

MINUTES OF THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Doug Mays at 1:35 p.m. on February 13, 2001 in Room 313-S of the Capitol.

All members were present.

Committee staff present: Theresa M. Kiernan, Revisor of Statutes  
Russell Mills, Legislative Research Department  
Shelia Pearman, Committee Secretary

Conferees appearing before the committee:

Representative Troy Findley  
Tracy T. Diel, Executive Director, State Gaming Agency  
Donna Doolin, Assistant Director of Substance Abuse Treatment & Recovery Program (SRS)  
Robert H. Poresky PhD, College of Human Ecology, Kansas State University

Others attending: See attached list

Without objection bill will be introduced as requested by Representative Mason establishing venture capital by Kansas Inc. [HB 2505]

Without objection bill will be introduced as requested by Representative Cook requiring non-residents abide by state law regarding abortion. [HB 2527]

Without objection bill will be introduced as requested by Representative Cook regarding partial-birth abortion ban. [HB 2371]

The Chairman opened the hearing on **HB 2224 - Indian gaming compacts; procedure for approval.** Representative Findley stated the Legislative Coordinating Council is currently empowered to act on behalf of the entire Legislature on tribal gaming compacts when the Legislature is not in session. (Attachment #1) This bill would allow a special session of the Legislature to be called for the purpose of considering tribal gaming compacts.

Fiscal note on HB 2224 (Attachment #2) estimated costs of \$78,778 were a two-day special session to be called. No other individuals appeared regarding this bill.  
The hearing on HB 2224 was closed.

The Chairman opened the hearing on **HB 2216 - State gaming agency; financing the operations thereof; powers and duties of officers and employees thereof.** Mr. Diel testified in favor of the five (5) amendments to the Tribal Gaming Oversight Act (TGOA) which this bill would encompass as noted in written testimony. (Attachment #3).

Amendment 1: K.S.A. 74-9803 originally passed by the 1996 Legislature moved the State Gaming Agency (SGA) from the Department of Commerce and Housing (KDOCH) to the Kansas Racing and Gaming Commission (KRGC). However, K.S.A. 74-8810 states all employees of the KRGC are prohibited from engaging in parimutuel wagering at racetracks regulated by the KRGC. This amendment would permit SGA employees to gamble at parimutuel racetracks while prohibited against gambling in Native American Indian casinos.

Amendment 2: SGA would be permitted to perform background investigations on agency personnel rather than by the Kansas Bureau of Investigation. This would expedite training period and employee performance by bringing personnel on board in a more timely manner without negatively affecting employment standards.

Amendment 3: Amends K.S.A. 74-9805, SGA would gain accessibility to individual and corporate taxpayer information on gaming license applicants in order to complete background investigations in a more efficient manner.

Amendment 4: Would amend K.S.A. 74-9805 and would permit communication with other gambling regulatory agencies in other states.

Amendment 5: Would amend K.S.A. 74-9808 permitting penalties and interest accrual on advances the State Gaming Agency is provided by Tribes or applicants. Currently, there are conflicts between gaming compact and Kansas statutes that this amendment would rectify.

Current proposed language in **HB 2216** is identical to **SB 492** passed by the 2000 Kansas Senate. Fiscal note on **HB 2216** estimates no fiscal effect on either State Gaming Agency or the Kansas Bureau of Investigation.

The hearing on **HB 2216** was closed.

Janet Schalansky, Secretary of the Kansas Department of Social and Rehabilitation Services (SRS) introduced Donna Doolin, the Assistant Director of Substance Abuse Treatment and Recovery (SATR) who briefed the Committee on SRS's Problem Gambling Initiative (Attachment #4) enacted by the 2000 Legislature via **HB 2013**.

Ms. Doolin stated the 1-866-NO BET 00 (1-866-662-3800) hotline for Kansans will be established and staffed by the Mental Health Consortium and the Regional Alcohol and Drug Assessment Centers. Public awareness efforts will increase to "put a face" on problem gambling by helping individuals, family members and professionals recognize the problem and know how to obtain to help. Extensive training was implemented in November 2000 for approximately 20 professionals seeking certification.

Robert H. Poresky Ph.D., College of Human Ecology, Kansas State University provided information regarding the 1996 Statewide Survey and Regional Analysis (Attachment #5)

Representative Rehorn requested the minutes note Representative Ruff celebrated her 50<sup>th</sup> birthday today.

The committee meeting adjourned at 2:45 p.m. The next scheduled meeting is February 15, 2001.





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 HOUSE OF  
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 MEMBER ECONOMIC DEVELOPMENT  
 FEDERAL AND STATE AFFAIRS  
 FISCAL OVERSIGHT  
 TAXATION

## TESTIMONY IN SUPPORT OF HOUSE BILL 2224

Chairman Mays and Members of the House Federal and State Affairs Committee thank you very much for this opportunity to testify in support of House Bill 2224. The intent of HB 2224 is to make certain that all 165 members of the Kansas Legislature, whether the legislature is in the midst of its annual 90 day legislative session or not, have the opportunity to be involved in approving any future tribal gaming compacts.

Under current law, once negotiations have been concluded on any tribal gaming compact between a governor and tribal representatives, compacts are then submitted to the joint committee on state-tribal relations for consideration and to make recommendations as to the approval, rejection or modification of that compact.

After the joint committee makes its' recommendation, if the Legislature is in session, the committee within five days is required to introduce into both houses of the legislature a resolution for approving the proposed compact as submitted by the governor. Each resolution is accompanied by the report of the joint committee recommending that the resolution be adopted or not be adopted or reporting the resolution without recommendation. At that point in time, the entire legislature has ten days to provide approval of such compact.

However, when the legislature is not in session, the Legislative Coordinating Council is empowered to act on behalf of the entire legislature. Essentially, under current law 158 of 165 legislators are cut out of the process. HB 2224 seeks to change current law and ensure that the all members of the legislature, and not just the Legislative Coordinating Council, approve tribal gaming compacts by allowing a special session of the legislature to be called for the purpose of considering tribal gaming compacts.

I greatly appreciate the opportunity to testify in support of HB 2224 and would urge this committee to take favorable action on this measure. I would be pleased to stand for questions.

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Bill Graves  
Governor

Duane A. Goossen  
Director

February 13, 2001

The Honorable Doug Mays, Chairperson  
House Committee on Federal and State Affairs  
Statehouse, Room 170-W  
Topeka, Kansas 66612

Dear Representative Mays:

SUBJECT: Fiscal Note for HB 2224 by Representative Findley, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2224 is respectfully submitted to your committee.

HB 2224 would allow the Legislature to approve or disapprove a tribal compact during a special session.

