

STATE AFFAIRS COMMITTEE
December 19, 1967

The meeting was called to order with all members present. The Chairman pointed out that among the bills left in Committee was SB 44, the proposed private club bill; that members should give some thought about what action might be taken; that he understood that an agreement had been reached concerning SB 82 and 83 and that everyone was satisfied and that these bills could probably be killed but that he would check and be sure. He mentioned that there was still some discussion about the matter of cemeteries and asked Mr. Doyen to discuss his proposal.

Mr. Doyen stated that the reason the Legislative Council had failed to get a favorable recommendation for this legislation was because they had lumped it with another matter and there was too much objection to the other matter. He stated that the Legislative Council is in favor of the proposal which he presented, controlling cemetery associations, and Mr. Fribley concurred in this. Mr. Rogers stated that some kind of legislation was necessary for the protection of the people.

Mr. Doyen also mentioned that the Landscape architects had been in touch with him concerning licensing and that he now feels that it might be alright; that they would like to introduce it as a Committee bill; that there are probably about 200 - 250 who would qualify. Mr. Turner expressed concern that you might have to employ a licensed landscape architect to mow your lawn and Mr. Unruh stated that while he didn't mind licensing and registration in professions he didn't like the idea of everyone being licensed....i.e. closed shop. Mr. Rogers stated that he is opposed to a closed shop situation but he believed this proposal wouldn't do this. The Chairman asked Mr. Doyen and Mr. Rogers to make a proposal and present it to the Committee after the session convenes.

Mr. Taylor stated that one of the first matters to be considered would probably be the surety bond and insurance bill which the Governor vetoed last year. Mr. Rogers stated that a bill had been drafted which eliminated the governor's objections and he felt we should introduce it as a committee bill; that he believed it would pass and not be vetoed. Mr. Doyen pointed out it would enable some employees to obtain better coverage at a lower rate; that there are now 80 different plans and each has a different rate; that this would permit the state to negotiate and accept bids.

The Chairman asked for discussion on HB 1137, the police training proposal. Mr. Doyen agreed that this idea is good, but questions the need for an academy; that the KBI needs a new lab since space is critical for them; that perhaps a combination facility could be used; that he doesn't believe there are that many to be trained to warrant building a facility specifically for this purpose. One suggestion was that the larger cities might offer their training facilities and operate on a fee arrangement with the state for this training. Mr. Bunten presented a letter (see attached) in opposition to this proposal. Mr. Ford expressed the opinion that the need for training was great because law

enforcement gets more complex all the time; that one nearly needs to be a lawyer in order to handle a criminal; that one must know something about medicine, psychiatry, law and so many things that the usual facility couldn't cover unless there was a real good staff.

Mr. McGill expressed opposition to cities offering this service to the individual communities; that there needed to be a curriculum because law enforcement is so complex; that his concern is with the state of lawlessness and we are quibbling about a few dollars when we have a staggering state budget. Mr. Bunten stated that he believed we must consider economy. Mr. Ford stated that with trained officers we will have economy because there will be less crime. Mr. McGill stated that anyway some things are more important than economies. Mr. Brown urged consideration of the Highway Patrol school.

Mr. Woodworth stated that this is going to be a popular subject with the public; that he can understand that the larger communities may be reluctant to give up their facilities for a state one but that it was good to consider coordination and consistency. He pointed out the matter of increasing juvenile problems, mental health problems, etc.; that he believed something will have to be done but that the financing by \$1.00 fine just will not work. He had no idea about the capital expense but that he believed it should be at one of the universities because of the faculty and also the prestige involved; that a recommendation should be made in the budget or it won't stand a chance and then we could put the blame where it lies if it doesn't go. Mr. Unruh stated that when they get the training they should be required to give a certain amount of time to the state.

The Chairman expressed the opinion that a reasonably fast move should be made on this; that 1137 was just a start, and appointed Pete McGill as Chairman, and Dick Rogers, Walter Ford and George Jelinek to work out something. Mr. Rogers inquired if the fine approach is really unconstitutional, and Mr. Doyen replied that it was.

Mr. Doyen called attention to HB 1636, which remained in committee. He suggested that probably most people on the committee had been contacted by the local people because they are interested in establishing an organization of their own and handling their own control. He expressed the hope that members would look the bill over and be prepared to hold hearings early in the session, and that possibly there are some changes that should be made; i.e. possibly the administrator should be fulltime.

The meeting was adjourned.

HB 1681

Do You Wish
TO SPEAK?

NAME

HINKLE

W. A. (Lusk) -

yes

Robert E. Watson -

James C. Gunnerson

Kenneth C. Johnson

yes

Melton E. Shelton

yes

Bryan W. Crow

Art Carroll

Mae Metayer

yes.

J. W. LYONS

Bob Hornaday

Bob Ebel

Forest Eckhoff

Earl J. Muller

Frederick H. Burke

Reuben Wilson

A.

Callahan
Munroe

H.B. 1723

NAME & ADDRESS

Do You Wish
To Speak?

JAMES GARVER, PARSONS, KANSAS	YES
Lud C. FISCHER Manhattan Kans	Maybe
R. D. Bounoy Wichita, Kansas	Yes
Ray T Reed Jr. Wichita Kansas	Yes
Arthur R. Haini Topeka, Mo	Maybe
Walter J Cole Topeka	No
John Sauerwein Topeka	maybe

The Honorable Jess Taylor
Chairman, Committee on State Affairs
House of Representatives
Third Floor, Statehouse

Dear Representative Taylor:

SUBJECT: Fiscal Note for House Bill No. 1681 by
Representative Bunton

In accordance with K.S.A. 75-3715a, the following fiscal note concerning House Bill No. 1681 is respectfully submitted to your committee.

House Bill No. 1681 is an act relating to the licensing of television service dealers and electronic technicians; creating a state board to administer and enforce the act and prescribing the powers and duties thereof; making certain acts unlawful and prescribing penalties for the violation thereof.

