

Approved 4-29-87
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. ~~xxx~~ on March 25, 1987 in room 254-E of the Capitol.

All members were present, ~~except~~

Committee staff present:

Mary Galligan, Legislative Research
Emalene Correll, Legislative Research
Mary Torrence, Assistant Revisor of Statutes
June Windscheffel, Secretary to the Committee

Conferees appearing before the committee:

Mr. Phil Wilkes, Legal Counsel, Department of Revenue

The Chairman directed the Committee to turn its attention back to the Summary, History and Issues Paper dated March 20, 1987, prepared by Mr. Phil Wilkes, concerning HB 2044, the Kansas Parimutuel Racing Act. (The paper is Attachment #1 of the Minutes of March 24, 1987.) Mr. Wilkes started with Section 13, and continued through it with the Committee. The Chairman thanked Mr. Wilkes for his presentation and urged the Committee to study the information.

Senator Anderson had a proposed bill concerning qualifications of applicants for a dental license and approval of dental schools and colleges. Senator Martin moved that the bill be introduced. Seconded by Senator Strick. The motion carried. (Attachment #1)

Senator Strick had a proposed bill concerning unlawful use of driver's license or state ID card. Senator Morris moved that the bill be introduced. Seconded by Senator Martin. The motion carried. (Attachment #2)

The meeting was adjourned at noon.

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Attachment #1

7 RS 1370

SENATE BILL NO. _____

By Committee on

AN ACT concerning dentistry; relating to applicants for licensure to practice dentistry; concerning approval of schools or colleges of dentistry; amending K.S.A. 65-1426 and repealing the existing section.

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

Section 1. K.S.A. 65-1426 is hereby amended to read as follows: 65-1426. (a) Except as otherwise provided in subsection (c), every person who desires to practice dentistry in this state shall file with the secretary-treasurer of the board a written application for a license, and furnish satisfactory proof that the applicant is at least 21 years of age, of good moral character and a graduate of a dental school or college approved by the board. Such application shall be upon the form prescribed and furnished by the board and verified by the oath of the applicant and shall be accompanied by the required fee and a recent unmounted, autographed photograph of the applicant.

(b) The board shall approve only those dental schools or colleges which require the study of dentistry and dental surgery and which the board determines have standards of education not less than that required for accreditation by the commission on dental accreditation of the American dental association or its equivalent.

(c) Notwithstanding the provisions of subsection (a), the board shall consider an application of any graduate of a dental school which has not been approved by the board if the applicant successfully-completes: (1) Has completed successfully a course of remedial or refresher instruction offered by a dental school or college where both the course and the school have been approved by the board; or (2) has completed successfully at least

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one year of graduate study in dentistry or a specialty thereof at a school or college in the United States; or (3) has completed successfully a residency training program in dentistry or a specialty thereof located in the United States.

(d) The board may send a questionnaire developed by the board to any dental school or college for which the board does not have sufficient information to determine whether the dental school or college meets the requirements of this statute or rules and regulations adopted pursuant to this statute. The questionnaire providing the necessary information shall be completed and returned to the board in order for the dental school or college to be considered for approval. The board is authorized to contract with investigative agencies, commissions or consultants to assist the board in obtaining information about dental schools or colleges. In entering such contracts the authority to approve dental schools or colleges shall remain solely with the board.

~~(d)~~ (e) The board is hereby authorized and empowered to adopt such further rules in regard to the qualifications of applicants for licensure, not in conflict with this section, as it from time to time may deem necessary and proper.

Sec. 2. K.S.A. 65-1426 is hereby repealed.

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

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Attachment #2

AN ACT concerning unlawful use of drivers' licenses, nondrivers' identification cards and other identification cards; amending K.S.A. 1986 Supp. 8-260 and 8-1327 and repealing the existing sections.

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

Section 1. K.S.A. 1986 Supp. 8-260 is hereby amended to read as follows: 8-260. (a) It shall be unlawful for any person, for any purpose, to:

(1) Display or cause or permit to be displayed or have in possession any canceled, revoked, suspended, fictitious or fraudulently altered driver's license.

(2) Lend any driver's license to any other person or knowingly permit the use thereof by another.