Legislative Administrative Services indicates that it would process vouchers for mileage and turnpike fees and payment of per diem travel and subsistence as well as compensation for temporary staff. The estimated cost for a two-day special session is \$78,778 from the State General Fund. Each additional day would cost \$32,042, which includes adjusted costs for temporary staff and does not include costs for mileage or the turnpike. The agency based its estimates on the costs and staffing for the last special session in December 1989, which lasted for two days.

Sincerely,

A handwritten signature in blue ink that reads "Duane A. Goossen".

Duane A. Goossen  
Director of the Budget

cc: Sharon Schwarts, Legislative Services

KANSAS  
STATE GAMING AGENCY

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**TO:** House Federal and State Affairs Committee

**FROM:** Tracy T. Diel, Executive Director  
State Gaming Agency

**DATE:** February 13, 2001

**RE:** Testimony on HB 2216

Racing & Gaming Commission

Chairman Mays and members of the Committee. Thank you for the opportunity to appear before the Committee and testify on HB 2216. I come before the Committee today as the proponent of this legislation and ask the Committee to act favorably on it. The bill as introduced proposes five (5) amendments to the Tribal Gaming Oversight Act. I have asked that this bill be introduced in order to address some issues which have arisen since the initial passage and implementation of the legislation in 1996.

As background for the Committee, the Tribal Gaming Oversight Act was passed by the 1996 Kansas Legislature. At the time of its implementation, there was only one native American Indian casino operating in the State of Kansas. The State Gaming Agency had been created through an Executive Order signed by Governor Graves in August 1995. Since that time, all four resident Native American Indian Tribes with gaming compacts have opened and are presently operating a gaming facility. This includes the Iowa Tribe, who in a recent newspaper article were identified as having closed their gaming operation.

I would like to take this opportunity to explain the amendments and answer any questions which the Committee may have on this proposed legislation.

The first change amends K.S.A. 74-9803. This statute when originally passed removed the State Gaming Agency from the Department of Commerce and Housing and made it a part of the Kansas Racing and Gaming Commission (KRGK). As such, the State Gaming Agency and its employees were made a part of the KRGK. The Tribal Gaming Oversight Act provided that the KRGK would exercise responsibility over the Agency in the areas of budgeting, personnel expansion and arbitration authorization. All other management functions and responsibilities would be handled by the agency.

However, under K.S.A. 74-8810, which is part of the Parimutuel Wagering Act, all employees of the KRGK are prohibited from engaging in parimutuel wagering at racetracks regulated by the KRGK. An Assistant Attorney General assigned to the Commission as legal counsel

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determined that this prohibition against parimutuel wagering applied to employees of the State Gaming Agency, even though those employees had no connection to any regulatory functions at the parimutuel racetracks. However, he went on to determine that individuals who were involved in the KRGC's function of regulating at the parimutuel racetracks could engage in gambling at the native American Indian casinos. He based his opinion upon the statutory provision contained in the Tribal Gaming Oversight Act, K.S.A. 74-9809, which prohibits employees of the State Gaming Agency from gambling at any of the tribal gaming facilities located in the State of Kansas. His opinion indicated this statute did not include KRGC employees who did not work for the State Gaming Agency.

The present amendment removes State Gaming Agency employees from the prohibition of gambling at parimutuel racetracks, but keeps in place the prohibition against being able to gamble in Native American Indian casinos. The employees of the State Gaming Agency are not involved in any regulatory decisions at the parimutuel racetracks, with the exception of myself. So their choice to wager at a racetrack would not be detrimental to the regulatory efforts of the KRGC. The ability of KRGC employees to gamble at casinos, which they do not regulate, but prohibiting State Gaming Agency employees from wagering at parimutuel racetracks, where they have no regulatory responsibilities, has created an inequity. This proposal would correct this situation and allow State Gaming Agency employees the opportunity to choose whether they wish to visit a Kansas racetrack and make a parimutuel wager.

The second proposed change would amend K.S.A. 74-9804 and permit the State Gaming Agency to perform background investigations on enforcement agents who are to be employed by the State Gaming Agency. Under the current statute, background investigations for the position of enforcement agents are conducted by the Kansas Bureau of Investigation (KBI). This creates a time lag in employing agents hired by the Agency.

Originally, it was envisioned that the KBI would perform all background investigations necessary under the Tribal-State Compacts and the Tribal Gaming Oversight Act. This would mean a small staff for the State Gaming Agency and limited resources to perform background investigations. In Fiscal Year 1997, the agency had 5 FTE positions allocated to it. This included two enforcement agents. Unfortunately, it became apparent that the KBI was not able to handle the number of background investigation requests for the gaming facilities which were beginning to operate. This culminated in an arbitration proceeding with one of the Tribes and a decision which allowed individuals to go to work in their casino without a background investigation being completed.

In Fiscal Years 1998 and 1999 the State Gaming Agency staff was increased and the KBI was removed from the casino background investigation process. This was in response to a need to address the arbitration decision and the amount of time it was taking to complete casino employee background investigations. The agency now has sufficient staff and resources to perform enforcement agent background investigations when they are needed. Adoption of this amendment would allow the Agency to have a shorter recruiting time and a better ability to manage this function.

This amendment will not change the standards used in determining whether an individual should be employed as an enforcement agent. In addition, this change would be consistent with other criminal justice agencies throughout the State of Kansas and how they recruit potential law enforcement officers. It would also allow the Agency to focus on issues which may arise that are

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gaming related. These issues may be viewed as insignificant to someone who does not deal with the gaming industry on a daily basis, but could have significance to those of us to do. The change would give the agency the choice of using the KBI or performing the background investigations internally.

The third proposed change would amend K.S.A. 74-9805 to allow the State Gaming Agency to receive individual and corporate taxpayer information on gaming license applicants from the Kansas Department of Revenue. Under present Kansas law, the State Gaming Agency can receive tax information from the Internal Revenue Service and local county treasurers. In the 2000 Legislature K.S.A. 79-3234 was amended to indicate the State Gaming Agency was not prohibited from receiving tax information for individuals applying to receive a gaming license at the tribal casinos. This amendment would permit the agency to receive this information.

Previously, this type of income tax information was being obtained through the KBI when they were conducting background investigations. When the process was changed during Fiscal Year 1998; there was no provision made for this information to be communicated to the State Gaming Agency. The information is needed to complete background investigations on applicant's who are seeking a gaming license. The purpose of obtaining this information is to evaluate an individual's sources of income and the amount of income against their credit and financial history. It also allows the agency to determine if an individual is generating or losing income as a result of gambling. This tool is valuable in determining whether a gaming license should be granted.

The fourth change would also amend K.S.A. 74-9805. It would allow the State Gaming Agency to communicate information it has obtained on gaming license applicants with other gambling regulatory agencies in other states. At the present time, the Tribal Gaming Oversight Act does not allow this to occur. This would permit the agency to share with casino regulatory agencies in other states information on common gaming license applicants. At the present time, we do communicate with other jurisdictions about applicants. However, we do not communicate specific information about these applicants, unless the information is a matter of public record. This creates a problem for other jurisdictions which may wish to deny an individual a gaming license based upon our information. However, because of due process concerns, we cannot relay specific non-public information which may have been the basis for our decision on objecting to an applicant being given a gaming license by one of the tribal gaming commissions.

