

MINUTES OF THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Doug Mays at 1:35 p.m. on March 5, 2001 in Room 313-S of the Capitol.

All members were present except: Representative Ethel Peterson, Excused
Representative Daniel Williams, Excused

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

Conferees appearing before the committee: Representative Lana Gordon
Brad Hamilton, Director of Native American Affairs
Don Chubb, Topeka Historian
Phillip Bradley, Kansas License Beverage Association

Others attending: See attached list

Without objection the subject of SB117 will be introduced as requested by Representative Ruff regarding shooting range protection. [HB 2558]

Without objection bill will be introduced as requested by Representative Wilson regarding rail service improvement. [HB 2559]

Chairman Mays opened the hearing on HCR 5021 - Naming of state office building for Charles Curtis. Representative Gordon proposed naming the new state office building on the southwest corner of 10th and Kansas in Topeka in honor of Kansas' highest ranking native, Vice President Charles Curtis. (Attachment #1) His long list of accomplishments speak volumes of his service to Native Americans and Kansans.

Mr. Hamilton noted Curtis during his 38 years of public service was a leader in employment and labor issues including the Anti-Child Labor Amendment and ranging from tariff act protecting farm interests to Civil War veterans' compensation issues. Curtis was a self-taught lawyer at age 21, and his story is an example of the great American dream. (Attachment #2)

Mr. Chubb provided additional facts of Curtis life as a jockey, a Congressman and Senator. (Attachment #3) Curtis lived with his grandmother on the Kansa reservation near Council Grove for two years. He was the first Native American to hold the office of Vice President and was the highest elected native born Kansan. His descendants still live in Topeka today.

Ann Andrews provided additional details from her ongoing research of Mr. Curtis including her online research available at www.cjnetworks.com/~hvahrt/ksstudies

The hearing on HCR 5021 was closed.

Representative Hutchins moved that Committee recommend HCR 5021 favorable for adoption. Representative Gilbert seconded the motion. The motion passed.

Chairman opened the hearing on HB 2528 - Alcoholic beverages; licensees; bond requirements, waiver.

Mr. Bradley provided written testimony (Attachment #4) in support of the bill, however recent discussions with the Secretary of Revenue and Robert Longino, Alcohol Beverage Control Acting Director has determined a change to K.A.R. 92-24-23 will provide relief to the Licensed Beverage Retailers and is presently being considered. Therefore, it is unlikely any legislative action will be needed to address this issue.

The hearing on HB 2528 was closed.

Chairman requested attention to HR 6007 - Attorney general directed to determine constitutionality and to establish that upon conception there is life.

Representative Ruff moved adoption of HR 6007. Representative Cook seconded the motion. The motion passed.

The committee meeting adjourned at 2:00 p.m. The next scheduled meeting is March 6, 2001.

HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

COMMITTEE GUEST LIST

DATE: 3/5/01

NAME	REPRESENTING
Phil Bradley	KLBA
Ann Andrews	Ks N. Topeka Historical Society
Virginia Swenson	John Haupt Ch DAR
Suedo Swenson	Myself
Floyd DeBaker	Ks N. Topeka Historical Society
John Leroy	" " " " " "
NOVA COTTRELL	CURTIS HOUSE 1101 TOPEKA
DON COTTRELL	CURTIS HOUSE 1101 TOPEKA
VIRGINIA OVERLEY	TOPEKA CHAPTER DAR
Day Conn	Topeka Chapter DAR
Betty Rasure	John Haupt DAR
Sarah Grant	John Haupt DAR
Keith Haxton	SEAK
Andy Shaw	PMCA
Alon Cottrell	Curtis House
Pete Bodysk	KDOR/ABC
Ed Van Peltan	KS. Lottery
Keith Kotter	KS Lottery
Elmer Feldkamp	RTLK

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TOPEKA
 HOUSE OF
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COMMITTEE ASSIGNMENT
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 HIGHER EDUCATION
 K-12 EDUCATION
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 VICE-CHAIR: SHAWNEE COUNTY LEGISLATIVE
 DELEGATION

HOUSE CONCURRENT RESOLUTION 5021

Chairman Mays and members of the Federal and State Affairs Committee:

Thank you for allowing me to come here today to speak in favor of House Concurrent Resolution 5021. I also want to thank all of you who have shown your support by signing this resolution, as well as the Chair for his editorial assistance.

This is a Concurrent Resolution proposing to name the new state office building on the southwest corner of 10th and Kansas in Topeka, the Charles Curtis State Office Building.

Charles Curtis was a native Kansan and our only person of Native American descent to hold the high office of Vice-President. He served under President Herbert Hoover.

HCR 5021 speaks for itself of Curtis's accomplishments. I would like to introduce our other guests that are here to testify on behalf of this resolution so that they may make additional comments.

In closing, I am excited to recognize an individual with such a rich Kansas heritage and long list of contributions to our state and country. Charles Curtis embodies the spirit of Kansas. Our commitment to that spirit would be solidified by naming the new state office building after him.

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KANSAS

Bill Graves
Governor

DEPARTMENT OF HUMAN RESOURCES
Office of the Secretary

Richard E. Beyer
Secretary

TO: House Federal and State Affairs Committee

FROM: Richard Beyer, Secretary
Kansas Department of Human Resources

DATE: March 5, 2001

SUBJECT: Support for Concurrent Resolution 5021 – Designating the Signature Building as the Charles Curtis Building

HIGHLIGHTS OF THINGS RELATING TO EMPLOYMENT ASSOCIATED WITH CHARLES CURTIS

Thanks you for the opportunity to testify today in favor of designating the new state office building after native son Charles Curtis. As the Secretary of the Department of Human Resources – in many states called the Labor Department or the Employment Security Department – I have a special interest in this possible naming.

