

**Testimony before Senate Federal and State Affairs Committee  
in Opposition of Senate Bill 61  
by Representative Mark Kahrs  
January 28, 2015**

Good morning Chairman Ostmeyer and members of the committee. I am Representative Mark Kahrs and I appear before you as a private citizen. I have been involved in gambling issues for over ten years in my capacity as chair of Stand Up for Kansas. Thank you for this opportunity to discuss my concerns with S.B. 61, authorizing the use of lottery ticket vending machines.

**No way to prevent underage usage:**

Under this bill there is no logical or reliable way to prevent minors from purchasing lottery tickets. It is my understanding that the machines have no capability to screen out underage minors and merely provides a warning label against underage gambling. If the machine does require a driver's license no one can prevent a minor from using stolen identification. This bill places another temptation before our children that we as policy makers should not approve.

**Shifts burden of enforcement from the sellers (vendors) to buyers and local law enforcement.**

Currently, the burden rests with the seller on making sure minors don't purchase lottery tickets. A seller is punished for a violation by simply terminating his lottery license. Under this bill the burden shifts to the buyer and the state for enforcement of the law. If the prohibition is shifted to buyers, responsibility for enforcement would transfer to local police. Moreover, with numerous higher priority crimes, police would likely do little enforcing.

**This bill would increase law enforcement costs and burden local governments.**

Charging, convicting and punishing underage buyers would create a tremendous legal cost and burden on local governments. It would add to the already overburdened juvenile court system with potentially hundreds of new cases to administer and adjudicate annually.

**This bill would increase the number of Kansas minors entering into our juvenile justice system.**

Despite the limited resources our local police departments operate under, this bill would undoubtedly increase the number of Kansas minors entering into our juvenile justice system across the state.

**Is the Kansas Lottery executive director's role one of regulation or increasing sales?**

Finally, I challenge the wisdom of this bill and the role of the executive director of the Kansas Lottery. Historically, this has been a regulatory position. With the introduction of this bill it appears the executive director is taking on the added responsibility of increasing lottery ticket sales. I see these two roles at odd with one another.

To summarize, I am concerned that S.B. 61 will make it easier for minors to gamble illegally in Kansas. Under this bill there is no logical or effective way to prevent minors from using these lottery vending machines. This bill shifts the burden of enforcement from the seller of the lottery tickets to the buyers and law enforcement. This bill would increase law enforcement costs and burden local governments and local courts with increased costs. This bill would increase the number of Kansas minors entering into our juvenile justice system. Finally, this bill puts in conflict the historical role of the Kansas Lottery executive director from a regulatory role to a marketing role. For these reasons, I urge you to oppose S.B. 61.

Thank you for this opportunity to express my concerns on this bill.