House Bill No. 1681 establishes the Board of Television Service Examiners. This board would consist of five members appointed by the Governor. The members of the board would serve without compensation but would be reimbursed for travel and other necessary expenses incurred in the performance of their duties. It is estimated that expenditures for the administration of the provisions of House Bill No. 1681 would be approximately \$6,000 to \$8,000 in fiscal year 1969.

According to the latest Kansas State Employment Service estimates, there would be approximately 1,800 applicants for license as either service dealers, electronic technicians or apprentice electronic technicians. The license fees established in this bill would be \$25 for a service dealer's license; \$10 for an electronic technician's license; and \$5 for an apprentice electronic technician's license. The latest estimates show that there would be approximately 600 service dealer applicants, 900 electronic technician applicants and 300 apprentice electronic technician applicants. The fees charged for these respective licenses would generate approximately \$25,000 in revenues in FY 1969. House Bill No. 1681 makes no specific mention of the establishment of a special fund for the deposit of these license fees. Therefore, it is assumed that these license fees would be deposited in the General Revenue Fund and the expenditures of the state board would be financed by appropriations from the General Revenue Fund.

The revenues and expenditures generated by this bill would exceed the recommendations contained in the Governor's Budget Report for FY 1969.


James W. Bibb
Budget Director

The Honorable Jess Taylor
Chairman, State Affairs Committee
House of Representatives
Third Floor, Statehouse

Dear Representative Taylor:

SUBJECT: Fiscal Note for House Bill No. 1704
by Mr. Grant

In accordance with K.S.A. 75-3715a, the following fiscal note concerning House Bill No. 1704 is respectfully submitted to your committee.

House Bill No. 1704 is an act relating to officers and employees of the state and members, officers and employees of the legislature. This act would create a committee on ethics in both houses of the legislature and a state committee on governmental ethics.

In order for these committees to comply with the provision of this act that all testimony and other evidence taken at hearings shall be recorded, it is estimated that the yearly cost would be \$2,000 for the committee on governmental ethics and \$1,000 each for the committees on ethics in the legislature for such recording and related expenses.

This increased cost would be financed from the General Revenue Fund and would exceed the amount recommended in the Governor's Budget Report.


James W. Bibb
Budget Director

JWB:CWT:mg

AN ACT regulating the practice of land surveying, providing for the registration of qualified persons as land surveyors, being supplementary to the Kansas professional engineers license act, making certain acts unlawful, and prescribing certain penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF KANSAS:

SECTION 1. GENERAL PURPOSES. In order to safeguard real property and to promote the general welfare of the citizens of the state of Kansas, the practice of land surveying in this state is hereby declared to be subject to regulation in the public interest as in this act provided.

SECTION 2. UNLAWFUL PRACTICE. It shall be unlawful for any person to practice or offer to practice land surveying, as defined in the provisions of this act, or to use in connection with his name, or otherwise assume, or advertise any title or description intended to convey the impression that he is a land surveyor, unless such person has been duly registered or exempted under the provisions of this act.

SECTION 3. DEFINITIONS. (a) The term "land surveyor" as used in this act shall mean any person engaged in the practice of land surveying as herein defined.

(b) The practice of land surveying shall mean the application of mathematics and the principles of law and methods of land measurement for the location or relocation of land boundaries and land monuments.

The term land surveying shall include the measurement and calculation of land areas; the preparation of the original descriptions of real property for conveyance or recording; and the preparation of maps or plats appurtenant thereto.

(c) The term "board" as used in this act shall mean the state board of engineering examiners as provided for in K.S.A. 26a-103.

SECTION 4. GENERAL REQUIREMENTS.

(a) Registration by endorsement. The board upon application therefor and the payment of the fee required by section 6 of this act, may issue a certificate of registration as a land surveyor to any person who holds a certification of qualification or registration as a land surveyor issued to him by the proper authority of any state if the requirements for registration or qualification of land surveyors under which such certificate was issued are of a standard not lower than the requirements in section 4 (b) or section 4 (c) of this act.

(b) Graduation and examination. A graduate from an accredited engineering or surveying curriculum ~~of four years or more~~, approved by the board, and who has at least two years of land surveying experience of a character satisfactory to the board; and who shall have passed a written examination of not less than eight hours designed to show that he is qualified to practice land surveying in this state may be granted a certificate of registration to practice land surveying in this state, provided he is otherwise qualified. Each year of teaching land surveying in an accredited engineering or surveying curriculum may be considered as equivalent to one year of land surveying experience.

(c) Experience and examination. An applicant having six (6) years or more of active experience in land surveying, of a character satisfactory to the board, and who shall have passed a written examination of not less than eight hours designed to show that he is qualified to practice land surveying, may be granted a certificate of registration to practice land surveying in this state, provided he is otherwise qualified. Each year of satisfactory work in an accredited engineering or surveying curriculum may be considered as equivalent to one year of experience in land surveying, but not exceeding a total of four (4) years.

SECTION 5. PRACTITIONERS ON EFFECTIVE DATE At any time within one year after July 1, 1967, upon due application therefor and payment of the registration fee, the board shall issue a certificate of registration, without oral or written examination, to any practicing land surveyor, county engineer, county surveyor, or professional engineer licensed in Kansas who shall submit evidence under oath satisfactory to the board that he is of good character, has been a resident of the state of Kansas for at least one year immediately preceding the date of his application and has performed land surveying ~~his work~~ with a standard consistent with the established policy of the board. After July 1, 1968, the board shall issue certificates of registration only as provided in section 4 of this act.

SECTION 6. APPLICATION FOR REGISTRATION; FEE. Application for registration as a land surveyor under any section of this act shall be made on forms prescribed and furnished by the board and shall contain statements made under oath, showing the applicant's education and a detailed summary of his technical work, and shall contain not less than five personal references of whom three or more shall be registered land surveyors or licensed professional engineers practicing in the field of civil engineering, having knowledge of his experience as a land surveyor. Each application for registration as a land surveyor shall be accompanied by a fee of thirty-five dollars (\$35), none of which shall be returned. If the applicant fails the registration examination, such applicant may receive one reexamination without payment of additional fee, following a period of not less than one year nor more than two years from the date of the first failure.

