

## MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Chairperson Al Ramirez at 1:30 p.m. on March 21, 1994 in Room 531-N of the Capitol.

All members were present except: Senator Bogina - Excused

Committee staff present: Julian Efird, Legislative Research Department  
Fred Carman, Revisor of Statutes  
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Representative Shore  
John Badger, SRS  
Faith Loretto, Dept. of Administration  
Representative Welshimer  
Lyla Ralston Accardi, Mayor's Commission on  
Status of Women, Topeka, KS  
Sue Ledbetter, Lobbyist, Kansas N.O.W.  
Elaine Mann, League of Women Voters of Kansas  
Sharon Huffman, KS Dept. of Human Resources  
Terri Roberts, J.D., R.N. KS State Nurses Association  
Sharon Stringfellow, Concerned Women for America

Others attending: See attached list

### **HB 2810**--extending effective dates for regulations which exceed federal requirements

Representative Shore, bill sponsor, appeared first on the bill. (Attachment 1) He stated the bill is the result of frustration over unfunded mandates. Federal mandates have guidelines which must be met. Testimony stated that the bill requires if a rule and regulation is more stringent than the federal guidelines, the agency will report by January 20th of each year to the Joint Committee on Rules and Regulations those rules and regulations which exceed the requirement. These requirements would not become effective before March 15 of that year. This would put the Legislature on notice and it would have time to modify them before they go into effect. This would provide legislative oversight to the implementation of the mandates.

Representative Shore answered several questions regarding guidelines and rules and regulations. He used as an example the guidelines with regard to solid waste disposal.

John Badger, SRS, appeared next on the bill. He was appearing in behalf of Secretary Whiteman. (Attachment 2) Many SRS regulations are adopted in order to reduce expenditures but might be considered more stringent than federal mandates. It is unclear how the requirements would relate to situations where the agency has been directed by the Legislature to implement a particular change by pursuing a federal waiver. SRS is not opposed to the intent of the bill, but if the committee decides to pass it, it is requested that modifications be made to more clearly set out how it would apply to regulations promulgated by SRS.

Faith Loretto, Department of Administration addressed the bill. She stated there are several aspects of the bill that may be confusing to agencies and that are of concern in terms of their relationship to the Rules and Regulations Filing Act as a whole. (Attachment 3) She stated several concerns of the bill and ended her testimony by suggesting the bill be referred to the Joint Committee on Administrative Rules and Regulations for review over the interim.

Seeing no other conferees, the Chairman closed the hearing on **HB 2810**.

### **HB 2901**--establishment of Kansas Commission on Status of Women

Testimony by Representative Nancy Brown, unable to be present, was submitted as (Attachment 4)

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION, Room 531-N Statehouse, at 1:30 p.m. on March 21, 1994.

Representative Welshimer was first to speak to the bill and stated that at the end of the 1993 session Representative Wanda Fuller introduced HB 2552, a gender balance bill. Kansas boards and commissions had 591 men and 271 women serving at the time. The bill was viewed by many as a quota bill. Comments from the opposition included statements that advancement of women based on qualifications would be supported. Under these terms, **HB 2901** was drafted as a compromise to satisfy these concerns. Several social issues are addressed in the bill. She went through the bill, and distributed copies of the latter part of her testimony (Attachment 5). The bill was amended on the floor of the House with an amendment that stripped the proposed commission of its funding of \$126,600. The proposed commission is still attached to the Department of Housing and Commerce, but with no staff or support. Representative Welshimer would like to see an amendment on page 3, lines 14-16 that would restore the language that has been struck.

Lyla Ralston Accardi, Mayor's Commission on the Status of Women in Topeka, was next to speak to the bill. Her testimony stated that as a resource for information and assistance the commission will be of the utmost benefit. (Attachment 6) She stated how the proposed commission would benefit women in small businesses by providing guidance and assistance for women to easily access the small business association.

Ms. Accardi responded to the question on how this proposed commission would help women with regard to banks by stating the commission would act as a resource for information for women who may have problems understanding the legalities and ins and outs of the business world.

Sue Ledbetter, Kansas N.O.W., appeared in support of the bill. (Attachment 7) She quoted various statistics related to women. The proposed commission will be voluntary and aim at diversity of representation. She ended her testimony by stating the trust that the committee will do everything in its power to support the adoption of **HB 2901**.

Elaine Mann, League of Women Voters of Kansas, spoke in support of the bill. (Attachment 8) Her testimony stated that the proposed commission, as presently structured, would further the goal of economically self-sufficient citizens, who would not be dependent upon government to provide needed services and support. It seems fitting that the League of Women Voters, which traces its original to the original woman's movement and the quest for equality under the law, would endorse **HB 2901**.

Sharon Huffman, Kansas Department of Human Resources, addressed the bill from a different perspective. (Attachment 9) She stated the bill overlooks a very important segment of the community, women with disabilities. She stated the barriers women with disabilities encounter are not dissimilar from non-disabled women. The proposed commission could be of real benefit to women with disabilities. A proposed amendment to Sec. 3(7) was submitted which read 'focus on the unique problems of women with disabilities upon entering the labor market'

Terri Roberts, J.D., R.N., Kansas State Nurses Association, distributed her testimony (Attachment 10) which stated the establishment of this commission will assist Kansas policy makers in identifying issues that affect women. Better public policy should be the outcome.

