

Approved: 3-24-94 J. Eudaley
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 24, 1994 in Room 254-E of the Capitol.

All members were present except:
Sens. Vidricksen and Papay were excused

Committee staff present: Mary Ann Torrence, Revisor of Statutes
Jeanne Eudaley, Committee Secretary

Conferees appearing before the committee:
See attached agenda

Others attending: See attached list

Sen. Oleen announced the confirmation hearing for former Sen. Jack Janssen for appointment as a commissioner of the Racing Commission. She introduced Mr. Janssen, who gave a brief statement (Attachment 1) to the committee. Sen. Oleen asked Mr. Janssen if he had an orientation session, and he responded that he did not attend a formal orientation but has been working with the executive director of the Racing Commission and staff to acquaint him with the commission and its activities. He stated he also has been reading information from the commission. Sen. Oleen also asked if he had the time to commit to the Commission in attending meetings, hearings, etc., as would be required. Mr. Janssen responded he has been serving on the Employment Security Board of Review, which meets regularly to hear numerous cases, and he has been able to commit considerable time for that Board. He added he believes the Racing commissioner position will not require as much time as the Employment Security Board. Sen. Gooch referred to the two telephone conferences Mr. Janssen referred to and asked if the conference calls are considered a regular meeting and if the telephone conference is in conflict with the Open Meetings Law. Mr. Janssen answered that the phone conferences and discussions are not in conflict with the Open Meetings Law in that the public is able to attend the meetings, held in the Racing Commission conference room, and are able to hear and be involved in the meeting, if they so desire. Sen. Oleen asked, since the questionnaire no longer indicates if a KBI check is done, whether Mr. Janssen completed the KBI application for background checks. He responded he did; that the background check was completed. Sen. Oleen told Mr. Janssen the policy of the committee is to wait several days for input from the committee before taking action on the confirmation.

Sen. Oleen opened the hearing for SB 283 and introduced the following proponents:

Duane Nellis, (Attachment 2);
Judy Ancel, (Attachment 3) Ms. Ancel did not have written testimony at the hearing, but has since submitted it, and it has been distributed to the committee

Mr. Nellis stated the bill has been re-referred from the Commerce Committee to this committee. He also introduced Dr. Berkeley Miller, Director of Labor Studies Program at Kansas State University and Dr. Clive Fullagar, also with the Labor Studies Program at Kansas State University. Sen. Gooch asked how students would be selected for the course. Dr. Miller responded there are a number of four-credit courses for the undergraduate, and it would also be offered on the continuing education program and as a re-training program. He stated K-State has participated in a re-training program with the postal service. He stated the university's intention is to interface with business and industry and would focus on outreach and research. He added that the K-State students who attend the classes would pay by tuition. Sen. Ramirez asked if the advisory council will receive compensation, and Dr. Miller replied they would be paid for expenses only. Sen. Oleen discussed with Dr. Miller the importance of having representatives from across the state serve on the advisory council, and stated those appointed to the advisory council should represent balanced participation and be representative, geographically, from across the state. Dr. Miller stated the assumption was to have wide and diverse representation on the advisory council. Sen. Jones questioned Dr. Miller on the make-up of the council and stated his hope that members be representative of all ethnic, gender, and geographic groups. He

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E
Statehouse, at 11:05 a.m. on February 24, 1994.

stated he does not want to hinder the effectiveness of the council, and that he concurs with the purpose of the program in assisting with labor education. Sen. Parkinson questioned if the program at K-State would compete with private companies, and Dr. Miller assured him that companies have approached K-State for programs, such as this one; and he told of the United Food Workers Union coming to K-State for a program that could be offered under this proposal. In answer to a question from Sen. Oleen, Dr. Miller stated that K-State is the only college in the state offering undergraduate courses in Industrial Labor Relations. He also stated they have received approval from the Board of Regents for this legislation. Sen. Oleen asked Dr. Miller to tell the committee the history of this bill. Dr. Miller gave the following account:

A similar bill was introduced two years ago and was referred to the House Education Committee. Hearings were held and it passed the House. It was referred to the Senate Education Committee, where no hearings were held because of the volumes of work and hearings that year on the K-12 Funding Formula. The proposal was not introduced last year; consequently, there was no bill.

Sen. Hensley questioned Ms. Ancel regarding training programs at Kansas City, Kansas Community College for General Motors. Ms. Ancel responded she is acquainted with the programs and that they are general educational programs, not labor programs. She stated that Kansas does not have funds available for creating the industrial labor education programs at that college. There were no opponents to the bill, and Sen. Oleen closed the hearing on SB 283.

Sen. Oleen announced the hearing on SB 804—authorizing secretary of SRS to enter into contracts for support enforcement services. She introduced the following proponents, who testified supporting the bill:

Rep. Ellen Samuelson, (Attachment 4);
Ed Bruske, (Attachment 5);
Jamie Corkhill, (Attachment 6)
Joseph Herold, (Attachment 7). Mr. Herold did not appear, but submitted written testimony later.

Sen. Ramirez stated his concern with non-payment of child support, but he is also concerned that when the moneys are collected, there is no payment for collection of the fees, and does not take money away from children and families. Sen. Praeger stated her concern that the custodial parent be given as much of the fees collected as possible and suggested an amendment could be considered. Rep. Samuelson stated the committee may want to consider some refinements to the bill to make the fees optional. Sen. Oleen stated the bill was adopted conceptually and that an amendment could be drafted to alleviate those concerns. Ms. Corkhill stated that the Department of SRS generally supports the bill, and their concern is that the funding structure is appropriate and that the contractors will participate in the automation process. Sen. Parkinson stated the committee could amend the bill and make the fee a penalty, because he is also concerned that all money collected be given to the children. Ms. Corkhill stated her agreement with that, but warned that the federal regulations are complex, but stated there should be a way to do it. Sen. Oleen stated that two sessions ago, a bill was discussed and hearings held which provided that interest could be charged on delinquent child support payments. However, it did not fit federal guidelines. Ms. Corkhill stated that SRS does enter into contracts and that it is possible that after the child support is collected, late payment fees could be assessed. She indicated that SRS has just re-negotiated a contract and she believes 15 to 16% is being paid for collections. Sen. Tillotson asked for clarification if the state negotiates for collections, or the mothers. Ms. Corkhill stated the state negotiates for the custodial parent and warned the state must provide uniform services statewide. Sen. Ramirez stated the legislature added a number of employees to the child support enforcement agency a session or two ago and asked if collections of fees has increased because of that. Ms. Corkhill answered that approximately 100 or so employees were added to the child support enforcement agency and that they are providing many enforcement services not available previously and that collection of delinquent fees has increased. She reminded the legislation to add additional employees was the result of a federal mandate. There were no opponents to the bill.

Sen. Oleen announced there have been several requests for introduction of bills, which she will honor. However, she warned the committee there may not be time to work the bills, and she does not know whether the House will have time to work them, or what their deadline may be. The following proposals were brought to the committee:

Sen. Praeger explained a proposal creating a health care reform legislative oversight committee (Attachment 8). Sen. Praeger made a motion it be introduced as a bill, and it was seconded by Sen. Ramirez. Sen. Walker objected, as he explained it was a tactic to delay health care reform. The motion passed.

Sen. Oleen called attention to a proposal submitted by Tuck Duncan which would establish alcohol server education programs (Attachment 9). Sen. Jones made a motion the committee sponsor it as a bill, and it was seconded by Sen. Hensley. The motion passed.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E
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Sen. Oleen explained a proposal (Attachment 10) relating to ferrets and the detection of rabies infection. Sen. Tillotson made a motion the committee sponsor it as a bill, and it was seconded by Sen Papay; the motion passed.

Sen. Hensley referred to a proposal (Attachment 11) regarding the telecommunications industry and the Public Utility Regulatory Act and stated he has spoken to the chairman of the Commerce Committee, since they bill will probably be referred to that committee. Sen. Hensley made a motion it be introduced as a bill, and it was seconded by Sen. Jones; the motion passed.