SECTION 7. EXPIRATION; RENEWALS. Certificates shall expire on the last day of March following their issuance or renewal and shall become invalid on that date unless renewed. During a period of thirty (30) days following the expiration date, a registrant may renew his certificate without penalty, following which period the fee for reinstatement of the certificate shall be increased by fifty

percent (50%) of the regularly established renewal fee. The fee for the renewal of a certificate shall be determined annually by the board, and shall not exceed the sum of twenty dollars (\$20). Certificates which have expired may be reinstated under the original number, providing the board finds the applicant to be qualified at the time of application for reinstatement. Applications for reinstatement of a certificate of registration as a land surveyor shall be signed and sworn to by the applicant as required by the board.

SECTION 8. EXAMINATIONS. When an oral or written examination is required it shall be held at such time and place as the board shall determine. The scope of examination and methods of procedure shall be described by the board.

SECTION 9. CERTIFICATES; SEALS. The board shall issue a certificate of registration authorizing the practice of land surveying upon payment of the registration fee as provided in this act to any applicant who, in the opinion of the board, has satisfactorily met the requirements of this act. Certificates of registration shall show the full name of the registrant, shall have a serial number and shall be signed by the chairman and the secretary of the board under seal of the board. The issuance of a certificate of registration by the board shall be prima facie evidence that the person named therein is entitled to all the rights and privileges of a registered land surveyor while the said certificate remains unrevoked and unexpired. Each registrant, upon registration, shall purchase a seal of a distinctive design authorized by the board, bearing the registrant's name and the legend, "registered land surveyor." Documents and reports signed by the registrant in his professional capacity shall be stamped with the said seal during the duration of the registrant's certificate, but it shall be unlawful for anyone to stamp any document with said seal after the certificate of the registrant named thereon has expired or has been revoked, unless said certificate has been renewed or reissued.

SECTION 10. REVOCATION; REINSTATEMENT; DUPLICATES. The board shall have the power to revoke the certificate of any land surveyor who is found guilty of:

(a) The practice of any fraud or deceit in obtaining a certificate.

(b) Any gross negligence, incompetency, or misconduct in the practice of land surveying as a registered land surveyor. (1) Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registered land surveyor. Such charges shall be in writing and shall be sworn to by the person making them, and shall be filed with the secretary of the board.

(2) All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been preferred. (3) The time and place for said hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of hearing, shall be personally served on or mailed to the last known address of such land surveyor, at least thirty days before the date fixed for the hearing.

(4) If after such hearing, four or more members of the board vote in favor of finding the accused guilty, the board shall revoke the certificate of such registered land surveyor. (5) The board, for reasons it may deem sufficient, may reissue a certificate to any person whose certificate has been revoked, providing four or more members of the board vote in favor of such reissuance.

At any hearing, the accused land surveyor shall have the right to appear personally and by counsel to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. (4) If after such hearing, four or more members of the board vote in favor of finding the accused guilty, the board shall revoke the certificate of such registered land surveyor. (5) The board, for reasons it may deem sufficient, may reissue a certificate to any person whose certificate has been revoked, providing four or more members of the board vote in favor of such reissuance.

(c) A new certificate, to replace any revoked, lost, destroyed, or mutilated certificate, may be issued, subject to the rules of the board, and a charge of ten dollars (\$10) shall be made for such issuance.

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SECTION 11. APPEALS. Notice of the action of the board in denying or revoking a certificate shall be given by sending a copy of the order by registered mail to the last known address of the applicant or registrant. Any applicant or registrant deeming himself aggrieved by any decision of the board may within thirty (30) days after notice or receipt of a copy of the order of the board, appeal to the district court of the county in which said applicant or registrant resides, which court shall try the appeal de novo and shall have jurisdiction to affirm, reverse, vacate or modify the decision complained of. Notice of said appeal shall be filed in the office of the clerk of the district court and a copy thereof served upon the chairman or secretary of the board within five (5) days thereafter. Upon the filing of said appeal as aforesaid, the board shall within twenty (20) days file with the clerk of the district court a certified copy of the transcript including the records of the board and all evidence introduced during the proceedings.

SECTION 12. VIOLATIONS; PENALTIES. Any person who shall practice, or offer to practice land surveying in the state of Kansas without being registered in accordance with the provisions of this act, or any person presenting or attempting to use as his own the certificate or the seal of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate, or any person who shall falsely impersonate any other land surveyor of like or different name, or any person who shall use or attempt to use an expired or revoked certificate shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to a fine of not less than one hundred dollars, nor more than one thousand dollars or suffer imprisonment for a period not exceeding six months, or both such fine and imprisonment.

SECTION 13. FEEES PAID INTO STATE TREASURY. All fees and moneys received by the board shall be paid by the secretary thereof into the state treasury monthly.

SECTION 14. SAME; DISPOSITION OF FEES; SPECIAL FUND. The state treasurer and controller of the state department of administration shall credit twenty percent (20%) of all fees remitted and paid into the state treasury by the board pursuant to this act, and all acts amendatory hereof or supplemental hereto, to the general revenue fund of the state to reimburse said fund for all general expenses paid out of said fund, but which are properly chargeable to the board, and the remaining eighty percent (80%) shall be placed by the state treasurer and controller of the state department of administration into a special fund to the credit of the state board of engineering examiners, land surveyors fund.

SECTION 15. SAME; PAYMENT FROM FEE FUND, LIMITATION. The controller is hereby authorized and directed to draw his warrants on the treasurer of the state against said state board of engineering examiners, land surveyors fund, upon duly itemized and verified vouchers approved by the chairman and secretary of said board for the purposes specified by law, but in no event shall the total expense of said board exceed the total fees collected and deposited to the credit of said fund.