The fifth change would amend K.S.A. 74-9808. The statute calls for any funds given to the State Gaming Agency from the state general fund to be viewed as a loan and interest be paid by the tribes who have tribal-state gaming compacts. The need for an advance by the Agency stems from the payment schedule outlined within the Tribal-State Gaming Compacts. The State's fiscal year begins 83 days before the first assessment payment under Section 25 of the Tribal-State Compact is due and owing by the tribes on September 21<sup>st</sup>. This is because under the terms of the Tribal-State Compacts, the tribes have the right to review the Agency's approved operating budget. The Tribes have the right to raise objections to the budget. If they object, they could seek to arbitrate the assessed budget approved by the Legislature and signed by the Governor. The Agency could be without any operating funds for as long as six to eight months. However, the gaming facilities could remain open and operating with any State oversight, because there would not be any funds to operate the agency. In addition, if the Agency's budget were to come up short towards the end of a fiscal year, then the State could go back to the Tribe to seek the funds necessary to run the Agency. However, if the Tribe or Tribes fail to agree to make this payment, then the State would be forced to enter into the arbitration process outlined in the Compacts. As I indicated earlier, this could take

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outlined in the Compacts. As I indicated earlier, this could take six to eight months.

The Tribal-State Compacts do not provide for the State of Kansas to assess any interest or penalties to the tribes. The State is able to assess the reasonable and necessary costs of regulation as set forth in the Compacts. This has been done every year the Agency has been in existence. However, the Tribal-State Compact language would not appear to cover interest costs for a monetary advance by the State. In order to seek to recover these costs, the State would have to go through the arbitration process and be successful. To date, this process has not worked very well for the State. The time and resources which this process requires is not cost effective.

Any advance of funds received by the State Gaming Agency from the State General Fund is used solely by the Agency. At no time does any tribe receive or have access to this money. Once the assessment payments are paid by the tribes, then the advance used to capitalize the agency is reimbursed to the State. The Agency does not issue any refunds to tribes. Any assessments received by the Agency, as required by the Tribal-State Compact, are retained by the Agency and credited to the next year's assessment for each Tribe.

Finally, the proposed language in HB 2216 is identical to that which was contained in SB 492 and was passed by the Kansas Senate in the 2000 Legislature and was reviewed by this Committee during that session.

Again, thank you for the opportunity to speak on behalf of HB 2216 and I would ask that the Committee act favorably on its passage. If the Committee has any questions, I will answer them.

**Kansas Department of Social and Rehabilitation Services**  
**Janet Schalansky, Secretary**



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**House Federal and State Affairs Committee**  
February 13, 2001

**SRS's Problem Gambling Initiative**

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**Kansas Department of Social and Rehabilitation Services  
Janet Schalansky, Secretary**

House Federal and State Affairs Committee  
February 13, 2001

**SRS's Problem Gambling Initiative**

Chairman Mays and Members of the Committee, I am Donna Doolin, Assistant Director for Substance Abuse Treatment and Recovery (SATR) in the Division of Health Care Policy at SRS. I am pleased to be here today to provide you with an update on our activities in implementing a problem gambling initiative enacted by the 2000 Legislature.

The 2000 Legislature established the problem gambling grant fund as a part of 2000 H.B. 2013, the Bingo Act. Under the provisions of H.B. 2013, SRS is charged with administering a state grant program with the stated charge of providing assistance for the direct treatment of persons diagnosed as suffering from the impact of gambling on residents of Kansas.

The funding mechanism for the state problem gambling fund comes from annual transfers of \$20,000 from the state bingo regulation fund and \$80,000 from the state gaming revenues fund to the problem gambling grant fund.

We have taken a number of steps in establishing a problem gambling program in this state. These steps focus on four main areas: Hotline establishment, public awareness, counselor preparation, and treatment program development.

**Hotline Establishment.** Even before formal treatment programs are put into place, SRS plans to provide immediate intervention for problem gamblers through a hotline. SRS/SATR has contracted with the Mental Health Consortium to manage a hotline, which will provide immediate help for problem gamblers and their significant others. The help line # will be 1-866-NO BET 00 (1-886-662-3800). Training and education of help line staff at the Mental Health Consortium and the Regional Alcohol and Drug Assessment Centers (RADAC's) is currently underway.

**Public Awareness.** Early efforts are also being made to increase the level of public awareness regarding problem gambling, so that individuals, their families, and helping professionals can recognize the problem and know how to obtain help. SRS/SATR has also begun a dialogue with the Department on Aging to identify public awareness and educational opportunities regarding problem gambling in this population. Public awareness efforts will be dedicated to "putting a face" on problem gambling through collaboration with the Kansas Coalition on Problem Gambling, the Kansas Association of Addiction Professionals, and the Regional Prevention Centers. Ultimately, we hope to be able to move into a broader scope of increasing the level of

awareness for all mental health and addiction professionals to begin screening for pathological/problem gambling through the utilization of standardized screening tools.

**Counselor Preparation.** Since the treatment of problem gamblers is a new effort for SRS, the Department did not have ready access to an adequate number of trained professionals who could deliver these services. SRS/SATR has been working closely with the Kansas Coalition on Problem Gambling, which is recognized as the credentialing body for counselor certification for compulsive gambling, to provide counselor education and training. The Kansas Coalition, a section of the Kansas Association of Addiction Professionals, is affiliated with the National Council on Problem Gambling. These counselor training efforts are being subsidized by SRS/SATR; co-sponsored by the Kansas Coalition on Problem Gambling and Washburn University; and administered by the Kansas Association of Addiction Professionals.

Counselor certification training was implemented in November, 2000. This training involves four interconnected, two-day training sessions to provide eligible caregivers with 60 gambling-specific training hours. Currently, we are in the third training session. Trainers consist of professionals who are known nationally. A core group of approximately 20 professionals from mental health centers, substance abuse treatment programs, and private practitioners are attending the certification training.

**Treatment Program Development.** SRS/SATR is working closely with the Kansas Coalition on Problem Gambling, the Kansas Association of Addiction Professionals, and the Mental Health Consortium to bridge the field of substance abuse and mental health since this issue is interconnected to both fields.

Providing treatment for those individuals suffering from pathological gambling within the funding that is available requires careful thought about how best to target these limited resources. Although efforts are being made to identify other funding sources, current planning is moving ahead on ways to provide services within the available funding. The following two options have been identified:

1. Target three areas, Topeka, Northeast Kansas, and the Kansas City area to provide some assistance for treatment of the pathological gambler.
2. Since there is the recognition of a need to establish a counselor referral base that is targeted over the entire state so individuals can be referred to mental health centers that have licensed alcohol and drug programs or addiction treatment specialist who are identified, trained, and mentored by a certified compulsive gambling counselor in order to be in a position to provide treatment for

pathological gambling. Reimbursement could be linked to identified outcomes such as completion of specific clinical tools that would be used to measure treatment effectiveness, and to assist in the development of a clearer picture of the types of individuals being served and for program improvement.