Sharon Stringfellow, Concerned Women for America of Kansas, testified in opposition to **HB 2901** and distributed copies of her testimony. (Attachment 11) Her testimony focused on the three areas of accountability, representation and necessity.

Testimony in support of **HB 2901** was received from Liz Hicks, Wichita, Kansas (Attachment 12) and Marla Luckert, Topeka, Kansas, (Attachment 13)

The Chairman thanked all the conferees and adjourned the meeting.

The next meeting is scheduled for March 22, 1994.

## GUEST LIST

COMMITTEE: Governmental Organization

DATE: March 21, 1994

[illegible]

STATE OF KANSAS

EUGENE L. SHORE  
REPRESENTATIVE 124TH DISTRICT  
GRANT, W. HASKELL, MORTON,  
STANTON AND STEVENS COUNTIES

ROOM 446-N, CAPITOL BLDG.  
TOPEKA, KANSAS 66612-1504  
(913) 296 7677  
FAX (913) 296-1154



TOPEKA

HOUSE OF  
REPRESENTATIVES

**Testimony on HB 2810**

Senate Governmental Organization Committee  
March 31, 1994  
Representative Eugene Shore

COMMITTEE ASSIGNMENTS

CHAIRMAN: AGRICULTURE  
MEMBER: ENERGY AND NATURAL RESOURCES  
MEMBER: TRANSPORTATION

Mr. Chairman and members of the committee. HB 2810 is the result of frustration over unfunded mandates. We resent them, our constituents hate them. We constantly blame them for everything from costing too much to taking too much time and just lacking plain common sense. The one size fits all approach causes confusion.

Federal mandates have guidelines which must be met. They also require state action to implement them by rules and regulation. Over the last several years I've watched how the rules and regulations tend to make federal mandates much more difficult than they were intended to be. We have little control over federal law, but we should have some say about state guidelines.

It seems state bureaucrats have the philosophy that if a little is good, a lot should be better. Much of the excessive cost is due to state rules and regulations which have many more costly and time consuming conditions than the federal guidelines.

HB 2810 requires that if a rule and regulation is more stringent than the federal guidelines, the agency will report by Jan 20th of each year to the Joint Committee on Rules and Regulations those rules and regulations which exceed the requirement. These excessive requirements would not become effective before March 15th of that year.

The effect of HB 2810 would be to have the Legislature be notified of the more stringent rules and regulations and have time to modify them before they go into effect. This would provide legislative oversight to the implementation of the mandates.

HB 2810 has the potential to save millions in excessive cost to state and local government as well as hours of paperwork and many headaches.

Thank you for your attention. I urge your favorable action on HB 2810.

HC 02  
JOHNSON, KANSAS 67855  
(316) 492-2449  
(316) 492-2277  
FAX (316) 492-1520

*Senate Gov. Org.  
Attachment 1  
3/21/94*

KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
Donna L. Whiteman, Secretary

Senate Committee on Governmental Organization  
Testimony on House Bill No. 2810

March 21, 1994

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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."

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Mr. Chairman and members of the committee, on behalf of Secretary Whiteman I thank you for the opportunity to appear and present testimony on House Bill No. 2810. SRS is not opposed to what it believes to be the intent of this bill, but if the decision of this committee is to move it forward it is requested that modifications be made to more clearly set out how it would apply to regulations promulgated by SRS. Specific concerns relate to the interpretation of the language "exceed the requirements of applicable federal law" and "more stringent than applicable federal regulations." Since, pursuant to New Section 2(b) rules and regulations which are determined to exceed the requirements of applicable federal law can not become effective before March 15 of the next ensuing year following proposal of the regulation, it could create both program and fiscal concerns for SRS.

It is believed the intent of this legislation is to prevent the state from implementing regulations more stringent than the federal mandates resulting in excessive state and local government costs. This may present a problem for SRS since many of its regulations are adopted in order to reduce expenditures but might be considered more stringent than the federal mandates. For example, if a regulation is being promulgated in order to restrict an eligibility factor this restriction might very well exceed the requirements of federal law but still be within allowable limits. If it could not become effective until March 15 of the following year this may have a very significant negative impact on the cost savings the regulation was intended to generate.

Further, it is unclear how these requirements would relate to situations where the agency has been directed by the legislature to implement a particular change by pursuing a federal waiver. Since the purpose of such a waiver is to obtain official authorization to get around certain federal requirements it is difficult to determine whether the directive could be implemented prior to March 15 of the following year.

*Senate Gov. Org.*  
*Attachment 2*  
*3/21/94*

Testimony on House Bill No. 2810  
March 21, 1994  
Page 2

For these reasons we respectfully request this committee either not act favorably on House Bill No. 2810 or the new language be further amended to more clearly define the types of regulations that must wait until March 15 to become effective. If the decision is to move the bill forward, one further suggestion would be that regulations showing a projected savings to the state be specifically excluded from the March 15 effective date.

