

Approved: January 31, 1997
date

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on January 29, 1997 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Barone, Brownlee, Feleciano, Gooch, Harris, Jordan, Ranson, Steffes, and Umbarger.

Committee staff present: Lynne Holt, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Bob Nugent, Revisor of Statutes
Betty Bomar, Committee Secretary

Conferees appearing before the committee:
Steve Rarrick, Deputy Attorney General
Paul Bicknell, Chief of Unemployment Insurance Contributions
Department of Human Resources
Candy Shortle, Food Stamp Agency, Department of Social and
Rehabilitation Services

Others attending: See attached list

Steve Rarrick, Deputy Attorney General, requested a Commerce Committee bill be introduced regarding telephone solicitations and telemarketing fraud. Mr. Rarrick stated the proposed legislation clarifies the definition of "consumer goods or services"; eliminates the exemption for companies who have an existing business relationship with the consumer; requires the caller to terminate the call at any time the consumer gives a negative response, not just when the caller asks permission in the first 30 seconds; and prohibits withholding or blocking caller ID or call-back by telemarketers.

Senator Barone moved, seconded by Senator Jordan, a Commerce Committee bill be introduced to : clarify the definition of "consumer goods or services"; eliminate the exemption for companies who have an existing business relationship with the consumer; require the caller to terminate the call at any time the consumer gives a negative response, not just when the caller asks permission in the first 30 seconds; and prohibit withholding or blocking caller ID or call-back by telemarketers. The motion carried. Attachment 1

Upon motion of Senator Gooch, seconded by Senator Feleciano, the Minutes of the January 28, 1997 Meeting were unanimously approved.

SB 59 Kansas river basin economic development; creation; powers and duties

Lynne Holt, Legislative Research Department, provided the Committee a list of planning commissions, companies, and other volunteer economic development groups presently operating in the state. Attachment 2

The Chair asked if there was interest in working the bill. There was no response.

SB 83 Concerning the employment security law - recoupment of food stamp overissuance

Paul Bicknell, Chief of Contributions, Kansas Department of Human Resources, submitted a Memorandum providing answers to questions asked by Committee members. Mr. Bicknell stated only unemployment benefits that could be withheld are those from an adult food stamp household member that was a resident of the household during the time of the overissuance. Mr. Bicknell stated SRS, the food stamp agency, determines if there is an overissuance of food stamps by asking the applicant certain questions.

SB 83 is enabling legislation and can be utilized by the food stamp agency if it is determined to be cost effective.

Attachment 3

Candy Shortle, Food Stamp Agency, stated its rules and regulations relating to questions asked

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON COMMERCE, Room 123-S Statehouse, at 8:00 a.m. on January 29, 1997.

applicants are established by USDA.

Bob Nugent, Revisor, stated the amendment made by Senator Steineger, seconded by Senator Barone, and adopted by the Committee, would reinstate only the stricken language on Page 1, Lines 31 and 32. The other stricken language on Pages 1 and 8, refer to mailing and are to remain stricken.

The Revisor's explanation clarified that the motion approved on January 29, 1997 would read as follows: Reinsert the stricken language on Page 1, lines 31 and 32. The Committee agreed unanimously that this was the intent of Senator Steineger's motion.

Senator Gooch moved, seconded by Senator Ranson, that **SB 83** be recommended favorable as amended. The recorded vote was in favor of the motion.

The meeting was adjourned at 8:40 a.m.

The next meeting is scheduled for January 30, 1997, and will be a two-hour joint meeting with the Senate Financial Institutions and Insurance Committee.

SENATE COMMERCE COMMITTEE GUEST LIST

DATE: January 29, 1997

NAME	REPRESENTING
DUD GRANT	KCCI
Kandy Shortle	SRS
Pam Jacoby	SRS
Mark Barallena	KDOCH
STEVE HARRICK	A.G.
Gail Bright	A.G.
PAUL BICKNELL	KS DEPT OF HUMAN RESOURCES
JUDY REIDBORN	REIDBORN
Doug Farmer	D.O.B.



State of Kansas

Office of the Attorney General

CONSUMER PROTECTION DIVISION

301 S.W. 10TH, LOWER LEVEL, TOPEKA 66612-1597
PHONE: (913) 296-3751 FAX: 291-3699 TTY: 291-3767

CARLA J. STOVALL
ATTORNEY GENERAL

CONSUMER HOTLINE
1-800-432-2310

January 28, 1997

TO: Senate Commerce
FROM: Attorney General Carla Stovall
RE: 1997 Legislative Recommendations

Telephone Solicitations - Amend K.S.A. 50-670 to:

- a. Clarify the definition of "consumer goods or services."
- b. Eliminate the exemption for companies who have an existing business relationship with the consumer.
- c. Require the caller to terminate the call at any time the consumer gives a negative response, not just when the caller asks permission in the first 30 seconds.
- d. Prohibit withholding or blocking caller ID or call-back by telemarketers.

