

Approved April 4, 1983
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:00 a.m./~~p.m.~~ on March 10, 1983 in room 254-E of the Capitol.

All members were present except: Senator Gannon, who was excused.

Committee staff present: Fred Carman, Assistant Revisor of Statutes
Russell Mills, Legislative Research
Emalene Correll, Legislative Research

Conferees appearing before the committee: Dr. Richard Funk, Hayden High School
Larry Mertz, Aquinas High School, Shawnee
Tim Farrell, Parke Lane Bingo and Towne West Bingo, Wichita
John Smith, Seneca Square Activities Center, Wichita
John Ivan, for Tri G & L of Kansas, Inc., Shawnee Mission, KS.
Cynthia Bean, Sweet Briar Bingo, Wichita
Alan Fisher, Lawrence American Legion

The Chairman recognized Senator Morris who asked permission to introduce committee legislation dealing with repeal of the local sales tax by a local governing body. Senator Morris moved the the introduction of the proposed legislation as a committee bill. 2d by Senator Francisco.
Motion carried. (Attachment #1)

Senator Vidricksen asked to introduce a committee bill dealing with legislation to have the chief engineer of the department of agriculture confirmed by the Senate. Senator Vidricksen moved that the proposed legislation by introduced as a committee bill. 2d by Senator Francisco.
Motion carried. (Attachment #2)

There was discussion concerning Attorney General Stephan's suggested legislation about parole eligibility. Senator Pomeroy moved that the committee introduce the proposed legislation as a committee bill.
2d by Senator Morris. Motion carried. (Attachment #3)

SB401 - relating to revising bingo statutes for greater regulation and clarifying enforcement.

The Chairman recognized Senator Winter for the purpose of highlighting the major changes proposed by SB401. Senator Winter said that the subcommittee felt that the charge before them was to bring to this committee a vehicle to provide a method to study them. The subcommittee has attempted to draft legislation which would solve those problems. He stated that the bill before the committee demands study and attention to the conferees and is the future mechanism which will help solve the problems. (Attachment #4)

The Chairman commended the subcommittee members for their hard work on the proposed legislation and expressed his appreciation for the time and effort they gave, as well as to the excellent staff.

The first conferee to appear was Dr. Richard Funk, a proponent of SB401. He said that they favor the bill, and asked the committee's support of it.

Larry Mertz appeared next. His prepared statement is attached hereto. (Attachment #5) It states that in five and one-half years the Boosters earned approximately \$11,000 a year; since the local bingo hall opened their earnings dropped to \$3,058 for 1982 and the projected for this year are \$4,600.00.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS,
 room 254-E, Statehouse, at 11:00 a.m./~~p.m.~~ on March 10, 1983.

Tim Farrell was recognized next. He presented his statement, a copy of which is attached (Attachment #6) It states that he and Bill Keiter are landlords. They rent their facilities nightly to licensed, non-profit organizations. They are not in the bingo business. They provide facilities for non-profit organizations. He said they feel there are at least four major problem areas at the present: 1) A minority of landlords endorse games without a valid license; 2) Total revenues are not being reported; 3) Non-compliance of present rules; 4) There is a lack of active enforcement.

John Smith appeared as a proponent of SB401. He stated that they feel that we need the enforcement provision of this bill. He stressed the importance of enforcement.

John Ivan was the next conferee to appear. He presented his remarks and opposition of Tri G & L of Kansas, Inc. They are made a part of the record. (Attachment #7) His final recommendation was that an interim legislative study be made "to a legislature proposal which would irreparably harm legitimate vested economic interests....."

The Chairman recognized Cynthia Bean, who presented her testimony, copy of which is attached and part of the record. (Attachment #8) Her final suggestion was to suggest forming a committee to help the state understand the bingo situation, and that it consist of non-profit organization members and/or bingo hall owners.

Alan Fisher appeared to state that his organization felt that the present bingo law is adequate for them. Proponent of proposed legislation.

There were others present who wished to testify, but for whom there was no time. In addition, copies of testimony of others interested in going on record but not in attendance, were presented. All are made a part of the record and attached hereto. They are: Maxine and Jim Bohrer (Attachment #9); Ronald M. Jordan, Financial Controller, Recovery Services Council, Inc. (Attachment #10); Jim Sachs, American Youth Soccer Organization (Attachment #11); John R. McGraw, President, Optimist Club of Wichita, Downtown (Attachment #12); David C. Rodine, President, North Wichita Optimist Club (Attachment #13); Blessed Sacrament Church (Attachment #14); Tom L. Balbierz, President, Kansas Newman College Booster Club (Attachment #15); Joseph Patrick, Gamma Upsilon Chapter, Omega Psi Phi Fraternity (Attachment #16); Allen Rust, American Youth Soccer Organization (Attachment #17); Alpha Phi Alpha Fraternity, Inc. (Attachment #18); Dick Wolf, American Youth Soccer Organization (Attachment #19); Wayne Scott, Optimist Club of Southeast Wichita (Attachment #20); Robert W. Buckel, Vice-Commander, Air Capital Post 401 American Legion (Attachment #21); Nellie J. Thill, The Independent Order of Foresters (Attachment #22); Arthur D. Blue, Continental Ambassadors Drum and Bugle Corps (Attachment #23); Jeanne Jacobs, Kansas Craft Foundation (Attachment #24); Ken Nickel, Wichita State University (Attachment #25); and "A Response to Senate Bill 401 by Jim Cochran, a Bingo Property Owner" (Attachment #25).

Senator Morris moved that the Minutes of February 25, 1983, be approved. 2d by Senator Daniels. Motion carried.

The meeting adjourned at 12:00 noon.

*Minutes of 3/10/83
Attachment #1*

SENATE BILL NO. _____

By Committee on Federal and State Affairs

AN ACT concerning countywide and city retailers' sales taxes; relating to the repeal thereof; amending K.S.A. 12-187 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 12-187 is hereby amended to read as follows: 12-187. (a) No class B city shall impose a retailers' sales tax under the provisions of this act without the governing body of such city having first submitted such proposition to and having received the approval of a majority of the electors of the city voting thereon at an election called and held therefor. The governing body of any class B city may submit the question of imposing a retailers' sales tax and the governing body shall be required to submit the question upon submission of a petition signed by electors of such city equal in number to not less than 10% of the electors of such city.

(b) The board of county commissioners of any county may submit the question of imposing a countywide retailers' sales tax to the electors at an election called and held thereon, and any such board shall be required to submit the question upon submission of a petition signed by electors of such county equal in number to not less than 10% of the electors of such county who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than 2/3 of the membership of the governing body of each of one or more cities within such county which contains a population of not less than 25% of the entire population of the county, or upon receiving resolutions requesting such an election passed by 2/3 of the membership of the governing body of each of one or more taxing subdivisions within such county which levy not less than 25% of the property

taxes levied by all taxing subdivisions within the county.

(c) The boards of county commissioners of any two or more contiguous counties, upon adoption of a joint resolution by such boards, may submit the question of imposing a retailers' sales tax within such counties to the electors of such counties at an election called and held thereon and such boards of any two or more contiguous counties shall be required to submit such question upon submission of a petition in each of such counties, signed by a number of electors of each of such counties where submitted equal in number to not less than 10% of the electors of each of such counties who voted at the last preceding general election for the office of secretary of state, or upon receiving resolutions requesting such an election passed by not less than 2/3 of the membership of the governing body of each of one or more cities within each of such counties which contains a population of not less than 25% of the entire population of each of such counties, or upon receiving resolutions requesting such an election passed by 2/3 of the membership of the governing body of each of one or more taxing subdivisions within each of such counties which levy not less than 25% of the property taxes levied by all taxing subdivisions within each of such counties.

(d) Any city retailers' sales tax in the amount of .5% being levied by a class A city on June 30, 1978, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of an ordinance so providing. In addition to any city retailers' sales tax being levied by a class A city on June 30, 1978, any such city may adopt an additional city retailers' sales tax in the amount of .5%, provided that such additional tax is adopted and approved in the manner provided for the adoption and approval of a city retailers' sales tax by a class B city. Any countywide retailers' sales tax in the amount of .5% or 1% in effect on June 30, 1978, shall continue in effect until repealed in the manner provided herein for the adoption and approval of such tax or until repealed by the adoption of a resolution so providing.

(e) Any city retailers' sales tax in the amount of .5% being levied by a class B city on July 1, 1982, shall continue in effect until repealed in the manner provided for the adoption and approval of such tax or until repealed by the adoption of an ordinance so providing. In addition to any city retailers' sales tax being levied by a class B city on July 1, 1982, any such city may adopt an additional city retailers' sales tax in an amount of .5% provided that such additional tax is adopted and approved in the manner provided for the adoption and approval of such tax. Any class B city or county proposing to adopt a retailers' sales tax shall give notice of its intention to submit such proposition for approval by the electors in the manner required by K.S.A. 10-120, and amendments thereto. The notices shall state the time of the election and the rate and effective date of the proposed tax. If a majority of the electors voting thereon at such election fail to approve the proposition, such proposition may be resubmitted under the conditions and in the manner provided in this act for submission of the proposition. If a majority of the electors voting thereon at such election shall approve the levying of such tax, the governing body of any such city or county shall provide by ordinance or resolution, as the case may be, for the levy of the tax. Any repeal of such tax or any reduction or increase in the rate thereof, within the limits prescribed by K.S.A. 12-189, and amendments thereto, shall be accomplished in the manner provided herein for the adoption and approval of such tax except that the repeal of any such tax may be accomplished by the adoption of an ordinance or resolution, as the case may be, so providing.

(f) The sufficiency of the number of signers of any petition filed under this section shall be determined by the county election officer. Every election held under this act shall be conducted by the county election officer.

Sec. 2. K.S.A. 12-187 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Minutes of 3/10/83
Attachment #2

SENATE BILL NO. _____

By Committee on Federal and State Affairs

AN ACT concerning the state board of agriculture; confirmation of appointment of the chief engineer; amending K.S.A. 74-506d and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 74-506d is hereby amended to read as follows: 74-506d. The state board of agriculture ~~is hereby authorized to employ~~ shall appoint a chief engineer of the division of water resources ~~and such, subject to confirmation by the senate as provided in K.S.A. 1982 Supp. 75-4315b and amendments thereto, and the provisions of this sentence shall apply to any such appointment made after January 1, 1983. The board may fix the compensation of the chief engineer. The board may employ~~ expert assistants, clerical and other ~~help as may be~~ personnel necessary to properly carry out the provisions of this act, and ~~to fix their compensation, all of whom~~ such employees shall be under the classified service of the Kansas civil service act.

Sec. 2. K.S.A. 74-506d is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.



*Minutes of 3/10/83
Attachment #3*

STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215
CONSUMER PROTECTION: 296-3751

February 9, 1983

Honorable Ed Reilly
Chairman, Senate Federal and
State Affairs Committee
Room 255-E, State Capitol
Topeka, Kansas 66612

Dear Ed:

Attached is our suggested draft of the bill I discussed with you. I appreciate your consideration of introducing this as a committee bill. I've also enclosed a copy of a letter which sets out each of our proposals for legislation.

If I can answer any questions regarding this bill or provide you with any other information, please feel free to call.

Very truly yours,

A handwritten signature in cursive script, reading "Robert T. Stephan".

Robert T. Stephan
Attorney General

RTS:pc
Enc.



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215
CONSUMER PROTECTION: 296-3751
ANTITRUST: 296-5299

February 4, 1983

The Honorable Ross Doyen, President
Kansas Senate
Capitol Building
Topeka, KS 66612

and

The Honorable Mike Hayden, Speaker
Kansas House of Representatives
Capitol Building
Topeka, KS 66612

Gentlemen:

As Attorney General I am involved with all facets of the law. Through my opinions, through enforcement, and in my role as the state's chief law enforcement officer, every year my staff and I identify areas of the law we believe should be changed. Some of those suggestions are brought before you by the various agencies. Others I will present directly to you. Following is a list of some of my areas of concern this legislative session.