John Badger  
Chief Counsel

TESTIMONY OF FAITH LORETTO  
STAFF ASSISTANT, DEPARTMENT OF ADMINISTRATION  
REGARDING HB 2810  
BEFORE THE SENATE GOVERNMENTAL COMMITTEE  
MARCH 21, 1994

I am appearing today to testify regarding HB 2810 on behalf of the Department of Administration. Having functioned for a number of years as the Secretary of Administration's designee with respect to approval of rules and regulations under K.S.A. 75-420 and as the Secretary's designee to the State Rules and Regulations Board, I am familiar with the procedures established by the Rules and Regulations Filing Act. From this perspective, it appears that there are several aspects of HB 2810 that may be confusing to agencies and that are of concern in terms of their relationship to the Rules and Regulations Filing Act as a whole.

--The phrases "exceeds the requirements of applicable federal law" and "more stringent than applicable federal regulations" seem vague and may be difficult to apply. It is possible that many variations from federal standards may be considered to exceed the requirements of federal law when viewed from different perspectives. For example, SRS may, at the direction of the Legislature, obtain a waiver from federal requirements relating to welfare or medical assistance. Depending upon one's perspective, both a waiver that restricts eligibility for services, thereby reducing the state's expenditures, and a waiver that expands eligibility for services, resulting in increased expenditures, might arguably "exceed the requirements of federal law."

--Uncertainty about whether HB 2810 applies to regulations which deviate from any federal law could lead to a reluctance to tailor regulations to meet particular circumstances present in Kansas, greater inflexibility in modifying such regulations when necessary or desirable, and the potential for greater litigation.

--HB 2810 appears to be internally inconsistent in its references to the type of regulations that are affected by the bill. Amendments to subsection (b) of K.S.A. 77-416 and subsection (b) of New Section 2 both refer to regulations which "exceed the requirements of applicable federal law." Subsection (a) of New Section 2 refers to regulations which are determined to be "more stringent than applicable federal regulations" and to "a more stringent rule."

--It is not clear from the language of HB 2810 who is responsible for determining that a regulation exceeds a requirement of federal law. The chief administrative officer may not be the official or entity that is statutorily authorized to adopt regulations, particularly where that authority is granted to a board or commission or other governmental body.

*Senate Gov. Org.*  
*Attachment 3*  
*3/21/94*

--Agencies frequently adopt a series of regulations relating to a program. If the agency deviates from a federal requirement with respect to certain portions of that program, the affected language may appear in one or more locations throughout the set of regulations. Under HB 2810, an agency may decide that it would need to delay implementation of the program as a whole in order to avoid a piecemeal application. This could be an adverse result in those instances where the federal government requires implementation by a certain deadline or ties federal funding to implementation of regulations. In general, it could impede the agency's ability to implement a coherent program in a timely manner.

--It is not clear what the effect of HB 2810 would be on an agency's ability to adopt a temporary regulation that contains a provision exceeding federal requirements. Under K.S.A. 77-422, the State Rules and Regulations Board is authorized to approve temporary regulations that meet certain statutory criteria. Temporary regulations generally take effect immediately upon approval of the Board, and expire 120 days later. HB 2810 does not seem to mesh well with this aspect of the Filing Act. Depending upon the manner in which HB 2810 is interpreted, it could prevent regulations from promptly taking effect that are essential to the public's peace, health, safety or welfare, necessary to implement new legislation, or necessary due to a budgetary shortfall.

--It is not clear what the effect of HB 2810 would be on subsequent amendments to such regulations. For example, if later amendments to a regulation subject to HB 2810 do not alter the provisions that exceed federal requirements, would that regulation again have a delayed effective date?

It is not my intention in making these comments to take a position regarding the substance of HB 2810 and its underlying policy. Instead, I wish to encourage careful consideration of these procedural aspects so that agencies adopting regulations have a clear understanding of the application of HB 2810 and regulations can be adopted on a timely basis. For this reason, it is suggested that HB 2810 be referred to the Joint Committee on Administrative Rules and Regulations for review over the interim. We would be glad to provide assistance to the Committee in such a review.

Thank you for the opportunity to speak to HB 2810.



**NANCY BROWN**

REPRESENTATIVE, 27TH DISTRICT

15429 OVERBROOK LANE

STANLEY, KANSAS 66224-9744

(913) 897-3121

FAX: (913) 897-4635

STATE CAPITOL

ROOM 183-W

TOPEKA, KANSAS 66612-1504

(913) 296-7696

FAX: (913) 296-7535



TOPEKA

HOUSE OF  
REPRESENTATIVES

## COMMITTEE ASSIGNMENTS

LOCAL GOVERNMENT, CHAIRMAN  
TAXATIONCOMMUNITY DEVELOPMENT BLOCK GRANT  
ADVISORY BOARDEMERGENCY MEDICAL SERVICES BOARD  
NCSL, STATE-LOCAL-TRIBAL RELATIONS,CHAIRMAN  
NCSL, THE WOMEN'S NETWORK BOARD**SENATE GOVERNMENT ORGANIZATION****HB 2901 - Commission on Status of Women**

Chairman Ramirez, and members of the Senate Government Organization Committee, I and the 64 sponsors of HB 2901 want to thank you for taking time to schedule a hearing. Unfortunately I will be chairing the House Local Government Committee during the time of this hearing and will not be able to attend the hearing on HB 2901, but I did want to express my support for the legislation. There are others who will be appearing who can more eloquently articulate the purpose of HB 2901, but I do want to share some thoughts about why I believe a Commission on Status of Women is important to the State of Kansas.