*Senate Commerce Committee
January 29, 1997
Attachment 1*

Regional Planning Commissions (RPC's) are established by statute through interlocal agreements among two or more counties with funding through member counties by way of membership dues and service fees. There is State recognition of the organizations with no monitoring or funding. Certified Development Companies (CDC's) are established by the Small Business Administration and administered/monitored through the Kansas Department of Commerce & Housing. Economic Development Districts (EDD's) are established/monitored by the Economic Development Administration (EDA).

REGIONAL PLANNING COMMISSIONS

Big Lakes Regional Planning Commission
431A Houston Street
Manhattan KS 66502
913/776-4859 FAX 913/776-1646
J. Everett Mitchell, Executive Director
Clay, Geary, Marshall, Pottawatomie, Riley

Central Plains Tri-County Planning Commission
455 North Main Street, 10th Floor
Wichita KS 67202
316/268-4561
Willard Stockard, Secretary
Butler, Harvey, Sedgwick

Mid-America Regional Council
600 Broadway, Suite 300
Kansas City MO 64105
816/474-4240
David A. Warm, Executive Director
Johnson, Leavenworth, Wyandotte

MO-KAN Regional Council
1302 Faron
St. Joseph MO 64501
816/233-3144 FAX 816/233-8498
Jean Waltemuth, Executive Director
Atchison, Doniphan

N Central Kansas Regional Planning Commission
108 East Main Street, P.O. Box 365
Beloit KS 67420-0365
913/738-2218 FAX 913/738-2185
John Cyr, Executive Director
Cloud, Ellsworth, Jewell, Lincoln, Mitchell, Ottawa, Republic, Saline, Washington

NW Kansas Planning & Development Comm
319 North Pomeroy, PO Box 248
Hill City KS 67642-0248
913/674-2151 FAX 913/674-3496
Randy Hrabe, Executive Director
Cheyenne, Decatur, Ellis, Gove, Graham, Logan, Norton, Osborne, Phillips, Rawlins, Rooks, Russell, Sheridan, Sherman, Smith, Thomas, Trego, Wallace

Southeast Kansas Regional Planning Commission
Martin-Johnson Airport, P.O. Box 664
Chanute KS 66720-0664
316/431-0080 FAX 316/431-4805
Rob Anderson, Executive Director
Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Miami, Montgomery, Neosho, Wilson, Woodson

CERTIFIED DEVELOPMENT COMPANIES

Avenue Area, Inc.
753 State Avenue, Suite 106
Kansas City KS 66101
913/371-0065 FAX 913/321-1585
Tom Overby, Executive Director
Wyandotte, Leavenworth

Citywide Development Corp of Kansas City
701 North 7th Street
Kansas City KS 66101
913/573-5730 FAX 913/573-5745
Laverit Murney, Executive Director
City of Kansas City

Eastern Kansas Economic Development Group
1200 Commercial, ESU Campus Box 4046
Emporia KS 66801
316/342-7041 FAX 316/341-5418
Wayne Symmonds, Executive Director

Atchison, Brown, Chase, Clay, Coffey, Doniphan, Franklin, Geary, Jackson, Jefferson, Lyon, Marshall, Morris, Nemaha, Osage, Pottawatomie, Riley, Wabawsee

Four Rivers Development, Inc. (ADC/SCKEDD)
108 East Main Street, P.O. Box 365
Beloit KS 67420-0365
913/738-2218 FAX 913/738-2185
John Cyr, Executive Director
Cloud, Dickinson, Ellsworth, Jewell, Lincoln, Mitchell, Ottawa, Republic, Saline, Washington

Great Plains Development, Inc.
100 Military Plaza, Suite 128, P.O. Box 1116
Dodge City KS 67801-1116
316/227-6406 FAX 316/225-6051
Patty Richardson, Executive Director
Barber, Barton, Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearney, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Rush, Scott, Seward, Stanton, Stevens, Wichita

Johnson County Certified Development Company
1111 West 95th Street, Suite 210
Overland Park KS 66214
913/399-1717 FAX 913/599-0423
David Long, Executive Director
Johnson, Miami

Leavenworth Area Development, Inc. (ADC/Avenue Area, Inc.)
518 Shawnee, PO Box 151
Leavenworth KS 66048-0151
913/682-6579
Gary E. Carlson, Executive Director
Leavenworth

McPherson Co Small Business Development Assn. (ADC/SCKEDD)
P.O. Box 41
McPherson KS 67460-0041
316/241-3927 FAX 316/241-0111
David O'Dell, Executive Director
McPherson

Mid-America, Inc.
1501 S. Joplin
Pittsburg KS 66762
316/235-4920 FAX 316/235-4919
Bruce Fairbank, Executive Director
Allen, Anderson, Bourbon, Cherokee, Crawford, Labette, Linn, Miami, Montgomery, Neosho, Wilson, Woodson

