

STATE AFFAIRS COMMITTEE

March 12, 1963

The meeting was called to order and the Chairman stated that the sponsors of HB 138 wanted to explain the bill. Mr. Casado expressed the thanks of the group that appeared on March 8th, and then asked Don Smith of Ford County to explain the ramifications of the measure. Mr. Smith stated that this would place the matter in the hands of the Civil Rights Commission, and that a complaint must be filed before any action would be taken; and in that event, the Commission would make an investigation and if it was found that there was no cause for complaint, nothing would be done. On the other hand, if justification was found, a complaint would be filed and the district court would issue a temporary injunction, and the Commission would issue an order. Only then would any action be taken. Mr. Harder stated that the bill did not seek to legislate morality, but only dealt with equal rights so far as housing was concerned. He stated that it is an extension of our present Civil Rights Act, which act has been well administered and helpful; that it (the Commission) does not deal lightly with complaints, and make a full investigation before issuing charges, and in some cases the complainant is found to have no grounds for complaint. Mr. Behee stated that he is in sympathy with the problem, but on the other hand, because of inquiries by people in his area, asked if it is constitutional to try to tell individuals to whom they may rent or sell; that he is in favor of improving living conditions for minorities, but on the other hand, wonders if the state has the right to discriminate against the owner.

Mr. Unruh stated that he felt that there was not sufficient penalty if they were going to pass this bill. Mr. Smith stated that the injunctive power would be effective. Mr. Harder, in reply to Mr. Unruh's inquiry about loan discrimination, said that if a loan is denied an individual and the individual complains, the Commission will make an investigation on the basis of income, cost of the house, etc. and if it appeared that there was a legitimate complaint, only then would charges be made.

Mr. Dohm appeared to discuss his HB 32, a plan to eliminate drunken driving on Kansas highways. He stated that he felt the penalty was all too small and that it should be so stiff as to really eliminate, not discourage, drinking and driving. He stated that there were 3,332 convictions on Kansas highways last year, and 576 Kansas residents, in addition, were convicted in other states; that there were a number of those others who for one reason or another, were not convicted.

The Chairman stated that consideration would be given to HB 433, the proposal which replaces 288, and Mr. Riddle asked Mr. Ensley from the Kansas League of Municipalities to explain why Sedgwick County needed this bill. Mr. Ensley stated that there are three different county zoning statutes and that no two can be in operation at the same time; that the County of Sedgwick operates under the 3-mile plan and they desire to set up a township board (under the county board) to handle the zoning in the Cheney Reservoir area; and that this measure is needed in order to operate under the two separate plans. Mr. Floyd Souders of Cheney stated that it is the desire of the people in this particular area, to have this legislation.

Mr. Gardner proposed an amendment to his HB 3, concerning investment powers of municipalities and other governmental agencies. He stated that it would permit them to invest in bonds and time deposits; leaving the funds in the same bank. There was considerable discussion concerning the hearing previously held on this measure, and particularly with regard to "millions of dollars" purported to be in certain coffers that the local banks were drawing interest on, and the local bodies were asking permission to invest them and use them for their own use. Mr. Gardner stated that this simply could not be true because the audits would show these funds and they are not permitted, by law, to carry over these large sums, but only to maintain their operating expense money at a certain level, and if any funds are left over it must be shown in the budget for the following year, and if it exceeds a certain figure, the levy must be reduced.

The Chairman stated that he wanted the Committee to think about these things and he would like to vote tomorrow on HB 3, 32, 138, 429, 430, 433; and that we would hear sponsors on HJR 1 and HCR 25.

The meeting was adjourned.