Clearly, the program we are initially able to put into place will need to be regarded as a starting place for public services to problem gamblers in Kansas. To pave the way for future program improvements, SRS/SATR and the Kansas Coalition on Problem Gambling are working together to identify appropriate outcome measures for the program. In addition, we will be seeking ways to replicate the study of problem gambling that was completed in 1996 by K-State, to determine whether there's been a significant change in the number of individuals reporting to have this problem. An updated study would provide a valuable baseline for future use in evaluating program results.

That concludes my testimony, but I would be happy to address any questions you may have.



# Gambling Problems in Kansas

## 1996 Statewide Survey and Regional Analysis

Preliminary Report

Second Draft

December 1998

prepared for  
Alcohol and Drug Abuse Services  
Social and Rehabilitation Services  
State of Kansas

by:

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Executive Summary

The 1996 study of Gambling Problems in Kansas was conducted to provide the Commission on Alcohol and Drug Abuse Services of the Kansas Department of Social and Rehabilitation Services with reliable estimates of the current level of gambling-related problems of Kansans in 1996. This Computer Assisted Telephone Interview study of a representative sample of over 1,700 Kansas adults provided reliable estimates of the proportion of Kansas adults who have some gambling problems and who are probable pathological gamblers based on the "South Oaks Gambling Screen" (SOGS) as well as an estimate of the proportion of Kansas adults who meet the criteria for pathological gamblers in the Diagnostic and Statistical Manual of Mental Disorders - IV (DSM). The estimates are:

Measure:	Estimated Proportion	Estimated Number
South Oaks Gambling Screen Some Gambling Problem	22.74%	454,800
Probable Pathological Gamblers	1.58%	31,600
DSM-IV Pathological Gambler	0.19%	3,800

Approximately 5-10% of these may qualify for treatment services which could be supported by the Kansas Department of Social and Rehabilitation Services in a manner similar to substance abuse and mental health services for limited income individuals. This report includes a breakdown of these numbers by the twelve Kansas treatment regions. The proportion of "some gambling problems" ranged from a low of 15% in the Southwest region to a high of 32% in the Northeast region. This level of problems may be the focus of educational prevention efforts.

The SOGS "probable pathological gambler" rate varied from less than 1% in the Southeast and Flint Hills regions to a high of about 4% in the Wyandotte and South Central regions and many of these individuals may need treatment assistance to help cope with their gambling-related problems. The DSM rate for pathological gambling was too low to note regional variations, but individuals meeting this criteria would be generally eligible for treatment benefits under many health insurance plans.

About 86% of Kansas adults said they gambled sometime in their lives and 55% said they gambled in the past year. The types of gambling included lotteries and numbers including the Kansas Lottery; playing slot machine, poker machines or other gambling machines; casino gambling; playing cards for money; betting on horses or dogs; betting on sports; playing bingo for money; bowled, shot pool, played golf, or some other game of skill for money; played the stock, options and/or commodities market; played dice games (craps, etc.) for money; played pull tabs or "paper" games other than lotteries; and other forms of gambling. Statewide gambling on the Kansas Lottery was reported by 44% of the sample with a range from a low of 36% in the Southeast region to a high of 55% in the Northwest region. All forms of gambling were significantly correlated with the SOGS "some gambling problems" reports. The gambling forms with the stronger correlations were numbers and lotteries including the Kansas Lottery, cards, and slots. While these correlations may suggest a link between gambling and gambling problems, the forms of gambling are not necessarily the cause of the individual's financial and interpersonal problems.

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### Introduction:

The 1996 study of Gambling Problems in Kansas was conducted to provide the Commission on Alcohol and Drug Abuse Services of the Kansas Department of Social and Rehabilitation Services with reliable estimates of the current level of gambling-related problems of Kansans in 1996. A Computer Assisted Telephone Interview methodology was chosen to provide reliable estimates of the proportion of Kansas adults who have some gambling problems and who are probable pathological gamblers.

### Methodology

#### Sample:

The sample for this Computer Assisted Telephone Interview study was obtained by first generating a representative sample of possible Kansas telephone numbers and then calling each number to determine if the number was a residential number and then to interview a consenting Kansas adult over 18 years of age. The sample technique is known as Random Digit Dialing and it is used to obtain both a representative statewide sample and a representative regional sample. The major limitation of the sample is that only Kansas adult with access to a telephone will be sampled and the homeless will not be represented. Since Kansas has a very high household telephone rate and a low homeless rate, these limitations are considered to be minor and far outweighed by the cost effectiveness of the technique. The total number of attempted interviews was 7,883. Calls were made to all 105 Kansas counties in numbers proportionate to the number of households in the counties. It turned out that of the 7,883 numbers called, 1,916 were potential telephone numbers which were not in service; 33 gave busy signals which were unresolved even with repeated attempts; 57 had communication problems due to language difficulties or hearing problems; 330 asked to be called back but were not available at the callback; 772 were not residential households; 125 were answered only by answering machines; 13 were persistent wrong numbers; 1,205 not accounted for; 1,119 refused to participate at the screening item; and 2,313 were informed about the study and asked to consent to the interview. At the consent item 23 said no one over 18 was available for the interview, 3 requested more information, 428 declined to participate and 1,798 consented to the interview. Approximately 81% of those who were given the opportunity to consent to participate agreed to participate in the interviews.

Of those who consented to participate 37.7% were men and 62.3% were women. The sample was then weighted to achieve a 49% male / 51% female adult sample which would be more representative of the adult Kansas population.

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### Interviewing:

The calls were made in September and October of 1996 by trained interviewers who were supervised by Minakshi Tikoo, Ph.D. Dr. Tikoo also programmed the Sawtooth Software Ci-3 for the interviews. The programming presented the interview items to the interviewers and recorded the responses entered by the interviewers in computer disk data files. The interview results were compiled from the computer disks into one large file which was converted to a SPSS portable file for this analysis.

### Instruments:

The interview was based on the "South Oaks Gambling Screen" (SOGS) as reported in the Addiction Research Foundation's Review of the Literature on Problem and Compulsive Gambling (1995) by Tania Stirpe and the clinical definition of a pathological gambler from the Diagnostic and Statistical Manual of Mental Disorders - IV (1994) (DSM-IV). Additional items included specific items about the Kansas Lottery, attitudes regarding family and community views of gambling, marital status, educational attainment, work status, medical insurance, welfare status, family income, sex, age, religious preference and attendance, substance use, and their relationship with a pet which along with attitudes and religiosity could be a protective factor. The respondents were also told they could contact their mental health or substance abuse center for assistance with gambling problems or they could call this project on our "800" number if they had any further questions.

