

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS

The meeting was called to order by REPRESENTATIVE ROBERT H. MILLER at
Chairperson

1:30 a.m./p.m. on February 20, 1986 in room 526S of the Capitol.

All members were present except:

Rep. Peterson

Committee staff present:

Lynda Hutfles, Secretary
Russ Mills, Research
Mary Torrence, Revisor's Office

Conferees appearing before the committee:

Representative Wilbert
Phil Maceli
Lany Ellis
Bob Scrinopskie, Topeka
Abraham Gorelich, KCK
Darrel Johnson
Dr. Anderson
Representative Barr
Audrey McCaig, Helping Hands Humane Shelter
Carol Brandert, Kansas Federation of Humane Societies
Dennis Keller, McPherson Humane Society
JoAnn Ailles, Kansas Federation of Humane Societies
Betty Lambert, Saline County Humane Association

The meeting was called to order by Chairman Miller.

The Chairman pointed out the agenda which was distributed and the list of bills listed for discussion and possible action and asked the committee to have any amendments they might have ready.

The chairman appointed a subcommittee on HB2900 with Representative Roenbaugh as Chairman and Representatives Roy, Barr and Sallee as members and announced they would be meeting on Monday, at 1:30 in Room 526S.

Representative Sallee made a motion, seconded by Representative Goosen, to approve the minutes of the February 18 and 19 meetings. The motion carried.

HB2844 - pawnbrokers

Representative Wilbert, sponsor of the bill, explained the bill and introduced Phil Maceli and Lany Ellis.

Phil Maceli explained the bill which revises loan time limits from 90 days to 60 days and increases the interest rate from 10% to 20% per month. He told the committee that laws concerning pawnbrokers needed to be updated to meet the standards of other states. See attachment A.

Lany Ellis, pawnbroker in Topeka, gave testimony in support of the bill and explained the problems they have with law enforcement agencies removing merchandise from their business without any positive action. He told the committee he would like to see the cap taken off the amount that can be loaned.

Bob Scrinopskie, pawnbroker in Topeka, gave testimony in opposition to the bill. He said that he was opposed to reducing the time period from two months to one month and was also opposed to increasing the interest from 10% to 20% per month. Any pawnbroker should be able to live with 10% per month. He did say that the cap on the amount loaned could be raised to \$500.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS
 room 526S, Statehouse, at 1:30 a.m./p.m. on February 20, 1986

Abraham Gorelich, attorney and pawnbroker in Kansas City Kansas, gave testimony in opposition to the bill. He said that the cap on the amount should either be raised or taken of altogether. Mr. Gorelich expressed some of the problems with the bill from an attorney's prospective in the pawnshop business.

Darrel Johnson, pawnbroker, told the committee that the current 10% interest rate is sufficient and the holding time is sufficient. He did say that the lid does need to be taken off the amount of the loan.

Hearings were concluded on HB2844.

HB2956 - animal abuse

Dr. Anderson, Topeka Veterinary, gave testimony in support of the bill. Currently if a person is convicted of a cruelty to animals charge, they can have it expunged and this does not have to be put on an application. If an owner or employee is ever convicted of a cruelty to animals charge he should not be allowed to receive a license to run a pet shop or an animal shelter.

Representative Barr explained why the bill was introduced and showed the committee a video tape of a television series she had viewed on KCTV, Channel 5, Kansas City, Mo., dealing with a licensed veterinarian and operator of a pet store in the Oak Park Mall in Overland Park. She explained that the bill states that if you are convicted of animal cruelty, you cannot be licensed to deal with animals or employed by a veterinarian, pound, animal shelter, research facility, animal dealer or pet shop operator. See attachment B.

Audrey McCaig, Helping Hands Humane Shelter, gave testimony in support of the bill. She said that anyone who is in business should be willing to take the risk of loosing his license if he is convicted of cruelty to animals.

Hearings were concluded on HB2956.

HB2886 - Relating to the operation of pounds

Carol Brandert, Kansas Federation of Humane Societies, explained the bill which required pound licensure for any political subdivision of the state.

Dennis Keller, McPherson Humane Society Cruelty Investigator, told the committee of his investigation of the Lyons City Dog pound and showed the committee pictures of animal cruelty. He is a full time firefighter who volunteers his services as an investigator for the McPherson Humane Society along with two subordinate investigators.