SECTION 16. RECORDS; REPORTS. (a) The board shall keep a record of its proceedings, and a register of all applications for registration, which register shall show (1) the name, age, and residence of each applicant; (2) the date of the application; (3) the place of business of such applicant; (4) his education and other qualifications; (5) whether or not an examination was required; (6) the action of the board upon the application; (7) the date of the action of the board; and (8) such other information as may be deemed necessary by the board.

(b) The records of the board shall be prima facie evidence of the proceedings of the board set forth therein, and a transcript thereof, duly certified by the secretary of the board under seal, shall be admissible in evidence with the same force and effect as if the original were produced.

(c) Annually, as of July first, the board shall submit to the governor a report of its transactions of the preceding year and shall also transmit to him a complete statement of the receipts and expenditures of the board, attested by affidavits of its chairman and its secretary.

SECTION 17. ROSTER. A roster showing the names and addresses of all registered land surveyors shall be published by the secretary of the board during the month of September of each year. Copies of this roster shall be mailed to each person so registered, placed on file with the secretary of state and with the clerk of each county, city, and town in this state, and furnished to the public upon request.

SECTION 18. EXCEPTIONS. This act shall not be construed to apply to or interfere with: (a) Surveying, other than land surveying ~~The practice of land surveying by a licensed engineer or registered architect~~ where such surveying is incidental to the design or construction of engineering or architectural works.

(b) The practice of land surveying by any officer or employee of any federal, state, county or city governmental agency while in the performance of his official duties.

(c) The practice of land surveying by an individual of his own real property or that of his employer for purposes other than the conveyance of an interest in such real property.

(d) The surveying on farms for agricultural purposes other than the conveyance of an interest in such farm property.

(e) Any person who is exclusively and regularly employed by one employer only, said employer not being an engineering, architectural, or land surveying firm, and said employer not being primarily engaged in the business of conveying an interest in real property, in an employer-employee relationship, in making surveys of land and determinations of physical property rights in connection only with the affairs of such employer or its subsidiaries and affiliates and for the uses, purposes and benefit of such employer, subsidiaries and affiliates, only.

SECTION 19. RESTRICTIONS. No licensed land surveyor may practice, or offer to practice, any branch of engineering, nor may he represent himself as an engineer unless he is also licensed in one of the branches of engineering under sec. 26a-102 (65).

SECTION 20. TITLE OF ACT. This act may be known and cited as "the Kansas land surveyors registration act."

SECTION 21. ACT SUPPLEMENTARY. This act is supplementary to the Kansas professional engineers license act, K.S.A. 26a-101 to 125, both sections inclusive and acts amendatory thereof.

SECTION 22. INVALIDITY OF PART. If any clause, paragraph, subsection, or section of this act shall be held invalid or unconstitutional, it shall be conclusively presumed that the legislature would have enacted the remainder of this act without such invalid or unconstitutional clause, paragraph, subsection, or section.

SECTION 23. EFFECTIVE DATE. This act shall take effect and be in force from and after July 1, 1967, and its publication in the statute book.



THE TALK OF THE TOWN

Notes and Comment

TRYING to cash a check in New York City carries with it the same feeling of intrigue we remember from trying to buy firecrackers. A Western friend who moved here a few years back has told us of his early days in the big city, and of finding himself a penniless and suspicious character after three o'clock on his first Friday. When he produced his bright new checkbook, the corner druggist gave him the sort of glance one would give a shoplifter, and the liquor-store owner,

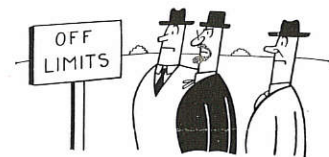


trying to jam shut a cash-choked register drawer, explained that he didn't have anything to spare, with all the change he would be having to make. The Westerner told us that what amazed him most was the attitude of the banks. The preceding Monday, he had deposited a good round sum in a bank, and on Tuesday, when he went to claim some of his own money, there had been a discreet telephone call, which appalled him. "I thought Yankee banking was a man-to-man affair," he said. "I thought some fellow in a black suit, with gold spectacles and a kindly, grizzled look, shook hands with me after sizing you up, and that was your banker. Hell, that's what all the ads and TV commercials suggest. But every time I went to the bank I took my money to in the first place, there was that damned telephone call to see if I'm some sort of sharpie. Well, I did run into the kind of banker I was looking for, and he'll be my banker forever. Only he's not a Yankee. He's a Chinese laundryman, named Charlie Yee. That man is a banker.

