

Approved February 17, 1987
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Robert Frey at
Chairperson

10:00 a.m./~~pm~~ on February 16, 1987 in room 514-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: Senators Frey, Hoferer, Burke, Feleciano, Gaines, Langworthy, Parrish, Steineger and Talkington

Committee staff present:

Mike Heim, Legislative Research Department
Gordon Self, Office of Revisor of Statutes

Conferees appearing before the committee:

Richard Konzem, Kansas University Department of Intercollegiate Athletics
Vickie Thomas, Kansas University General Counsel

Senate Bill 190 - Sale or resale of admissions to events at state universities.

Richard Konzem, Kansas University, appeared in support of the bill. He said their primary interest in this legislation is they want to get these people away from their lobby and ticket windows harassing fans before the games. Scalpers take advantage of those purchasing tickets from them by selling KU student tickets, which are valid only with KU student ID's, to nonstudents. The people are then denied entrance to the arena since they do not have KU IDs. This results in confrontations with our gate personnel by having irate individuals who have paid, in many cases, a premium for these tickets. We have also experienced problems with individuals trying to enter game on tickets for games already played. Again, scalpers have been the source of these tickets. A copy of his testimony, plus a copy of a letter from Lew Perkins, Director of Athletics at Wichita State University, in support of the bill, are attached (See Attachments I and II). Mr. Konzem stated we would have less problems if these people are not on our grounds. Selling the tickets in excess of the printed price has become a very lucrative business. The chairman inquired, since the activity is already against the law, have they prosecuted anybody. Mr. Konzem replied they have; a man in Wichita was found guilty. During committee discussion Mr. Konzem pointed out the tickets can be sold in excess of the printed price and also at less than the ticket price. He said he would prefer the bill to say the tickets can't be resold at any price. They do support the bill the way it is written. A committee member inquired if the university had a policy for scalping. Vickie Thomas, KU General Counsel, was recognized to respond to the question. She stated the difficulty is in the enforcement area, if you want to prosecute that kind of violation in county court. A committee member felt this is a problem the university should handle. Vickie Thomas stated it is not generally their own university people connected with this.

Senator Gaines moved to report the bill favorably. Senator Burke seconded the motion, and the motion carried.

The meeting adjourned.

A copy of the guest list is attached (See Attachment III).

TICKET SCALPING
SENATE BILL NO. 190

1. Scalpers harass patrons and interfere with our normal conduct of business.

By standing in the lobby and beside our ticket windows, scalpers interfere with our normal business activity. These scalpers pull patrons out of line and sell tickets to them before they reach our window. They have obtained these tickets through a system that includes using children to beg fans entering the arena for free tickets. The children then return with tickets to their supervisor who in turn sells the tickets.

2. Selling of student tickets and tickets to the wrong game.

Scalpers take advantage of those purchasing tickets from them by selling KU student tickets, which are valid only with KU student ID's, to non-students. The people are then denied entrance to the arena since they do not have KU ID's. This results in confrontations with our gate personnel by having irate individuals who have paid, in many cases, a premium for these tickets. We have also experienced problems with individuals trying to enter game on tickets for games already played. Again, scalpers have been the source of these tickets.

3. Security problems for KUAC and prepaid.

As tickets become more valuable because of a system that allows the price to be driven up, tickets become targets for theft and fraud. Last season we had a case involving fraudulent tickets being printed and sold at a premium through newspaper ads in the student paper.

Tickets were stolen by a scalper reaching through our window last year. This individual then stood outside selling the tickets until he was identified and apprehended.

In Dallas, we saw what can happen when scalping goes unchecked. Tickets were stolen from our patrons waiting to enter the arena.

4. Summary

This bill can help keep scalpers away from our place of business. By keeping them farther from the arena and stadium it will be more difficult for them to conduct business and thus reduce or eliminate the problems we now face.

Atch. I
Senate Judiciary
2-16-87



THE WICHITA STATE UNIVERSITY

Department of Intercollegiate Athletics • Campus Box 18 • Wichita, Kansas 67208

Lew Perkins
Athletic Director
(316) 689-3250

April 7, 1986

Dear Committee Members:

On behalf of the Wichita State University Intercollegiate Athletic Association, I would like to register my support for the proposed legislation making ticket re-sale and scalping in Kansas a misdemeanor.

Ticket scalping has been a problem for us over the past several years. Our ticket personnel have witnessed several individuals attempting to resell tickets outside our football stadium and basketball arena. These individuals are a nuisance to our fans and we have numerous complaints from ticket holders asking us to try and stop this kind of harassment.

When we have asked security personnel for assistance, their response has always been that there is "nothing they can do because state laws do not prohibit this kind of activity." We have in the past posted no loitering signs around our facilities and have asked security personnel to keep these people on the move, however, this approach has had only limited success.

We rely on walk-up ticket sales as a significant portion of our ticket revenue. Scalping and ticket re-sale activities outside our facilities have hurt this revenue area.

In summary, we hope that the committee will recommend passage of this legislation. If I can be of further assistance, please feel free to contact me.

Thank you for your consideration.

Sincerely,

Lew Perkins
Director of Athletics

LP/kw

Attch. II
Senate Judiciary
2-16-87