed to prevent an insured from obtaining information pertaining to payment of benefits under a contract with an insurance company, a health maintenance organization, or an administrator of a health benefits plan.

Thank you for considering our concerns. We urge you to recommend passage of SB 70 as amended in the manner we described.

CW:cb

*Senate File #1  
2/2/93  
Attachment #4*



**MEDEVAC MEDICAL SERVICES, INC.®**

411 S.W. Jackson • Topeka, Kansas 66603 • (913) 233-2400 Administration

February 2, 1993

TO: Senate Committee on Financial Institutions and Insurance

FROM: R. E. "Tuck" Duncan  
General Counsel  
Medevac Medical Services, Inc.

RE: SB 70

I respectfully request that the Committee amend SB 70 to provide for peer review of attendants certified by the Board of Emergency Medical Services.

Peer review is currently authorized for a variety of licensed, registered or certified medical professionals. Peer review affords these professionals the opportunity to improve the quality of the health care services rendered to patients, and should be extended to emergency medical service personnel.

I offer for the Committee's consideration as the appropriate amendments Substitute for Senate Bill 273 from the 1991 session, a copy of which is attached hereto.

Thank you for your kind attention to and consideration of this matter.

*Senate File 2/2/93  
Attachment #5*

## Substitute for SENATE BILL No. 273

By Committee on Local Government

3-8

8 AN ACT concerning first responders and attendants; relating to peer  
9 review.

10  
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. (a) When used in this act:

13 (1) "First responder" shall have the same meaning ascribed  
14 thereto by K.S.A. 1990 Supp. 65-6112, and amendments thereto;

15 (2) "attendant" shall have the same meaning ascribed thereto by  
16 K.S.A. 1990 Supp. 65-6112, and amendments thereto;

17 (3) "peer review" means any of the following functions:

18 (A) Evaluate and improve the quality of services rendered by  
19 first responders or attendants;

20 (B) determine that services rendered were provided pursuant to  
21 law or written protocols approved by the local component medical  
22 society and were performed in compliance with the applicable stand-  
23 ard of care;

24 (C) evaluate the qualifications, competence and performance of  
25 first responders or attendants or to act upon matters relating to the  
26 discipline of any individual first responder or attendant;

27 (D) reduce morbidity or mortality;

28 (E) review the professional qualifications or activities of first re-  
29 sponders or attendants;

30 (F) evaluate, review or improve methods, procedures or treat-  
31 ments being utilized by first responders or attendants.

32 (4) "peer review officer or committee" means an individual em-  
33 ployed, designated or appointed by, or a committee of or employed,  
34 designated or appointed by the operator of an ambulance service as  
35 defined by K.S.A. 65-6112, and amendments thereto, or a state or  
36 local association of ambulance services, attendants or first responders  
37 and authorized to perform peer review.

38 (b) Except as provided by K.S.A. 60-437, and amendments  
39 thereto, and by subsections (c) and (d), the reports, statements,  
40 memoranda, proceedings, findings and other records of peer review  
41 committees or officers shall be privileged and shall not be subject  
42 to discovery, subpoena or other means of legal compulsion for their  
43 release to any person or entity or be admissible in evidence in any

Sub. for SB 273

2

1 civil, criminal or any administrative proceeding. Information con-  
2 tained in such records shall not be discoverable or admissible at trial  
3 in the form of testimony by an individual who participated in the  
4 peer review process. This privilege may be claimed by the legal  
5 entity creating the peer review committee or officer.

6 (c) Subsection (b) shall not apply to proceedings in which a first  
7 responder or attendant contests the revocation, limitation, modifi-  
8 cation or suspension of certification thereof.

9 (d) A peer review committee or officer shall report to the emer-  
10 gency medical services board any disciplinary action or recommen-  
11 dation of such committee or officer and shall transfer to the board  
12 the records of such committee's or officer's proceedings. Reports and  
13 records so furnished shall not be subject to discovery, subpoena or  
14 other means of legal compulsion for their release to any person or  
15 entity and shall not be admissible in evidence in any civil, criminal  
16 or any administrative proceeding other than a disciplinary proceeding  
17 by the emergency medical services board.

18 (e) A peer review committee or officer may report to and discuss  
19 its activities, information and findings to other peer review com-  
20 mittees or officers or operator of an ambulance service without waiver  
21 of the privilege provided by subsection (b) and the records of all  
22 such committees or officers relating to such report shall be privileged  
23 as provided by subsection (b).