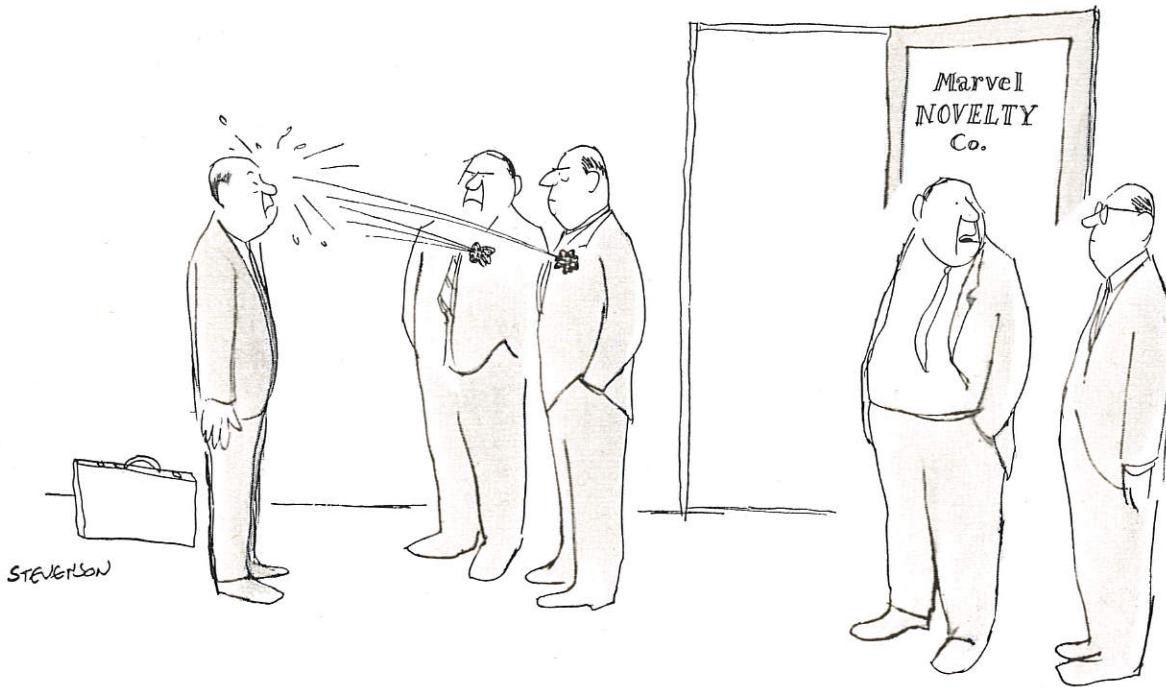
First off, to go back to that Friday when I was getting eyed by the merchants, I was not only out of cash but out of laundry. I figured that if I was going to eat I needed a clean shirt in order to call on somebody who was better connected in this town than I was, so I stopped in at Yee's laundry to see if he'd lend me one of several shirts I'd left there. Charlie's English isn't very good, but he is one of the rare human beings in this town who admit the possibility of honesty in someone else. He cashed a check that day, and cashed a lot more checks later. He didn't even want my driver's license, blood type, or wristwatch, the way the bank did. My fortunes waned a little that first winter, and he then performed a feat of banking that ranks him in my mind with the Morgans. Not only did he lend me dough with no more security than my unwashed clothes; he decided one day I needed some free working capital. So he pulled out the *Morning Telegraph*, pointed at the names of four horses scheduled to run at Aqueduct, lent me twenty dollars, and told me how to get to the track. I came back with nearly two hundred bucks, and shared a bottle of champagne with him in his laundry. Now, he can't even pronounce my name, and I doubt whether he knows where I live, but he was willing to be my all-around financial agent for my entire time in New York. Eventually, I started giving him my paycheck with my laundry bag, and he'd give me an allowance. When you need a bank in New York City, go to Charlie Yee. You have a friend at Charlie Yee's laundry."

ANOTHER Western friend of ours, this one a resident of Kansas City, has been troubled by the thought of Russians in the far reaches of Kansas. Not long ago, he sent us a clipping from the *Kansas City Star* that con-

sisted of two maps—one of Missouri and one of Kansas—under the headline "PLACES SOVIET VISITORS CAN'T GO." "Barred to visitors from the Soviet Union are the shaded areas of Missouri and Kansas," the caption under the maps said (using syntax that might have been designed for easy translation into Russian). "There are twenty-two counties in Missouri and thirty-two in Kansas, plus the cities and towns in them, that have been declared off



limits to Russian citizens traveling in the United States." The *Star* had nothing more to say on the subject, but our friend's accompanying letter was the distress signal of a concerned citizen. "I can see why they banned Russians from Cass County, Missouri," he wrote. "That's where Carry Nation lived, on and off, and I suppose foreigners could misunderstand what she had in mind. I personally like to wander around Belton, in Cass, where she is buried ('She hath done what she could,' the gravestone says), but that is a matter of my own preference and properly should have no effect on American foreign policy. I also approve of the decision to keep visitors out of Leavenworth County, Kansas, where they might find out that at the Command & General Staff School the United States Army is training officers for both sides of several wars. It's where the Russians are allowed to go that bothers me. There are forty-six counties in western Kansas that are absolutely wide open. Could it be that there is nothing of value to the Russians in the whole of a territory that size? I would feel a lot better about things if I had some reason to believe that any of those State Department peo-



"It always distresses me to see a salesman get fired."

ple had ever *been* to western Kansas."

We made some inquiries on our friend's behalf, and learned that because certain areas of the Soviet Union are off limits to American tourists the State Department has declared an equivalent number of square miles off limits to Russians—even though this has required drawing upon thirty-two counties in Kansas. The entire exercise is, of course, a diplomatic ploy based on a principle familiar to all students of foreign policy: "If you won't let me use your roller skates, you can't use my tennis racket, even if I'm not using it." Some of the contingency-planners around the State Department probably realize that if the Russians ever want to escalate the off-limits conflict, the United States cannot hope to win, since Russia has more square miles available to ban people from. Right now, though, the opposing sides seem to be at one of those standoffs that the State Department always finds so encouraging.

When we passed this information on to our friend in Kansas City, he was greatly relieved. "I feel a lot better now, thinking about the thirty-two Kansas counties that are banned, instead of about all those counties the State Department has thrown open to the Russians," he wrote in his last letter. "And I don't think any Russian tourist who tries to sneak around in off-limits territory could escape detection very long in a place like Sumner County or Kingman County. Also, the nearest body of water large enough to hold one of those

'lurking Russian trawlers' I'm always reading about is Lake Michigan."

Labs

IS mankind going to be indebted to the barnacle one of these days? This question occurred to us when, having journeyed to Coney Island for the dedication of the Osborn Laboratories of Marine Sciences, adjacent to the Aquarium, we found ourself in an upstairs room of the Laboratories where Dr. Vincent Liguori, a staff microbiologist, was conducting experiments on that tenacious crustacean. "We're interested in the chemical nature of its adhesive," he said. "We want to find out whether this particular compound supports bacterial growth or is antibiotic."

"Any practical application?" we asked.

"Dentists are very much interested," Dr. Liguori said. "The barnacle produces a natural cement that would retain fillings in cavities, but, of course, if it's bacterial you shouldn't put it in your mouth. We work with the larval stages—a very tedious process, involving innumerable slides. I have an idea what the outcome will be."