### Analysis:

The data files were compiled into a master data file which was converted to a portable file for analysis with the computer software program known as the Statistical Package for the Social Sciences for Windows (version 6). The data were analyzed and this reported was written by Robert H. Poresky, Ph.D.

## Results

### Gambling Problems:

The primary purpose was to generate an estimate of the rate and number of Kansans who have gambling problems which could become a concern for Kansas as well as to provide a profile of gambling in Kansas in 1996.

The three major measures of the severity of the gambling problems confronting Kansans are the SOGS "some gambling problems," SOGS "probable pathological gambling," and the adaptation of the DSM-IV "pathological gambling" diagnosis. The South Oaks Gambling Screen, which was developed at the South Oaks Hospital in Amityville, New

York, is considered to be a validated and reliable screening instruments. There are twenty-one items which contribute to the scoring. A score between 1 and 4 indicates "some gambling problems" and a score over 4 indicates "probable pathological gambling." The DSM-IV criteria for a diagnosis of pathological gambling require the presence of at least five of ten items regarding gambling-related behaviors and the absence of manic episode which would be diagnosed separately. In view of the limited response to the DSM-IV items, the DSM-IV pathological gambling results must be considered very cautiously.

The twelve ADAS/SRS regions referred to in this report and the counties within each are:

Region 1 - Shawnee county

Region 2 - East Central - Atchison, Brown, Doniphan, Douglas, Franklin, Jackson, and Jefferson counties.

Region 3 - Johnson - Johnson, Leavenworth, and Miami counties.

Region 4 - Wyandotte county.

Region 5 - Southeast - Allen, Anderson, Bourbon, Cherokee, Crawford, Labette, Linn, Montgomery, Neosho, Wilson, and Woodson counties.

Region 6 - Flint Hills - Butler, Chase, Chautauqua, Coffey, Cowley, Elk, Greenwood, Lyon, Marion, Morris, and Osage counties.

Region 7 - South Central - Harper, Harvey, Kingman, McPherson, Reno, Rice, and Sumner counties.

Region 8 - Wichita / Sedgwick county

Region 9 - Southwest - Barber, Clark, Comanche, Edwards, Finney, Ford, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearney, Kiowa, Lane, Meade, Morton, Ness, Pratt, Scott, Seward, Stafford, Stanton, Steven, and Wichita counties.

Region 10 - Northwest - Barton, Cheyenne, Decatur, Ellis, Gove, Graham, Logan, Norton, Osborne, Pawnee, Phillips, Rawlins, Rooks, Rush, Russell, Sheridan, Sherman, Smith, Thomas, Trego, and Wallace counties.

Region 11 - North Central - Cloud, Dickenson, Ellsworth, Jewell, Lincoln, Mitchell, Ottawa, Republic, and Saline counties.

Region 12 - Northeast - Clay, Geary, Marshall, Nemaha, Pottawatomie, Riley, Wabaunsee, and Washington counties.

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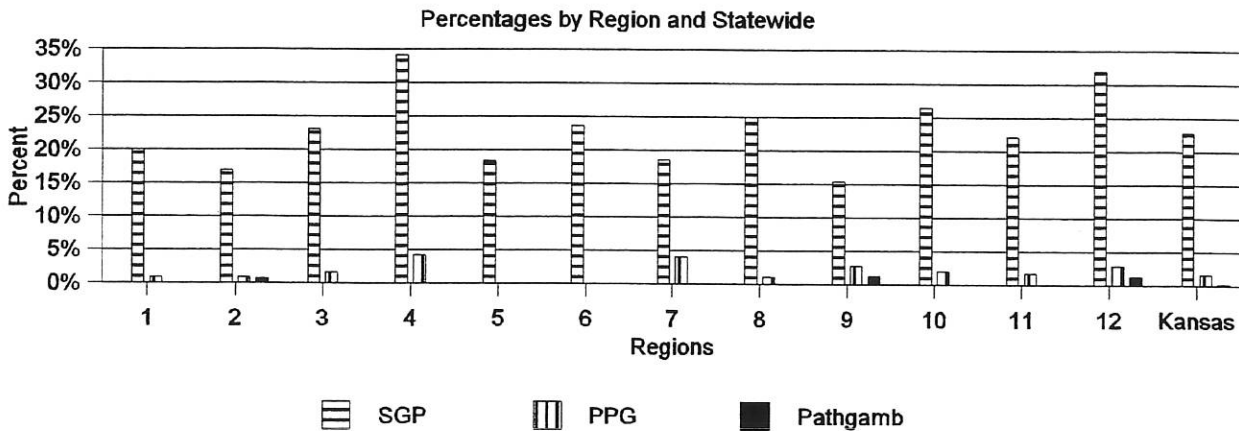
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## Gambling Problems in Kansas - 1996



Legend: SGP = Some Gambling Problems (SOGS)  
 PPG = Probable Pathological Gambler (SOGS)  
 Pathgamb = Pathological Gambling (DSM-IV)

The findings regarding the severity and distribution of these indicators of gambling problems by ADAS/SRS region are presented in the above chart and in the following table. While the percentages of these problem levels appear to differ between regions, the differences were not statistically significant, but when applied to regional populations differences in need are likely to emerge.

Gambling Problems in Kansas  
 Statewide and by Region  
 (percent of adult population)

Region	1	2	3	4	5	6	7	8	9	10	11	12	Kansas
	Shn	E.C.	John	Wyan	S.E.	F.H.	S.C.	Sedg	S.W.	N.W.	N.C.	N.E.	Kansas
SGP	20%	17%	23%	34%	18%	24%	18%	25%	15%	26%	22%	32%	22.74%
PPG	1%	1%	2%	4%	0%	0%	4%	1%	3%	2%	2%	3%	1.58%
Pathgamb	0%	1%	0%	0%	0%	0%	0%	0%	1%	0%	0%	1%	0.19%

