

STATE AFFAIRS COMMITTEE
March 28, 1967

The meeting was called to order by the Chairman, with all members present except Mr. Rogers who was excused.

Mr. Fribley presented his sub-committee report on House Bill 1452 (see attached), and stated that while it may not be 100% what was requested, they believed that it is a salable piece of legislation as they propose to amend it.

Mr. Bunten complimented the sub-committee, and then expressed concern about the change from 90 days to six months to file a complaint. Mr. Fribley explained that the sub-committee had decided to go along with this request because the Commission stated that their workload had been so heavy that they simply didn't have time to handle these in a 90 day period. The Chairman explained too, that sometimes the complainant had filed first with the federal government and if they ruled that the complaint should go to the state, sometimes the 90 day period had elapsed. Mr. Bunten stated that the original act stated 6 months and that we had changed it to 90 days. Mr. Fribley agreed that he could see both sides of the question, but felt that the new director and the commission desired this change and would act in good faith; and that anyway this wouldn't go into effect until July 1, and the legislature could look at it again in six months.

Mr. Doyen questioned the provision on page 5, concerning notice of complaint and investigation; and Mr. Buchele explained that sometimes people make complaints that are not valid and the Commission would like to ascertain this before they harass the employer with a notice of complaint. The Chairman stated that Mr. Floyd said that about 50% of the cases are not justified, and if they have this extra time, that there is no need to notify and worry the employer.

Mr. Doyen stated that some employers had told him that the Commission was around making investigations before they knew a complaint had been made; and Mr. Turner stated that then they were in direct violation of the Act.

Mr. McGill moved that the amendments be adopted. Motion was seconded by Mr. Turner and carried with a vote of 15 yes and no dissents. Thereupon, Mr. Fribley moved that HB. 1452 as amended, be recommended favorably. Motion was seconded by Mr. Ford and carried unanimously.

Mr. Doyen then discussed H.B. 1451, stating that this is just an informational bill; that it would let the legislature know how much money was on hand and where it was. Mr. Fribley inquired if this would coincide with the present law or with the new one and Mr. Doyen replied that it is entirely new language and will go with both. Mr. Turner inquired if this would refer to school districts, counties, etc. and Mr. Doyen stated that it was not his intent. Mr. Unruh stated that there had been some abuse in the past, and pressure on certain banks, and this should be a way of eliminating it.

Mr. Woodworth stated that he is almost certain that this would include other units of government and would recommend it be passed that way. Mr. Buchele stated he didn't think the Treasurer would have that information and that it would be difficult to get. Mr. Buchele moved to amend on page 1, line 8 and in line 5, by striking the words "and public". Mr. Unruh stated that he believed it should include all inactive and emergency funds too. Mr. Buchele stated that probably a sub-committee should work on it, and withdrew his motion.

The Chairman then asked Mr. Doyen and Mr. Unruh to work with Mr. Turner, Mr. Woodworth and anyone else they wished, and then present their report.

The Chairman stated that meeting on the 29th would start promptly at 1:15 and that probably everything could be completed; that the Committee would consider SB 129, 109, 7 and 385.

Meeting was adjourned.

MARGARET GENTRY, Secretary

SUB-COMMITTEE REPORT

MR. CHAIRMAN:

Your sub-committee comprised of Representatives Fribley, Ford and Lindahl, begs leave to submit the following report concerning H.B. 1452:

We have individually and collectively discussed H.B. 1452 with members of the House and Senate, and with those responsible for administering the Act known as the Kansas Act Against Discrimination. It is our belief that the following suggested changes will meet with the approval of those concerned, and permit the Commission and its Director to further administer the law in a manner that will be in the best interests of all citizens.

Your sub-committee recommends that the suggested deletion of the language in Section 1, sub-section (5) is satisfactory, as well as the new language pertaining to subpoenas, administering of oaths and the conduct of the Commission. It is agreed that the new language on page 4 is needed to carry out the intent of sub-section (5).

The sub-committee further agrees that the 72 hour service of notice should be deleted, and on page 5, lines 23, 24 and 25 should be deleted; and that the new language setting out written notice, together with a copy of the complaint, as same may have been amended, should be retained; and on page 6, that the suggested deletion is agreeable with the exception that the words "pertinent to the proceedings" on line 8, should be reinstated. Also, the new language on line 27 "not" and "formal" and on line 28 the word "but" should be deleted and the word "and" reinstated. It is further agreed that on page 7, line 12 after the syllables "plovees" a comma should be inserted; and on page 9, line 8, that the language pertaining to trial de novo should be reinstated.

It is fully realized by your sub-committee that the above recommendations may not meet with the approval of every individual; however, taking all implications into consideration, it is our belief that this is a great step forward in the improvement of this legislation and in the best interests of the most people.



Bill Fribley, Chairman