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

5-2  
661812  
5-2  
2-5-2



1 incorporated prior to 1910, under the laws of Kansas, with corporate  
 2 headquarters in this state, which only provides insurance to financial  
 3 institutions. The investment in such stock shall not exceed 2% of  
 4 the bank's capital stock, surplus and undivided profits; and

5 (25) to purchase and hold an interest in life insurance policies  
 6 on the life of its executive officers and directors, and to purchase  
 7 life insurance policies in connection with employee compensation and  
 8 benefit plans subject to the limitations listed herein. Funding for the  
 9 payment of employee compensation and benefit plans may be made  
 10 or split in a joint manner between the bank, employee or bank  
 11 holding company as in "split dollar" or other insurance plans:

12 (a) Life insurance purchased and held on the life of executive  
 13 officers and directors are subject to the following limitations:

14 ~~(i) A bank is not authorized to purchase life insurance policies~~  
 15 ~~for the bank's own account as an investment;~~

16 ~~(ii) the bank's purchase of any life insurance policy on an ex-~~  
 17 ~~ecutive officer or a director as measured by the cash surrender~~  
 18 ~~value, underwritten by any one life insurance company cannot exceed~~  
 19 ~~the legal lending limit stated in subsection (b) of K.S.A. 9-1104, and~~  
 20 ~~amendments thereto, for that executive officer or director;~~

21 ~~(iii) a bank is not allowed to commit an amount toward the~~  
 22 ~~purchase of life insurance policies in the aggregate from all com-~~  
 23 ~~panies as measured by the cash surrender value, that is more than~~  
 24 ~~25% of the bank's capital stock, surplus, and undivided profits, unless~~  
 25 ~~the bank has obtained the approval of the state bank commissioner~~  
 26 ~~prior to the purchase of any life insurance policies in excess of this~~  
 27 ~~limitation;~~

28 ~~(iv) the authority to hold life insurance on any executive officer~~  
 29 ~~ceases if the executive officer is no longer employed by the bank or~~  
 30 ~~no longer meets the definition of an executive officer; and~~

31 ~~(v) the authority to hold life insurance on a director ceases when~~  
 32 ~~that director is no longer a member of the board of directors.~~

for the sole purpose of providing

deferred

as well as the benefits derived

of any life insurance policy on an executive officer or director

at any time

15% of the bank's capital stock, surplus, undivided profits, loan  
 loss reserve, capital notes and debentures, and reserve for  
 contingency;

of life insurance policies on executive officer(s) or director(s),  
 in the aggregate from all companies, cannot at any time exceed

loan loss reserve, capital notes and debentures, and reserve for  
 contingency,

prior

(v) the bank's board of directors must approve and document  
 the purchase of any life insurance, including the reasonableness  
 of such purchase;

(vi) except as part of a reasonable compensation or benefit  
 plan, a bank is not authorized to purchase life insurance as an  
 estate management device for the benefit of officers, directors,  
 or employees who are also controlling shareholders of the  
 bank.

Senate 7/14/13 2/12/13  
 Attachment # 6

#6



deferred

(b) Life insurance purchased ~~in connection with~~ compensation and benefit plans are subject to the following limitations:

for the sole purpose of providing

(i) The bank may purchase individual or group policies ~~in connection with~~ deferred compensation agreements entered into with its officers and employees;

(ii) the bank may purchase policies on directors to fund a deferred directors fees program;

(iii) the board of directors must approve and document such deferred plans including the reasonableness of the plans; and

(iv) the bank is not authorized to hold the policies unless specifically approved by the state banking board if no liability exists under the deferred compensation plans;

(v) the cash surrender value of any life insurance policy purchased for the sole purpose of providing deferred compensation and benefit plans, underwritten by any one life insurance company, cannot exceed at any time, 15% of the bank's capital stock, surplus, undivided profits, loan loss reserve, capital notes and debentures, and reserve for contingency;

(vi) the cash surrender value of life insurance policies purchased for the sole purpose of providing deferred compensation and benefit plans, in the aggregate form all companies, cannot at any time exceed 25% of the bank's capital stock, surplus, undivided profits, loan loss reserve, capital notes and debentures, and reserve for contingency, unless the bank has obtained the prior approval of the state bank commissioner;

(vii) the present value of the projected cash flow from the policy must not substantially exceed the present value of the projected cost of the deferred compensation or benefit program liabilities.

Sec. 3. K.S.A. 9-701 and 9-1101 are hereby repealed.

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

F149 2/2/93  
6-2