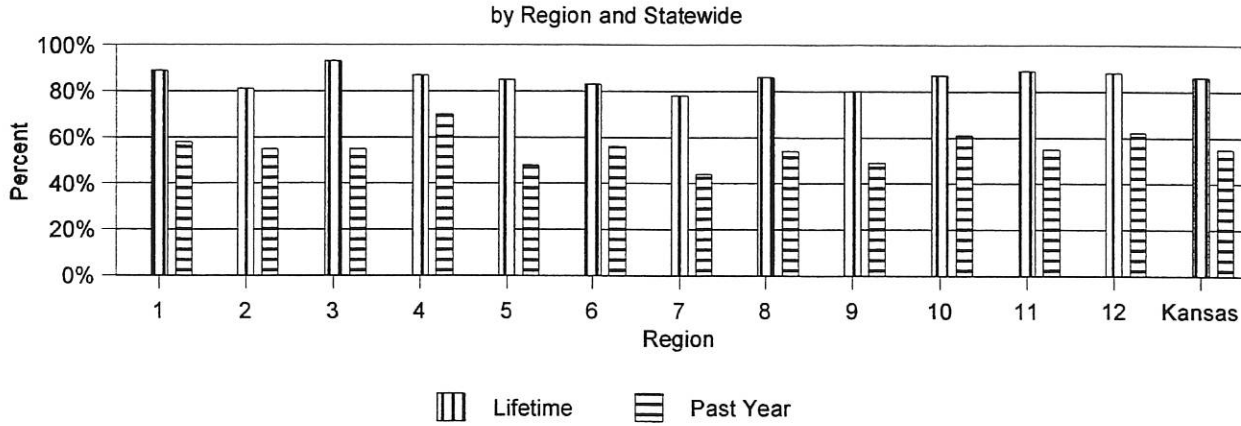
Legend: SGP = Some Gambling Problems (SOGS)  
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Lifetime and Past Year Gambling Rates - 1996:



## Lifetime and Past Year Gambling Rates



The respondents were asked if they ever gambled in their lifetime and if they gambled in the past year. The percentages of those who gambled sometime in their lifetime and those who gambled in the past year are presented in the chart above and table below for the ADAS/SRS twelve regions and Kansas as a whole.

Region	1	2	3	4	5	6	7	8	9	10	11	12	Kansas
	Shn	E.C.	John	Wyan	S.E.	F.H.	S.C.	Sedg	S.W.	N.W.	N.C.	N.E.	
Lifetime	89%	81%	93%	87%	85%	83%	78%	86%	80%	87%	89%	88%	86%
Past Year	58%	55%	55%	70%	48%	56%	44%	54%	49%	61%	55%	62%	55%

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Projected Number of Kansas Adults in 1996 with "Some Gambling Problems" and who are "Probable Pathological Gamblers."

The number of Kansas adult who were directly affected by gambling in 1996 were estimated from the interview data. The estimates were obtained by applying the regional incidence of "some gambling problem" and "probable pathological gambling" from the South Oaks Gambling Screen items to the estimated populations within each region and adjusting for the percentage of adults in the total Kansas population (73%) and a 10% estimated growth since the 1990 Census. The state and regional population data was obtained from the Census Bureau via the Internet on December 26, 1996.

Region	1	2	3	4	5	6	7	8	9	10	11	12	Kansas
	Shn	E.C.	John	Wyan	S.E.	F.H.	S.C.	Sedg	S.W.	N.W.	N.C.	N.E.	Kansas
Rgn Pop (in 1,000s)	161	167	443	162	197	184	173	404	169	147	112	159	2,476
SGP	19.98%	16.88%	23.05%	34.14%	18.34%	23.60%	18.49%	25.03%	15.41%	26.39%	22.08%	31.93%	22.74%
Est. #	25,831	22,636	81,996	44,411	29,012	34,869	25,686	81,200	20,912	31,151	19,858	40,767	452,123
PPG	0.84%	0.80%	1.55%	4.19%	0.00%	0.00%	4.02%	0.99%	2.74%	2.00%	1.65%	2.84%	1.58%
Est. #	1,086	1,073	5,514	5,451	0	0	5,585	3,212	3,718	2,361	1,484	3,626	31,414

Types of Gambling Problems:

The types of gambling problems which are summed to generate the SOGS total for the operational definitions of "some gambling problems" and "probable pathological gambling" are listed below with their prevalence in this 1996 sample of Kansas adults for those who gambled.

#4. When you gamble, how often do you go back another day to win back money you lost?	Never	83%	Sometimes	15%	Most of the time	2%	Every time	1%
#5. Have you ever claimed to be winning money gambling when you were, in fact, losing?	Never	96.3%	Half the time	3.4%	Most of the time	0.3%		
#6. Do you feel you have ever had a problem with betting money or gambling?	No	97%	Yes	3%				
#7. Did you ever gamble more than you intend to?	No	75%	Yes	25%				
#8. Have people criticized your betting or told you that you had a gambling problem, regardless of whether or not you thought it was true?	No	97.5%	Yes	2.5%				
#9. Have you ever felt guilty about the way you gamble or what happens when you gamble?	No	89%	Yes	11%				
#10. Have you ever felt like you would like to stop betting money or gambling but did not think you could?	No	98%	Yes	2%				
#11. Have you ever hidden betting slips, lottery tickets, gambling money, IOUs, or other signs of betting or gambling from your partner, children, or other important people in your life?	No	99%	Yes	1%				
#12. Have you ever argued with people you live with over how you handle money?	No	79.5%	Yes	20.5%				
#13. Have money arguments centered on your gambling?	No	94%	Yes	6%				

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#14. Have you ever borrowed from someone and not paid them back as a result of your gambling?	No	99%	Yes	1%
#15. Have you ever lost time from work (or school) due to betting money or gambling?	No	99%	Yes	1%
#16. If you borrowed money to gamble or to pay gambling debts, did you borrow from . . .				
a. household money?	No		42%	
	Yes		1%	
	Never borrowed		57%	
b. your partner?	No	98%	Yes	2%
c. other relatives or in-laws?	No	99%	Yes	1%
d. banks, loan companies, or credit unions?	No	99%	Yes	1%
e. credit cards?	No	97%	Yes	3%
f. loan sharks?	No	99.6%	Yes	0.4%
g. you cashed in stocks, bonds, or other securities?	No	99%	Yes	1%
h. you sold personal or family property?	No	99.5%	Yes	0.5%
i. your checking account (passed bad checks)?	No	98.5%	Yes	1.5%

The reported gambling problems involved both self-control items and interpersonal items. While most of the problems were rare, gambling more than the person intended to was reported by 25% of those who gambled. Twenty percent also argued over the money they gambled and 11 percent said they felt guilty about their gambling. Only 3% said they felt they had a gambling problem, but almost 23% scored in the "some gambling problem" range which required a problem indicator in 1 to 4 of these items and 1.6% scored in the "probable pathological gambling" range with SOGS scores above 5.

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Forms of Gambling:

The forms of gambling in Kansas are presented in both the relative frequency of lifetime participation in each form for the statewide data and in terms of the regional variation within each form of gambling. The next table and graph presents the lifetime statewide percentages by form of gambling.