Thank you for your consideration of each.

CRIMINAL JUSTICE ISSUES

Good faith exception to the exclusionary rule -- It has been the court-made rule that evidence procured through a search that was not technically proper was inadmissible in court, and stories are numerous of the guilty who have avoided conviction because of these technicalities. I am among those who believe the Constitution does not require such a strict interpretation. I ask that you consider adoption in Kansas of a good faith exception to the exclusionary rule. Such an exception would not allow for introduction of evidence seized by a law enforcement officer who, in acquiring it, knowingly exceeded the limits

of the law. It would, however, allow for introduction of evidence seized in good faith that proper procedures were being followed. Such a change in the law would assist in restoring the public's faith in our criminal justice system. I will provide a draft of such a law.

Victim impact statement -- Some judicial districts in Kansas now include a victim impact statement in the presentence report so the judge, at the time of sentencing, knows the harm suffered by the victim. I suggested use of this statement several months ago, and there were a few districts already using such a form at that time. This is a measure which I believe is extremely important in providing the victim with an opportunity for input in our criminal justice system. I hope you will consider legislation to require that the victim impact statement be used in presentence reports. This would go hand-in-hand with restitution provisions you enacted two years ago, in that the victim impact statement would include an estimate of monetary damages. It also would provide the judge at the time of sentencing with more information as to the full nature of an individual crime. This information often is lacking, particularly in cases where a defendant enters a plea of guilty. I will provide a draft of such legislation.

Notice to victims of parole hearings -- Parole also is a stage in the criminal justice process in which I believe the victim still should be afforded the opportunity of greater input. I hope you will consider legislation which would require the Kansas Adult Authority or Department of Corrections to give notice of parole hearings to the victim of the act for which an inmate was sentenced or to the victim's next of kin. Victims want to know when inmates are being considered for release, and I believe they should have the right to comment. I will provide you with a draft of this proposal.

Restitution in municipal courts -- In the past two years you have passed legislation calling for restitution when probation is given in district court, at the time of parole by the Kansas Adult Authority and in juvenile cases. It has recently come to my attention that only in municipal court do we not now require restitution. I see no reason not to extend restitution to municipal court as well. I will provide you with a draft of such a bill.

Other criminal justice issues -- I support many other criminal justice proposals which either have been before you in the past years or which have been introduced this session. Bills have been introduced calling for confiscation and forfeiture of drug profits and real estate associated with illegal drugs. I strongly support these bills. I endorse the concept of a dram shop act, already introduced this session. Should legislation be introduced, I would again support a district attorney plan

for Kansas, the verdict of guilty but mentally ill and a presumptive sentencing plan. I would support plans to deal with the racist calls for violence threatened by the posse comitatus. Finally, in regard to criminal justice issues, I urge the legislature to study means of separating nonviolent from violent inmates in our state penal facilities. I believe our current system is inhumane and hinders the rehabilitative opportunities nonviolent inmates should receive. The system also wastes money by housing nonviolent offenders at the high cost of maximum custody.

CONSUMER PROTECTION ISSUES

Three-day cancellation period -- In the Consumer Protection Act, the legislature has provided for a three-day cancellation period on door-to-door sales contracts. This was done because of the high-pressure sales tactics of many traveling salesmen who, uninvited, call on consumers in their homes. Today consumers regularly are being induced by too-good-to-be-true offers into two types of business establishments where they are sometimes accosted with high pressure sales tactics and are forced to sign long-term, high-cost contracts. These businesses are certain health spas and buying clubs. I believe the protection of a three-day cancellation period should be extended to consumers dealing with these types of businesses. This legislation would not harm reputable businesses, but would stop the ploys of some disreputable businessmen. I will be pleased to provide you with a draft of such a bill.

Implied warranties -- As a part of the uniform commercial code, Kansas does not allow businesses to, in any way, limit the implied warranty of merchantability and fitness on products sold or services provided. I also consider it a violation of the Consumer Protection Act to limit an implied warranty, but this is not specifically spelled out in the act and it would be helpful in enforcement if it were. This clarification of the law simply would make it clear that when a product is sold it will work for a reasonable length of time and will do what it is claimed it will do. If it does not, the seller must stand behind the product, or answer to the attorney general. I will provide a draft bill to clarify this aspect of the Consumer Protection Act.

Consumer transactions involving securities -- Many times consumers complain to my office of matters which are clearly under the jurisdiction of the securities commissioner. In those cases we forward the complaints. Other times the distinctions between security violations and consumer violations are far from clear. In those cases, consumers can fall into a no-man's land, where neither office can assist. This recently occurred in a case that went to the Kansas Court of Appeals. It is my request that

the Consumer Protection Act be amended to eliminate its securities exemption and prevent this situation from arising, and I will provide a draft of such an amendment.

OTHER ISSUES

Open meetings -- I recently issued an opinion to the City of Lawrence indicating that under the city's home rule powers it could enact a charter ordinance changing the quorum requirement for its five-member commission from three to four. This change had been proposed by some commissioners to allow two members of the body to meet in secret without violating the open meetings law. That would be possible because the open meetings law applies to a majority of a quorum. While the majority of a quorum of three is two, the majority of a quorum of four would be three. I believe such action by any city evades the spirit of openness in government and I hope the legislature will take action to prevent such moves toward secrecy. I would propose for your consideration a simple uniform statute calling for the quorum of all city and county governing bodies to be the majority of their authorized positions. This would eliminate the possibility of a change in quorum for the purpose of secrecy. I will provide a draft of such a bill.

Common law liens -- A favorite tactic of some who refuse to accept U.S. currency as legal tender, is to file what they term common law liens against public officials' property. A current statute provides that such a statement is inoperative 30 days after it is filed, unless the person recording the instrument files a lawsuit within that period. I propose an amendment to this statute which would require the register of deeds to note on any such instrument that it is inoperative when no lawsuit is filed. I will provide a draft proposal.

Local campaign finance -- Current law calling for the reporting of receipts and expenditures in local elections is woefully inadequate. There are few requirements, gaping holes in the law and inadequate means of enforcement. I would hope the legislature would use the state campaign finance reporting requirements as guides and enact a law which would provide for more complete local election reporting. I will draft a proposal as a starting point in the study of such a change.

Civil rights defense -- The state now provides one means of defense for state officers and employees sued for torts and another for those sued for alleged civil rights violations. The attorney general often is required or requested to provide or arrange for the defense in both cases. I would like to see the law changed so that a similar procedure is provided for civil rights defense as is in effect for tort claims defense. I believe such a change would provide for a less cumbersome procedure and could be more cost effective for the state. I would be pleased to provide a draft of such legislation.

Election laws regarding minor parties -- Various state laws should be changed in accordance with recent court decisions to establish a new procedure for the admission of minor political parties. The current procedure was found last year by the federal courts to deny the Libertarian Party equal protection. I would be happy to have my staff assist the legislature in this matter.

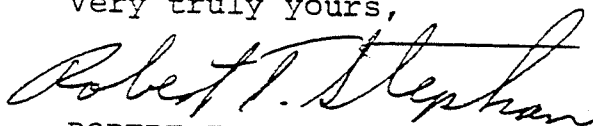
INTERIM STUDY

Local government bid laws -- Finally, there are two items that I believe would be appropriate topics for interim study. The first is competitive bidding requirements on local units of government. County bid laws are particularly in need of review. Current competitive bidding requirements on counties are so narrow as to not require competitive bidding for most county contracts. This is a constant source of inquiries and complaints to my office. I believe any review of this area of the law should examine other local units of government as well as counties. It is my suggestion that the legislature use the state's competitive bidding requirements as a model for a new statutory scheme for local units of government.

Environmental protection enforcement division -- I would propose that the legislature study creation of an environmental protection enforcement division in my office and believe this, too, would be an appropriate topic for interim study. Protection of the environment is critical to the health and welfare of all Kansans, and it is my belief that splitting the legal responsibilities for enforcement from the administrative responsibility of regulation would ensure Kansans of better protection. It also would clarify the situation which now exists in which the Secretary of Health and Environment is authorized by some environmental statutes to utilize the attorney general for enforcement, and is not called upon to do so by others. I hope you will consider both of these matters for interim study.

I'm sure there will be many other issues which arise this session in which I will have an interest and will provide testimony where I believe it will be helpful. Additionally, I hope you will feel free to call upon my office for whatever assistance you believe we can provide.

Very truly yours,



ROBERT T. STEPHAN
Attorney General

RTS:naw/m

SENATE BILL NO. _____

By Committee on Federal and State Affairs

AN ACT relating to the Kansas code of criminal procedure; concerning parole eligibility, the procedure for granting parole and conditions of parole; amending K.S.A. 1982 Supp. 22-3717, and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 1982 Supp. 22-3717 is hereby amended to read as follows: 22-3717. (a) Except as provided in subsection (b), an inmate, including an inmate sentenced pursuant to K.S.A. 21-4618, shall be eligible for parole after serving the entire minimum sentence imposed by the court, less good time credits.

(b) An inmate sentenced for a class A felony, including an inmate sentenced pursuant to K.S.A. 21-4618, shall be eligible for parole after serving 15 years of confinement, without deduction of any good time credits.

(c) If an inmate is sentenced to imprisonment for more than one crime and the sentences run consecutively, the inmate shall be eligible for parole after serving the total of:

(1) The aggregate minimum sentences, as determined pursuant to K.S.A. 21-4608 and amendments thereto, less good time credits for those crimes which are not class A felonies; and

(2) an additional 15 years, without deduction of good time credits, for each crime which is a class A felony.

(d) Subject to the provisions of this section, the Kansas adult authority shall have power to release on parole those persons confined in institutions who are eligible for parole when, in the opinion of the authority, there is reasonable probability that such persons can be released without detriment to the community or to themselves.

(e) The Kansas adult authority shall hold a parole hearing for any inmate who achieves eligibility for parole under subsections (a), (b) and (c). The Kansas adult authority shall give written notice of any scheduled public comment session or parole hearing not less than ten days prior to such session or hearing to each aggrieved party, as defined in subsection (1) of this section, or in the event an aggrieved party is deceased, to the aggrieved party's surviving spouse or nearest living relative by blood or marriage.

(f) Prior to each parole hearing and if parole is not granted at such intervals thereafter as it may determine by its rules and regulations, the Kansas adult authority shall consider all pertinent information regarding each inmate, including the circumstances of the offense of the inmate; the presentence report; the previous social history and criminal record of the inmate; the conduct, employment, and attitude of the inmate in prison; and the reports of such physical and mental examinations as have been made. Within a reasonable time after a defendant is committed to the custody of the secretary of corrections, which time shall not exceed 60 days after the court's jurisdiction to modify the sentence has passed, the Kansas adult authority

or a member of the authority, shall hold an initial hearing with the inmate in order to determine the date when the inmate will be eligible for parole. After the adult authority has established a date therefor, each inmate shall be promptly informed of the date when the inmate's parole hearing will be held. The adult authority may conduct an initial hearing by review of the record and without the presence of the inmate in cases involving an inmate serving a sentence pursuant to subsection (8) of K.S.A. 21-4608 and amendments thereto.

(g) Before ordering the parole of any inmate, the Kansas adult authority shall have the inmate appear before it and shall interview the inmate unless impractical because of the inmate's physical or mental condition or absence from the institution. A parole shall be ordered only for the best interest of the inmate and not as an award of clemency. Parole shall not be considered a reduction of sentence or a pardon. An inmate shall be placed on parole only when the Kansas adult authority believes that the inmate is able and willing to fulfill the obligations of a law-abiding citizen or that the inmate should be released for hospitalization, deportation or to answer the warrant or other process of a court. Every inmate while on parole shall remain in the legal custody of the secretary of corrections and is subject to the orders of the secretary. Whenever the Kansas adult authority formally considers placing an inmate on parole and does not grant the parole, the authority shall notify the inmate in writing of the reasons for not granting the parole.