Sen. Hensley referred to another proposal (Attachment 12) from the Municipal Judges Association, which would allow them to perform marriages. Sen. Hensley made a motion the committee sponsor the bill, and it was seconded by Sen. Jones; the motion passed.

Sen. Oleen called the committees' attention to SB 468, credit card purchases for domestic beer and wine and stated this bill was passed out of the committee favorably and is now in the Senate. However, a member of the committee requested it be referred back to the committee for amendment, rather than initiating a new bill. Sen. Tillotson asked who the member was who made the request, and Sen. Oleen responded it was the vice chairman, Sen. Vidricksen. She asked the committee to look at an amendment (Attachment 13), which allows credit card purchases of alcoholic liquor by consumers only. Sens. Gooch and Hensley asked for clarification as to how the bill was referred back to the committee. Sen. Parkinson made a motion the bill be amended, as drafted and it be reported favorably, and it was seconded by Sen. Praeger. Sen. Tillotson stated she does not see how this will benefit the average Kansan; she knows we cannot legislate morals; however, she believes the person should have the money before purchasing liquor. Sen. Gooch remarked credit cards are the way of the future and that he prefers buying on credit cards for record keeping purposes. He does not believe it will enhance the sale of liquor. Sen. Parkinson stated we are a cash society and once it has been legalized, we shouldn't make it hard to buy. The motion passed.

(ATTACH. 14)
Sen. Oleen stated the committee will hold SB 723 and SCR 1620 until Friday and referred to amendments drafted to HB 2560. Mary Torrence explained the changes to the bill. Sen. Praeger made a motion the bill be amended and reported favorably, and it was seconded by Sen. Jones. Sen. Walker asked if the amendment changes the intent of the bill. Ms. Torrence stated the amendment changes the bill to parallel federal law and defines machines designed for gambling and those altered for gambling purposes. Sen. Parkinson stated the bill, without amendment, follows the court case, and the amendment defines a gambling devise. Sen. Oleen called attention to the fact that the effective date has been changed from publication in the register to the statute book. Sen. Tillotson asked if the KBI agrees with the proposed changes. Kyle Smith stated the amendment follows federal case law and is prima facia language; he believes the KBI can live with it. The motion passed, and the bill will be reported favorably as amended.

Meeting adjourned at 12:40.

GUEST LIST

COMMITTEE: Senate Federal & State AffairsDATE: Feb. 24, 1994

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
DON BRUNER	TOPEKA	KDHR
Henry B Calk	Topeka	CWA
Debra J. Snow	Topeka	CWA
W. Lynn Mankin	"	SAFL-CIO
CLIVE FULLAGAR	MANHATTAN,	KSU
Berkeley Miller	Manhattan	KSU
Judy Ancel	Kansas City KS	Inst. for Labor Studies UMKC
Jamie Corkhill	Topeka	SRS/CSE
Dan Hamer	Topeka	
Doug Smith	Topeka	KAMA
Kandy Lehmann	2015 NAISMITH LAWRENCE	CWA/FATHERS
MARGARET HOLMES	2944 NW 25 TOPEKA, KS	CWA
TERRI Sherwood	4209 SW DRIVE TOPEKA KS	CWA
KARLA WORLEY	TOPEKA	CWA
AB KILTS	2505 SW DUNCAN-TOPEKA	CWA
Maudie Austin	124 S.E. 38th -TPKA	CWA
ANITA VAWTER	1732 SE 43 TERR - TOPEKA	CWA
Steve Vogel	5117 S.E. 4th Terr-Tecumseh	CWA
Sharon Laird	Topeka	CWA
Susan DeMaio	Burlington	CWA
JOHN C. BOTTENBERG	TOPEKA	BOTTENBERG & ASS
JOCK DUNCAN	Topeka	KWSWA
STEVE KEARNEY	TOPEKA	KOMA
Phyllis R.	Topeka	KRLDPA
Kathy Peterson	Topeka	VLC

GUEST LIST

COMMITTEE: Senate Federal & State Affairs DATE: _____

[illegible]

ATTACH. 1

FOR YOUR CONSIDERATION
APPROVAL OF JACK W. JANSSEN TO BECOME A MEMBER OF THE
KANSAS RACING COMMISSION

I did not seek the position as a member of the Kansas Racing Commission but was privileged to have been asked to serve. Your question is do I have the ability to become a good productive member of the Commission? You of course will have to make that judgement. I do have a number of years of service with local and state government but until the first of this month have accumulated very limited knowledge about the parimutual racing industry. Since the first of February I have attended two commission meetings, one telephone conference, a trip to the track at Wichita and another telephone conference at nine o'clock this morning. There is so much to learn about the industry. I was impressed with the staff at the Topeka office and those employees I met while at the track in Wichita.

I have lived on a farm most of my life so have become a very concerned friend of animals. I will have a keen interest on the status of dogs and horses when they are no longer able to perform at the track.

During my years of service as an elected official and as a member of various boards I have always tried to express good judgement and common sense. After learning the duties of the commission and the language of the track I would expect to continue that philosophy.


Jack W. Janssen

Senate Fed + State
Feb. 24, 1994
Attachment #1

Jack W. Janssen P.O. Box 626 Lyons Tele. 316-257-2590

Born July 6, 1923 Rice County, Kansas

Attended country school and graduated Lyons High 1941

Attended University of Oklahoma year and a half

Enlisted U.S. Army Air Force Feb. 1943. Graduated pilot school Feb. 8, 1944

Completed tour of duty in Europe early 1945. Continued in Air Force Reserve, retired as Lt. Col. in 1983. Served ten years in reserve as Liaison Officer for Air Force Academy

Rice County Commissioner 1959-1964

State Senator 1965-1980

State Board of Indigents' Defense Service 1981-1983

Kansas Public Disclosure Commission 1990-1991

Member Board School District 405 1984-1990

Member Employment Security Board of Review 1983-1994

Current occupation: Real Estate Broker and Farmer

SENATE CONFIRMATION QUESTIONNAIRE
APPOINTMENTS BY GOVERNOR JOAN FINNEY

Name: Jack W. Jansson

Home Address: R R #3 Mailing address P.O. Box 626

City, State, Zip Code: Lyons, Kansas 67554

Home Phone: 316-257-2594

Business Address: 619 West Main

City, State, Zip Code: Lyons, Kansas 67554

Business Phone: 316 / 257 2590

Date of Birth: 6 July 1923 Place of Birth Lyons, Kansas

Party Affiliation Demo.

Appointed as: Racing Commissioner

Effective 2/1/94 for the 3 year term

ending 6/30/96 Succeeding Philip Martin

Salary _____ Statutory Authority 74-8803

Statutory Requirements _____

1. EDUCATION:
High School Lyons High School

Year Graduated 1941

Postsecondary	Degree, etc.	Dates
<u>University of Oklahoma</u>	<u>Attended one year</u>	<u>1941 - 1942</u>
_____	_____	_____
_____	_____	_____

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

☒ I have had a number of years experience in government as an elected official and as a member of various boards. I know very little about the racing business but believe I am capable of sorting the facts from the fiction when proposals are presented to the commission

7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE: My education was interrupted because of WW II. I left school to go to pilot

training and served a tour of duty in Europe as a B-17 pilot. I became engaged in farming and building construction after the war and still continue to farm. I became a real estate broker in 1970 and continue with that work. I did continue to serve in the Air Force Reserve until retirement as a Lt. Col. in 1983. Ten years of the reserve duty was as a liaison officer for the Air Force Academy. I continue to live on the farm and operate the real estate business

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

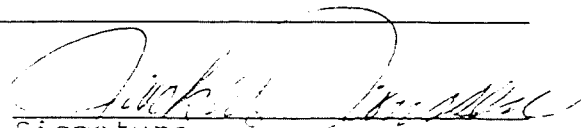
If so, please list dates of service, branch of service and date and type of discharge:

17 Sept 1942-13 Sept 1945	U.S. Army Air Force	Honorable
Sept 1945 - 1972	U.S. Army Air Force Reserve	Retired

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.