Mo-Kan Development, Inc.
1302 Faron
St. Joseph MO 64501
816/233-3144 FAX 816/233-8498
Jean Waltemuth, Executive Director
Atchison, Brown, Doniphan, Jackson, Jefferson, Nemaha

Pioneer Country Development, Inc.
319 North Pomeroy, P.O. Box 248
Hill City KS 67642-0248
913/674-3438 FAX 913/674-3496
Randy Hrabe, Executive Director
Cheyenne, Decatur, Ellis, Gove, Graham, Logan, Norton, Osborne, Phillips, Rawlins, Rooks, Russell, Sheridan, Sherman, Smith, Thomas, Trego, Wallace

S Central Kansas Economic Development District
151 North Volusia
Wichita KS 67214-4695
316/683-4422 FAX 316/683-7326
Jack Alumbaugh, Executive Director

Butler, Chautauqua, Cowley, Elk, Greenwood, Harper, Harvey, Kingman, Marion, McPherson, Rice, Reno, Sedgwick, Sumner

Topeka/Shawnee County Development, Inc.
515 S. Kansas Avenue
Topeka KS 66604
913/295-3711
Larry High, Executive Director
Shawnee

Wakarusa Valley Development, Inc.
734 Vermont, Suite 101
P.O. Box 586
Lawrence KS 66044-0586
913/894-9252
Debi Moore, Executive Director
Douglas

ECONOMIC DEVELOPMENT DISTRICTS

Great Plains Development, Inc.
100 Military Plaza, Suite 128, P.O. Box 1116
Dodge City KS 67801-1116
316/227-6406 FAX 316/225-6051
Patty Richardson, Executive Director
Barber, Barton, Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearney, Kiowa, Lane, Meade, Morton, Ness, Pawnee, Pratt, Rush, Scott, Seward, Stafford, Stanton, Stevens, Wichita

MO-KAN Regional Council
1302 Faron
St. Joseph MO 64501
816/233-3144 FAX 816/233-8498
Jean Waltemuth, Executive Director
Atchison, Doniphan

N Central Kansas Regional Planning Commission
110 East Main Street, P.O. Box 565
Beloit KS 67420-0565
913/738-2218 FAX 913/738-2185
John Cyr, Executive Director
Cloud, Ellsworth, Jewell, Lincoln, Mitchell, Ottawa, Republic, Saline, Washington

NW Kansas Planning & Development Comm
319 North Pomeroy Avenue, P.O. Box 248
Hill City KS 67642-0248
913/674-2151 FAX 913/674-3496
Randy Hrabe, Executive Director
Cheyenne, Decatur, Ellis, Graham, Grove, Logan, Norton, Osborne, Phillips, Rawlins, Rooks, Russell, Sheridan, Sherman, Smith, Thomas, Trego, Wallace

S Central Kansas Economic Development District
151 North Volusia
Wichita KS 67214-4695
316/683-4422 FAX 316/683-7326
Jack Alumbaugh, Executive Director
Butler, Chautauqua, Cowley, Elk, Greenwood, Harper, Harvey, Kingman, Marion, McPherson, Reno, Rice, Sedgwick, Sumner

Southeast Kansas Regional Planning Commission
Martin Johnson Airport, P.O. Box 664
Chanute KS 66720-0664
316/431-0080 FAX 316/431-4805
Rob Anderson, Executive Director
Allen, Anderson, Bourbon, Cherokee, Coffey, Crawford, Labette, Linn, Montgomery, Neosho, Wilson, Woodson

*Senate Commerce Committee
January 29, 1997
Attachment 2
Rev 08/01/96*

MEMORANDUM

Kansas Department of Human Resources

DATE: January 28, 1997

TO: The Honorable Alicia L. Salisbury
Chairperson, Senate Committee on Commerce

FROM: Paul B. Bicknell
Chief of Contributions

SUBJECT: Senate Bill 83

This memorandum is to provide you with answers to questions asked during the committee meeting on S.B. 83 on Tuesday, January 28, 1997.

Question: If a member of a household is applying for U.I. benefits and was not a member of the household when the over issuance of food stamps was established, would the Department be required to withhold benefits?

Answer: No. The only benefits that could be withheld is from an adult food stamp household member that was a resident during the time of the over issuance.

Question: How would the Department know whether there was an over issuance of food stamps?

Answer: This will be determined by SRS, the food stamp agency. This is another tool that SRS has available with this enabling legislation. If they choose to use the U.I. deduction the U.I. benefit recipient would be asked a question as to whether there exists a food stamp over issuance - based upon that response, the Department may deduct for an over issuance.

Both SRS and DHR are in the process of trying to determine what the cost of this effort might be. Since the cost is not known at this time, I am unable to provide the cost of withholding to you.

Representatives from both SRS and DHR will be available for any further questions tomorrow, January 29, 1997, at the committee meeting.

*Senate Commerce Committee
January 29, 1997*

Attachment 3