(h) Any parolee may be placed on intensive supervised parole. Any such parolee shall have a direct meeting at least once each week with an intensive supervising parole

officer. Such parolee may be removed from intensive supervised parole when it is determined by the secretary of corrections that such removal will not jeopardize public safety and will be beneficial to the interests of the parolee.

(i) The Kansas adult authority shall adopt rules and regulations in accordance with K.S.A. 77-415 et seq., and amendments thereto, not inconsistent with the law and as it may deem proper or necessary, with respect to the eligibility of inmates for parole, the conduct of parole hearings, orders of restitution and other conditions to be imposed on parolees. Whenever an order for parole is issued it shall recite the conditions thereof.

(j) Whenever the Kansas adult authority orders the parole of an inmate, the authority, unless it finds compelling circumstances which would render a plan of reparation or restitution unworkable, shall order as a condition of parole that the parolee make reparation or restitution to the aggrieved party for the damage or loss caused by the parolee's crime, in an amount and manner specified in the journal entry of the court that sentenced the inmate or, if not specified in the journal entry, in an amount and manner determined by the adult authority.

(k) An inmate shall be eligible for parole on the date provided by statute at the time the inmate committed the crime for which imprisoned unless subsequent amendment of the statute provides an earlier parole eligibility date.

(l) As used in this section, (1) "Good time credits" means credits of one day for every three days served and one month for every year served, awarded on an earned basis pursuant to rules and regulations adopted by the secretary of corrections; and

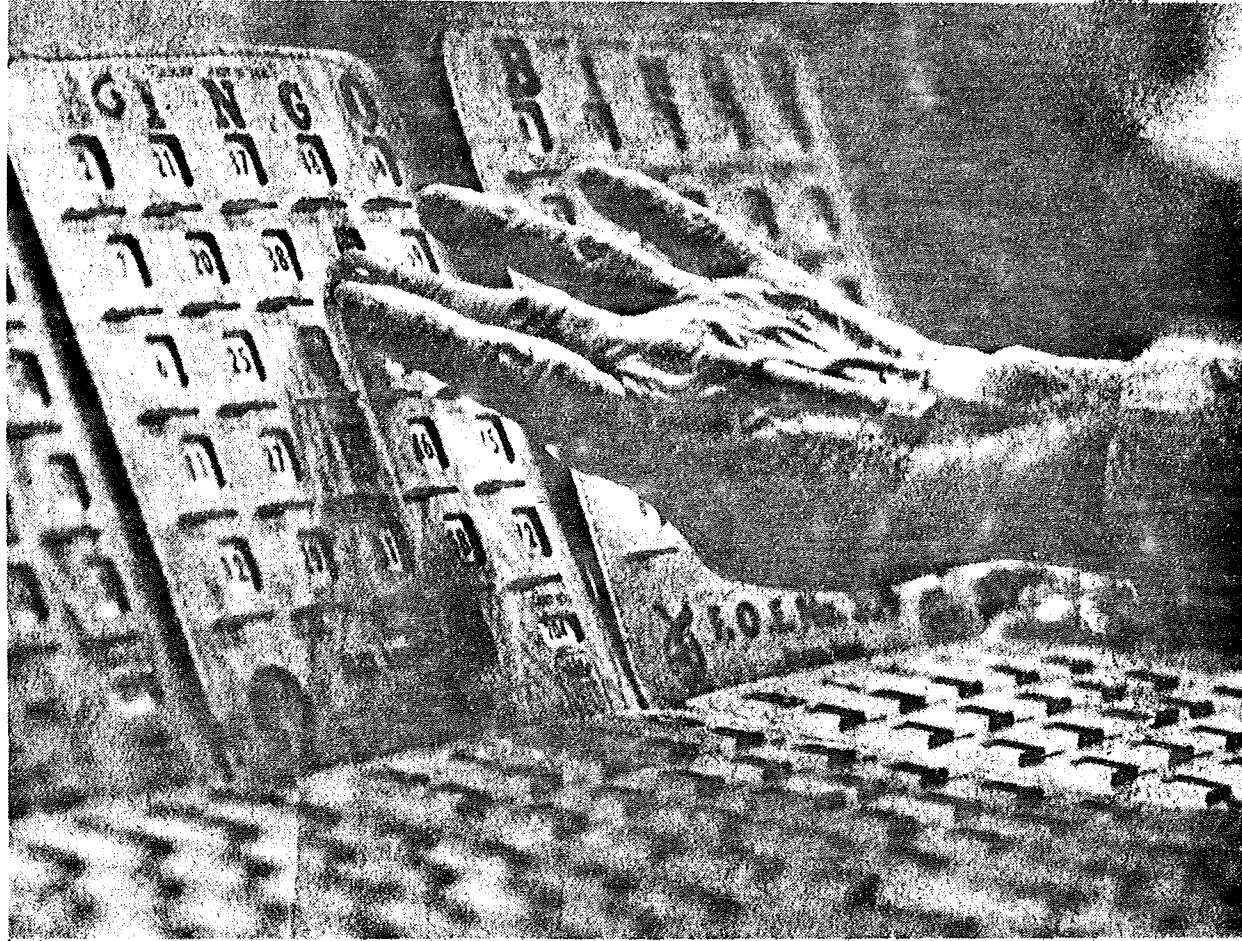
(2) "aggrieved party" means the victim whose loss, damage or injury was identified in the criminal prosecution which resulted in the commitment of the inmate or parolee to the custody of the secretary of corrections.

Sec. 2. K.S.A. 1982 Supp. 22-3717 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

Minutes of
March 10, 1983

Attachment #9



(Staff photo by Don Delphia)

Playing many cards at once increases a player's odds of winning at bingo, but legislators don't like the state's odds in dealing with bingo abuses. Bills now pending would boost the state's enforcement staff and reduce the possibility of large bingo parlors abusing the bingo laws.

Legislators want to cut the odds on bingo abuses

By PHIL GOLDBERG
J-W Staff Writer

On election night last Tuesday, about 200 people gathered in a smoke-filled hall in East Lawrence — but their attention was not on politics.

Their eyes were riveted to some other numbers — those appearing on an electronic board and behind the slots of their bingo cards.

"I just come to get out of the house and away from my kids," said Sharon Eisman, playing at the Knights of Columbus Hall Tuesday night.

"I come here to win," said another, who asked not to be identified.

For whatever reason, local bingo players say the game is burgeoning in Lawrence and in the state. But there have been grumblings lately from local bingo players that Lawrence may not be the place to play.

Many interviewed at two local games last week said players are unhappy with bingo prices in Lawrence. Contending that Kansas City, Kan., bingo parlors charge less for a night of bingo, players here say K.C. casinos are siphoning off

See Bingo, page 9A

Bingo: Legislature wants to give state an edge against abuses

(Continued from page 1A)

business from the smaller Lawrence operations.

"I do much better when I go out of town . . . to Kansas City, Shawnee Mission and Olathe," said Stormy Samuels of Lawrence. "I would say a majority of people are going to K.C. (for bingo). All we want is uniformity statewide. We want to get the same deal here as in K.C."

THE MAJOR complaint from those interviewed is that Lawrence bingo operators charge extra for special games like "blackout," where the player has to cover all the numbers on a card to win. Lawrence players must cover the card in a prescribed amount of called numbers to win a maximum \$300 cash prize or settle for a consolation prize of perhaps \$50.

At Kansas City, Kan., bingo parlors, players are not charged extra for special games, an operator said. In "blackout," they play until someone corrals the grand prize, which can run as high as \$500 a night. In Kansas, operators can pay out a maximum of \$1,200 in prizes a night.

Lawrence bingo operators, for their part, say smaller local crowds prevent them from running games like Kansas City bingo parlors.

"We just have smaller crowds and can't compete with the bigger operation," said Charley Wonnell, who is the chairman of bingo games for the Elks Lodge and the Eagles Lodge. "We can't afford to give away the big money. If we gave away \$200 a night, we couldn't stay open."

Some bingo players go further in their criticism of local bingo operations, run solely by non-profit organizations.

"I say some local operators may not be playing by the rules. Among the objections is that some workers who should be volunteering their services are being paid from bingo proceeds and playing while they work

state law on the books since 1976.

AT THE ELKS Lodge Thursday, bingo operators did say they were paying a concession stand worker, who also was playing bingo that night.

An attorney for the Kansas Department of Revenue said that raises questions of impropriety under a section of the bingo law which states, "No person may receive any remuneration or profit for participating in the management, conduct or operation of any bingo game."

"There is a gray area here," said Nancy Freund, a lawyer with the revenue department. "It certainly does raise some questions."

Children were also playing at the Elks Lodge Thursday as was the wife of the bingo caller (Wonnell). While those are not violations of the state's bingo laws, such activity is not encouraged, Ms. Freund said.

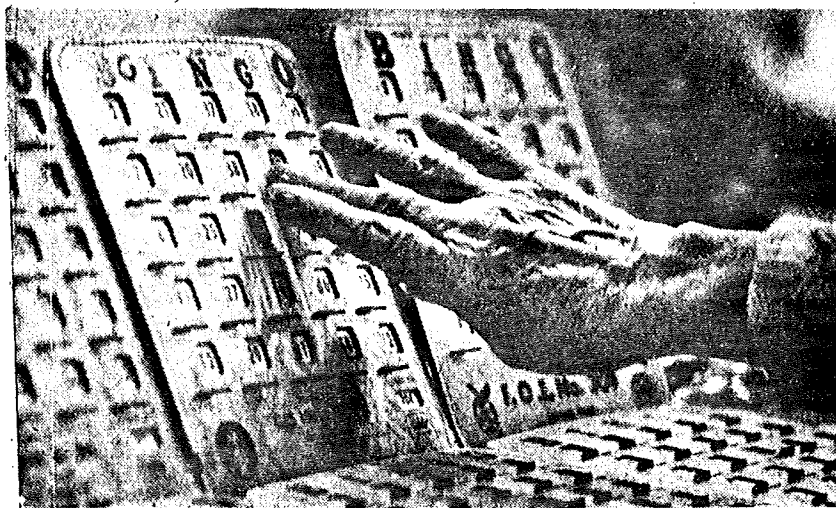
Wonnell and Steve Sapp, manager of the Elks Lodge building, 3705 Clinton Parkway, said they had been paying the concession worker and allowing her to play bingo because they were unaware of the law.

"I appreciate you letting me know," said Sapp in an interview Thursday night. "I will report this to the board (the Elks board of trustees)."

Although considered "minor discrepancies" by a local lawmaker and state officials, they are the kind of problems that can crop up in bingo, where laws are generally unenforced in Kansas.

THEY ARE also the kind of problems, according to state officials, that can lead to more serious abuses of the state's unchecked bingo laws.

"That's exactly the reason why we need regulations," said Sen. Wint Winter Jr., a Lawrence Republican who heads a subcommittee that has drafted bills to help curtail alleged



to regulate the mechanics . . . One thing leads to another."

The "another" Winter refers to is bingo profiteering. It is a growing concern among state officials, a concern spawned by the proliferation of the game — which netted \$24.3 million in gross proceeds last year in Kansas.

The chief causes of worry are bingo parlors in Wichita and Kansas City, Kan., according to Winter and others.

Ms. Freund contends that parlor owners could be making large profits by charging high rents to non-profit groups running the games. The bingo law doesn't allow an owner to take in more than 50 percent of the operator's gross proceeds. But Ms. Freund says some parlors may not be sticking to the law.

"The system is ripe for abuses," she noted, adding that she has received no complaints about illegal bingo activities in Lawrence. "There is plenty of opportunity to skim or not to rent proper amounts."

In recent testimony before a Senate committee, Kansas Atty. Gen. Robert Stephan concluded his comments with this analysis about

"FINALLY, I AM concerned about organized crime," Stephan told members of the Senate Federal and State Affairs Committee. "The loosely regulated bingo industry in Kansas, with its millions of dollars in gross cash receipts must be attractive prey for big-time crime."

"Bingo is legalized gambling. And where gambling occurs, organized crime becomes interested and, in some instances, involved," Stephan said.