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


Signature
Jack W. Janssen

- 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. A.S.C. So building rental		100%	<input checked="" type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	100%
2. F.H.A. building rental		100%	<input checked="" type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	100%
3. Bergen building rental		100%	<input checked="" type="checkbox"/> You <input type="checkbox"/> Spouse <input type="checkbox"/> Jointly	100%
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.		

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.	Board member Employment Security	Topokid	
2.	Erving	Rice B. Kdys.	

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.			
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 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.	Central Real Estate -	Lyons, Kans	
3.			
4.	(number of clients who)		
5.	pay commissions		
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, Jack W. Janssen, 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.

1 May
Date

Jack W. Janssen
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES ____.

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

Attach 2

Statement
by
Dr. Duane Nellis
Associate Dean of Arts and Sciences
Kansas State University
SB283
Presented
to
Senator Lana Oleen
Senate Federal and State Affairs
February 24, 1994

Senate Fed + State
Feb. 24, 1994
Attachment 2

Thank you Madame Chair,

I am here to support SB283. This bill creates a Labor Education Center within the Institute for Social and Behavioral Research at Kansas State University.

The Center objectives will be 1) the development of a well trained labor force; 2) basic and applied research in labor studies, the work force and society; 3) secure training, educational and research grants; 4) provide guidance and consultation to labor, employee and human resource organizations; 5) provide technical information through written and oral communications, including educational materials, films, and library resources; and 6) serve on commissions and advisory boards as deemed necessary.

The legislation also provides for the creation of a Labor Education Center Advisory Council consisting of 12 members. See Attachment I.

There is no request for appropriations from the state for this center. With this enabling legislation the Center will be in a position to seek grant funds from a variety of sources, including the U.S. Department of Labor.

ATTACHMENT I

Labor Education Center Advisory Council

12 Members

President of Senate	1 appointment
Minority Leader of Senate	1 appointment
Speaker of House	1 appointment
Minority Leader of House	1 appointment
Dean of Arts and Science at K-State	1 appointment
Secretary of Human Resources	1 appointment
Governor	6 appointments representing employees and employers

MAR 8 1994

ATTACH. 3
Jeanne
make copies
of this
Comm. members
& add to files.

Testimony of Judy Ancel
Director, The Institute for Labor Studies
*A Joint Project of The University of Missouri-Kansas City
and Longview Community College*

before The Senate Committee on Federal and State Affairs
Kansas Senate
on Senate Bill No. 283

February 24, 1993

Thank you for the opportunity to testify on behalf of the establishment of a labor education program at Kansas State University. I am the Director of The Institute for Labor Studies which is a labor education program jointly funded by The University of Missouri-Kansas City and Longview Community College. It is a unique collaboration between a state university and a community college in this field and not only spreads the responsibilities for funding to two institutions but also provides the opportunity to offer courses at different levels and use the resources and knowledge of two colleges. My program serves the Kansas City metropolitan area. Missouri has two other labor education programs: one at The University of Missouri-Columbia and one affiliated with University Extension in St. Louis.

The Institute for Labor Studies provides credit and non-credit classes aimed at union leaders, staff and members as well as the general public. We offer such staples as grievance handling and arbitration, collective bargaining, labor law, and labor history and are constantly creating new courses and programs to serve the needs of a changing workforce, and new challenges in the workplace and the economy. Labor education programs like ILS not only provide skills training, but also bring new ideas and perspectives to labor which are otherwise unavailable.

Most labor education programs were established after World War II by state legislatures at land grant universities. Their purpose was to fulfill the goals of U.S. labor law and policy to promote collective bargaining and bring peace and stability to labor-management relations. Through education and research, labor education programs have helped to professionalize labor relations and bring new solutions to the workplace.

Currently The University and College Labor Education Association lists 51 labor education programs in 29 states in the U.S. Each has an advisory board made up of constituents to advise them on workers' education needs. Programs vary from very large ones like Cornell University's with 35 professors and specialists in six locations to small ones like mine or the one just to the north in Omaha each of which has only one staff person.

All these programs still focus on skills training and the prevention of conflict. In the current context, however, that means increased attention

Senate Fed + State
Feb. 24, 1994
Attachment 3

to the revolution occurring in the economy and workplace. Many are offering credit courses and training in new work systems, understanding the global economy and competition, labor-management cooperation programs and new technology. Many are also increasingly focusing on the public sector workplace.

Like so many other states, Kansas faces the challenges of global competition and maintenance of an industrial base, of outmoded labor-management styles, and of pressures on government to cut funding yet maintain efficiency. The research and education provided by a university-based labor education program could help workers, corporations and the state government meet such challenges.

In the area of labor-management cooperation, many unions and companies have a history of adversarial relations. Neither side trusts the other; both hide information and withhold cooperation. If they both sincerely want to change, they both need training: training in the reasons for to change as well as in the communications and problem solving skills necessary to make it happen. A university labor education program often is the only resource available to the union and to many companies to help them prepare.

Some labor education programs are deeply involved in the problems of corporate downsizing, plant closing and retraining. They provide classes on surviving layoff and job search skills as well as research and consultation on alternatives to a shutdown like employee buyouts. Others work closely with union apprenticeship programs bringing college education to apprentices in addition to their skills training.

Recently in many states, labor education programs have conducted conferences on the global economy with presentations aimed at demystifying economics so that workers can understand the enormity of the changes we face. In these and other programs, labor education brings the expertise, knowledge, and resources of the university to the community of workers and brings workers into the university. This interchange will become more and more significant if we are to meet the needs of our state's economy for well-trained, high-skilled workers.

Currently Kansans must go out-of-state to meet their educational needs. They are going to Missouri and even farther to Wisconsin and Washington, D.C. My program enrolls many students who are residents of Kansas, and/or who work in Kansas. They come from as far away as Wichita. I therefore have long recognized the need for the establishment of a labor education program in Kansas and look forward to the opportunity to cooperate with such a program to meet the needs of Kansas City area residents who live or work in Kansas. I therefore strongly urge you to establish a labor education program at Kansas State University.

Attach. 4

ELLEN B. SAMUELSON
REPRESENTATIVE, 74TH DISTRICT
HARVEY, McPHERSON, AND
BUTLER COUNTY AREA
4102 N. WEST RD.
NEWTON, KANSAS 67114
[H] (316) 327-4807
STATE CAPITOL
ROOM 180W
TOPEKA, KS 66612-1504
[O] (913) 296-7692
1-800-432-3924



STATE OF KANSAS
TOPEKA
HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIRMAN: JOINT COMMITTEE
ON CHILDREN & FAMILIES
MEMBER: EDUCATION
PUBLIC HEALTH AND WELFARE

SB 804

February 24, 1994

Senate Committee on Federal and State Affairs

by

Representative Ellen Samuelson

Madam Chairperson and Members of the Committee, thank you for the opportunity to appear before you on behalf of the members of the Joint Committee on Children and Families.

Senate Bill 804 was introduced by the Joint Committee after hearing about a privatization program for child support collection in Tennessee. The Joint Committee expresses their appreciation to Ed Bruske, President of KCCI, who heard of the program, and secured the information and shared it with the committee.

The Tennessee privatization program came about when one of their judicial districts expressed concern that available resources were insufficient to meet the performance standards.

Reviewing the options, the Commissioner of their social service agency decided to issue a Request for Proposal (RFP) to the private community.

Senate Fed + State
Feb. 24, 1994
Attachment # 4

Decisions were made on two basic issues.