"What?" we asked.

"I won't tell," Dr. L. said, and we went downstairs to the cetacean-brain laboratory, in the basement of the Aquarium, where Dr. Myron Jacobs, a cetacean neuroanatomist, showed us a giant microtome, a fearsome-looking instrument, boasting a twenty-six-inch

razor blade, that cuts whales' brains into slices thirty-five microns, or thirty-five one-thousandths of a millimetre, thick.

"There are fewer than a hundred of these microtomes in existence," Dr. J. said. "You end up with anywhere from two thousand to five thousand slices of one brain. We file the sections, sequentially, in a hundred tubes—the first section in the first tube, the second section in the second tube, and so on, and then back to the first—so that each section in a given tube is separated from the next by ninety-nine slices. This gives us enough variation to

form conclusions. We're looking into the basis of the function of intelligence in the living whale. Dolphins, porpoises, and whales are highly intelligent, you know, and we want to compare their brains with those of other vertebrates, including man."

Dr. J. showed us the unsliced brain of a humpback whale and said it had been treated for a year with an infiltration of collodion, which makes the tissue hard enough to slice. "It takes nine months for it to penetrate," he said. "Here's the brain of a forty-nine-foot female sperm whale. We got it from a whaling company in Norway. It weighs twenty pounds. We've taken some samples of it. Since the whale is the most highly evolved of water mammals, its brain has something to tell us."

We peered at this piece of source material, which occupied most of a large jar, and, elsewhere in the Laboratories, examined crabs, clams, sponges, sea urchins, sea cucumbers, and many sorts of fish. The place looked like an immense marine pet shop, until we realized that most of the pets were being infected with viruses and the like, to determine their responses. "These fish are the laboratory mice of the aquarium world," Dr. Klaus Kallman told us in the fish-genetics laboratory, where seven hundred small tanks were filled with ten thousand small fish. "Some of these stocks have belonged to the Aquarium since 1934 and represent twenty-two generations of inbreeding. They were moved in

261681

February 5, 1968

From: The Television and Electronic Service Association of Greater Kansas City,
An affiliate of The National Alliance of Television and Electronic Service
Associations.

To: The Honorable William W. Bunten, Kansas State Representative; members of The
Kansas State Affairs Committee; and other interested parties.

Subject: House Bill #1681, Session of 1968, Kansas State Legislature.

After a careful review of said bill by our organization which conducts an approximate 35% of our total service business collectively in the State of Kansas, and at an open meeting attended by non-members primarily conducting Television Service Business in the State of Kansas, we find the bill:

1. Not in the best interest of the people of Kansas.
2. An undue hardship on one specific trade.
3. Too indefinite in its proposals.
4. By its very own wording totally without first requisits for any safeguards to the public or the industry of Television service.

Some of the more objectional passages are stated below:

1. (P. 1, L. 18. Definition of "Receiving equipment") This should be far more descriptive, such as adding: when used for consumer entertainment purposes, exclusive of industrial and/or educational facilities.
2. (P. 1, L. 17 etc. consistency of the board). The area of the state would create impossible situations for five men to attempt to administer. It should be not less than seven and specifically located from various areas from throughout the state with no more than two from any single area. ALL members should definitely be from the industry itself. No other commission regulating any industry, profession or trade in any area is controlled by persons outside of that specific trade.
3. (P. 2, L. 7 etc. board members serve without pay but be reimbursed for expenses) Board members should be reimbursed for travel expenses at a specified milage amount, such as 10 cents per mile but by all means must receive some compensation. The State of Louisiana has an administrator for their TV Service licensing who is supplied a staffed office, is a full time executive, receives over \$10,000.00 annually and their TV service licensing is more than self supporting with annual fees of only \$15.00 per technician without any additional revenues from the state treasury or business firms. The City of Kansas City, Missouri has a five man board, each receives \$10.00 for any day or portion thereof when the board meets. This municipal bill is more than self supporting including the partial cost of seven full time investigators. We there-
by recommend each administrator, or board member, be paid at the rate of \$20.00 per day or portion thereof that is served in his official acts.
4. (P. 2, L. 14 etc. concerning apprenticeship programs) All referrences to the board tutoring, schooling, etc. are out of line. Schooling should be left to professional educators. Such apprenticeship training would be undue responsibility on the board and excessive cost to the State of Kansas. If in the opinion of legislators, apprenticeship provisions are in line, then consideration should be given of such as:

- 2 -

Apprentices: Any firm may hire apprentices who may service, maintain, install, check, modify, etc. receiving equipment when in the presence and under the direct supervision of a certified licensed technician only. No apprentice shall engage in, advertise for, solicit, or imply that he is a qualified licensed technician or the scope of said servicing.

5. (P. 2, L.23, (e) duties of the board) The entire legislation has the purpose of upgrading the responsibility and competence of the Television service industry. Charging the board with the impossible task of also regulating unethical and FINANCIALLY UNSTABLE (?) television service and repair men, is completely out of line and reason. This would give the board authority to put any or all firms out of business. Financial stability is totally undefined nor could it be defined in practical terms. We recommend that this (e) be deleted entirely and (f) be re-labeled (c).
6. (P.3, L.13 etc., subpoens, oath, compel testimony power given to the board.) This should be REQUEST ONLY. Lines 15 through 19 cover this very well in stating that court action is available. We do not feel that any board should be given powers and authority invested by constitution in our courts alone.
7. (Sec. 6) This section should be the reverse of its reading. It should permit any complaints regarding validity of any regulation or ruling of the board to be first heard and considered by the board. In the event the complaint is not satisfied, after review by a majority of the board, appeals may be made to The District Courts.
8. (P.4, L.25-29 'Grandfather provisions') In this provision, some positive concession MUST be made for persons now in the business, with a history of having been in the business and not as called for here where they also must prove by examination. Some successful licensing has given acceptances to all who can prove from past tax receipts that they have been in the business for the immediate preceeding three years. The Kansas City, Missouri licensing gives 50% of the test grade when proven by affidavits of three years in the business, a provision that expired after one year of the ordinance. This provision was upheld through the courts and The Supreme Court of the state of Missouri.
9. (P. 4 & 5, L. 29etc., (b), reciprocity). The largest concentration of population in the State of Kansas would be in the counties of Johnson and Wyandotte. Both are bordering Kansas City, Missouri. Kansas City Missouri has the Nations strongest, most enforced and effective Television Service Licensing. Kansas City's ordinance has been reciprocal with any comprobal yet would be excluded with the terms "by another state". We recommend in lieu, "by other governmental divisions" which would include the National licensing of England, Sweeded, the now proposed District of Columbia, counties, States, Cities, etc.
10. (P.5, L.26 Restricting to residents of Kansas) This implies that if one operates a business in Kansas, he should also reside in Kansas. We recommend wording changed to read: "Any technician conducting business in this state who, etc.)