I won't go into the details of the bill. You can read it for yourself, but note Section 3 of the bill which outlines the purpose and anticipated products of the Commission on the Status of Women. These are worthy goals for a state like Kansas who is one of the leaders in the number of elected women serving in the Legislature. Kansas has had a history of firsts for women, but we currently lag behind many other states who already have a Commission on the Status of Women.

Why is a commission important in the larger legislative scheme of issues facing us? I could be flippant and say that we have had our years of eco-devo, children and family, etc., but never the year of the woman and now it's our turn! But let me be serious for a minute and emphasize the rapidly changing world in which we live. The changes will have dramatic effects in our society and our state, on business, on families, on health care, and the coming of "gray America," for which we are not prepared. Of course, you might wonder why I am focusing on women rather than Mr. Average Joe America, and a Commission on the Status of Men. Well, I have news for you. . . the average American is now Ms. Average Jane America.

I recently read an article which provided some interesting information about the average woman in America. You can decide for yourself whether this woman is your wife, daughter, neighbor, or even a colleague. It reported that Ms. Average American just turned 33. She is 5'4" tall and weighs 143 lbs., although she has been on a diet all year. She wears glasses or contacts and she thinks she looks younger than she is. She has brown hair, 1.8 children, a daughter named Jennifer, a son named Michael and it will take \$140,000 to raise each of her children to age 18.

Ms. Average is a Protestant, but she didn't go to church last week. She wears a size 7 1/2 shoe and complains of foot pain. She wears a size 12 dress but always tries on a size 10 before she buys. She married at age 24 and her size six engagement ring cost over \$800. She wears jewelry every day. She is not rich, with an annual income less than \$20,000, but she has \$104 in her purse, along with keys, a wallet, comb, makeup and an address book. She writes 24 checks per month and charges \$160 per month on ten credit cards.

*Senate Gov. Org.  
Attachment 4  
3/21/94*

She has lost only two teeth, which is better than her mother at the same age, and much better than her grandmother. She will still loose another eight by the time she is 70. Ms. Average will get into her eight-year-old blue sedan 1,500 times this year and drive over 9,000 miles. She will drive ten miles home from her sales job to her 1,000 square foot \$60,000 house. She comes home to a husband, children, pets, six radios, two TV sets, a stereo and a VCR, but won't have time for entertainment because she faces 3.5 hours of homework and childcare. She doesn't know it, but she will be the victim of a crime not once, but three times in her life. She has a 50/50 chance of divorce and the odds are 10-to-1 that she will someday be a widow.

In 1980 the average American was 30 years old. Fifty years ago, the average American was a 29 year old male blue-collar worker. By the year 2000, the average American will be 40!

Interesting article, but what does it mean to Kansas? Who knows, but we need to know! We do know that the status of women as heads of the household, the status of women as the sole support of their families, and the economic status of women is changing. And we know we are not prepared to meet these changes!

How does the above information relate to another statistic that says women between the ages of 22-44 are the fastest growing population of people afflicted with Aids? (By the end of 1993, New York state predicted that Aids will be the number one cause of death among women in their reproductive years.) If the average Kansas is within that age population, should we not prepare for the effects of the disease on the workplace, the family, the health care system? Of course, but who will take the leadership role to bring some of these issues to the forefront?

We are not New York, and this statistic is undoubtedly not true for Kansas. But I can share a story with you about a woman I met in an Aids Home in Missouri (by the way, Kansas does not have a residential facility in the metro-area) who contacted the disease from her now-deceased husband. She has four young children, no extended family, and wants to provide for her children upon her death. She is an innocent victim of a killer disease, and we do not know how many more women in Kansas might be in a similar situation. Are we preparing for the potential of homeless children? Do we know how many women are heads of their household? Do we know how the disease of women economically, let alone socially, impact the state of Kansas?

What about women who are now surviving their spouse, living longer, and have no means of employment? Has the state taken this elderly population into consideration with its job training and housing programs? I could go on and on, but you get the idea. The average Kansan of today is much different than the average Kansan of twenty years ago, as will be the average Kansas in the year 2000. We must focus some attention and effort on this growing population and move the status on women away from being minorities to the status of women as the majority!

Please join the majority in the House of Representatives who support the majority in Kansas. . . the women of this progressive state! Thank you!

GWEN WELSHIMER  
REPRESENTATIVE, EIGHTY-EIGHTH DISTRICT  
SEDGWICK COUNTY  
6103 CASTLE  
WICHITA, KANSAS 67218  
316-685-1930  
DURING SESSION  
LEGISLATIVE HOTLINE  
1-800-432-3924



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: TAXATION  
INSURANCE  
LOCAL GOVERNMENT  
ADMINISTRATIVE RULES & REGULATIONS

March 21, 1994

Senate Governmental Organization Committee  
Senator Ramirez, Chairperson

HB 2901, if enacted, will join Kansas together with 40 states who have created a Commission on the Status for Women. Thirty of those are state-funding these commissions; some have funded them only in recent years, and we are aware of three states who are proposing funding for their commission in this year's legislative agenda.

64 Representatives signed on to this bill. Nine of those voted for an amendment that stripped the proposed commission of its funding (\$126,600). The bill before you has no funding. Even though on Page 2, Line 39 of the bill, the proposed commission ~~is~~ still attached to the Department of Commerce and Housing, there is no staff or support.