- First- How to reimburse for the project. Both AFDC and non-AFDC must be treated equally - they decided to ask that the cost bid as a percentage of total collections which would be fixed for the entire contract term. This would encourage the contractor to work every case to the full end result - collection.
- Second- The length of the contract term. In order to be more cost-effective and to assess long term benefits of the contract the agency received approval for a five year project.

Four bids were received with the contract awarded to begin July, 1991, at 13-1/2% of total collections.

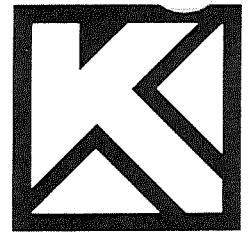
In the first seven months of operations, total collections were up by 37% over the same time period of the prior year. Since then they have awarded through the bidding process a contract in another judicial district to the same company.

With declining state resources and increasing demands on SRS to provide more comprehensive child support services to a larger population, privatization offers an extremely effective and attractive alternative method of service delivery.

The Joint Committee on Children and Families recommends passage of SB 804.

LEGISLATIVE TESTIMONY

Kansas Chamber of Commerce and Industry



835 SW Topeka Blvd. Topeka, Kansas 66612-1671 (913) 357-6321 FAX (913) 357-4732

SB 804

February 24, 1994

KANSAS CHAMBER OF COMMERCE AND INDUSTRY

Testimony Before the

Committee on Federal and State Affairs

by

Edward G. Bruske
President

Madam Chair and members of the Committee:

We would like to take this opportunity to voice our support for SB 804. In 1991 KCCI made a commitment to become more involved in children and family issues. We participated as a full partner in developing the Blueprint for Children and Families, and, since the conception of the blueprint, we have made every effort to participate in those programs called out in the blueprint for more participation by the business community. I have attached a partial list of some of those activities that we have participated in.

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.

Senate Fed + State
Feb. 24, 1994
Attachment # 5

It has been quite an education for KCCI. We have had many more requests for assistance than we have been able to commit to. The problem is a big one as most of you know. When you make a commitment to become involved with children's issues, you are partially replacing the commitment of a parent. That's why Senate Bill 804 gains our support. Our three years of experience on this subject has shown that most of the kids we're trying to assist come from single parent families, and, in most cases, it is a single mother trying to support two or three children not only financially but also minus the usual advice and support of a father at home. It's one thing for a father not to be at home helping with advice and love, but it's another thing when the father abandons his obligations financially.

Senate Bill 804 is patterned after a very successful technique now used in the state of Tennessee. It would take an army of state employees to track down delinquent parents who have abandoned their families, but it has been shown that the use of privately paid individuals have a much higher success rate in locating dead-beat parents. No surprise when there's profit involved and no pay unless you find the missing and delinquent parent. The other plus side of this technique is that it is a completely voluntary decision by the parent who is due the support. Paying a commission for past due support looks awfully good if you have not received any payments for five or six years. Ask any of the mothers in Tennessee who have used this privatization program to collect their past due court ordered child support payments.

KCCI is committed to children and will continue to participate in every such program that we feel we can have a direct positive impact. I might add that we want the parents of these children to at least fulfill their commitment and support their offspring with what is duly their obligations.

In closing, we think Senate Bill 804 offers the single parent the support they need to level the playing field for their children. And, at the same time, it should decrease the number of children dependent upon the taxpayers for their monetary support.

Kansas Chamber of Commerce and Industry
Initiative for Children and Families Blueprint Activities

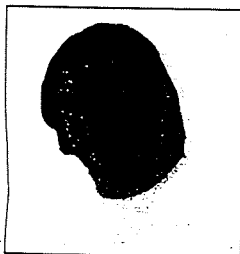
- ♦ February, 1993 - Presented the first Caring Corporation Award to Security Benefit Group of Companies, Topeka (large business) and State Radiator Inc., Lawrence (small business). The award is sponsored by Cessna Aircraft and Sprint/United Telephone, and presented during the annual CAUCUS.
- ♦ Healthy Babies/Healthy Business Seminar - April, 1993, Wichita, — Educational seminar to encourage and inform business community about family oriented policies and programs that are beneficial to employee and employers.
- ♦ Operation Immunization - KDHE campaign to immunize children 0-2 and 0-5 in Kansas. KCCI served on promotion committee and provided publicity for campaign.
- ♦ Publish articles submitted by The Corporation for Change on children and families in Strictly Business, the KCCI monthly newsletter.
- ♦ Governors Conference for the Prevention of Child Abuse - served as a sponsor and planning committee member.
- ♦ Kansas Children's Service League - staff member serves as Board Member.
- ♦ Kansas Family Initiative - sponsor and committee member
- ♦ Sent out childcare materials for SRS JOBS program
- ♦ Developed "Take One" mentor program with KCSL, which encourages a business to "adopt" a child in need, and bring them to the business to give a positive role model to the child from a business setting.
- ♦ Sent out second KCCI children and family Caring Corporation survey to membership - November 1993. Copies of the survey provided to all legislators to distribute in their districts.
- ♦ February, 1994, Presented second Caring Corporation Award to Southwestern Bell Telephone, Topeka (large business) and Plastic Packaging Corporation (small business).

WANTED IN TENNESSEE

FOR FAILING TO PAY CHILD SUPPORT

The state of Tennessee is aggressively pursuing parents who are delinquent with their court-ordered child support payments. Absent parents who choose to "NOT PAY" child support are hurting their children more than the often intended ex-spouse. Some children cannot participate in summer camp, band or Little League sports because there is not enough money after household expenses are paid.

When parents do not provide child support for their children, YOU, the taxpayer, must provide that support. If you know where any of the individuals listed on this poster can be found, contact the Tennessee Child Support Office at 1-800-874-0530 or (615) 741-7922.



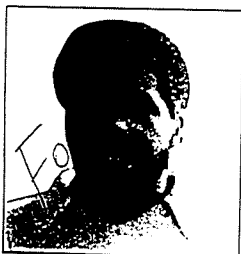
Last Known Address:
Royal Oaks Motel,
Memphis, Tennessee
Austin Inn, Austin, Texas
Date of Birth:
4/29/43
Physical Description:
H: 5'11 W: 150 lbs.
Eyes: Blue Hair: Brown
Race: White
Tattoos on both arms
Last Known Occupation:
Tile Setter
Number of Children: 2

Frankie Wayne Walker
Owes his children \$48,753



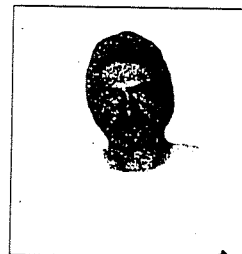
Last Known Address:
El Paso, Texas
Date of Birth:
8/29/50
Physical Description:
H: 5'7 W: 155 lbs.
Eyes: Brown Hair: Brown
Race: White
Wears glasses
Last Known Occupation:
Store Clerk
Number of Children: 2

James Lewis Fritz
Owes his children \$38,200



Last Known Address:
639 Crutcher St.
Nashville, Tennessee
Date of Birth:
2/56
Physical Description:
H: 5'7 W: 195 lbs.
Eyes: Brown Hair: Black
Race: Black
Wears a beard
Last Known Occupation:
Construction Worker
Number of Children: 1

Sammy Young, Jr.
Owes his child \$34,072



Last Known Address:
519 N. Academy Street
Murfreesboro, TN
Date of Birth:
9/30/56
Physical Description:
H: 6' W: 150 lbs.
Eyes: Brown Hair: Brown
Race: White
Last Known Occupation:
Plumbing
Number of Children: 4

Kenneth Ray Southard
Owes his children \$22,464



Last Known Address:
Rt.1, Box 467, Tilton, GA
Date of Birth:
7/19/57
Physical Description:
H: 6'5" W: 235 lbs.
Eyes: Green Hair: Dk. Brown
Race: White
Walks with a limp
Last Known Occupation:
Truck Driver
Number of Children: 2

Donald Lynn Damron
Owes his children \$15,662



Last Known Address:
613 Sunfish Way, Port Hueneme, CA
Date of Birth:
10/26/49
Physical Description:
H: 5'9" W: 180 lbs.
Eyes: Blue Hair: Lt. Brown
Race: White
Sex change operation in 1985
Formerly known as
William Henry Reid
Last Known Occupation:
Registered Nurse
Number of Children: 2

Billie Jean Reid
Owes her children \$57,700

The arrearages listed on this poster reflect amounts owed as of 6/30/93. Any or all arrearages owed may have been paid prior to the printing of this poster.

