

STATE AFFAIRS COMMITTEE

March 15, 1965

The meeting was called to order by the Chairman, who asked permission to introduce three bills and have them re-referred back to the Committee, and received unanimous consent.

HB 720
Rules of the hearing were stated and Mr. Wm. C. Zimmerman of Topeka, spoke first in opposition to the proposal. He stated that he was appearing only for himself and wanted to give the Committee his impressions since he had heard the proponents make their presentation. He stated that in comparing the explanation of the Bill (Mr. Glatt's explanation) and later when it was read to him (Mr. Zimmerman is partially blind) that he was very surprised; that it was somewhat different in body than in the presentation. He stated that the proposal provides things that are considered traditional and should be there, but that Mr. Glatt suggested this bill takes care of some omissions in the original bill, however he believes that it is quite another thing to change the whole character of the ACT which this bill in fact does. He states that he thinks this bill will throw everyone into a complete state of confusion--that it will affect every kind of business; that the Federal law deals in enumeration but this so-called "umbrella clause" is more than the Federal Government ever has asked. He states that to give absolute subpoena power during investigation is unfair and inequitable and is a bad provision; that this power is not available even to the FBI, nor any local enforcement body, or even the Attorney General.

Mr. W. A. Cowden of Osawatomie, spoke in opposition to the bill from a barber's point of view, stating that he has not had the training to cut negroes hair; that he cuts the hair of Mexican-Americans and others but that he would have to go back to school after operating his own shop for several years, if he must now serve negroes because of the special knowledge necessary--straightening processes, etc. He states that he objects to the fact that the Commissioner will not be bound by the rules pertaining to the Courts of equity and that this would truly be discrimination; that this bill would discriminate against the small businessman who has acted in good faith over the years and is now faced with an entirely new situation where someone will run his business for him.

Mr. Edward H. Powers of Kansas City, Kansas, an attorney representing numerous clients--builders, home owners, realtors, etc., stated that he and his clients had given much attention and study to HB 720. He stated that everyone agrees that we are facing a change in our social concepts, not only in Kansas but in the nation as a whole; that they do not consider the proponents of this group adversaries--in fact states that they are fine, good, zealous citizens who are trying to do the best thing for themselves, but he feels they are misguided--that legislation of this type is not the answer; that education, time and compromise will effect proper rights for every citizen. He states that in

100 years great progress has been made and that in another 100 years, the youth of the generations through education, experience and good faith will have worked out the problems in human relations. He states that there are no anti-racial thoughts in the minds of himself or his clients, and suggested some amendments that might be appropriate. He states that with the umbrella clause, the Commission would be able to indict people on hearsay evidence; that he feels this to be absolutely wrong. He states that legislation of this kind could destroy the whole judicial system---that in getting one element of freedom, much more is removed.

Mr. John Gardner of Olathe, an attorney and former State representative, appeared on behalf of the Johnson County Board of Realtors, stating that he was aware that in appearing in opposition to such a measure, that one could become branded as a segregationist and one desiring discrimination, but that this could not be further from the truth. He states that his clients indeed would be very happy if the day came when people whom they represent would make no restrictions on sale of property, but that such legislation as this would put them in a difficult situation with the client desiring restrictions, and the law saying that it could not be. He states that he agrees with the remarks made by Mr. Powers. He states that legislation such as this is not the answer; that the answer must come with our children through education and understanding and whatever it requires to do the right thing. He states that governmental interference into the rights of ownership is bad.

The opponents to HB 720 were dismissed, and the Chairman inquired if the Committee would like to act on HCR 517. Mr. Doyen stated that Mr. McAtee would like to appear again. Mr. Fribley moved and Miss Jacquart seconded that the resolution be recommended favorably. Mr. Rogers explained Mr. McAtee's position; that some money had already been appropriated for the building of a minimum security institution and that Mr. McAtee felt inclined to encumber the funds and get started. Mr. Buntin stated that he (Mr. McAtee) was unhappy with some of the statements of testimony, i.e. that the prison system is in shambles and disgraceful, etc., and that in fact this is not true; that some situations are indeed deplorable but it isn't as bad as was indicated; that strides have been made and are being made. Mr. Fribley withdrew his motion and the Chairman stated that Mr. McAtee would be given another opportunity to appear.

Mr. Mikesic then moved that HCR 509 be recommended favorably. Motion was seconded by Mr. Fribley and carried with a vote of 12 yes to 1 no.

Mr. Doyen moved that HB 859 be reported adversely. Motion was seconded by Mr. Rogers, and after some discussion to clear up points raised at the last discussion, vote was taken. Motion prevailed 11 to 6.

The Chairman stated that on the 16th, opponents to HB 664, the surveyer's bill, would be heard, and that HB 713 would be discussed.

Mr. Ford inquired if he might go ahead and make a motion on 713, and upon permission, moved that it be recommended adversely. Motion was seconded by Mr. Turner and carried without dissent.

Mr. Griffith discussed HB 839, stating that now there is a prohibition against banks paying interest on municipal funds and this is just a permissive bill to let them do it if they want to. He says that some of the Wichita banks have said they would endorse this kind of a proposal. The Committee discussed the proposal but action was deferred until a later time.

Miss Jacquart moved that HB 718 be reported adversely. Upon second by Mr. Ford, and some discussion about permissive legislation a substitute motion was made by Mr. Griffith that the bill be amended. Motion was seconded by Mr. Turner, and carried by a majority vote of 11. Thereupon, Miss Jacquart renewed her motion to report adversely. Motion was seconded by Mr. Ford and carried 9 to 7.

The Chairman inquired if the Committee wished to take action on HB 719, expenses for state employees, and it became clear that some points needed investigation, and action was deferred.

Meeting was adjourned.

NAME	ADDRESS	Do You wish to Speak
M.C. Zimmerman	Topeka	YES
I. Richardson, JR	Topeka	NO
W.M. Anderson	Topeka	NO
Barbara Bailey	Topeka	No
Dorley Zimmerman	Topeka	No
Gordon Stephens	Osawatomie 140	No
Lathan Rank	K.C. Kansas	No
Lyle A. Fickler	K.C. Kansas	No
L. Swender	K.C. Kansas	No
W.A. Garbheart	" "	No
J.R. Traugh	Kc Ks	No
Marcille Sharp	" "	No
Mr. R. Bidgen	K.C. Ks.	No.
Van Hall	K.C. Ks	No.
Mrs. R.B. McCaig	Topeka	No
W. A. Cowden.	Osawatomie	yes.
John J. Gardner	Olathe	Yes
Edward H. Brown	K C K	Yes