11. (P.8. L.23-30, exclusions of schools) Passage is not clear in wording. Since no attempt is made nor should it be made, for any individual or firm servicing their own equipment, deletion of educational institutions would be in order in this section. The exclusion, as written herein, would encourage students and teachers to pirate the profession under the protection of 'when such service is not offered to the public for hire'. One alleged school that did operate exclusively in The State of Kansas encouraged students to service for friends in such a fashion that it would circumvent the law under this passage. At one time it was a sizable operation in the State of Kansas, County of Johnson. In order for schools to be effective, it is essential that they own sets for training purposes that would not be under the provisions of any other passage of the bill.

Summation:

It is the opinion of this organization that the proposed House Bill 1681 is not acceptable in behalf of the public at large or the industry it seeks to control.

This organization offers its services in seeking proper regulation of the Television Service Industry to the State of Kansas at no charge.

We have no desire or intention to control such legislation but feel that the industry must.

Some prime requisites of such legislation that are to be considered, we feel, are as follows, in addition to what we have stated as errors of the proposal:

1. The bill must make provision for examinations being administered throughout the state at regular intervals whereby no applicant would have to travel over 100 miles, one way. It could be served well by mail whereby the tests were administered by some county official but graded by the board.
2. Hearing of complaints and checking specific consumer plausible complaints of parties servicing. This should also be available within practical distances and could be done so with two or more board members, unless contested.
3. Recognition should be given to any and all existing TV Service organizations who have as their stated aim the improvement of the industry in formulating any legislation. We refer specifically to TESA and KEA (Kansas Electronic Association) groups that exist throughout the state. Both have National affiliations and both Nationals could also be highly valuable.
4. Provisions should be made more explicit for qualifying the original board, such as the original board must come under the grandfather provisions but must also pass the licensing examinations within one year after taking their respective office, without any assist from grandfather provisions.
5. Suspected fraud should be prosecuted under existing laws and with the assist from the board where practical but this should not be a prosecution board. They are not necessarily members of the bar or knowledgeable.

We offer this document for serious consideration. Any inquiries may be directed to: Mac Matoyer, 6017 Prospect, Kansas City, Mo. 64130, Phone 816-363-6017.

Salina, Kansas
February 5, 1968

P E T I T I O N

1. Due to House Bill #1681 and the controversy, confusion, and consternation amongst the Television Service Dealers, Technicians, and TV Sales Dealers in the Salina, Kansas area over certain provisions of the Act as it now exists, and, pursuant to a meeting that was held in Salina, Kansas, to discuss and evaluate the Bill, it is the recommendation and suggestion of the undersigned that any further action be delayed on House Bill #1681 to give time for a thoughtful approach to the problem of licensing as it now exists, as it is very vital to our segment of the industry and the public-at-large, and should be given every consideration.

2. Due to the controversial nature of House Bill #1681, which could be detrimental to the television service and sales industry and the public-at-large in the State of Kansas, it is a recommendation of the undersigned that a committee be appointed to further study the problem of licensing. The committee to be appointed from different sections of the State of Kansas and should be composed of Television Service Dealers, Technicians, Sales Dealers, and the Public-at-Large with the Chairman to be appointed from the House State Affairs Committee.

3. The purpose of this Committee is to come up with an answer to licensing that will be fair and equitable to both us in the Television Service and Sales industry and the Public-at-Large and also to formulate a new licensing bill to be presented to the next General Session of the Legislature.

NAME

ADDRESS

CITY

ORGANIZATION

NAME	ADDRESS	CITY	ORGANIZATION
H. [unclear]	217 W. Crawford	Salina	Wheeler & Lewis
J. [unclear]	712 W Crawford	Salina	Town & Country TV
R. [unclear]	433 W K. [unclear]		Salina Beer Lab
Jay [unclear]	1506 Beverly	Salina	Electronic Sales & Service
Dan Morrison	1506 Beverly	Salina	Electronic Sales & Service
Robert E. Watson	216 S First Ave	Minneapolis	Watson Radio, TV
Jay E. Hough	Solomon Kansas		Buds TV
E. V. Bass	306 E. Walnut		Bar Radio TV
Fred Wallis	1859 So. 9th	Salina	Fred Wallis Co.
Marion M. [unclear]	1857 So 9th	Salina	Fred Wallis Co.
Vigil [unclear]	1813 So 9th	Salina	Suburban TV
Bill [unclear]	1813 So 9th	Salina	Suburban TV
Lee [unclear]	"	"	"
E. A. Beget		Assaria, Ks	Beget Appliances
Ol [unclear]		Milton, Ks	
Rev. Paul S. Rankin		" "	
C. [unclear]		Salina, Kansas	Management
Dean [unclear]	214 Plaza Dr.	Salina, Ks	Television Eng.
Cecil Amack Jr.	812 W. Crawford	Salina	Town & Country T.V.
H. A. Bowers	812 W Crawford	Salina	" " "
J. [unclear]	1506 Beverly Drive	Salina, Kansas	Electronic Sales & Service
Wilton Shelton	131 So. 4th	Salina, Kansas	Shelton T.V.
Mrs. M. E. Shelton	131 So 4th	" "	" " "
Kenneth C. Johnson	109 S South St.	Salina	Johnson Appliances
David G. Johnson	Mentor, Kansas		Johnson's Hardware & Elec
Edson Johnson	Mentor, Kansas		Johnson's Hardware & Elec
Mark D. [unclear]	Mentor, Kans		Johnson's Hardware & Elec
Delbert [unclear]	Salina, Kansas		Fred Wallis Co.
R. E. [unclear]	Salina, Ks.		A-SMILE A-MINUTE
Mrs. Roscoe Swenson	Salina, Ks.		Swenson Appliances
Wayne [unclear]	Salina, Ks		Hubb's Elec. Appliance Center
Will L. Verada	Lincoln, Ks.		Verada Radio & TV