Department of Social and Rehabilitation Services
Child Support Enforcement Program

Before the Senate Federal and State Affairs Committee
February 24, 1994

Senate Bill 804
Related to contracts for CSE services

=====

The SRS Mission Statement

The Kansas Department of Social and Rehabilitation Services empowers individuals and families to achieve and sustain independence and to participate in the rights, responsibilities, and benefits of full citizenship by creating conditions and opportunities for change; by advocating for human dignity and worth; and by providing care, safety, and support in collaboration with others.

=====

Madam Chairman and Members of the Committee, thank you for the opportunity to testify on behalf of Secretary Whiteman today concerning SB 804. The primary responsibility of the SRS Child Support Enforcement Program is to help children by establishing regular and adequate support payments and by enforcing past due support obligations. From that perspective, SRS supports this measure.

Although there has been no challenge to SRS' authority to contract with public and private entities, a specific provision such as SB 804 could emphasize that child support is not exclusively the concern of government. In the CSE Program, for example, contracts have been established with a private collection agency and with special process servers in Wichita and Kansas City. These contracts supplement the efforts of agency staff and our public sector contractors, the district court trustees and four county and district attorneys.

One state can always learn from the experiences of other states using innovative techniques. Of special interest has been the expanded use of private contracts in states such as Tennessee. Tennessee for many years has provided its CSE services through contracts with district attorneys. When one district attorney recently decided against renewing the long-standing contract, Tennessee was forced to immediately fill the demand for local services even though they had no agency staff for that purpose. Their solution was a contract with a private entity to replace the district attorney.

One concern we would have with a broad contract for IV-D services performed by a separate entity is automation. Federal regulations require that all entities working within the State's IV-D program must be part of the statewide automation system to be implemented by October of 1995. This participation will be vital to future contracts involving IV-D CSE services, though the costs of automation may make it difficult to reach mutually satisfactory contract terms.

We believe that contract services play an important role in establishing and enforcing support obligations in the IV-D Program, and we will continue to seek those which can benefit both our agency and the children we serve.

Jamie L. Corkhill
Attorney, Child Support Enforcement
296-3237

Senate Fed. State
Feb. 24, 1994
Attachment 6

SRS' CHILD SUPPORT ENFORCEMENT PROGRAM (CSE)

BACKGROUND INFORMATION

In 1975, the U.S. Congress enacted Title IV-D of the Social Security Act, the Child Support Enforcement Program. The two-fold mission of the IV-D Program is to decrease the tax burden created when children are left unsupported by one or both parents and to increase the financial resources available to children -- one in four of whom live in poverty. Federal law requires each state to establish an effective statewide child support program to improve the quality of life for children; to reduce expenditures for Aid to Families with Dependent Children, foster care, and medical assistance; to help families become independent of public assistance; and to return the responsibilities of supporting children to parents whenever possible.

The Kansas CSE Program is a joint federal, state, and county operation which must satisfy many specific federal requirements concerning all phases of operation. CSE must provide a full range of support services, from establishment of orders to modification and enforcement, in two types of cases:

- 1) AFDC - When a child's custodian applies for AFDC (Aid to Families with Dependent Children), that child's support rights are assigned to the State. If CSE collects support in an AFDC case, the first \$50 is passed through to the assistance family. The remainder, and any collection of past due support, is used to reimburse the state and federal governments for the public assistance provided to the child's family. Any support collections beyond the claim for reimbursement are passed on to the family. CSE's dual goals in an AFDC case are to insure a reliable support payment, so that children will not need public assistance, and to seek reimbursement of public assistance.
- 2) Non-AFDC - Federal law requires CSE to provide the same child support services to anyone, regardless of income, who applies for support enforcement services. The rationale is to prevent the need for public assistance by insuring reliable support payments, and to provide equal treatment under the law for all children.

It is important to note that about 60% of Kansas Non-AFDC cases have received AFDC in the past.

The Department of Social and Rehabilitation Services is the designated Title IV-D agency for the State of Kansas. IV-D services are provided in all areas of the state by SRS program and legal staff, by contracts with five county and district attorneys, and by a contract with the Office of Judicial Administration (OJA) for the services of district court trustees.

Paternity establishment by CSE plays a vital role in SRS' overall agency mission by reducing dependence on public assistance and allowing recovery of state-paid birth expenses. Paternity establishment and educational outreach also positively affect the teen pregnancy problem by highlighting parental responsibility. Children benefit from having their parentage clearly established because it gives them access to cash and medical support, to family medical information, and to inheritance and other rights.

CSE PROGRAM FUNDING

The CSE contribution to the state treasury has steadily increased since the inception of the program. From the start, CSE has been a cost effective, revenue-producing program. By operating a program in compliance with federal requirements, Kansas qualifies for three types of federal IV-D funding:

- 1) Kansas retains a percentage of collections recovering assistance paid to AFDC families (40.82%, effective 10/1/93);
- 2) Kansas receives 66% reimbursement for allowable administrative costs of the IV-D program; and
- 3) Kansas earns an incentive of 6 to 10%, each, for AFDC and Non-AFDC collections. The Non-AFDC incentive is limited to 115% of the AFDC incentive.

We are especially proud of our collection achievements in AFDC cases, as those collections are made despite the following obstacles:

- o Pass-through of the first \$50 to the family in open AFDC cases;
- o Annual increases in the mandatory federal share of AFDC collections (because of increases in the federal match for AFDC grants), and
- o Steady conversion of paying AFDC cases into paying Non-AFDC cases due to effective IV-D efforts.

An indirect fiscal benefit results from closure of AFDC cases when IV-D support collections exceed the AFDC grant. CSE's services for those cases automatically continue, to reduce the chance of the family returning to AFDC-dependence, but the State benefits greatly from the AFDC cost avoidance.

The Title IV-D program establishes many medical support (health insurance) orders each year and shares health insurance information on Medicaid cases with other SRS divisions. The child's covered medical expenses are then billed directly to the insurer rather than paid by the State, reducing the demand for Medicaid funds.

FY93 ACCOMPLISHMENTS

Fiscal year 1993 was a successful year for the Child Support Enforcement Program in attaining program goals and serving one quarter-million children and custodial parents in 120,000 IV-D cases.

The CSE Program established paternity for 3500 children and established nearly 5000 support orders. CSE continues to be effective in locating and relocating absent parents, succeeding in 73,000 attempts during FY93.

Total IV-D support collections exceeded \$80 million in FY93, an increase of 17% over last year's total of \$68 million and a record high for the Kansas IV-D Program. An interesting footnote: It required an average of 30,600 transactions each month to process and distribute these record-high collections, a 14% increase over 1992's average.

9/20/93

Attach. 7

JOSEPH G. HEROLD
6447 SW 24th Street
Topeka, KS 66614-4390
(913) 272-6106

To: Senate Federal & State Affairs Committee

Re: Senate Bill 804 (Support Enforcement Services Contracts)

February 24, 1994

MEMORANDUM OF SUPPORT

By way of background I am an attorney in private law practice in Topeka who spent eleven months with the Department of Social and Rehabilitation Services (hereinafter SRS) as a Child Support Enforcement Attorney I in their Manhattan office and the purpose of this written testimony is to generally support the passage of this proposed bill.

