

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS

The meeting was called to order by CHAIRMAN MILLER at _____
Chairperson

1:30 a.m./p.m. on February 18, 1987 in room 526S of the Capitol.

All members were present except:
Representative Keith Roe

Committee staff present:

Lynda Hutfles, Secretary
Mary Torrance, Revisor's Office
Mary Galligan, Research
Raney Gilliland, Research

Conferees appearing before the committee:

The meeting was called to order by Chairman Miller.

Representative Ramirez made a motion, seconded by Representative Peterson, to approve the minutes of the February 17 meeting. The motion carried.

The "white paper" on Low-Level Radioactive Waste Management was distributed for the committee to read before the 8:00 meeting on Thursday.

The agenda for the week of February 23 was also distributed.

HB2044 - Pari-mutuel

Representative Aylward made a motion, seconded by Representative Gjerstad to adopt an amendment requiring the racing commission by rules and regulations to establish a schedule of fees for the registration of Kansas-whelped greyhounds; and authorizing the commission to contract with and designate an official registering agency to implement the registration of greyhounds. The motion carried. See attachment A with changes.

Mary Torrance explained that interest on any state racing funds will be invested by the Pooled Money Investment Board. If you want the interest to go back into the racing fund, you have to have legislation to that effect.

Representative Long made a motion, seconded by Representative Barr, to add in New Sec. 5 (a)(1) "subject to Senate confirmation". The motion carried.

Representative Barr explained the intent of the sub-committee report which was incorporated in the bill in New Sec. 10(e).

Representative Sprague made a motion, seconded by Representative Ramirez, to delete "with the approval of the commission" in line 378,379 and 383 &384. The motion lost - 6-12.

Representative Sprague made a motion, seconded by Representative Walker, to assure that the attorney's salaries are to be paid out of pari-mutuel fund. The motion carried.

Representative Aylward made a motion, seconded by Representative Eckert, to strike on line 315 "Kansas-domiciled stallions". The motion carried.

The Chairman announced that Mr. Tom Kelly of the KBI had brought in some amendments right before the meeting on expungement statutes.

Representative Sebelius made a motion, seconded by Representative Eckert, to create the racing reimbursable expense fund in the state treasury. The motion carried. See attachment B.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Federal & State Affairs,
room 526S, Statehouse, at 1:30 a.m./p.m. on February 18, 1987

Representative Hensley made a motion, seconded by Representative Aylward, to strike in New Sec. 18(a) "state" and insert after "racing" the words "reimbursable expenses"; and in New Sec. 26 strike "fees for fingerprinting" and insert "pari-mutuel wagering tax, and" and strike "and reimbursements for services of assistant animal health officers, stewards or racing judges". The motion carried.

Representative Peterson made a motion, seconded by Representative Eckert, to report HB2044 favorably as amended. The motion carried.

The meeting was adjourned.

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE 2/18/86

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
CHARLES BELT	WICHITA	DANIELSON ASSOCIATES
Bob Gottschalk	Hutchinson	KANSAS ST. FAIR
ELMER DEWNING	HUTCHINSON	KS STATE FAIR
Joon Brown	Hutchinson	Kansas State Fair
Altis FERRE	gates Center	Kansas ST Fair
Pete McGill	Topeka	Hutch CC - KVMA - KGRA
Paul Boatright	Mayfield	KGOED
Bessie Censhaw	Topeka	KGOED
Helen Stout	Burlingame	Greyhound Farmer
Margaret Gellan	Mulvane	
Bob STOUT	Burlingame	Greyhound Farmer
Larry Erne		
Jim Burgess	Topeka	Sunflower Racing
BOB ANDERSON	TOPEKA	KANS. RACING CHARITIES, INC.
Armenia Starks	Lawrence	
Jacqui Matton	Topeka	Lt. Governor's office
Patrick Shurley	Topeka	Ks Racing Reg. Fee.

0158 races as approved by the commission; and

0159 (2) an amount equal to 50% of the breakage shall be paid as
0160 ~~purses/directly to the breeders of Kansas-whelped greyhounds~~ stakes
0161 pursuant to rules and regulations of the commission.

0162 New Sec. 22. (a) Any person who claims to be entitled to any
0163 part of a parimutuel pool conducted by an organization licensee
0164 and who fails to claim the money due such person prior to the
0165 completion of the race meeting at which the pool was formed
0166 may file with the organization licensee within 60 days after the
0167 close of the race meeting:

0168 (1) A verified claim on a form prescribed and furnished by
0169 the commission, setting forth such information as necessary to
0170 identify the particular pool and the amount claimed therefrom;
0171 and

0172 (2) a substantial portion of the parimutuel ticket upon which
0173 the claim is based, sufficient to identify: (A) The particular
0174 racetrack, race and horse or greyhound involved; (B) the amount
0175 wagered; and (C) whether the ticket was a win, place or show
0176 ticket.

0177 (b) Upon proper application by the claimant or by the orga-
0178 nization licensee, the commission shall hear any disputed claim
0179 filed in accordance with subsection (a) and shall consider the
0180 proof offered in its support. Unless the claimant satisfactorily
0181 establishes the right to participate in the pool, the claim shall be
0182 rejected. If the claim is allowed, the organization licensee shall
0183 pay the amount of the claim to the claimant upon order of the
0184 commission.