All of this has led Winter's subcommittee to draft a bill designed to squelch potential bingo abuses. If approved, it would restrict operating hours at bingo parlors, add eight "bingo investigators" to the state payroll, require bingo operators to deposit proceeds in a trust fund, and set a uniform statewide charge of \$1 per card.

Several of those, according to Winter and others, could drive some of the big parlors out of business. There are about 20 Kansas bingo parlors — none in Lawrence — out of 700 licensed operators.

Alan Alderson, an attorney for the revenue department, said the bill could "have a devastating" effect on

As Winter puts it, "This is definitely not uncontroversial. Full-time casino owners are very much concerned."

WINTER SAID he expects this week's committee hearings on the bill to be packed.

Jerry Hodges said he will be one of those attending. As manager of the Circus Plaza bingo parlor in Shawnee Mission, Hodges agrees that the bill, as it stands now, could eventually close his doors.

"They're talking about limiting bingo halls to three days a week," said Hodges. "I don't know if we can make it on those terms. We could if we charged higher (rent) payments to organizations."

Another worry for casino owners, according to Hodges, is talk of raising the existing bingo tax from 3 percent to 6 percent. Already, Hodges notes, the 10 non-profit groups operating games at his casino pay about \$50,000 a year in bingo taxes.

Winter and others say some of the issues are subject to discussion before the end of the legislative session. Items such as adding bingo enforcers and standardizing bingo fees may not be, Winter said.

The main objective, Winter says, is to boost the revenue department's bingo staff. It has only two employees investigating complaints in a state where about 1,000 bingo games are played very week.

"We simply can't enforce the law," said Ms. Freund, one of the two staffers. "We've got to have more people."

While legislators are wrestling with regulatory problems, bingo in Kansas continues to thrive. The figures speak to that. For example, the state collected \$759,088 in bingo taxes last year, according to the revenue department. In 1981, Kansas netted \$730,115 and in 1980, the total was \$660,489.

IN LAWRENCE, bingo operators

and players say the game is growing in popularity.

And a look around the Knights of Columbus Hall Tuesday showed that the game has wide appeal. The players that night ranged from children to senior citizens, all vying for the same cash prizes.

They played straight bingo, games called "Crazy E" and "good neighbor," and "blackout," with a \$200 jackpot in it for the winner.

Some say they play every night of the week, others say they come once or twice a week. Most participants try to enhance their luck by playing anywhere from 10 to 20 cards at once.

One player from Lawrence won three games that night, which she said was something of a new experience.

"This is the first time I have won anything in three weeks," said Myrna Gillis, an employee of Don's Steakhouse who plays bingo at the Knights of Columbus several times a week. "I hope it's not the last."

The local games are operated by the Knights of Columbus, the American Legion, the Veterans of Foreign Wars, the Elks Lodge and the Eagles Lodge. None of them operate games more than twice a week.

HOW SERIOUS are the players? "I think most of us play to win," said Henrietta Karlin, 1220 W. 28th, a regular at bingo.

The game is also stirring lots of attention in Missouri. Legalized in 1980, Missouri bingo has attracted about 630 licensed operators, according to Wanda Miller, supervisor of the bingo tax division in the Missouri Department of Revenue.

But, Ms. Miller said, abuses of the system are minimal because Missouri has three full-time auditors roving the state. The team, she said, makes random checks of bingo operations around the state.

"As far as I can tell, we have no major problems in Missouri," said Ms. Miller.

Bingo, 1983

From Department of Revenue per Cleo Murphy, March 9, 1983.

Cy 82 Reports of Bingo Gross Proceeds

St. Paul Child Day Care Center, Inc. \$56,527. This licensee's returns indicate it did not conduct bingo games in the months of September, October and November in 1982. In telephone conversation March 9, 1983, p.m., Professor Nickel says this licensee played only one night a week. He calculated their net profit at "almost 4%" of the gross proceeds. Rent was \$200 per session, taxes, bingo, supplies, advertising and other expenses per "session" averaged \$150 and the licensee paid out the \$1,200 maximum in prizes each night.

"Parents Group" of St. Paul Child Day Care Center.

\$163,271. This licensee played two nights per week with rent at \$200 per night, prizes of \$1,200 per night, advertising \$30 per night, plus taxes and bingo supplies. Professor Nickel had not figured the "profit" for this licensee. Rent was \$20,800; prizes \$124,800; advertising \$3,120; taxes (6%) \$9,796; supplies (on assumption of same basis of other licensee but about 3 times more based on approximately 3 times the gross receipts) \$10,000: Net loss \$5,245. If supplies stayed at \$3,500, then net profit was \$1,255.

3/10/83

Attachment #5

THE BOOSTERS OF AQUINAS HIGH SCHOOL IN SHAWNEE, KANSAS WISH TO THANK THE CHAIRMAN AND THIS COMMITTEE FOR LETTING US VOICE OUR OPINION REGARDING BINGO HALLS ESPECIALLY PLACES LIKE THE LOCAL BINGO HALL IN SHAWNEE

WE STARTED BINGO MAY 27, 1975 AND THE PROCEEDS HAVE BIENEFITED THE SCHOOL IN MANY WAYS. A CHAPEL, COMPLETE RENOVATION OF THE BOYS AND GIRLS LOCKER ROOMS INCLUDING THE INSTALLATION OF MUCH NEEDED WHIRLPOOLS; A MICROWAVE OVEN FOR THE HOME ECONOMIC CLASS; COMPUTERS FOR THE COMPUTER CLASS ROOM AND SCIENCE EQUIPMENT FOR THE SCIENCE CLASS, PLUS NUMEROUS OTHER ITEMS AND IMPROVEMENT PROJECT COMPLETED WITH THE MONIES. IN ADDITION, \$25,000.00 WAS GIVEN TO THE GENERAL OPERATING FUND OF THE SCHOOL PRIOR TO 1981.

IN FIVE AND ONE HALF YEARS THE BOOSTERS EARNED APPROX. \$60,500.00 DOLLARS OR \$11,000.00 A YEAR. SINCE THE LOCAL BINGO HALL OPENED OUR EARNINGS HAVE DROPPED TO \$3,058.46 FOR 1982 AND THIS YEARS EARNING ARE PROJECTED AT \$4,600.00.

THE FOLLOWING PAGES WILL SHOW HOW THE LOCAL BINGO HALL COLLECTS 76.6% AND THE LICENSE HOLDER RECEIVES 23.4% OF THE NET PROFIT.

PAPER COST, PAID CALLER, RUNNER AND SECURITY GUARD PLUS A SNOW FUND, CHARGES FOR PROMOTIONAL PURPOSES, MAINTENANCE CHARGES IF EQUIPMENT BREAKS DOWN - \$1,500.00 DOLLAR DEPOSIT. THIS WOULD BE WAIVED AT THE START BUT AN UNSAID AMOUNT WOULD BE DEDUCTED FROM LICENSE HOLDERS SHARE EACH WEEK UNTIL FULL AMOUNT IS COLLECTED. DEPOSIT WOULD BE HELD FOR BACK RENT.

L.A. MERTZ

Bingo INCOME AFTER TAXES
 AQUINAS HIGH SCHOOL (NET)

5-22-75	thru	12-18-75			\$ 7,132.83
Jan		June 76	>	\$ 9,004.99	< \$ 3,566.06
June		Dec 76			\$ 5,438.93
Jan		to May 77	>	\$ 7,453.64	< \$ 3,746.06
May	77	to Dec 77			\$ 3,707.58
78 -	Jan	thru Dec			\$ 9,169.32
79	Jan	thru Dec			\$ 16,404.79
80	Jan	thru Dec			\$ 11,503.35
* 81	Jan	thru Dec			\$ 1,7731.37
82	Jan	thru Dec.			\$ 3,058.46
83	Jan	to Feb.			\$ 771.00

* MAY 81 CIRCUS PLAZA OPENED

CIRCUS PLAZA PAPER COST

COST OF PAPER TO CUSTOMER	PAPER COST TO BOOSTER	EST COST OF PAPER TO BINGO HALL	
1ST BOOK \$7.00	\$1.00	.36¢	1.00
2ND BOOK \$3.00	\$1.00	.36¢	1.00
50¢ SPECIAL	.07¢	1/2¢	1.00
3 - 50¢ SPECIAL SELLING FOR \$1.00	.15¢	.04¢	1.00
3 - \$1.00 SPECIAL SELLING FOR \$2.00	.28¢	.06¢	1.00

FOR EVERY \$12.00 A CUSTOMER WOULD SPEND THE BOOSTERS WOULD BE CHARGED APPROX. \$2.00 FOR PAPER.

CUSTOMERS	DOLLARS SPENT PER CUSTOMER	GROSS	PAPER COST TO BOOSTER
200	\$12.00	\$2,400.00	\$400.00
250	\$12.00	\$3,000.00	500.00
300	\$12.00	\$3,600.00	600.00

PRICE OF PAPER TO CUSTOMER WAS SET BY CIRCUS PLAZA AND WAS NON-NEGOTIABLE.

ALL GAMES AND PRIZES PER GAME ARE REGULATED BY CIRCUS PLAZA AND ARE NOT NEGOTIABLE WITH LICENSE HOLDER.

BINGO - 3 Weeks at Circus Plaza.

BEFORE CONTRACT

	5/3/81	5/10	6/21
GROSS	\$ 2472.29	\$ 3,357.00	\$ 2258.95
TAXES	\$ 173.06	\$ 234.99	\$ 158.13
BALANCE	\$ 2299.23	\$ 3122.01	\$ 2100.82
LESS PRIZE	\$ 1200.00	\$ 1200.00	\$ 1200.00
BALANCE	\$ 1099.23	\$ 1922.01	\$ 900.82
1/2 SPLIT BINGO PLAZA CIRCUS	\$ 549.61	\$ 961.00	\$ 450.81
1/2 SPLIT AQUINAS	\$ 550.00	\$ 961.00	\$ 450.81

FIRST CONTRACT OFFERED

GROSS	\$ 2472.29	\$ 3,357.00	\$ 2258.95
TAXES	\$ 173.29	\$ 234.99	\$ 158.13
BALANCE	\$ 2299.23	\$ 3122.01	\$ 2100.82
LESS PRIZE	\$ 1200.00	\$ 1200.00	\$ 1200.00
BALANCE	\$ 1099.23	\$ 1922.01	\$ 900.82
LESS TAPE	\$ 400.00	\$ 534.00	\$ 376.00
BALANCE	\$ 699.23	\$ 1388.01	\$ 524.82
LESS 50% OR RENT TO \$ 500.00	\$ 500.00	\$ 694.00	\$ 500.00
TO CIRCUS PLAZA	\$ 900.00	\$ 1,228.00	\$ 876.00
TO AQUINAS	\$ 199.23	\$ 694.01	\$ 24.82

AQUINAS
CIRCUS PLAZA

3 NIGHTS
3 NIGHTS

= \$ 918.06
= \$ 3,004.00
\$ 3,922.06

0% of take
Home after
TAXES & PRIZE
23.4%
76.6%

START

Minutes of 1/10/83
Testimony from
Tim Farrell

(6)

Mr. Chairman members

* Good morning Ladies and Gentlemen,
My name is Tim Farrell and in
association with Bill Keiter, Town
Parklane Bingo and Towne West Bingo
in Wichita, I am here to present our
views of Bingo from a Landlords point
of view, and that is our first point

- We are a Landlord!

We rent our facilities nightly to
licensed Non Profit Organizations

- We are NOT in the Bingo Business!

We provide facilities for licensed
Non Profit Organizations.

* We feel there are at least four
major problem areas at the present.

- First: With a minority of Landlords
who:

Endorse or operate games
without a valid license

Gain consignment of a
license from a N, P, Organization
for a flat fee or a share of
the profits.

Atch. 6

Have family members or employees running games as callers or workers while on payroll or under volunteer status of a Non Profit Organization

- Second: Total Revenues ARE NOT being reported.

According to state records (as published in the Wichita Eagle-Beacon) many Bingo Halls do not even show adequate gross revenue to payout, advertised \$1200 daily prize.