As you are probably aware the present support enforcement system in Kansas consists of both the SRS, District Court Trustees through the Office of Judicial Administration (hereinafter OJA) and some County and District Attorneys. This bill as I understand it would allow the Secretary of the SRS to contract with additional public or private individuals to assist her with carrying out support enforcement services.

If the SRS can identify some areas of the state where it would be beneficial for them to contract with additional County/District Attorneys and in addition, with either private attorneys or even collection agencies in order to carry out their support enforcement responsibilities, then I encourage the passage of this bill but with one caveat.

The SRS and all of the District Court Trustees are to begin charging a two per cent (2%) fee for their services in the very near future except for the Johnson County Trustee who will only charge a one per cent (1%) fee. This fee is in addition to whatever monies the federal government pays both of them as incentive payments. I feel very strongly that all of the monies raised either as a "service" fee or as an "incentive" fee should be required to be spent upon support enforcement services only. In other words there should be no diversion of any of these monies to any other program, they should be spent on support enforcement matters only.

If both the SRS and the OJA can provide you with the necessary documentation which shows that they are now spending all of these monies on support enforcement matters only, then in such event I fully support this bill. However, if they can not provide such documentation or if it is not their intention to spend these monies on support enforcement matters only, then I would not support this bill until their policies regarding the spending of these monies are changed.

Thank you for you time and consideration.

Senate Fed. & State
Feb. 24, 1994
Attachment 7

SENATE BILL NO. _____

AN ACT creating the health care reform legislative oversight committee; providing for the powers, duties and functions thereof; and repealing K.S.A. 46-1901.

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

Section 1. Health care reform for all Kansans is a matter of general public interest. It is therefor a matter that should be addressed by those persons elected by the voters to make public policy. The prospect of federal legislation affecting state laws and regulations requires that the state have the legislative and administrative expertise to promptly make the necessary adjustments in both laws and regulations as required by federal law. Further, regardless of the federal proposal enacted, each such proposal relies ultimately on the state for implementation in the crucial areas of insurance reform, quality assurance, availability of service and administrative structure to implement the reform program. The legislature must be prepared to respond timely but deliberately to safeguard the public health and welfare of all Kansans.

Sec. 2. (a) There is hereby created the health care reform legislative oversight committee, hereinafter "committee," to oversee the necessary changes in state laws and regulations made necessary by federal law and, to the fullest extent possible, implement health care reform specific to Kansas needs.

(b) The committee shall be composed of 10 members of the legislature appointed as follows: Three members of the house of representatives appointed by the speaker of the house of representatives; two members of the house of representatives appointed by the minority leader of the house of representatives; three members of the senate appointed by the president of the senate; and two members of the senate appointed by the minority

Senate Fed + State
Feb. 24, 1994
Attachment 8

T. DUNCAN
Attachment

An act regarding server permits and alcohol server education programs.

New Section 1: Server permit required; waiver. (1) Except as otherwise provided on or after July 1, 1995:

(a) Any person employed by a licensee holding a license issued under the liquor control act, the club and drinking establishment act or the cereal malt beverage act who participates in any manner in the sale at retail by the package of alcoholic liquor or cereal malt beverage; or in the mixing, selling or serving of alcoholic liquor or cereal malt beverage for consumption on the premises where served or sold shall have a valid server permit authorized for issuance by the director of the alcoholic beverage control.

(b) No licensee shall permit any person to sell at retail by the package of alcoholic liquor or cereal malt beverage; or to mix, sell or serve any alcoholic liquor or cereal malt beverage for consumption on licensed premises unless such person has a valid server permit.

(c) A permittee shall make the server permit available at any time while on duty for immediate inspection by any agent employed by the alcoholic beverage control or by any other law enforcement officer.

New Section 2: Characteristics of permit; verification of identity of permittee.

(1) A server permit shall be a purely personal privilege, valid only upon licensed premises, for a period of time stated thereon, and may be suspended or revoked for any reason set forth in section 5.

(2) No server permit shall be used by any person other than the person to whom it is issued. A licensee shall verify the identification of the permittee and determine that the permittee has in possession a valid, unexpired, server permit before allowing the permittee to mix, sell or serve alcoholic liquor or cereal malt beverage for consumption on the licensed premises.

New Section 3: Server permit, expiration. Unless sooner suspended or revoked, a server permit issued after July 1, 1995, shall expire on the anniversary date of the permittee's birthday three years after the date of issuance of the permit; or if a temporary permit authorized by rules and regulations promulgated hereunder on the date of expiration of said temporary permit.

1 Senate 2nd+ State
Feb 24, 1994
Attachment 9

New Section 4: Application; requirements; fee.

(1) An applicant for a server permit must be 18 years of age or over. The applicant must not have had a permit refused or revoked or be under suspension. A person may sell at retail by the package of alcoholic liquor or cereal malt beverage or may mix, sell or serve alcoholic liquor or cereal malt beverage for consumption on the licensed premises if the person completes the education required by section 7 and is issued a temporary or permanent permit by an approved instructor. The instructor shall after issuance of the permit immediately transmit the notice of issuance, on forms prescribed for that purpose, and a copy of the application, to the alcoholic beverage control, with the fee required by section 7.

(2) Application for a server permit shall be made on a form approved by the alcoholic beverage control. The applicant shall truly answer all questions, provide any further information required by rules and regulations promulgated by the director of the alcoholic beverage control, and pay such fees as may be required.

(3) The applicant must authorize a criminal records check to be conducted by the Kansas Bureau of Investigation, tender the appropriate fee, and on forms prescribed by the alcoholic beverage control for this purpose, authorize the release of the information to the instructor, subject to applicable laws, rules and regulations regarding disclosure of said records.

New Section 5: Grounds for revoking or suspending permit or imposing civil penalty; responsibility of licensee.

(A) The alcoholic beverage control may revoke or suspend a server permit, or impose a civil penalty in lieu of or in addition to suspension as provided herein, and may bring a proceeding, in accordance with the Kansas Administrative Procedures Act, to suspend to grant a server permit if it has reasonable grounds to believe any of the following to be true:

(1) That the permittee has made false statements to the instructor in the permit application.

(2) That the permittee is not eligible for employment for a licensee pursuant to the applicable provisions of the liquor control act, the club and drinking establishment act or the cereal malt beverages act.

(3) That the permittee has not successfully completed the server education program.

(4) That the permittee has performed or permitted any act which would constitute a violation of any provision of the liquor

control act, the club and drinking establishment act or the cereal malt beverages act or any rule of the alcoholic beverage control.

(B) When there has been by the permittee a violation of the liquor control act, the club and drinking establishment act or the cereal malt beverages act or any rule of the alcoholic beverage control, the alcoholic beverage control may revoke or suspend either the server permit of the employee who violated the law or rule or the license of the licensee upon whose premises the violation occurred, or both the permittee and the licensee.

(D) Civil fines not to exceed \$1000.00 under this section may be imposed in lieu of suspension or revocation.

New Section 6. Duplicate or new permit; fee.

(1) If a server permit issued hereunder is lost, mutilated or destroyed, the permittee shall apply immediately for a duplicate permit on a form to be supplied by the alcoholic beverage control and submit a fee of \$25.00.

(2) If a permittee changes name by marriage or otherwise, the permittee shall apply immediately for a new server permit by forwarding the permit and evidence of the change of name to the alcoholic beverage control with an application and a fee of \$25.00.

(3) The director of the alcoholic beverage control may issue the duplicate permit or cause a duplicate to be issued by an instructor, in accordance with rules and regulations promulgated to implement this act.

New Section 7: Alcohol server education program required; content; fees; how program provided.

(1) The alcoholic beverage control shall require licensees and permittees under the liquor control act, the club and drinking establishment act and the cereal malt beverages act, to complete an approved alcohol server education program and examination in order to qualify or requalify for a license or permit unless a probationary extension is granted for hardship reasons. After the completion of an initial alcohol server education program and examination, licensees and permittees shall complete an alcohol server education program and examination every three (3) years unless a probationary extension is granted for hardship reasons. The alcoholic beverage control by rule may exempt licensees who do not participate in the management of the business.