0185 (c) All unclaimed ticket proceeds from parimutuel wagering
0186 on horse race meetings shall be remitted by the organization
0187 licensee to the commission on the 61st day after the close of each
0188 race meeting. The commission shall promptly remit any such
0189 proceeds received to the state treasurer, who shall deposit the
0190 entire amount in the state treasury and credit it to the Kansas
0191 horse breeding development fund created by section 27.

0192 (d) All unclaimed ticket proceeds from parimutuel wagering
0193 on greyhound race meetings shall be remitted by the organiza-
0194 tion licensee to the commission on the 61st day after the close of

0306 (5) moneys for equine research through institutions of higher
0307 education under the state board of regents.

0308 New Sec. 28. (a) The commission shall, by rules and regula-
0309 tions:

0310 (1) Qualify stallions for participation in Kansas-registered
0311 stallion awards;

0312 (2) provide for the registration of Kansas-domiciled mares,
0313 Kansas-domiciled stallions and Kansas-bred horses; and

0314 (3) establish a schedule of fees for the registration of Kansas-
0315 domiciled mares, Kansas-domiciled stallions and Kansas-bred
0316 horses sufficient to provide for all expenses incurred in the
0317 administration of the Kansas horse breeding development fund
0318 created pursuant to section 27.

0319 (b) The commission may contract with and designate an
0320 official registering agency to implement the registration of
0321 horses and the payment of awards from the Kansas horse breed-
0322 ing development fund. Such agency shall operate under the
0323 supervision of the commission and be subject to rules and
0324 regulations of the commission. The official registering agency
0325 shall receive no compensation except fees received for registra-
0326 tion of horses necessary to pay its expenses for such registration.

0327 New Sec. 29. (a) There is hereby created in the state treasury
0328 the Kansas greyhound breeding development fund to which
0329 money shall be credited as provided by this act. Expenditures
0330 from such fund shall be made in accordance with appropriation
0331 acts upon warrants of the director of accounts and reports issued
0332 pursuant to vouchers approved by the chairperson of the com-
0333 mission or a person designated by the chairperson.

0334 (b) Moneys credited to the fund shall be ~~expended as fol-~~
0335 ~~lows:~~

0336 ~~(1) An amount equal to 25% of all moneys credited to the~~
0337 ~~fund during a fiscal year shall be used for canine research~~
0338 ~~through institutions of higher education under the state board of~~
0339 ~~regents;~~

0340 ~~(2) an amount equal to 25% of all moneys credited to the fund~~
0341 ~~during a fiscal year shall be used for research conducted within~~
0342 the state of Kansas relating to the prevention of injury and

used: (1) For

0343 disease of greyhounds; and

0344 ~~(3) an amount equal to 50% of all moneys credited to the fund~~

0345 ~~during a fiscal year shall be used by the racetrack facilities where~~ (2)

0346 derived to supplement purses in races for Kansas-whelped grey-

0347 hounds as approved by the commission. /

0348 Sec. 30. K.S.A. 21-4302 is hereby amended to read as fol-

0349 lows: 21-4302. (1) A "bet" is a bargain in which the parties agree

0350 that, dependent upon chance, one stands to win or lose some-

0351 thing of value specified in the agreement. A bet does not in-

0352 clude:

0353 (a) Bona fide business transactions which are valid under the

0354 law of contracts including but not limited to contracts for the

0355 purchase or sale at a future date of securities or other commodi-

0356 ties, and agreements to compensation for loss caused by the

0357 happening of the chance including, but not limited to contracts

0358 of indemnity or guaranty and life or health and accident insur-

0359 ance;

0360 (b) offers of purses, prizes or premiums to the actual contes-

0361 tants in any bona fide contest for the determination of skill,

0362 speed, strength, or endurance or to the bona fide owners of

0363 animals or vehicles entered in such a contest;

0364 (c) a lottery as defined in this section;

0365 (d) any bingo game by or for participants managed, operated

0366 or conducted in accordance with the laws of the state of Kansas

0367 by an organization licensed by the state of Kansas to manage,

0368 operate or conduct games of bingo; or

0369 (e) any system of parimutuel wagering managed, operated

0370 and conducted in accordance with the Kansas parimutuel racing

0371 act.

0372 (2) A "lottery" is an enterprise wherein for a consideration

0373 the participants are given an opportunity to win a prize, the

0374 award of which is determined by chance.

0375 (3) "Consideration" as used in this section means anything

0376 which is a commercial or financial advantage to the promoter or a

0377 disadvantage to any participant.

0378 Mere registration without purchase of goods or services; per-

0379 sonal attendance at places or events, without payment of an

New Sec. 31. (a) The commission shall, by rules and regulations establish a schedule of fees for the registration of Kansas-whelped greyhounds ~~and Kansas-domiciled greyhounds~~ sufficient to provide for all expenses incurred in the administration of the Kansas greyhound breeding development fund created pursuant to section 29.

(b) The commission may contract with and designate an official registering agency to implement the registration of greyhounds, ~~and the payment of awards from the Kansas greyhound breeding development fund.~~ Such agency shall operate under the supervision of the commission and be subject to rules and regulations of the commission. The official registering agency shall receive no compensation except fees received for registration of greyhounds necessary to pay its expenses for such registration.

{renumber remaining sections}

KANSAS BUREAU OF INVESTIGATION

1620 Tyler • Topeka, Kansas 66612

(913) 232-6000



Criminal Conviction Records

21-4619

21-4619A

12-4516

Expungement statutes -
need exception to allow
expunged records to
be furnished to
the Commission

expunged records
sent to the Commission

expunged records - see report, B.I. Div. and
furnish to the Commission