I would like to request an amendment on Page 3, Lines 14-16, which would restore language that has been struck. At the very least, this amendment would give the commission a place to be.

The very best thing to do, however, is to restore the full funding so that this commission can accomplish its purpose.

*Gwen Welshimer*

*Senate Gov. Org.  
Attachment 5  
3/21/94*

MY NAME IS LYLA RALSTON ACCARDI, CURRENTLY SERVING ON THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN IN TOPEKA. THIS COMMISSION SERVES NOT ONLY WOMEN, BUT ISSUES THAT AFFECT ALL PERSONS IN THE LOCAL COMMUNITY.

THERE APPEARS TO BE A DEFINITE NEED FOR A STATEWIDE COMMISSION ON THE STATUS OF WOMEN IN THE STATE OF KANSAS. AS A RESOURCE FOR INFORMATION AND ASSISTANCE THIS COMMISSION WILL BE OF THE UTMOST BENEFIT.

WOMEN ARE BECOMING A FORCE IN BUSINESS, AND ENLIGHTENED MEN WILL NOT VIEW THIS AS UNFAVORABLE, BUT AS A BLESSING. MOST WOMEN DO NOT WANT TO BE A THREAT, BUT AN ENGAGING EXTENSION TO THE PROCESS ALREADY IN EFFECT.

THE MARCH 11 KIPLINGER LETTER MADE POINT THAT WOMEN OWN 38% OF SMALL FIRMS, BUT GET ONLY 8% OF SBA LOANS. PROVIDING GUIDANCE AND ASSISTANCE FOR WOMEN TO EASILY ACCESS THE SMALL BUSINESS ASSOCIATION IS ONLY ONE VERY IMPORTANT WAY A STATE COMMISSION ON THE STATUS OF WOMEN CAN HELP. AFTER ALL, IF A COMPANY CAN BORROW TO EXPAND AND HIRE THEY MOST CERTAINLY WILL BE A TREMENDOUS BENEFIT TO THE LOCAL COMMUNITY.

SMALL BUSINESSES AFTER ALL, ARE THE BACKBONE TO ANY COMMUNITIES ECONOMY

IT IS A SHAME THAT ALL FUNDING HAS BEEN CUT FROM HOUSE BILL #2901 SINCE THIS IS SUCH A WORTHWHILE ENDEAVOR.

*Senators Gov Ariz  
Attachment 6  
3/2/94*





Senator Al Ramirez, Chair  
Senate Committee on Governmental  
Organization  
Re: House Bill 2901

The National Organization for Women supports the passage  
H.B.2901.

Following the creation of President's Kennedy's Commission on the Status of Women in 1961, individual states were encouraged to organize Commissions to meet their specific needs in addressing the complexity of problems and issues facing women. Today forty-six states, Puerto Rico and the District of Columbia have formed commissions. Thirty states are currently funding their commissions. Many states in the Mid-west have commissions, including all of our bordering states. Nebraska established its commission in 1964 (thirty years ago) and it became a statutory state agency in 1971.

Although women are gaining some ground particularly in the areas of economics, women still continue to earn less than their male counterparts. The current figures show women earning seventy-two cents compared to one-dollar earned by males in the labor force. Women generally work fewer hours, many are considered part-time and therefore not eligible for health, retirement, leave and other benefits. Whether married-couple families or single-head of household, the single most significant trend has been the increase in numbers of working mothers. The U.S. Department of Labor Women's Bureau has released figures projecting a 26 million expected net increase in the civilian labor force between 1990 and the year 2005, women will account for 15 million or 62 percent of the net growth, with Hispanic, Asian and African-American women exceeding the average for all women. Although more women hold management positions than any other time, few have made breakthroughs to top level executive positions. It is estimated that only 1 or 2 percent of senior executives level officials are women. Not only must we meet the challenge of creating a labor force where women can economically excel, but we will be faced with a labor force that will be increasingly culturally diverse. Many women are under-trained, under-educated, and not prepared for the challenges of the technical age. There is a growing concern and pressure for Welfare reform. Displaced homemakers now account for largest growing percentage of persons living below poverty.

I hope that I have been able to provide a microcosm of the unique challenges facing our state. Your challenge is the reshaping of public policy. Our challenge is to identify the people with vision, intelligence, skills and the commitment, who will develop projects, technical assistance and assess the status of women of Kansas and recommend methods for overcoming these barriers. We trust that this committee will do everything in it power to support the adoption of H.B.2901.

Respectfully Submitted, Sue Ledbetter-Lobbyist N.O.W.

*Sen. Al Ramirez*  
*Attachment 7*  
*3/21/94*

*Sue Hedbetter*

THE KANSAS COMMISSION ON THE STATUS OF WOMEN  
H.B.2901

The Kansas Commission on the Status of Women, would create a blueprint for women's economic empowerment. Such a blueprint would promote the goal of equality for women in the economic sphere, while recognizing and dealing with the unique social factors that may influence their success or failure in the labor force.

The Commission proposed will be voluntary; the makeup aims at diversity of representation: urban and rural; Republican and Democrat; with geographical representation.