(3) Display or represent as the person's own, any driver's license not issued to the person.

(4) Fail or refuse to surrender to the division upon its lawful demand any driver's license which has been suspended, revoked, or canceled.

(5) Use a false or fictitious name in any application for a driver's license, or any renewal or duplicate thereof, or knowingly conceal a material fact, or otherwise commit a fraud in any such application.

(6) Permit any unlawful use of a driver's license issued to the person.

(7) Photograph, photostat, duplicate or in any way reproduce any driver's license or facsimile thereof in such a manner that it could be mistaken for a valid driver's license or display or have in possession any such photograph, photostat, duplicate, reproduction or facsimile unless authorized by law.

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(8) Display or possess any photograph, photostat, duplicate or facsimile of a driver's license unless authorized by law.

(b) Violation of any provision of subsection (a) is a class B misdemeanor.

(c) It shall be unlawful for any person to:

(1) Lend any driver's license to or knowingly permit the use of any driver's license by any person under 21 years old for use in the purchase of any alcoholic liquor.

(2) Lend any driver's license to or knowingly permit the use of any driver's license by a person under the legal age for consumption of cereal malt beverage for use in the purchase of any cereal malt beverage.

(3) Lend any driver's license, nondriver's identification card or other form of identification to aid another person in wrongfully obtaining a driver's license or duplicate or substitute driver's license.

(d) Violation of any provision of subsection (c) is a class A misdemeanor punishable by: (1) Imprisonment for not less than 48 consecutive hours nor more than one year or, in the court's discretion, 40 hours of public service; and (2) a fine of not less than \$250 nor more than \$1,000. The person convicted must serve either at least 48 consecutive hours imprisonment or 40 hours of public service and pay at least \$250 and court costs before or as a condition of any grant of probation, suspension or reduction of sentence or parole.

(e) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargain entered into for the purpose of permitting a person charged with a violation of subsection (c) to avoid the mandatory penalties established herein. Any diversion agreement entered into shall require that the mandatory minimum fine and cost established in subsection (d) shall be carried out as a condition of such diversion agreement.

Sec. 2. K.S.A. 1986 Supp. 8-1327 is hereby amended to read as follows: 8-1327. (a) It shall be unlawful for any person, for any purpose, to:

(1) Display, cause or permit to be displayed, or have in possession, any canceled, fictitious, fraudulently altered or fraudulently obtained identification card.

(2) Lend any identification card to any other person or knowingly permit the use thereof by another.

(3) Display or represent any identification card not issued to the person as being the person's card.

(4) Permit any unlawful use of an identification card issued to the person.

(5) Do any act forbidden or fail to perform any act required by this act.

(6) Display or possess any photograph, photostat, duplicate, reproduction or facsimile of an identification card unless authorized by the provisions of this act.

(b) Violation of any provision of subsection (a) is a class B misdemeanor.

(c) It shall be unlawful for any person to:

(1) Lend any identification card to or knowingly permit the use of any identification card by any person under 21 years old for use in the purchase of any alcoholic liquor.

(2) Lend any identification card to or knowingly permit the use of any identification card by any person under the legal age for consumption of cereal malt beverage for use in the purchase of any cereal malt beverage.

(3) Lend any identification card, driver's license or other form of identification to aid another person in obtaining an identification card or duplicate identification card.

(d) Violation of any provision of subsection (c) is a class A misdemeanor punishable by: (1) Imprisonment for not less than 48 consecutive hours nor more than one year or, in the court's discretion, 40 hours of public service; and (2) a fine of not less than \$250 nor more than \$1,000. The person convicted must serve either at least 48 consecutive hours imprisonment or 40 hours of public service and pay at least \$250 and court costs before or as a condition of any grant of probation, suspension or

reduction of sentence or parole.

(e) No plea bargaining agreement shall be entered into nor shall any judge approve a plea bargain entered into for the purpose of permitting a person charged with a violation of subsection (c) to avoid the mandatory penalties established herein. Any diversion agreement entered into shall require that the mandatory minimum fine and cost established in subsection (d) shall be carried out as a condition of such diversion agreement.

Sec. 3. K.S.A. 1986 Supp. 8-260 and 8-1327 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.