(2) The standards and curriculum of alcohol server education programs shall include but not be limited to the following:

(a) Alcohol as a drug and its effects on the body and behavior, especially driving ability. Instruction shall include

information regarding: (i) physiological and behavioral effects of alcohol use, (ii) absorption rate factors, (iii) laws affecting servers and sellers of alcohol, (iv) potential alcohol-related problems in professional or social settings and (v) strategies for dealing with problem situations.

(b) Effects of alcohol on combination with commonly used, legal prescription or nonprescription, drugs and illegal drugs.

(c) Recognizing the problem drinker and community treatment programs and agencies.

(d) State alcohol beverage laws such as prohibition of sale to minors and sale to intoxicated persons, sale for on-premises or off-premises consumption, hours of operation and penalties for violation of the laws.

(e) Drunk driving laws and liquor or cereal malt beverage liability statutes.

(f) Intervention with the problem customer including ways to cut off server, ways to deal with the belligerent customer and alternative means of transportation to get the customer safely home, including * focus on how to assess and evaluate situations and behavior and * discussion of both effective and ineffective intervention techniques.

(g) Advertising and marketing for safe and responsible drinking patterns and standard operating procedures for dealing with customers.

(3) The alcoholic beverage control shall impose a fee not to exceed \$10.00 a year for each permittee subject to the alcohol server education requirement, to be used for administrative costs in certification of instructors.

(4) The alcoholic beverage control shall provide the program through independent contractors, private persons or private or public schools certified by the alcoholic beverage control.

(5) The alcoholic beverage control shall adopt rules and regulations for the administration of the alcohol server education program, for the issuance of server permits and for the certification of instructors. The rules and regulations shall establish the length of training programs, the qualifications for "instructor" certification, maintenance of "instructor" certification, permittee and instructor certification examinations, program administration quality control, and for such other matters as required to implement the provisions of this act.

New Section 8: **Effective date:** This Act shall be effective upon publication in the statute book.

PROPOSED BILL NO. _____

By

AN ACT concerning certain ferrets; relating to detection of
rabies infection.

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

Section 1. The European ferret (Mustelo putorius furo) is a domestic animal which shall be subject to the same procedures for detection of rabies infection as cats and dogs.

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

Senate 2nd + State
Feb. 24, 1994
Attachment 10

ATTACH. 11
S.B. No. 162
Hensle
Finteb.

AN ACT

1 relating to a requirement that an operator service make a live
2 operator available.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 18A, Public Utility Regulatory Act
5 (Article 1446c, Vernon's Texas Civil Statutes), is amended by
6 amending Subsection (h) and adding Subsection (i) to read follows:

7 (h) Except as provided by Subsection (i) of this section,
8 this [This] section applies only to a telecommunications utility
9 that is not a dominant carrier. The commission is granted all
10 necessary power and authority under this Act to promulgate rules
11 and establish procedures for the purposes of enforcing and
12 implementing this section.

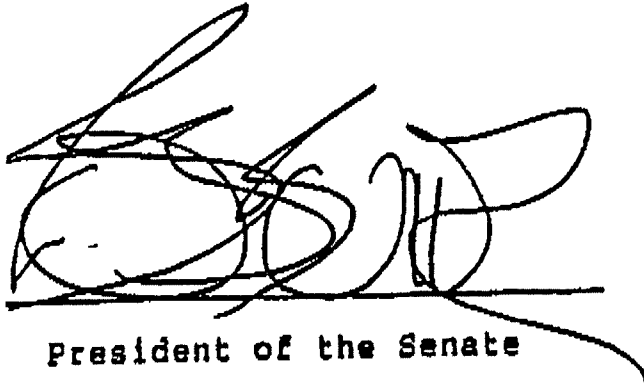
13 (i) Each dominant or nondominant telecommunications utility
14 that provides operator service shall ensure that a caller may
15 access a live operator at the beginning of all live or mechanized
16 operator assisted calls through a method designed to be easily and
17 clearly understandable and accessible to the caller. A
18 telecommunications utility shall submit to the commission the
19 method by which the utility will provide access to a live operator
20 for review. This subsection applies regardless of the method by
21 which the telecommunications utility provides the operator service.
22 The requirements of this subsection shall not apply to telephones
23 located in prison or jail facilities.

Senate Fed + State
Feb. 24, 1994
Attachment 11

S.B. No. 162

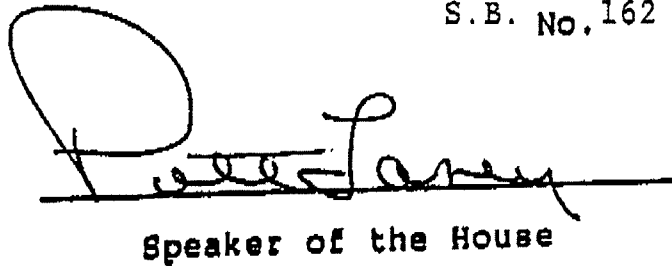
1 SECTION 2. This Act takes effect September 1, 1993.

2 SECTION 3. The importance of this legislation and the
3 crowded condition of the calendars in both houses create an
4 emergency and an imperative public necessity that the
5 constitutional rule requiring bills to be read on three several
6 days in each house be suspended, and this rule is hereby suspended.



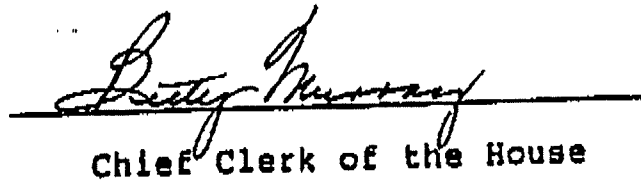
President of the Senate

S.B. No. 162



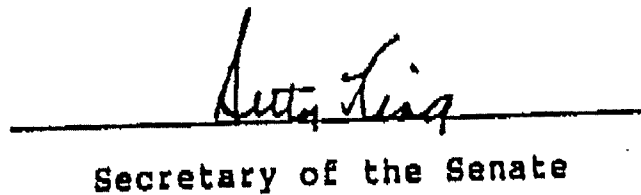
Speaker of the House

I certify that S.B.No. 162 was passed by the House on April
1, 1993, by a non-record vote.



Chief Clerk of the House

I certify that S.B. No. 162 was passed by the Senate on May
19, 1993, by a viva-voce vote.



Secretary of the Senate

APPROVED:

Date



Governor

DRAFT MARRIAGE OFFICIANT BILL

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

Section 1. K.S.A. 23-104a is hereby amended to read as follows: 23-104a.

(a) Marriage may be validly solemnized and contracted in this state, after a license has been issued for the marriage, in the following manner: By the mutual declarations of the two parties to be joined in marriage, made before an authorized officiating person and in the presence of at least two competent witnesses over 18 years of age, other than the officiating person, that they take each other as husband and wife.

(b) The following are authorized to be officiating persons:

(1) Any currently ordained clergyman or religious authority of any religious denomination or society;

(2) any licentiate of a denominational body or an appointee of any bishop serving as the regular clergyman of any church of the denomination to which the licentiate or appointee belongs, if not restrained from so doing by the discipline of that church or denomination;

(3) Any municipal judge of the state of Kansas;

~~(4) any judge or justice of a court of record;~~

(4)

~~(5) any retired judge or justice of a court of record.~~

(5)

(c) The two parties themselves, by mutual declarations that they take each other as husband and wife, in accordance with the customs, rules and regulations of any religious society, denomination or sect to which either of the parties belong, may be married without an authorized officiating person.