1. Today Forty six states, Puerto Rico and the District of Columbia have formed commissions. Thirty states are currently funding their commissions.
2. In 1990 forty percent of the 56.6 million persons in the U.S. labor force were women.
3. Women currently constitute 40 percent of the total labor force and they hold 62 percent of the service entry jobs.
4. The U.S. Dept of Labor Women's Bureau has released figures projecting a 26 million expected net increase in the civilian labor force between 1990 and 2005; women will account for 15 million 62 percent of the net growth.
5. The most dramatic change has been in female-headed households with children. It is estimated that one-half of the children in the U.S. will spend part of their childhood living with one parent.
6. Many women are under-trained, under-educated, and not prepared for the challenges of the technical age. Displaced homemakers now account for the largest growing percentage of persons living below poverty.

The Kansas Legislature should be concerned with:

1. Encouraging the development of comprehensive, subsidized public and private child care programs to meet the needs of parents and children of all economic levels
2. To work toward an open housing policy that provides fair treatment to women and their families.
3. Working toward the elimination of discrimination that women experience in the health, mental healthy and criminal justice systems.

We trust you will do all that is within your power to bring the vision of the proposal for the COMMISSION ON THE STATUS OF WOMEN To reality in Kansas.

7-2

# LWVK

## LEAGUE OF WOMEN VOTERS OF KANSAS

Committee on Governmental Organization  
Kansas Senate  
Hearing on H.B. 2901  
March 21, 1994

Chairman Ramirez and Members of the Committee,

I am Elaine Mann, Lobby Corps Chair for the League of Women Voters of Kansas. I appreciate the opportunity to speak to you today on behalf of the League in support of H.B. 2901, which establishes a Kansas Commission on the Status of Women.

The League of Women Voters, a non-partisan, grass-roots political organization, supports equal rights for all regardless of sex. We support action to combat discrimination and poverty, and to provide equal access to education, employment, housing, and policy-making government meetings; and action to bring laws into compliance with the goals of the Equal Rights Amendment.

The Kansas Commission on the Status of Women, as outlined in H.B. 2901, would create a blueprint for women's economic empowerment. Such a blueprint would promote the goal of equality for women in the economic sphere, while recognizing and dealing with the unique social factors that may influence their success or failure in the workforce. The Commission's proposed makeup rightly aims at diversity of representation: urban and rural; Republican and Democrat; geographically representative.

Women today comprise some 40% of the U. S. workforce. Many balance jobs with their responsibilities as mothers; some are the main source of their family's income. A significant minority of women also choose to be full time homemakers, at least while their children are young. Unfortunately, sometimes the death of a spouse or divorce means that some of these non-working women will find themselves thrust into the workforce without the skills or work experience needed to support themselves or their children.

We've heard much about empowerment lately. As a state and a society we want our citizens to be economically self-sufficient and not dependent on government to provide needed services and support. This Commission, as presently structured, would further that goal. Comprised of volunteers, it would provide an opportunity for creative

*Senate Gov. Org.*  
*attachment 8*  
*3/21/94*

partnering and networking in pursuit of the goal of economic empowerment for fully half our population.

Indeed, it seems only fitting that an organization such as the League of Women Voters, which traces its origin to the original woman's movement and the quest for equality under the law, would endorse this bill. We urge your favorable consideration of H.B. 2901.

Thank you for your attention.

*Clare Mann*





# Kansas Department of Human Resources

Joan Finney, Governor  
Joe Dick, Secretary

## Commission on Disability Concerns

1430 S.W. Topeka Boulevard, Topeka, Kansas 66612-1877  
913-296-1722 (Voice) -- 913-296-5044 (TDD)  
913-296-4065 (Fax)

## Senate Governmental Organization Committee

Senator Ramirez, Chair

House Bill 2901

March 21, 1994

Mr. Chair and members of the committee, thank you for the opportunity to speak before you today. My name is Sharon Huffman. I am the Legislative Liaison for the Kansas Commission on Disability Concerns (KCDC). The testimony that follows was prepared by Kristy Walker, an intern in our office from Emporia State University, who is out of town today and therefore unable to be present today.

KCDC promotes policies favorable to the independence of people with disabilities. We support of the general objective of HB 2901, with one minor change. The status of women and their expansion into the work force in Kansas, and in the rest of the country needs to be examined. However, this bill overlooks a very important segment of our community, women with disabilities.

Barriers women with disabilities encounter when they approach the job market are not that dissimilar from non-disabled women. Both are devalued and marginalized. Both search for competent, affordable child care. Both are socialized from birth from even entering into the work force and both face disincentives not to work such as welfare, SSI or SSDI. And more unjust, both earn less than their male counterparts. According to the Bureau of Census, women with disabilities earn, on average, \$3,100 less than non-disabled women, \$8,200 less than men with disabilities, and \$14,200 less than non-disabled men.

The proposed Commission, with its duties of producing an economic empowerment blueprint on the expansion of women in the work force and assisting other entities who provide programs and services to meet that goal, could be a real benefit to women with disabilities. Nine years ago, the

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outcomes of female clients of state rehabilitation agencies were studied nationwide. Over half of the women successfully rehabilitated as homemakers came into the program with a vocational goal in mind. They wanted to work, but somewhere along the journey, they changed their minds. Why? We don't know, but the Kansas Commission on the Status of Women could include Kansas women with disabilities in its blueprint and give those servicing that population a guideline to follow while planning those services.

Commissioner Glen Yancey of Kansas Rehabilitation Services has expressed his support for the inclusion of women with disabilities on the proposed Commission. He said that they would provide valuable and necessary input into the development of the women's economic empowerment blueprint.