Form of Gambling	Lifetime Percentage
Numbers and/or Lotteries	45%
Kansas Lottery	44%
Slots, poker machines, etc.	41%
Casinos	40%
Cards for money	31%
Horse and dog betting	29%
Betting on sports	23%
Bingo for money	23%
Bowling, pool, golf for money	19%
Stock, options or commodities market	16%
Dice games (craps, etc.)	14%
Pull tabs or "paper" games (not lottery)	12%

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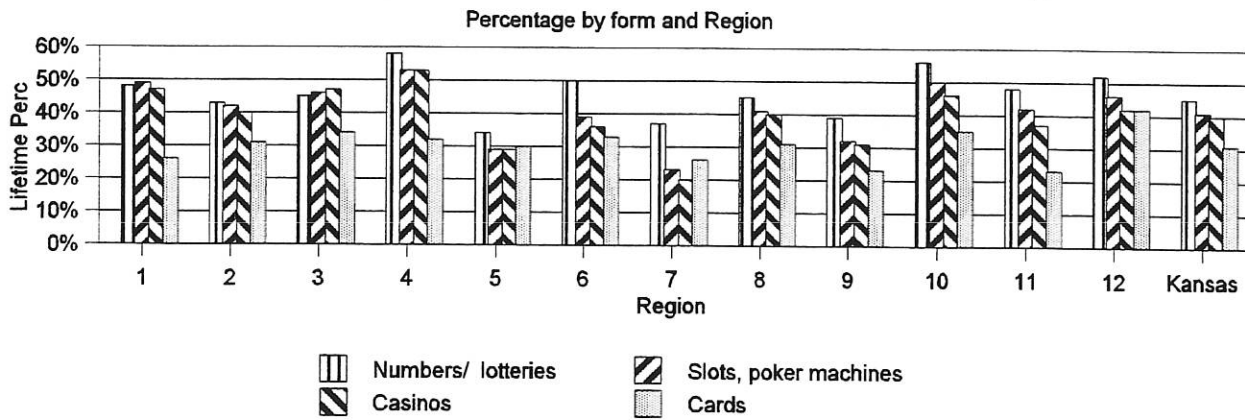


Distribution of the Four More Frequent Forms of Gambling in Kansas in 1996.

The following table presents the regional percentages of lifetime participation in each of the four most frequently reported forms of gambling. The statewide percentages for these more frequent forms were greater than 30%.

Region	1	2	3	4	5	6	7	8	9	10	11	12	Kansas
	Shn	E.C.	John	Wyan	S.E.	F.H.	S.C.	Sedg	S.W.	N.W.	N.C.	N.E.	
Numbers/ lotteries	48%	43%	45%	58%	34%	50%	37%	45%	39%	56%	48%	52%	45%
Slots, poker machines	49%	42%	46%	53%	29%	39%	23%	41%	32%	50%	42%	46%	41%
Casinos	47%	40%	47%	53%	29%	36%	20%	40%	31%	46%	37%	42%	40%
Cards	26%	31%	34%	32%	30%	33%	26%	31%	23%	35%	23%	42%	31%

### More Frequent forms of Kansas Gambling



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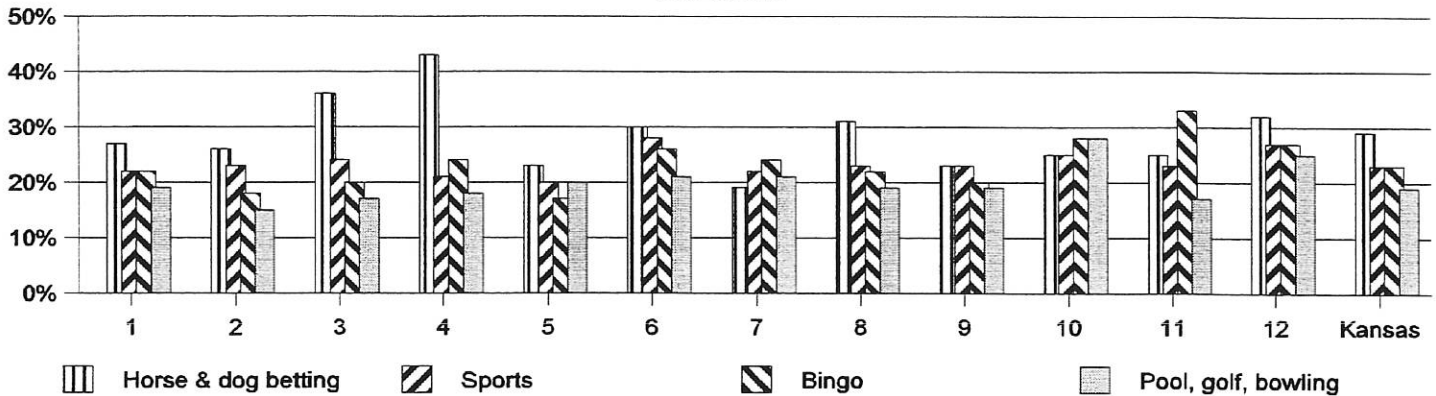
Distribution of the Mid-frequency Four Forms of Gambling in Kansas in 1996.

The following table presents the regional percentages of lifetime participation in each of the four forms of gambling with statewide reporting rates between 19% and 30%.

Region	1	2	3	4	5	6	7	8	9	10	11	12	Kansas
	Shn	E.C.	John	Wyan	S.E.	F.H.	S.C.	Sedg	S.W.	N.W.	N.C.	N.E.	
Horse & dog betting	27%	26%	36%	43%	23%	30%	19%	31%	23%	25%	25%	32%	29%
Sports	22%	23%	24%	21%	20%	28%	22%	23%	23%	25%	23%	27%	23%
Bingo	22%	18%	20%	24%	17%	26%	24%	22%	20%	28%	33%	27%	23%
Pool, golf, bowling	19%	15%	17%	18%	20%	21%	21%	19%	19%	28%	17%	25%	19%

### Mid-frequency Forms of Gambling

19% to 30%



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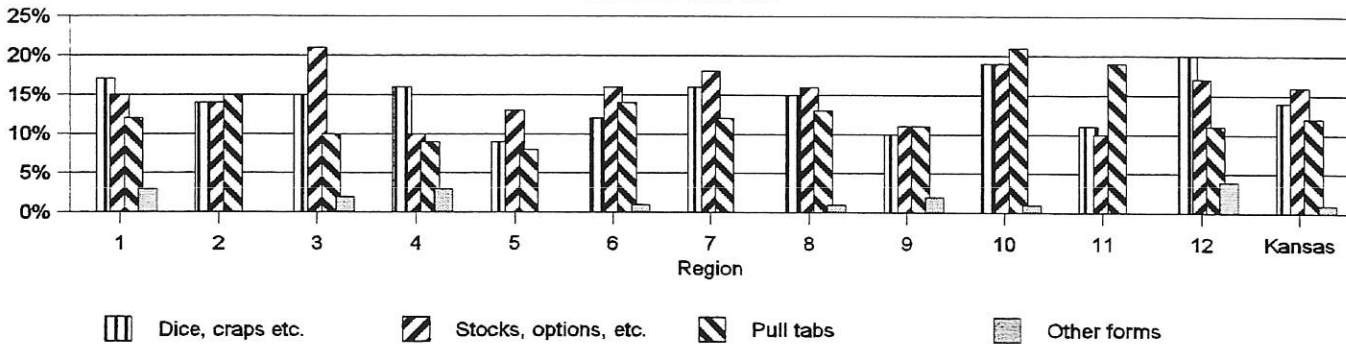
Distribution of the Lower Frequency Forms of Gambling in Kansas in 1996.