NAME	ADDRESS	CITY	ORGANIZATION
Bob B. Burgard.	Salina, Kansas		Beavis Lohr Inc.
H. J. Bell	Salina Kansas		Clear VUE TV
B. J. Whitaker	Salina Ks		CLEAR VUE TV
F. L. Miller	Salina Kansas		Otaseo
Ray Boster	Bennington Kan		T. V. & Elect. Ser.
B. Hoover	Minneapolis Ks		Samplers 4805
John Kerbland	Minneapolis Kans		Kerbland Radio & TV
J. P. Baker	Minneapolis Minn		Western Auto Store
Lola Selby	Minneapolis Kans.		Selby Fur Store
Charles F. Richardson	Lincoln Kan.		
Ueno Murray	Kansas City Mo		Murray Radio & TV

Salina, Kansas
February 5, 1968

It is our opinion and belief as responsible television service dealers, technicians, television sales dealers, and others in the Salina, Kansas, area; that certain provisions of House Bill #1681 could be detrimental to us in our profession and the public-at-large in the State of Kansas for the following reasons:

1. DEFINITIONS:

page 1--line 8

This law as written will cover only those involved in the servicing of television receivers. It does not include radios, stereos, tape recorders, intercom systems, etc.

It is our suggestion that the wording be changed to read as follows: "All home entertainment electronic devices and associated components."

2. BOARD OF TELEVISION SERVICE EXAMINERS:

It is our opinion that five members will not be enough to enforce any provisions of the act as they will have to spend all their time in enforcement.

It is our recommendation that this board be composed of eleven members, four certified electronic service dealers and/or shop management personnel, one from the southeast section of the State, one from the northeast section of the State, one from the northwest section of the State, one from the southwest section of the State, along with two engineering personnel from the TV broadcast industry, and five members from the public-at-large, one member from the southeast, one from the southwest, one from the northeast, one from the northwest, and one selected at large, who will act as chairman. All personnel will be selected on a non-partisan basis.

This gets the technicians and the people from the same section of the State together to formulate basic regulations that will not put in licensing that would be good in the eastern part of the State but not good in the western part of the State. They would make a unified law for the State as a whole.

page 1--line 19

Who are these certified technicians to be? How are they to be selected?

page 2--line 7

Who is going to implement this law day by day? Who is going to do the bookwork? Where is this license fee going to be paid? Who is going to administer it? If the board meets only quarterly, who will have charge of the licensing data at other times? Will anyone be willing to do this much work without pay?

page 2--line 14 DUTIES OF THE BOARD:

The board, under that, can do anything they want to with you; unless you put up the money to go to court.

line 25

What is unstable? It is left up to the board. We don't believe that is fair.

page 3--line 27

Clarification? Does this mean that sales people without a service department have to hire a service dealer to haul the set out and install it or to hook up the antenna?

page 5--section 10

Is this grandfather clause suitable?

We don't believe that it is fair to make this provisional license contingent on passing the test for those who have had many years of practical experience.

page 6--section 11--line 15

The law penalizes you on one hand, then turns around and lets incompetent workers come in on the other hand on a restricted license.

page 6--section 12--line 25 & 26

We don't believe that this is necessary; as a fraudulent practices law is in the process of being enacted for the State of Kansas, which will cover all business and professional life.

page 8--line 3

There is no provision for reissuance of a license in the following year. Are we going to have to take the test again the next year?

page 8--section 14--line 5

It will be very nearly impossible to comply with this provision, as some domestic and almost all foreign model receivers do not carry make, model, and serial numbers.

page 8--section 15-line 30 (d)

We interpret this to mean that captive service under a major manufacturer's name can come in and set up a service organization and operate in the State of Kansas without a license. We do not think that this is fair to us as independent TV service dealers, technicians, and TV sales dealers. Also, these same major manufacturers have, what we call, tech-reps. Why shouldn't they be licensed, too?

IDEAS NOT INCLUDED IN BILL:

1. Some form of identification to be placed on back of receiver to denote who serviced the set.
2. For protection of the television service dealer and the general public, all parts as mentioned in the invoice shall be returned with the set so there is no question.
3. All home entertainment devices, after servicing, come up to factory service specifications as provided by factory service information material.
4. If any provision of this act is found to be unconstitutional, the remaining provisions are and shall remain in full force and effect.
5. Problem of part timers and moonlighters and drug store tube checkers. (Cities of certain classifications would be exempt.)
6. Liability Insurance.
7. Inspection of premises of television service dealers and technicians by the board.
8. No mention of taking the examination again after failing the first time. (Time period, etc.)
9. Certain distributors or wholesalers are in the business of servicing intercoms, etc., and also selling parts over the counter at wholesale prices to anyone that comes in. This includes mail order houses.
10. Distributors sell only to licensed dealers.
11. Parts price lists.

1758

Don Deam = has amendments

Oliver Ebel

Jim Clark -

Harry Colmery

Wellington Jones

~~John Rose~~

1781 - Rep. Ben Foster

122 } Rep. Harper
1883 }