This same article states Parklane Bingo had the highest sponsor gross revenue of all Wichita Operations. The Reason For This Is Quite... Simple. We encourage our Sponsors to report All of their revenues.

- Third Non Compliance of present Rules:

- # Licenses are not visibly displayed
- # Workers deny requests for the name of the sponsoring N.P. Organization.
- # Advertisements do not state the names of all the N.P. Organizations

Fourth There is A Lack of Active Enforcement.

- # In the seven years I have been involved in Bingo I have never had ANY STATE, COUNTY OR CITY official to verify compliance with present regulations.
- # To our knowledge, the state is NOT auditing N.P. Organizations for their dispensment of funds raised through Bingo.

* A solution to these problems would be strict enforcement of present Laws by AN assigned Agency set up by this state specifically for the enforcement of Bingo Laws.

- We want clearly understandable Rules and guidelines to govern Bingo operations for both N.P. Organizations and Bingo Hall Landlords.

~~At present there is confusion about current laws; for instance on Advertising, present law states in SECTION 2, PART N. " A lessor of premises used for the management, operation or conduct of Bingo OR A~~

(7)

licensee may not advertise bingo games except to the extent and in the manner prescribed by the rules and regulations adopted by the secretary of Revenue, and any advertisement of any bingo game by or on behalf of such lessor or licensee shall specify the organization which is managing, operating or conducting bingo games. Yet many people are of the opinion that landlords cannot advertise.

Present law states, in Section 2, Part F that daily prizes shall not exceed \$1200. Yet we have had several clarifications from Mr. ^(Secretary of Revenue) ~~_____~~ ^{_____} that when circumstances beyond our control (i.e. splits in payouts) cause a sponsor to exceed this limit by not more than 3% and providing that such excesses are not abused, the payout may be exceeded occasionally.

- We want stern penalties for violators which we would recommend as follows:

Landlords

1st Violation

Closed 1 Week

2nd Violation	Closed 1 Month
3rd Violation	Closed 1 Year
<u>Sponsors</u>	
1st Violation	\$ 500 Fine
2nd Violation	Loss of License 1 Mo.
3rd Violation	Revoke License

- * Bingo laws should provide for
 'Bingo Halls' to be open 7 days
 A week because:
- It allows worthwhile N.P. Organizations who do not have:
 - # Adequate Facilities to Play Bingo
 or Adequate Capital to Start Bingo,
 It takes \$ 3000 to \$ 5000 minimum.
 - It allows small N.P. Organizations with minimal volunteer participation to raise funds
 - # Only 4-6 volunteers are required in a Bingo Hall for 4 to 5 hours
 - # Bingo Halls do not require extra volunteers to: Set up, Tear Down, Clean Up, Run the Snack Bar.
 - We provide low cost entertainment for the segment of the community that voted bingo in.

- We provide a clean, safe and familiar place for people who like to play Bingo and who participate in the social gathering ground that only Bingo Halls provide.
- We provide a TAX base for:
 - # Sales Tax on Snack Bar Revenues
 - # Property Taxes on Bldgs. & Equipment.
 - # Payroll taxes on snack bar and maintenance personnel who include
 - 3 part time high school students,
 - 3 part time college students
 - and two full time maintenance people.

NOTE: Parklane and Towne West Bingo will provide approximately \$87,000 in combined: payroll, sales, property, sponsor sales and sponsor bingo TAXES in 1983.

- * In Summary I would like to say:
 - We are landlords only. We can only collect \$250 or 1/2 the net proceeds whichever is less.
 - The key problems today are:
 - # Landlords operating games under various guises
 - # Inadequate reporting or auditing of Bingo Revenues

- # Non Compliance of present Bingo laws.
- # A Lack of Active Enforcement of the Bingo Laws.

Ladies and Gentlemen, we need Active enforcement.

- Rules should be clearly understandable.
- There should be strict and severe penalties for violations.

* The thrust of government today is to get community support of local social programs. By limiting bingo halls to less than 7 days a week you will be denying the majority of organizations that use our facilities the opportunity to provide this much needed community support.

* We feel enforcement is the MAJOR question. If we had enforcement from the beginning, most of the present problems would not exist.

* Lets not bite off more than we can chew, Lets enforce present laws and review this at the next legislative session.

THANK YOU

LAW OFFICES
JOHN IVAN
SUITE 308, UNITED KANSAS BANK BUILDING
8600 WEST 63RD STREET
SHAWNEE MISSION, KANSAS 66202

23901
*Minutes of
March 10, 1983
Attachment #7*

JOHN IVAN
DAVID L MILLER

(913) 384-0370

March 7, 1983

Senator Edward F. Reilly
State Capitol, Room 255-E
Topeka, Kansas 66612

Re: The Opposition of Tri G & L of Kansas, Inc. to
Proposed Amendments Recommended by the Subcommittee
on Bingo to K.S.A. 79-4703(2)(g), Concerning the
Limitation of Bingo Games to 3 Calendar Days on
Registered Premises

Dear Senator Reilly:

This is a position statement in behalf of Tri G & L concerning
proposed amendments to the Kansas bingo laws.

Tri G & L operates the licensed location known as Circus Plaza
located in Shawnee, Kansas.

I have been requested to review and submit suggestions concerning
the bingo amendments proposed by the subcommittee headed by
Senator Winter.

There is special concern about the limitation that registered
premises could only be used for three calendar days each week.
This would have the affect of bankrupting my client's business.
More than \$140,000.00 has been invested for fixtures and
equipment, and improvements on the premises. There have been
long term lease commitments taken out in reliance that such
commitments and investments were consistent with Kansas law.

The affect of the currently proposed legislation would be to
nullify and make void the various rental agreements existing
between my client and eleven not-for-profit organizations. This
would constitute an unconstitutional interference with existing
contracts.

March 7, 1983

Senator Edward F. Reilly

Page 2

We are aware of the tempest concerning bingo in Kansas. Our position is that organizations have utilized registered premises for their games, because registered premises have proved superior. Not only do many organizations have inadequate facilities, but such organizations are unwilling to make investments for fixtures and equipment necessary to play bingo. This has resulted in the evolution of specialized bingo facilities.

Large bingo facilities have been the outgrowth of a public demand for facilities which accommodate large crowds, and utilize the most advanced equipment. The better equipment insures honest games, and in some cases generates excitement in and of itself. Such facilities provide for food and beverages and accommodate the needs of the patrons in all respects. Parking is adequate and the locations are convenient to the players.

The proposed bingo amendments will not accomplish the goals being sought. Enforcement efficiency will not be improved. Less organization participation will result. Organizations not presently involved will be reluctant to invest in expensive bingo equipment and facilities. Smaller bingo payouts and jackpots which will occur, will diminish interest and lead to fewer rather than greater participation. Tax collections will decrease. Smaller organizations will lose their fundraising standard. The very reason that larger bingo facilities developed was because of the inherent handicap for smaller individual organizations to participate. The bankruptcy of the registered halls will occur.

We would invite the committee members to tour Circus Plaza to see its camera and monitoring system to show how advanced systems are used to verify bingo cards. Even the caller is shown on a separate camera. We would like the committee members to see the paper program with its identifying serial numbers, to insure accurate accounting. We would appreciate the committee members having a chance to view a progressive and advanced facility, which provides so much delightful entertainment opportunity to the many bingo patrons, and to insure successful fundraising efforts of participating organizations.

March 7, 1983
Senator Edward F. Reilly
Page 3

The present efforts to change the characteristics of bingo in Kansas, while well intended, would be violative of many reasonable considerations. The goal of achieving better bingo enforcement would be impeded by a multiplicity of small games at various locations. The pressure to meet bingo prize payouts would encourage pursuit of loopholes. The non-competitive facilities and games would continue to encourage migration to surrounding states and federal reservations and reduce revenues. Reduced revenues would result in less money being available for enforcement. Mostly, the legislation would pit non-profit organizations utilizing registered premises against those presently not participating in bingo. It would seek to give non-bingo organizations, or less successful bingo fundraisers, a competitive edge over other organizations. The encouragement of organizations trying to seek advantage over one another, and undoing the natural development of the bingo procedures in Kansas, would be inconsistent with the best precepts of legislative intent. The purpose of legislation is not to gain advantage, but to let progress develop in its natural manner.

I am certain that neighborhood grocery stores would prefer the elimination of grocery chains. Drive-in theaters would like to see multiple faceted theater operations in shopping centers phased out. Large restaurants would like to see fast food places disallowed. There is always an interest which is affected by progress and change.

It would appear to my client that the current bingo controversy is a tempest in the teapot. There has been much implied by innuendo concerning bingo in Kansas. If you observe the people who are involved in playing bingo, and see their delight and enjoyment and how this activity has brought together people in a very positive social atmosphere, it is hard to believe that bingo is really the problem. It would appear that a few non-bingo interests, or organizations that would like a free ride, have been able to stir up so much controversy that it has clouded or overlooked the fact that thousands and thousands of people are enjoying this activity as a better alternative to fill their

March 7, 1983
Senator Edward F. Reilly
Page 4

lives with happiness and to avoid the loneliness that too often prevails.

Over the years, we have seen progress affect many of the ways that we do things. We have seen neighborhood grocery stores replaced by convenience stores and large supermarkets. We have seen neighborhood filling stations replaced by self service stations. Large movie houses have been replaced by multiple theaters in shopping centers. Small automotive garages have been replaced by computerized dealer service facilities. The examples of how our society changes goes on and on.

Bingo has been highly regulated, and has involved lesser payouts than surrounding states and places Kansas among one of the more restrictive states. It would appear that there is some kind of suspicion over the efficiency and success with which bingo facilities have represented to sustain the success of organizational fund raising activity. In a nutshell, bingo is desired by the people, and hastily conceived amendments or recommendations to change the laws will result in adversely affecting the interests of thousands of participants and many organizations.

We would recommend an Interim Legislative study as an alternative to a legislature proposal which would irreparably harm legitimate vested economic interests and the interest of thousands of bingo participants.

Kindest regards,



John Ivan

JI:cbs

*Minutes of March 10, 1983
Attachment # 8*

My name is Cynthia Bean, I am the proprietor of SweetBriar Bingo in Wichita, Kansas. As the representative for Non-Profit Organizations at SweetBriar Bingo. We would like to address the committee on the proposals concerning Bingo.

- 1) The proposal requiring the writing of checks to anyone winning \$100.00 or more. We agree with the proposal that a winner of \$100.00 or more be paid with a check, however the situation arises quite frequently where there are multiple winners who split a single game. We assume there would be no need for a written check to anyone receiving less than \$100.00 as their share, But we would like to have this clarified.
- 2) We also feel the proposal stating \$1.00 min./\$1.00 max. per card will impose a burden on the Bingo Players of Kansas. Approximately 75% of Kansas Bingo Players are either on a fixed income or over 60 years of age. This is their main form of entertainment. The Bill imposing a \$1.00 min./ \$1.00 max. per card would limit the number of cards these Players could buy, thereby limiting the number of games they could play. Please understand that Bingo Players would not enjoy coming to play a Bingo session, and having to sit out several games because of the price of the cards. We wish to remind you that the Bingo Players of Kansas provided in 1982 approx. \$700,000.00 of revenue to the State by playing

Bingo, not by sitting out games.

We would like to offer a proposal which we feel would satisfy both the State and the Bingo Players. The average games played in a session is 20; 15 being regular games, 5 being special games. As it is now an average elderly couple, on a fixed income, will buy 30 cards for \$10.00 this gives each one 10 cards for the regular games and 5 cards for the special games. (1 card for each special game.) If \$1.00 per card is charged, this same couple could purchase only 10 cards (5 cards for each.)

This would give them 1 card for the regular games and 4 cards for the special games; they would each have to sit out one of the special games.

Our proposal is this; 8 cards for \$5.00 or \$1.00 per card.