Sec. 2. K.S.A. 23-104a is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Senate Fed + State
Feb. 24, 1994
Attachment 12

SENATE BILL No. 468

By Committee on Federal and State Affairs

1-11

AN ACT concerning alcoholic liquor; relating to certain sales on credit; amending K.S.A. 41-717 and repealing the existing section.

beverages

and 41-2706 and repealing the existing sections

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

Section 1. K.S.A. 41-717 is hereby amended to read as follows:

41-717. (a) (1) Except as provided by subsection (a)(2), no person shall sell or furnish at retail and no microbrewery or farm winery shall sell to any consumer any alcoholic liquor on credit; on a passbook; on order on a store; in exchange for any goods, wares or merchandise; or in payment for any services rendered. If any person extends credit in violation of this subsection, the debt attempted to be created shall not be recoverable at law.

(2) A microbrewery may sell domestic beer and a farm winery may sell domestic wine to a consumer on credit pursuant to a lender credit card, as defined by K.S.A. 16a-1-301 and amendments thereto.

(b) No microbrewery, farm winery or retailer of alcoholic liquor shall accept a check for payment for alcoholic liquors sold by the winery or retailer to a consumer, other than the personal check of the person making the purchase.

Sec. 2. K.S.A. 41-717 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

licensed retailer may sell alcoholic liquor and nonalcoholic malt beverage to a consumer, a licensed microbrewery may sell domestic beer to a consumer and a licensed

Sec. 2. K.S.A. 41-2706 is hereby amended to read as follows: 41-2706. (a) Except as provided by subsection (b), no person shall sell or furnish cereal malt beverages at retail to any person on credit; on a passbook; on order on a store; in exchange for any goods, wares or merchandise; or in payment for any services rendered. If any person extends credit for such purpose, the debt attempted to be created shall not be recoverable at law and, in addition, such person shall be subject to the penalties provided in K.S.A. 41-2707 and amendments thereto.

(b) A licensed retailer may sell cereal malt beverages on credit pursuant to a lender credit card, as defined by K.S.A. 16a-1-301 and amendments thereto.

Sec. 3. K.S.A. 41-717 and 41-2706 are hereby repealed.

BPA
Attach. 13

Senate Fed. & State
Feb. 24, 1994
Attachment 13

Attach. 14

As Amended by House Committee

Session of 1994

HOUSE BILL No. 2560

By Committee on Federal and State Affairs

12-2

AN ACT concerning crimes and punishments; relating to gambling devices; amending K.S.A. 21-4302 and repealing the existing section.

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

- Section 1. K.S.A. 21-4302 is hereby amended to read as follows:
- 21-4302. (1) A "bet" is a bargain in which the parties agree that, dependent upon chance, one stands to win or lose something of value specified in the agreement. A bet does not include:
- (a) Bona fide business transactions which are valid under the law of contracts including, but not limited to, contracts for the purchase or sale at a future date of securities or other commodities, and agreements to compensation for loss caused by the happening of the chance including, but not limited to, contracts of indemnity or guaranty and life or health and accident insurance;
 - (b) Offers of purses, prizes or premiums to the actual contestants in any bona fide contest for the determination of skill, speed, strength, or endurance or to the bona fide owners of animals or vehicles entered in such a contest;
 - (c) a lottery as defined in this section;
 - (d) any bingo game by or for participants managed, operated or conducted in accordance with the laws of the state of Kansas by an organization licensed by the state of Kansas to manage, operate or conduct games of bingo;
 - (e) a lottery operated by the state pursuant to the Kansas lottery act; or
 - (f) any system of parimutuel wagering managed, operated and conducted in accordance with the Kansas parimutuel racing act.
- (2) A "lottery" is an enterprise wherein for a consideration the participants are given an opportunity to win a prize, the award of which is determined by chance. As used in this subsection, a lottery does not include a lottery operated by the state pursuant to the Kansas lottery act.
- (3) "Consideration" means anything which is a commercial or financial advantage to the promoter or a disadvantage to any par-

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Attachment 14

1 participant.

2 Mere registration without purchase of goods or services; personal
3 attendance at places or events, without payment of an admission
4 price or fee; listening to or watching radio and television programs;
5 answering the telephone or making a telephone call and acts of like
6 nature are not consideration.

7 As used in this subsection, consideration does not include: (1)

8 ~~(a)~~ Sums of money paid by or for participants in any bingo game
9 managed, operated or conducted in accordance with the laws of the
10 state of Kansas by any bona fide nonprofit religious, charitable, fra-
11 ternal, educational or veteran organization licensed to manage, op-
12 erate or conduct bingo games under the laws of the state of Kansas
13 and it shall be conclusively presumed that such sums paid by or for
14 such participants were intended by such participants to be for the
15 benefit of the sponsoring organizations for the use of such sponsoring
16 organizations in furthering the purposes of such sponsoring organi-
17 zations, as set forth in the appropriate paragraphs of subsection (c)
18 or (d) of section 501 of the internal revenue code of 1986 and as
19 set forth in K.S.A. 79-1701 and amendments thereto; (2)

20 ~~(b)~~ sums of money paid by or for participants in any lottery
21 operated by the state pursuant to the Kansas lottery act; or (3)

22 ~~(c)~~ sums of money paid by or for participants in any system of
23 parimutuel wagering managed, operated and conducted in accor-
24 dance with the Kansas parimutuel racing act. (d)

25 ~~(4)~~ A "gambling device" is:

26 ~~(a)~~ A contrivance which for a consideration affords the player
27 an opportunity to obtain something of value, the award of which
28 is determined by chance, or ~~designed, manufactured or altered~~
29 ~~primarily for use in connection with gambling and (i) which for a~~
30 ~~consideration may deliver, as the result of the application of an~~
31 ~~element of chance, anything of value or (ii) by which a person for~~
32 ~~a consideration may become entitled to receive, as the result of the~~
33 ~~application of an element of chance, anything of value; or~~ (4)

34 ~~(b)~~ any token, chip, paper, receipt or other document which
35 evidences, purports to evidence or is designed to evidence partic-
36 ipation in a lottery or the making of a bet.

37 The fact that the prize is not automatically paid by the device
38 does not affect its character as a gambling device.

39 ~~It shall be prima facie evidence that a device is designed, man-~~
40 ~~ufactured or altered primarily for use in connection with gambling~~
41 ~~if the device has the capacity to accept multiple coins or dollar bills~~
42 ~~for the wager of more than one credit, is equipped with or is designed~~
43 ~~to accommodate the addition of a mechanism that enables accu-~~

(1) Any so-called "slot machine" or any other machine or mechanical device an essential part of which is a drum or reel with insignia thereon, and (A) which when operated may deliver, as the result of the application of an element of chance, any money or property, or (B) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property;

(2) any other machine or mechanical device (including, but not limited to, roulette wheels and similar devices) designed and manufactured primarily for use in connection with gambling, and (A) which when operated may deliver, as the result of the application of an element of chance, any money or property, or (B) by the operation of which a person may become entitled to receive, as the result of the application of an element of chance, any money or property;

(3) any subassembly or essential part intended to be used in connection with any such machine or mechanical device, but which is not attached to any such machine or mechanical device as a constituent part

1 ~~mulated credits to be removed from the device or is equipped with~~
2 ~~or is designed to accommodate a mechanism to record the number~~
3 ~~of credits removed from the device.~~ (e)

4 (5) A "gambling place" is any place, room, building, vehicle, tent
5 or location which is used for any of the following: Making and settling
6 bets; receiving, holding, recording or forwarding bets or offers to
7 bet; conducting lotteries; or playing gambling devices. Evidence that
8 the place has a general reputation as a gambling place or that, at
9 or about the time in question, it was frequently visited by persons
10 known to be commercial gamblers or known as frequenters of gam-
11 bling places is admissible on the issue of whether it is a gambling
12 place.

13 Sec. 2. K.S.A. 21-4302 is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after _____ statute book
15 its publication in the ~~Kansas register.~~