KCDC is asking for the following amendment to HB 2901:

*Sec. 3.(7) focus on the unique problems of women with disabilities upon entering the labor market.*

FOR MORE INFORMATION CONTACT:

Terri Roberts J.D., R.N.  
Executive Director  
700 SW Jackson, Suite 601  
Topeka, KS 66603-3731  
913-233-8638  
Date: March 21, 1994

**H.B. 2901 Kansas Commission on the Status of Women**

Chairperson Ramirez and members of the Senate Governmental Organization Committee, my name is Terri Roberts J.D., R.N. and I am the Executive Director for the Kansas State Nurses Association. The Kansas State Nurses Association supports H.B. 2901 on the Establishment of a Kansas Commission on the Status of Women.

Nursing is one of the most gender-segregated job classifications in the country. Nationwide, approximately 97 percent of all nurses are women, in Kansas 96% of all Registered Nurses are female. In 1980, it was estimated that female nurses earned only 85 percent of the weekly earnings of men. Pay equity, while important, is not the only reason to support this initiative. We see this as a much broader issue.

We support a Commission because we believe that this will facilitate the coordinated effort of gathering data about womens issues. We are most familiar with womens health issues. One example of how better information leads to better public policy initiatives is the establishment of the Center for Women's Health, at the National Institutes of Health.

One of the federal public policy issues that was identified, was the lack of the inclusion of women in research clinical trials and research funds for diseases that have a disproportionate impact on women. The GAO released a study indicating NIH had not implemented a directive to increase women's health research.

Another area where women's health issues were not well documented or research as well funded as those on issues primarily affecting men, is on diseases that have a disproportionate impact on women. Osteoporosis, the loss of bone tissue, affects an estimate 24 million Americans, 80 percent of whom are women. The chronic inflammatory disease, lupus, strikes nine times more women than men. Breast cancer will be the cause of death for 46,000 women this year, 400 of them Kansans (a figure approaching the total number of Americans killed during the Vietnam War).

The establishment of this commission will assist Kansas policy makers in identifying issues that affect women. Better public policy should be the outcome.

**Kansas State Nurses Association** Constituent of The American Nurses Association

700 SW Jackson, Suite 601 \* Topeka, Kansas 66603-3731 \* (913) 233-8638 \* Fax (913) 233-5222  
Carolyn Middendorf, M.N., R.N. -- President \* Terri Roberts, J.D., R.N. -- Executive Director

*Senate Gov. Org.*  
*Attachment to*  
*3/21/94*



Concerned Women for America  
of Kansas  
P.O. Box 4, Seneca, Ks 66538  
(913) 336-2091

March 21, 1994

SENATE GOVERNMENTAL ORGANIZATION AND ELECTIONS  
Al Ramirez, Chairman  
HB 2901

Mr. Chairman, members of the Committee:

My name is Sharon Stringfellow. I am a volunteer lobbyist for the Concerned Women for America of Kansas. Concerned Women for America was founded in 1979 and has grown to become the largest women's public policy organization in the country with over 600,000 members. Our membership is predominantly women although gender is not a requirement and we do not exclude men. The women in our organization come from all vocations, economic levels and races. Many join because they are very interested in women's issues. As a women's group we are compelled to take a stand and testify in opposition of HB 2901.

My testimony today will focus on three areas of our concern. The areas are accountability, representation and necessity of a commission.

- 1) Accountability- The commission would study Kansas women, they would speak for them in legislative hearings, and they would make policy recommendations and propose legislation concerning them. Yet the commission would not be accountable to the women of Kansas. If the women of Kansas did not agree with the assumptions or conclusions of the commission they would have no direct recourse.
- 2) Representation- The commission would not be representative of the women of Kansas rather it would be representative only of women who have highly excelled in their professional fields. The women of the legislature are more representative of the women of Kansas than would be this commission. Anyone may run for the legislature but very few women would be considered qualified to be appointed to this commission considering the stringent requirements listed in Section 1.

There are two large groups of women whose numbers, needs, nor interests would be represented by this commission. The first group consists of homemakers. It is unjust to

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discuss the economic stability of women without recognizing that there is a large group of women who are not financially reimbursed for their labors and therefore rely upon their husbands to earn a family wage. Many women today choose to be career moms and homemakers. Their choice often involves great sacrifice. It often means shopping regularly at garage sales instead of J.C. Penney's and making the family vacation a trip to grandma's instead of Disney World or skiing in Colorado. This is their choice because they believe that the most important and valuable thing they can do is to raise their own children, working in partnership with their husbands to keep their homes together. Neither these women nor their concerns are represented by the commission in this bill.

The second group of women that this bill ignores are women who are currently in the work force by who yearn to be able to be at home, raising their own children. Many would be able to do this if we had a tax code that did not penalize married couples and families, that offered a higher standard deduction for families and that allowed significant tax credits for moms who care for their own children. Neither these women nor their needs are represented by the commission in this bill.

- 3) Necessity. We too are very concerned about the plight of women in today's society. Many, if not all of the women in our organization have had struggles. We ask is a commission necessary when we already have many entities that speak to women's concerns? Consider the following:

\*On the federal level there are numerous commissions which avail to us research and information.