Example : At this price it will allow our couple ~~xxx~~ to buy 16 cards for \$10.00, 3 being regular cards & 5 being special cards. Doing this would allow our couple to play all the games in any one session. This would also regulate the price of cards making All Non-Profit Organizations equally competitive.

3) As a proprietor of a Bingo Hall I am against the proposal limiting a Bingo Hall to three days (3) per week. A Bingo Hall could not afford to stay open for 3 days only. The large overhead & expence would force them to close. This would cause the Non-Profit Organizations to close also, because they would not have the facilities or equipment to operate, and could not afford to buy it.

However we agree with the bill proposing to change the percentage of the Bingo Tax; giving the Counties and Cities 1/3 of the revenue and the State 2/3's. The states revenue would be disignated to create a fund to be used exclusively for the enforcement of the Bihgo Laws. This Enforcement Tax should enable the State to hire Investagators to deal with the Legal problems which may arise.

In closing We would like to suggest forming a Committe to help the state understand our side of Bingo and any other way we may be helpful. We suggest the committe to consit of Non-Profit Organization Members &/or Bingo Hall Owners. THANK YOU ANY QUESTIONS?

3/10/83
Attachment #9

First we would like to refer to our Bingo places as Bingo Halls not casinos or parlors. It is a place of recreation for most of us that play. We do not think of gambling but it is something for us to do. On the TV the other night a preacher made the statement that "when people become lonesome and bored they some times turn to prostitution or drinking." I personally would rather see them setting and playing Bingo than out doing crime. It is no different than any other game to us.

On the tax bill, 6% is too much for any organization to pay. There are four or five people giving their time to raise money for their Non-profit organization and then they will not make anything for their time spent for the organization. ^{making} The real story is not printed. It is left that the organization is big money. It does not take into consideration that out of that money they have to pay prize money, tax, rent, baby setters, paper specials, and in some cases guards. There is also programs to be printed. It all adds up.

As for the organization playing at other places than where they are liscensed. We are for that Bill. I feel that an organization should only play at the place where they are liscensed.

The checks are a lot of book work for someone to do for nothing. If an organization is required to write checks it is hard for some people to cash them. Some people do not have bank accounts so they cannot get them cashed.

If a Bingo Hall is only allowed to stay open three days a week there will not be enough to pay their rent and utilities. Their utilities are high. I know two people personally that own Bingo Halls and I have seen some of their bills. The organizations cannot buy buildings for themselves. It is cheaper to rent a night or two than to own a building. Also if a Bingo Hall can only stay open three days a week what happens to the other four organizations that cannot play?????

It is too high to have to pay \$1 a card. There are many older people who play and split the amount they buy. They cannot afford \$1 a card for each card. I think if you would go and take a count of the people you would find that at least 80% of the people are over forty and more than 50% are over fifty or sixty.

We feel that the two-thirds going to the state for enforcement is fine. We feel that there has been very little enforcement of bingo at all. If the state takes it over then maybe there will be some action.

I have two proposals to make to you

First in Wichita the children have been allowed to go to the Bingo Halls. Some play and some are in the nurseries or their parents just turn them loose to run outside.. We would like to have an age limit put on the children going on the premises. We would like to do away with the nurseries. Our proposal is that no child under the age of fifteen cannot be on the premises at a Bingo Hall. That means the parking lot also.

The second proposal is that the price of cards be set at eight for \$5. It would let people mix the early bird and Late bird, and Jackpots. They should buy eight regular cards. Some places might go back to the hard cards for the Jackpots then. We really would like that. It was that way when we had to quit because we could not make ends meet on thirty or forty for \$10. When they are 30 or 40 for \$10 the people split the amount and the organization doesn't make enough to pay out the \$1200 unless they have a large crowd. This is the way ~~it was~~ when we had to quit. Along with that we would like to see the amount of give away raised to \$3,000 or \$3,600 as it is in Nebraska and Missouri. Oklahoma gives \$125 a game and a lot of our people would rather go there and play for that amount of money rather than \$25 or \$30 a game in Kansas. Keep our taxes home, not in the neighboring states as it is now.

Maxine and Jim Bohrer
2532 S. Mead
Wichita, Kansas
(316) 262-8929



Recovery Services Council, Inc.

General Offices (316) 265-8546

312 North Topeka, Wichita, Kansas 67202

*Minutes of March 10, 1983
Attachment #10*

DATE: March 9, 1983

TO: Federal and State Affairs Committee

FROM: Recovery Services Council, Inc.

RE: Bingo Laws

Recovery Services Council is a non-profit corporation established for the treatment of alcohol and drug abuse addictions. The council provides a Social Detoxification unit, Intermediate Treatment Program (45 days inpatient), Reintegration (halfway house) and a sheltered boarding home.

The Detoxification, Treatment and Reintegration units are funded in part by the Alcohol and Drug Abuse Service of the State of Kansas Social Rehabilitation Services, Senate Bill 888 and by funds generated in house through Third Party Insurance, self-pay, contributions and income from fundraising events (street sale, Halloween Dance, concessions and bingo).

The council began operating a bingo game in May 1982 to further offset one time expenditures in the programs. This income has allowed RSC to purchase televisions, washers and dryers for the three funded programs without having to request additional funds from an already drying up source.

To date Recovery Services Council has realized a profit of \$4,811.15 that we did not have to request from our funding sources; at the same time we have paid in \$3,808.41 in taxes (3% bingo and 3% sales). We, therefore, request that no drastic changes be made which would endanger a source of income that we are not having to hold our hands out for.

It is the belief of the council that with more active enforcement the current laws are adequate.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald M. Jordan", is written over the typed name.

Ronald M. Jordan
Financial Controller
Recovery Services Council, Inc.



AMERICAN YOUTH SOCCER ORGANIZATION
a nonprofit corporation dedicated to youth soccer
everyone plays®

3/10/83
Attachment #11

March 1, 1983

Dear Senator Francisco,

I am the regional commissioner of the American Youth Soccer Organization on the west side of Wichita. I would like you to know that I am opposed to your legislation to reduce bingo parlors to three sessions a week.

Our organization is raising money to develop seven soccer fields on the west side of Wichita. These fields will be used by 1000 area youth playing organized sports. Without our bingo money we will be forced to drop our project, and deny our children the opportunity to play soccer on nice green grass.

It is too bad your legislation will penalize the good operations in order to weed out the bad parlors. We are very pleased with our owner, Town West Bingo, which receives only \$250 for each session. We have faithfully reported our income and paid our taxes. If our owner is forced to limit bingo to three sessions, he cannot keep his doors open. Thus denying us the opportunity to help our children grow in soccer.

Please do not punish the honest sponsor who has worthwhile projects. We hope to help Wichita be a better city, because we have a champion soccer complex.

Sincerely,



Jim Sachs

REGION 208 / SECTION 4 / AREA U

JIM SACHS, *Regional Commissioner* / 1314 Peterson / Wichita, Ks. 67212 / H (316) 722-1635



OPTIMIST CLUB
OF WICHITA
DOWNTOWN



Minutes of March 2, 1983
Attachment #12

ALVA G. McELHANEY ... Chairman of the Board
JOHN R. MCGRAW President
JACK L. BLUE Vice President
MIKE BURNHAM Vice President
REX CATES Vice President
MICHAEL S. FAULKNER Vice President
HAROLD S. NAY Secretary
JOHN E. GLAHN Treasurer

March 2, 1983

Senator James Francisco
State House
Topeka, KS 66612

Dear Senator:

I am writing, as president of The Optimist Club of Downtown Wichita, to express our concern about proposed legislation that would have an untoward effect on Bingo.

Our club, as I am sure you know, involves itself in working with youth. We have been able to do so much more financially in helping numerous youth organizations with the proceeds we have garnered from our Bingo activities.

We have been participating in Bingo since it has been legalized in Kansas. Our club has every Friday night at the Parklane Bingo Parlor in Wichita. We have only active members of the club working at Bingo on the night that we are sponsors. All work is on a volunteer basis. The volunteers sell the cards, call the games and distribute the money to the winners. We have scrupulously adhered to the regulations regarding minimal and maximum payouts, as well as reporting income, disbursements, taxes paid, etc.

The books kept by our club treasurer are available for perusal and auditing by any legislative or administrative official that would indicate an interest in them.

If criteria was developed that would restrict the playing of Bingo to church halls or limit the number of days or nights that any one facility could be used it would do irreparable harm to the many fine organizations that use this money making vehicle for their many philanthropic endeavors. An organization, such as ours, must be able to rent a facility for this activity. We have certainly been satisfied in our relationship with Parklane. This is evidenced by our tenure of over six years.

We realize that this activity with its statewide utilization may in some instances be subject to abuse and fraud by some groups. However, I am sure that this is the rare exception, rather than the rule. We feel that these few groups or organizations could be



ferreted out without subjecting the many fine organizations to penalty or termination of their Bingo privileges.

The 120 members of the Downtown Optimist Club are proud of the financial help that we have been able to give the many youth organizations in our community. We have been able to do so much more because of Bingo.

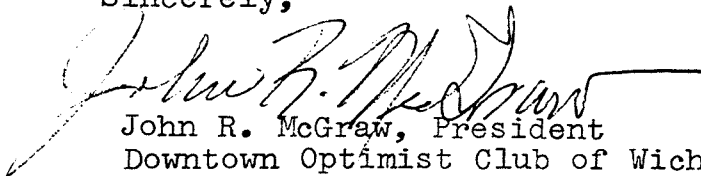
Senator, I am listing the organizations with the dollar amounts given that were helped by the Downtown Optimists in the fiscal year ending September 30, 1982. Similar amounts have been contributed each year for the past six years.

American Red Cross Volunteers	\$862.62
Boy Scouts of America	835.00
Downtown Optimist Giants (Baseball club)	394.00
Easter Seal Telethon	200.00
Residential Home For Boys	500.00
J.C. Cerebral Palsy Ranch	1,000.00
Monica House For Girls	726.60
Multiple Sclerosis	250.00
Muscular Dystrophy	250.00
N.B.C. Baseball (Tickets for Youth)	566.00
Optimist Youth Oratorical Contest	363.98
Osteopathic Hospital Pediatrics	280.00
Scholarships	1,297.00
St. Francis Hospital (Closed Circuit T.V..)	880.00
Salvation Army (Biddy Basketball)	4,000.00
Salvation Army (New Bleachers)	300.00
Two Rivers Youth Club	100.00
Wichita Head Start Program	500.00
Wichita Youth For Christ	500.00
Wichita "Y" Neptune Program	1,193.00
Y.M.C.A. Core Program	3,250.00
Y.M.C.A. -- 10¢ a day Program	1,550.00
West Wichita Children's Center	623.82
Wichita Regalettes	91.35
	<hr/>
TOTAL	20,418.77

I am sure that you and your committee would agree that our Bingo proceeds were put to good use. We would not be able to do one tenth this amount of good if we had to revert to selling Christmas trees, candy, etc. for money making projects.

Thank you for every consideration by you and the legislative committee.

Sincerely,



John R. McGraw, President
Downtown Optimist Club of Wichita



3/10/83
Attachment #13

North Wichita Optimist Club

March 1, 1983

Mr. Bob Francisco
State Representative

As the president of the North Wichita Optimist Club, I am writing this letter in protest over the proposed laws concerning Bingo establishments.

Our club has been involved in the Towne West Bingo establishment since October of 1982. Our relationship with the owners, Tim Farrell and Bill Keiter, have been very professional and informative.

100% of the revenue we raise from our Friday nights Bingo goes toward the youth of North Wichita. I am sure I do not need to tell you, Bob, how important community involvement is on the part of service clubs.

If the bingo laws take effect they will drastically affect our budget and involvement in the community. It is too bad that the proposed legislation that will affect many good service groups is being sought because of a few violators. I am in favor of stricter enforcement and monitoring of all bingo establishments, but please do not shut us down.

Sincerely,

David C. Rodine
President, North Wichita Optimist

DCR/amr

Blessed Sacrament Church

124 N. ROOSEVELT

PHONE 682-4557

Wichita, Kansas 67208

2/10/83
Attachment #14

March 2, 1983

To whom it may concern:

Blessed Sacrament has been conducting bingo on Saturday night at Parklone ever since Parklone Bingo opened.