The following table and chart presents the regional percentages of lifetime participation in each of the four less frequently reported forms of gambling with statewide reporting rates less than 15%.

Region	1	2	3	4	5	6	7	8	9	10	11	12	Kansas
	Shn	E.C.	John	Wyan	S.E.	F.H.	S.C.	Sedg	S.W.	N.W.	N.C.	N.E.	
Dice, craps etc.	17%	14%	15%	16%	9%	12%	16%	15%	10%	19%	11%	20%	14%
Stocks, options, etc.	15%	14%	21%	10%	13%	16%	18%	16%	11%	19%	10%	17%	16%
Pull tabs	12%	15%	10%	9%	8%	14%	12%	13%	11%	21%	19%	11%	12%
Other forms	3%	0%	2%	3%	0%	1%	0%	1%	2%	1%	0%	4%	1%

### Lower Frequency Forms of Gambling

Rates Less than 15%



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Associations between gambling forms and gambling problems.

The following table shows that all forms of gambling were associated with the presence of some gambling problems and probable pathological gambling as measured by the SOGS. Some were also associated with the pathological gambling criteria from the DSM-IV. The table includes the magnitude of the correlation, and the probability that the magnitude of the correlation is enough that it is not a chance effect. Correlations with probability levels (p.) of less than .05 are generally considered statistically significant associations. Associations or correlations only indicate a tendency for scores on one element to be related to scores on another element. Significant correlations are not sufficient evidence to conclude that one element causes another element, since either or none may be the actual cause. All forms of gambling were significantly correlated with the "some gambling problems" and "probable pathological gambler" level of the South Oaks Gambling Screen and a few were associated with the "pathological gambler" criteria adapted from the DSM-IV for telephone interview use. These correlations show that problem gamblers participate in many forms of gambling or that many forms of gambling are used by problem gamblers. The widespread pattern of gambling forms suggests an educational - preventive need to help individuals control their gambling and avoid gambling to the extent which generates problems for them and their families, rather than an intervention targeted at a specific gambling form.

- - Correlation Coefficients - -

FORM:	LEVEL OF GAMBLING PROBLEM		
	SGP	PPG	PATHGAMB
CARDS	.4250***	.0868***	.0658*
HORSES	.3750***	.0866***	.0452
SPORTS	.3542***	.0945***	.0152
DICE	.3484***	.1234***	.0772**
CASINO	.3766***	.0707**	.0543*
NUMBERS	.4543***	.0736**	.0483
BINGO	.2994***	.0862***	.0415
STOCK, OPTIONS			
MARKET	.2586***	.0061	-.0192
SLOTS	.4145***	.1065***	.0528
POOL	.3845***	.0796**	.0903***
PULL TABS	.3061***	.0566*	.0152
KANSAS			
LOTTERY	.4456***	.1039***	.0497

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 Note: \* = p. <= .05, \*\* = p. <= .01, \*\*\* = p. <= .001.  
 Sample size > 1,300.

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Protective Factors

A few potential protective factors which emerged in substance abuse research were included in the interview. Significant associations were found between the presence of "some gambling problems" and attitudes favoring gambling at both the community and family level. Those who were older and those who attended religious services more often reported fewer gambling problems and women reported fewer problems than men. More family income was weakly linked with increased gambling problems. The respondent's relationship with a pet was not found to be a significant protective factor nor was medical insurance, being or not being on public assistance, or educational attainment.

Factors:	- - Correlation Coefficients - -		
	Level of Gambling Problems		
	SGP	PPG	PATHGAMB
Community attitudes favoring gambling	.0981***	-.0172	-.0208
Family Attitudes favoring gambling	.1670***	-.0298	-.0125
Educational attainment	-.0043	-.0267	-.0161
Medical insurance	.0091	-.0416	-.0172
Public Assistance	-.0290	-.0047	-.0090
Attend religious services	-.1404***	-.0211	-.0445
Pet relationship	.0370	.0430	.0344
Age	-.2184***	-.0902***	-.0234
Family Income	.0657*	-.0090	-.0206
Male/Female	-.1094***	-.0378	-.0238

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 Note: \* = p. <= .05, \*\* = p. <= .01, \*\*\* = p. <= .001.  
 Sample size > 1,200.

Further analysis of these correlations using a t-test found that the gender effect was significant with about 19% of the women and 29% of the men having "some gambling problems." Rural respondents may have had lower rates of gambling problems (21%) than suburban respondents (28%). Other significant demographic factors were not found.

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Associations with Substance Use.

Significant associations were found between lifetime tobacco, alcohol and marijuana use and the presence of "some gambling problems." A weak association was also found between lifetime stimulant use and "probable pathological gambling."

-- Correlation Coefficients --

	SGP	PPG	PATHGAMB
Tobacco Use			
Lifetime	.1016***	.0121	.0044
Alcohol use			
Lifetime	.1126***	.0292	.0115
Marijuana use			
Lifetime	.1445***	.0537	.0417
Cocaine use			
Lifetime	.0148	.0465	.0237
Stimulant use			
Lifetime	.0486	.0534*	.0234
Sedative use			
Lifetime	.0429	.0198	-.0066

Historical Changes.

This study reflects the gambling problems of Kansas adults in 1996. If comparative data is available for prior years then historical comparisons can be made, but without such data from the past regarding both legal and illegal gambling historical comparisons of gambling rates and the incidence of gambling problems is very difficult to verify.

Without such data any allegations of changes in gambling rates and changes in the level of gambling problems over the years would be speculative other than to note the recent increase in opportunities for legal gambling in Kansas.

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## Conclusions

This 1996 study of gambling problems in Kansas found that a majority of Kansas adults gambled both in their lifetimes and in the past year. The South Oaks Gambling Screen measures of the prevalence of "some gambling problems" and "probable pathological gambling" show that a significant number of Kansas adults have gambling problems which adversely affect them and their families. The estimated statewide prevalence of adults with "some gambling problems" is 454,800 and those with "probable pathological gambling" number about 31,600. The adapted telephone interview criteria from the Diagnostic and Statistical Manual of Mental Disorders - IV for pathological gambling suggest 3,800 adult Kansans would qualify for mental health gambling-focused treatment. Those with "some gambling problems" should be helped to overcome their gambling problems through educational / preventive efforts to reduce the magnitude of their gambling problems. Kansans indicating "probable pathological gambling" would require more intensive, but short-term, assistance to overcome their gambling problems.

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