JoAnn Ailles, Kansas Federation of Humane Societies and the Saline County Humane Association, gave testimony in support of the bill. If facilities are not upgraded then we have no hope for getting a handle on the cruelty to animals statutes.

Betty Lambert, Saline County Humane Association and Kansas Federation of Humane Societies, gave testimony on costs for pounds and animal shelters. She said there was a need to get rid of the word "pound" which has negative vibes.

Hearings were concluded on HB2886.

Representative Grotewiel made a motion, seconded by Rep. Walker to introduce as a committee bill, a constitutional amendment dealing with the way a constitutional amendment is submitted to the people. The motion carried.

The meeting was adjourned.

HOUSE BILL 2844

OUTLINE FOR FEDERAL AND STATE AFFAIRS COMMITTEE

By: Mr. P. R. Maceli
Mr. G. Wilkinson

Section 1, 16-714

Revise loan time limit from 90 days to 60 days

Justification:

- A. Update the law to comply with most other states. They have 30 and 60 days to pick up their merchandise.
- B. Most individuals that want their merchandise will either pay their interest or pick it up within 60 days.
- C.. Individual cannot go 90 days without paying their gas, electric, water, car or house payment without having the company shut off their utilities or reposes their auto.

Section 2 16-718

Justification: Protection against pawnbrokers from merchandise being removed from business without any positive action being taken by law enforcement agency. This is not to be construed with prevention of rightful owner receiving his merchandise back.

Section 3 16-719

Justification:

- A. Increase the interest from 10% to 20% per month with rates most other states charge (as high as 25-30%)
- B. It has been 10% since early 1900s when the banking interest rates were 3 to 4%
- C. Increase the amount of the loan from \$300.00 to \$500.00 which has also been the amount since the early 1900's. 1971
Most other states with pawn brokers can loan up to \$2000.00

Amendment to Bill:

0068 relating to such property. The merchandise may be used by prosecuting attorney as evidence in a court of law against the accused individual (s). At that time, if the property has been

STATE OF KANSAS

GINGER BARR
REPRESENTATIVE, FIFTY-FIRST DISTRICT
SHAWNEE COUNTY
P O BOX 58
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE CHAIRMAN: GOVERNMENTAL ORGANIZATION
MEMBER ENERGY AND NATURAL RESOURCES
FEDERAL AND STATE AFFAIRS

Testimony by: Representative Ginger Barr

RE: House Bill 2956

Committee: House Federal and State Affairs

Date: February 20, 1986

Mr. Chairman and Members of the Committee:

I appreciate the time to appear before you today concerning House Bill 2956, which deals with the abuse of animals. This summer I was contacted by a woman in Shawnee County concerning a television series she viewed on KCTV, Channel 5, Kansas City, Missouri. She stated to me that the television series had stated that a licensed veterinarian and operator of a pet store in the Oak Park Mall in Overland Park, Kansas, was being accused of cruelty to animals. Also, this person was involved in a kennel in Soldier, Kansas, which is around the Holton area. It was a wonderment to her that one could perhaps be convicted of cruelty to animals and lose their license, but turn around and deal with animals in another manner.

House Bill 2956 tries to address this problem. It is patterned after the child abuse laws which basically states that if a person is convicted of child abuse, they cannot work in a day-care center. The same is true in animal cruelty. If you are a licensed person who deals with animals or employed by a veterinarian, pound, animal shelter, research facility, animal dealer, or pet shop operator, then you would fall under this particular

H. FJSA
2/20/86

ATTACHMENT B

piece of legislation.

Pages 1 - 6 deal with the expungement procedures of municipalities and the state. On page 7, even if you have expungement, you need to disclose it in your application form.

Section 3 gives the ability for a veterinarian's license to be revoked. Section 4 deals with revocation of a license for a pound or animal shelter; while Section 5 deals with the revocation of a pet dealer's license or pet shop license.

I think that it should be brought out that under current law, the veterinarian's license can be taken away due to cruelty of animals; and the same is true with the dealer's license or the pet shop license. Therefore, the basic intent of the law is not being changed. However, it now includes employees of licensed individuals.

Thank you for your time in this matter, and I would be happy to answer any questions.