The profits that have been realized have been used in the benefit of the Church Parish. Most notably we spent over \$8,000.00 on our baseball field. We had a new fence, infield and player benches installed. The money for this project was underwritten entirely by Blessed Sacrament Men's Club Bingo. There are numerous other projects that the profits from bingo were and are used for.

Currently, bingo is the major source of income for the Blessed Sacrament Men's Club. We know we run a honest and competitive game. We have also tried to keep our program attractive to the players while making sure we stay within the state mandatory limit of \$1,200.00 payout.

I believe Parklone Bingo is and always has tried to make sure all the organizations that conduct bingo at Parklone stay within the state guidelines.

Respectfully,
Yours,

Frank C. Patten

Bingo Supervisor
Blessed Sacrament Men's Club

3/10/83
Attachment #15

March 2, 1983

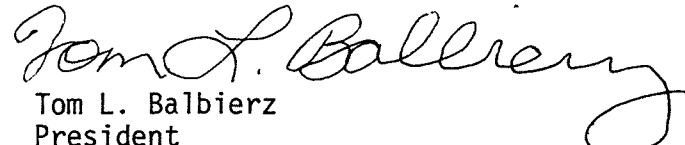
Gentlemen:

As President of the Booster Club of Kansas Newman College, I wish to express my views on the forthcoming decisions to be made regarding Bingo and Non-Profit Organizations.

We have only been involved with Bingo for approximately 2½ months and therefore, do not have as much background as some other organizations. However, as a result of Bingo, we are able to offer scholarships to kids that might not be able to afford College. We also, can now undertake to finance certain programs that would otherwise be cancelled for lack of money.

Since December 15, 1982, when we held Bingo for the first time, we have received excellent guidance and help from Tim Farrell, the owner-operator of Parklane Bingo. He has kept us informed of legal guidelines and rules affecting our Bingo game. We have had no complaints with the players and we pride ourselves on the level of which we run our Bingo, and the fact that we have complied completely with all the requirements, local and state. If Bingo is severely limited or outlawed, this will eliminate many, many, programs that are currently helping the youth in our country.

Sincerely yours,


Tom L. Balbierz
President
Kansas Newman College Booster Club

TLB/kmm

3/10/83
Attachment #16
1 March 1983

Senator James Franciso
Topeka, Kansas 66603

Honorable James Franciso

As Basileus of Gamma Upsilon Chapter, Omega Psi Phi Fraternity, I am writing on behalf of our membership to express our concern and strong objections to one of the proposed changes to the Kansas Bingo regulations, specifically the change limiting the number of times a bingo parlor may be open in any given week. This change I am sure sounds good to those wanting to make an easy decision to stop any corruption and shut down parlors, but would be very unfair and devastating to legitimate non-profit organizations. It would force parlors to close because they could not stay in business, force organizations to have their own facility which most could not afford, and revert back to a virtual monopoly that certain religious institutions maintained a few short years ago.

To provide some background regarding our organization, we were founded in 1911 at Howard University. Our chapter in Wichita was chartered in 1949. It is primarily a social organization with a high principle of scholastic attainment. To attain this primary objective, we have over the last five years used a majority of our revenues from bingo to provide over fifty scholarships to outstanding high school students within our community. In addition, we have provided funds to innumerable worthwhile causes within the community. During this period, we have been fortunate to operate at one location, Parklane Bingo, Wichita, Kansas. We have always been honest and paid our fair share of state required taxes, and kept accurate records of all our operations. These records are available for anyone with a need to know to review. We have found and can testify to the fact that the management of this facility is above reproach.

As you may or may not know sir, a large percentage of bingo players are a very sensitive and suspicious breed. They have a keen sense of the legitimacy of an overall operation; it takes time to develop their trust and you have to work extra hard to maintain that trust. We are proud to say that we doubt if you can find a legitimate complaint regarding our operations.

Recommendation: We agree that bingo has become a big operation with the likelihood that some elements of society should not be involved -- but don't penalize everyone for the actions of a few. Our organization as well as others have paid a three percent enforcement tax for several years, an amount of money that is considerable indeed. During those years we have not to our knowledge had a single enforcement official visit our operation to determine if any laws were being violated. This we feel is the major problem of bingo in Kansas. Please sir, don't take the easy way out and revise the law to favor a specific interest group -- Be fair to all!

Respectfully,


JOSEPH PATRICK
Basileus

2116 Shadybrook
Wichita, KS 67214



AMERICAN YOUTH SOCCER ORGANIZATION
a nonprofit corporation dedicated to youth soccer
everyone plays

3/10/83
Attachment #17

March 3, 1983

Dear Sir:

I understand that there is a bill pending in the Legislature to limit the number of nights (days) that Bingo may be played in an establishment. The rationale behind this seems to be to eliminate the so called criminal interest in the "legalized gambling" aspect of the Bingo games.

As a leader of an organization sponsoring one Bingo session a week, I can not see the need for this type of regulation, as the amount of money involved would hardly interest the "criminal element". Our profits from the Bingo sponsorship has been between \$600.00 and \$1,000.00 per month in the 6 month period that we have been involved in this fund-raising activity.

Our sponsoring organization is the American Youth Soccer Organization, Inc., (AYSO), Region #207 in Wichita. The money is used to help defray the expenses of 600 families in our region for their children to play the safe and healthy sport of soccer.

Our registration fee is only \$20.00 for 18 weeks of playing soccer and includes a full uniform per player and the maintaining of 5 soccer fields. Without the funds from Bingo, the registration fee would almost double for the 700 children in our area.

If the bill limiting the number of time Bingo may be played in a location were to be passed, our region and the other Wichita AYSO regions, who also sponsor a Bingo night will be hard pressed to maintain the quality programs we now offer to the 5,000 AYSO children of Wichita.

In closing we ask you to please investigate other alternatives to resolve the Bingo matter.

Sincerely,

Allen Rust
Regional Commissioner

REGION TWO HUNDRED SEVEN

Allen Rust/Regional Commissioner/5307 N. St. Clair/Wichita, Kansas 67204/838-5818



Eta Beta Lambda Chapter

ALPHA PHI ALPHA FRATERNITY, INC.
Wichita, Kansas

3/10/83
Attachment #18

FROM: ALPHA PHI ALPHA FRALERNETY INC
ETA BETA LAMBDA Chapter President

March 1, 1983

SUBJ: Letter of Support for Bingo

TO: Kansas State Senator Francisco

Dear Senator:

As a non-profit organization, sponsoring bingo is our organizations primary source of fund raising. Funds raised are used for college scholarships, providing subsistence to people in need (e.g. Christmas and Thanksgiving food baskets), contributions for other worthy organizations such as United Negro College Fund drive, Heart fund drives, etc.

If bingo is reduced to three days a week or stopped completely, many worth while charities and organizations would receive reduced contributions and financial support from us. Bingo is our organizations primary source of income. Without bingo, many projects our organization sponsors for community improvement and development would be severely hampered.

In closing, we ask that bingo be continued seven days a week. For, we feel the State of Kansas benefit as well, e.g. taxes paid on monies raised. Also, monies raised are recirculated many times over in our own community, city and state, thus aiding the state financial burden. So, keep bingo going, to help us, help those individuals that cannot help themselves. Thank you in advance for your time and cooperation.

Jimmie E. Perkins
JIMMIE E. PERKINS, President
ETA BETA LAMBDA CHAPTER
ALPHA PHI ALPHA FRATERNITY INC.



AMERICAN YOUTH SOCCER ORGANIZATION
a nonprofit corporation dedicated to youth soccer
everyone plays[®]

2/10/83
Attachment #19

March 2, 1983

Senator James L. Francisco:

Dear Senator,

As a constituent, I am appalled by your stand on Bingo.

I represent over 600 young soccer players that previously to Bingo, would go up and down the streets of Wichita selling candy, cordles, pictures etc, to help defray the cost of running a large youth program. We charge \$20.00 per year to provide 20 weeks of soccer. This keeps many kids off the streets, under adult supervision learning a very enjoyable sport and good sportsmanship.

All profits from Bingo now help to run the program without, having kids on the streets. I know if you take away our right to run an honest, clean Bingo House you will put the kids back on the streets.

Think man!!

I can not speak for other Bingo Houses, but I do know about Towne West Bingo. I and my wife have ran it since October two nights a week. We usually have from 150 to 190 players, at 10.00 per player. After a payout of \$1200.00 dollars this leaves a profit of \$300.00 to \$700.00 per night. We pay 6% taxes to the state already and your wanting to raise that. Why?? If you want extra taxes why not have the churches in this state pay taxes on land not used for religious usage? I can assure you this would provide for a lot more taxes than an extra, already overtaxed Bingo! To state briefly, please reconsider your stand on the Bingo issue.

Sincerely,

Dick Wolf
Regional Commissioner





from: Optimist Club of Southeast Wichita date: 3-2-83

to: Senator: Francisco
State Capital
Topeka Ks. subject: Bingo - State of Kansas.

Senator Francisco,

I represent the Optimist Club of Southeast Wichita. Our Model in "Friend of the Youth": Because of our Weekly Thursday night bingo games we have been able to supply the kids of Wichita with some of their many financial needs. Among our projects for the past 12 months have been the following:

1. Purchased new Television and Stereo system for the Phyllis Wheatly Childrens home.
2. Sponsored a Bidy basketball Team
3. Sponsored a little league base ball Team.
4. Sponsored an international oritiorial Contest for High school Juniors and Seniors.
5. Supplied food and clothing for 5 needy families in the Wichita Area at Christmas



from:

date:

to:

subject:

Unless the Towne West Bingo parlor remains in business we will not be able to supply the preceding needs of the local youth of Wichita.

I have found the owners of Towne West Bingo to be reputable and I think they run a very honest business. I know we pay all taxes due us from the existing Bingo laws.

Please allow Towne West Bingo to remain in business

Wayne Scott
Vice President
Southeast Optometrist of Wichita



3/10/83
Attachment #21
The American Legion

AIR CAPITAL POST 401, INC.

(316) 522-9901 / 101 East 31st Street South / P. O. Box 17105 / Wichita, Kansas 67217

March 2, 1983

Senator James Francisco
Capitol Building
Topeka, Kansas

Dear Sir:

I am writing a few things about bingo as maybe to put some light on it from our side, Air Capital Post 401, American Legion.

First of all, our reason for playing in a regular hall. We do have a building with public address system and machines and everything but we are unable to seat enough people to make it profitable on the available nights for good bingo, Friday, Saturday or Sunday due to ABC rules, etc. Secondly, is clean up etc. Our workers are all volunteers from American Legion or Auxillary and working people, so cleaning up afterwards makes it late to get home. We do want good volunteers. We are unpaid, we do not receive anything free for working. We want it that way.

We would like to see more enforcement - one where the money goes. Maybe by increasing license fees by check to any winners one hundred dollars or more games. I know by the money we have been making lately that the only way to make any would be to have the \$500 go to the paid player.

We do have records of our bingo every since we started enclosed. Information on how we kept records - 1976, 1982, and 1983. Distribution of how our money was spent in year 1981.

Sincerely,

Robert W. Buckel
Vice- Commander

3/10/83

Attachment #22

The *INDEPENDENT*
Order of FORESTERS

1868 Windsor Court
Wichita, Kansas 67218
March 2, 1983

Senator James Francisco
Capitol Building
Topeka, Kansas

Dear Sir:

As fundraising chairperson for the Independent Order of Foresters, I would like to make a few comments concerning bingo.

Since our Head Office will not allow us to have our own building, any activity that we have has to be done at other locations. We have been able to do and help a lot of things and people through our bingo fundraising. In the four years, we have been playing bingo, we have been able to award almost \$10,000 in scholarships to our members, young and old; help over 50 families in distress through out the year and at Christmas time; donated to over 20 different charities in our own city plus providing some extras for our own organization that otherwise were not provided. If the operation of the bingo parlor were cut to 3 days, which would put them out of business, it would not be feasible for us to operate a game of bingo.