\*On the state level we have the Joint Committee on Children and Families and the Corporation for Change that are already in the business of studying and influencing childcare policies and implementing programs for teenage pregnancy prevention and termination.

\*Many universities have Women's Studies programs.

\*In the private sector there are many groups that are concerned with women's issues, some, like Planned Parenthood, receive federal funds.

\*We already have a governmental system which allows women to vote, to lobby their elected officials, to testify before committees, or even to run for office themselves.

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Numerous studies show that so many of today's societal problems come from the breakdown of the family unit. Tipper Gore, the Vice-President's wife, was quoted in last month's edition of Redbook as saying about her husband and her marriage, "If I had pursued a career we would have had two separate lives, and I don't even know that we would have stayed married". It is very difficult on marriages and children when both parents work. It is ironic that in a legislative session that has been inundated with crime bills, where lawmakers are distraught as how to impart the work ethic in children, and where there is discussion about paying children to go to school, that we have this bill that focuses "on the steady expansion of women in the work place" (Sec. 3. (a)), and puts at risk their families. This bill negates and even denigrates by neglect the needs and desires of so very many women.

Because we have what may be called a crisis in our society, are we therefore ready to accept a commission that will be neither accountable to Kansas women, nor representative of Kansas women, but would have the legitimization and impetus of the state government behind it and its agenda? We say no and ask that you say no and vote no on HB 2901.

Tes .ony of Liz Hicks  
521 st First  
Wichita, Ks 67212

Feb. 1994

I commend to you the passage of a bill authorizing a Kansas Commission on the Status of Women.

In the 1970s Congress appropriated money to provide for a number of social action programs. Among them were funds for local Commissions on the Status of Women. In Wichita, the early Commission members directed staff to create Public Service Announcements on TV concerning credit ratings for women. Those PSAs pointed out that married women, using joint bank accounts with their husbands, lost their credit identity.

I was appalled when I called the Better Business Bureau and discovered that, although I paid taxes and bills and loans, all the credit information was listed only in my husband's name.

Following the information given me by Commission staff, I opened checking and savings accounts in my own name and took out a small loan. I also opened store credit accounts and paid them from my bank accounts. I felt a bit silly and traitorous to my husband to set up separate accounts. He, however, was even more angry than I that my earnings and payments were listed as his. When he died, I had in place a credit record and the knowledge of how to manage my finances.

Due to the education of the public and politicians about this unfair situation, the Fair Credit Act was passed. Now shared credit may be listed in more than one name.

After a time, the federal money ran out for the Commission. The City Council has not appropriated sufficient money to provide adequate staff for the Commission on the Status of Women. I was appointed to that Commission in the mid 80s and was distressed to find that Commission members had to raise money, through the Friends of the CSW, in order to provide any services to the community. This was in sharp contrast to other local boards on which I have served: Aging, Housing, Health. All of these have well established staff and income.

Since we no longer have a dynamic resource for women's issues at the city level, I propose that we need a CSW at the state level. Staff at that office could compile useful data maintain a talent bank for boards and commissions appointments and serve as a clearinghouse for legislative needs. Funding for office space and permanent staff could put Kansas back in the forefront of identifying and solving the problems of its citizens.

*Senate Gov. Org.*  
*Attachment 12*  
*3/21/94*

MARLA J. LUCKERT  
200 S.E. 7th  
Topeka, KS 66603

March 18, 1994

MEMBERS OF THE SENATE GOVERNMENTAL ORGANIZATION COMMITTEE:

I am writing to support H.B. 2901 and also to urge consideration of one amendment. Through daily contact with women who are in court as witnesses, litigants, victims and attorneys and through my own experiences as a female professional, I am convinced of the need for a Commission such as that proposed in H.B. 2901.

I would, however, urge expansion of the statement of the Commission's purpose to include issues of legal equity. Specifically, I would encourage amendment of section 3 (line 17 to line 24) to read.

(a) The Kansas commission on the status of women ~~shall~~ may produce a women's economic empowerment and legal equity blueprint, focused on the steady expansion of women in the workforce and their increasing need to gain economic security and legal equity while balancing the demands of work and family. The commission ~~shall~~ may promote, develop and assist other entities in providing programs and services to meet these goals. Such programs and services may include, but are not limited to, programs and services that:

The reason I propose the amendment is because I perceive an acute need for a comprehensive evaluation of gender bias in our state's substantive laws. At least thirty-five (35) states and many of the federal circuit courts have undertaken comprehensive studies of statutes, regulations, jury instructions, court procedures, and court rules. In every jurisdiction where a study was conducted, the Commission found examples of gender bias. In many ways such bias is the most invidious form of discrimination, severely impacting the economic and personal security of women.

As an example of the scope of such studies, I have enclosed a copy of the table of contents of the Vermont study.

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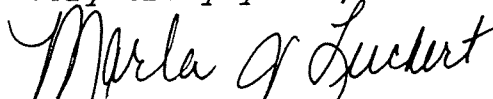


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I would envision that such a study could be performed by the women under the law standing committee authorized by section 3(c). However, since these issues may be more encompassing than the currently stated purpose of producing a women's economic empowerment blueprint, I believe the broader statement of purpose would clarify that such a study is authorized.

Once again, I strongly urge your support for H.B. 2901.

Very truly yours,

  
Marla J. Luckert

MJL:ck

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