As for the place where we play bingo, Seneca Square Bingo, the management has insisted that we abide by the Laws of Kansas. At no time have they or their employees interfered with our running our own format and game. We have had several organizational meetings to discuss laws and any problems that have arisen because of other organizations playing illegally. At one of them, Mrs. Nancy Freund of the State Revenue Department, was down to speak to us and answer any of our questions.

If anything is to be done, I would like to see better enforcement from the State of Kansas with the current bingo laws that we now have. Would it not be easier to control bingo in one professional parlor than in several small out of the way places? I feel that we are currently abiding by the laws and would like for everyone else running a game of bingo be made to do so also.

My organizations books are open at all times and would welcome anyone to come in for an evening of bingo or just to look at the books. Our monies are accounted for every session of bingo. Enclosed you will find a format that we are currently using showing the dispensation of the \$1200 allotted.

Respectfully submitted,

Nellie J. Thill
Nellie J. Thill

3/10/83
Attachment #23

771 Riverview
Derby, Kansas 67037
March 2, 1983

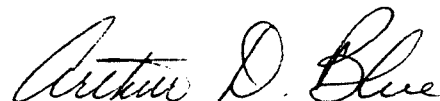
Dear Mr. Francisco,

Our organization, Continental Ambassadors Drum and Bugle Corps, is a relatively small organization. We do not have sufficient funds to supply ourselves with all the equipment in order to operate a bingo game, therefore we rent this equipment from Mr. John R. Smith.

Mr. Smith has informed us that there will be no toleration or violation of the Kansas Bingo Laws on our part.

Without the bingo parlor, we would be unable to hold bingo or sponsor a bingo game. We are small as I mentioned earlier and without a hall big enough to hold bingo or seat enough people, we cannot hold the game. We do play two days a week, and do appreciate having a place to play the game. We also feel that the bingo laws as they are now written are justifiable, just that they need to be more strictly enforced and everybody adheres to them.

Respectfully,



Arthur D. Blue
Bingo Chairman
Continental Ambassadors

3/11/83

Attachment #24

1228 N. Pershing
Wichita, Kansas 67208
March 2, 1983

Senator James Francisco
Capital Building
Topeka, Kansas

Dear Mr. Francisco,

As the bingo chairman of Kansas Craft Foundation, I feel the need to make a few comments on the bingo law about to be passed.

Kansas Craft Foundation is a small organization which does not have the facilities to hold any fund raising activities. We rent various other places to hold our seminars on crafts and to aid others. One fund raising activity we have enjoyed is Bingo. For us to play bingo, we have to rent the building and equipment from a professional bingo parlor. The management of the bingo parlor stresses that we abide by Kansas Bingo Laws at all times, at no time are they involved in the conduct of the games.

The present bingo laws are sufficient enough to keep out evils (organized crime, illegal gambling, etc.,) if there were better enforcement of these laws. Changing the laws or adding new laws will not help the current situation unless they are strictly enforced.

Wouldn't it be easier to control several large properties rather than 48 different organizations each in their own building?

Sincerely,



Jeanne Jacobs
Kansas Craft Foundation
Fundraising Chairman



WICHITA STATE UNIVERSITY

WICHITA, KANSAS 67208
PHONE 316/689-3300

COLLEGE OF EDUCATION

3/10/83
Attachment #25

March 2, 1983

Senator James Francisco
The Kansas Senate
The State Capitol
Topeka, KS

Dear Senator:


I am writing this letter to you as a member of the Board of Directors of the St. Paul Child Day Care Center in Wichita about the status of bingo from my point of view. I have helped in working bingo for the Center for approximately five years at one of the bingo parlors operated by John R. Smith and feel that I am able to provide some information which you may find useful.

First, let me say that professionally-operated parlors are of utmost importance to non-profit groups such as the Center if the parlors and groups are to operate within the law. Our group could not possibly provide adequate space and equipment to operate two bingo games a week. The cost for tables and chairs, bingo cards, cameras and monitors, the bingo machine and the bingo boards with lighted numbers would certainly be much too excessive for any group. Incidentally, Mr. Smith has made every effort to operate within the law and has assisted organizations at his centers in doing so. We appreciate his efforts and wish that other operators would concern themselves more in this fashion.

I would like to take this opportunity to mention that, although we do not make very much from bingo in Wichita at this time since there are so many parlors, the St. Paul Center would not be able to remain open if there were not funds from bingo to supplement the Center income. We sincerely hope that the enforcement tax will not be changed from 3% to 6% of the gross profit since that would eliminate most of the profit we now earn. I believe that the present 3% enforcement tax would finance law enforcement operations if it were utilized for that purpose.

Thank you for your consideration of these comments. I would be pleased to provide clarification of any of them if you so desire, or, if you wish additional information, I would be happy to try to provide it.

Sincerely,


Kenneth Nickel, Professor
of Secondary Education

February 28, 1983

The Editor
THE WICHITA EAGLE & BEACON
825 East Douglas
Wichita, KS 67202

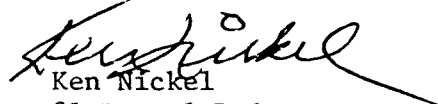
Quite a lot of negative information about bingo playing in Kansas has been printed in many newspapers around the state recently with some accurate statements and some rather questionable. This letter is an attempt to present some of the positive side.

My experience in assisting in running bingo games for a day care center covers approximately five years and, from that background, I find that playing bingo is very important to many people. It is as important to them as playing golf, racquet ball or sailing or many other recreational activities that many people spend their time and money enjoying. Some of the more positive aspects of bingo playing for many people from these years of experience for me are:

1. All players, men or women, have an equal chance to win--prizes are not awarded on the basis of strength or personality or popularity;
2. All players regardless of age or physical condition can enjoy playing bingo and competing for prizes--eighty and ninety-year olds, people in wheel chairs, the deaf and the blind can and do play bingo;
3. Playing bingo serves as the major recreational activity for many people in Kansas;
4. Many bingo players make the regular meetings a large part of their social activities where they meet and visit with their friends and make new friends;
5. Non-profit organizations can and do make enough from operating bingo to sustain their organizations and their programs.

In my years of participation, I have seen no evidence of anyone, any parlor operator, or any organization making large sums of money--getting rich on bingo. I have heard rumors of illegal operations at times or of various groups and/or operators not abiding by the law but I have not seen any evidence that organized crime has taken over bingo operations. In this regard, I believe that the present laws in Kansas are adequate if they are enforced. Further, I believe the present 3% enforcement tax would finance operations to enforce the laws if the thousands realized each month from this tax were so utilized instead of being dissipated back to counties.

Perhaps, the bingo players should organize into an effective lobbying group such as the National Rifle Association or some of the other groups in order to influence legislation which will affect their recreational activities.


Ken Nickel
21 Laurel Drive
Wichita, KS 67206
682 4876

Attachment #25
March 10, 1983 26

A RESPONSE TO
SENATE BILL 401
BY JIM COCHRAN
A BINGO PROPERTY OWNER

I am here today to talk to you about Senate Bill 401 which concerns bingo. I am a property owner in Wichita, Kansas and my building is leased to non-profit charitable organizations who use it to play bingo in. I wish to speak to you in regards to this bill from three different points of view. First as a bingo property owner, then as a spokesperson of some of the non-profit charitable organizations who sponsor bingo games in my building; and finally, as a private citizen and taxpayer who was born and raised in Kansas and is concerned about the State of Kansas. Basically, from all three points of view I will call for Senate Bill 401, as well as any other bills concerning bingo that may be pending, to be killed in committee, and for the current bingo tax law and regulations as revised May, 1981, to be enforced.

First as a property owner:

Senate Bill 401 would amend K.S.A. 79-4706, adding Sub-section (q) which would state:

"No location or registered premises shall be used for the management, operation or conduct of bingo games on more than three (3) days in any one week."

I strongly object to this for several reasons. My building is currently leased out seven days a week to different non-profit charitable organizations, if this amendment were

to take effect several things would happen. First, my property, as well as others, would be forced to close since it would be economically impossible to operate on only three days a week. Thus, the 15 persons who I employ would find themselves without work. These 15 people are concession stand help and babysitters who are paid by me with monies I receive in rent from the non-profit charitable organizations who rent my building. Since I own approximately 1/6th of the bingo property in Wichita, I would assume at least 90 to 100 people would lose their jobs in Wichita alone.

Secondly, the State would lose the tax money being generated by my property and others. Conservately, this loss would be at the very least \$295,680.00 a year lost from the Wichita area alone.

Lastly, many worthy organizations currently using proceeds received from running bingo games to support themselves would no longer be able to play bingo. This being because they do not have their own building to play in or because their building is already being used every day for other functions.

As a property owner I understand, and it is important that I make you understand, the need for "bingo parlors". A great many of the state's bingo players are handicapped or elderly and simply cannot play in church basements or fraternal halls. If this bill were to pass and cause "bingo parlors" to close, handicapped or elderly who are physically unable to climb stairs or walk long distances would no longer be able to play. People of all ages who have emphysema or severe allergies to smoke simply cannot

play bingo in school basements where there are eight foot ceilings and no smoke abatement systems. Churches, schools, youth soccer clubs, Optomist Clubs, Veterans' organizations, black and other minority charitable groups, and many others who have no physical location to play bingo in would lose the revenue bingo is generating for them.

As a property owner, once again let me say that, I strongly oppose Senate Bill 401 and especially Sub-section (q) of 79-4706 and call for it to be set aside. I feel that current laws already on the books are sufficient, if they were to be enforced, to control bingo.

I currently have several non-profit charitable organizations leasing my property to play bingo in, they include two churches, two schools, a VFW post, a group sponsoring Little League baseball, and a sorority which uses their funds to help support a school for spastics. In talking to representatives of each of these organizations, as well as representatives of other non-profit charitable organizations I have learned that they too oppose this bill and call for its defeat.

They feel that the paying of prizes by check as called for in 79-4706 (f) would only prolong the bingo game and serves no useful purpose since they are already required to keep the name and address of winners of any amount over \$100.00. They also feel that this would be an added expense to them since it would require a checking account and service charge.

As for 79-4706(i) which would set the price of bingo cards at \$1.00 each; the organizations I have talked to feel this is most unfair. In the last several years almost the only form of entertainment which has gone down is the price of bingo. Four years ago you could go to the show for \$2.50, ride the bus for 25¢ or play bingo for six cards for \$5.00. Today a show is \$4.00, bus rides are 45¢ and bingo cards are as low as 25¢ to 35¢ each. Particularly hurt by this bill would again be the elderly and handicapped who are on fixed incomes and have only limited funds to spend on entertainment. If this bill were to pass these people would no longer be able to take advantage of multiple cards/single price plans such as 30 for \$10.00 or 40 for \$10.00 now popular in Wichita.

The remainder of 79-4706 Sub-section (q), (r) and (s) and the new Section 3(a) and (b) are not needed since current law, if it were to be enforced, could and would handle all of these problems. The non-profit charitable organizations are already required to keep all of these records and the Secretary of Revenue already has the power to adopt and enforce these laws, but never has.

As to the last part of this bill, 79-4710, concerning where the tax money goes, these groups feel that, since very little effort has been taken to enforce current law, no changes should be made until some effort is being made. Then, and only then, should we look at spending more money or redistribute current income.

The non-profit charitable organizations I have talked to oppose this bill, call for its defeat and insist, instead, that the Secretary of Revenue be instructed to enforce the current laws concerning bingo.

As a taxpayer and private citizen let me say that I too oppose this bill, as well as Senate Bills 97, 98, 99. Other forms of entertainment are not so heavily taxed or regulated. Before any new laws are passed, I feel that the current laws should be enforced, then if problems exist new laws could be created to control the problem.

I urge you to set Senate Bill 401 as well as Senate Bill 97, 98, and 99 aside until enforcement of the current law is attempted.