Charles Curtis – in addition to the other things you have already heard – was a leader in employment and labor issues. Here are a few examples:

- Supported the Soldier's Adjusted Compensation Bill, allowing veterans of the Civil War to apply for disability. Prior to this legislation, Civil War veterans had no disability or pension benefits.
- Supported the Anti-Child Labor Amendment, providing standards for the protection of children in the workplace. Preceding this law, children of all ages were forced to work long hours, in hazardous conditions, and for low wages. He supported the bill exempting labor unions from the Sherman (anti-trust) Law, allowing for the legal formation of labor unions.
- Supported parts of the present tariff act protecting farm interests. This helped prevent the low prices for farm commodities. He supported a plan helping wheat growers whose crops had failed. This law acted as an insurance policy for America's farmers allowing them to keep farming instead of going bankrupt from adverse conditions. Curtis supported the Hepburn Railroad Bill eliminating discrimination against farmers. This law ensured equity in commodity pricing and accessibility for farm crops to be shipped by rail. Curtis supported the bill providing \$50,000,000 of farm loan bonds enabling farmers access to loans at low interest rates.

- These are the significant pieces of legislation that Charles Curtis supported that directly affected the labor market. Some of the legislation continues to have an impact today. There is little doubt that the positive legislative efforts of Curtis as Congressman, Senator, and Vice President affected Kansans and millions of Americans, many of whom do not know his name!

Charles Curtis came from very humble beginnings, was self-taught in law and passed the Kansas Bar at age 21. His story is an example of the great American dream. Curtis' record during his 38 years of public service is one of honesty, integrity, principal and courage. He never forgot who he was or that he came from Kansas. Curtis serves as a positive role model for all young people.

For these reasons, the Kansas Department of Human Resources supports House Concurrent Resolution No. 5021. Let's honor a Kansas hero by naming our new Signature Building the Charles Curtis Building.

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GARFIELD GAZETTE

Focusing on North Topeka ★ Past, Present and Future

Vol. 2 ★ Issue 4 ★ December 1999

From The Indian Reservation To Our Nation's White House

Charles Curtis was born in Topeka on January 25, 1860. After his mother died in 1863, he lived with his father's parents, Mr. and Mrs. William Curtis, in North Topeka, for a time and then was sent to live with his mother's mother, Julie Conville Pappan, on the Kaw Indian Reservation in Morris County. Pappan was the granddaughter of the Kaw Indian Chief White Plume.

He lived on the Reservation for eight years, living in a teepee and attending a mission school, but did not learn how to read or write until he was 9 years old. As a youth, he rode horses in Kansas fairs, and later worked as a reporter for the North Topeka Times. His interest soon turned to law and he educated himself by reading law books in the Topeka law office of A. H. Case. He was admitted to the bar at age 21 and shortly thereafter became interested in politics. In 1884 he was elected Shawnee County attorney and was reelected to this position in 1886.

In 1893, Curtis, a Republican, moved on to national



CHARLES CURTIS—LL. D., Washburn College, 1925. Born in a log cabin, in North Topeka, Charles Curtis rose to become the 31st vice-president of the United States and was the only Kansan and the only Native American to hold that high office.

office, serving in the U. S. House of Representatives from 1893 to 1907, and in the U. S. Senate from 1907 to 1913 and 1915 to 1929. While in the Senate, he served as Republican Whip

and then as Majority Leader for five years.

While in Congress, Curtis was active and influential in the passage of Indian and farm legislation and has been credited with keeping Fort Riley and Fort Leavenworth open after World War I, helping the 19th Amendment to pass, (giving women the right to vote) and with doing such small chores as claiming the flagpole off the U.S.S. Constitution and bringing it to Topeka where it still stands today at Topeka High School.

In 1927 when President Coolidge decided not to run again, Curtis announced his candidacy for President. However, at the national convention in Kansas City, Herbert Hoover was nominated on the first ballot. Curtis was then nominated as vice president and the ticket of Hoover and Curtis went on to win the presidential election of 1928.

In the presidential election of 1932 Hoover and Curtis were defeated, and Curtis retired from political office. He remained active in party organizations until his death on February 8, 1936 at age 76. He is buried in Topeka Cemetery.

death. James Hickey, who was one of the original townsite company, is still living.

Mr. Armstrong has lived in the hospital where he died most of the past two years. He was born in County Oxford, Canada, opposite the state of New York, June 8, 1824. Most of his boyhood was spent on the United States side and he came to Lawrence, Kan., in November, 1854. He staked a claim near the present Lake View and returning to Lawrence, joined a party which was



PIONEER IS DEAD.

John Armstrong Who Helped Choose Site for Topeka.

Last of Party Which Drove Up From Lawrence.

WAS FREE STATE MAN

Identified With the Early Border Troubles.

His Narrative of How Townsite Was Chosen.

John Armstrong, 87 years old, and the last survivor of the band of pioneers which selected the location for a city where a townsite company a fortnight later founded Topeka December 4, 1854, died last evening at St. Francis hospital and will be buried in Rochester cemetery, where he already has had his monument erected and inscribed, with the exception of the date of his

(continued on page 4)

What Kids Asked For in 1899.

THE MAIL AND BREEZE

CHILDREN WRITE TO SANTA CLAUS.

Letters From Five Hundred Little People Submitted to Mrs. John J. Ingalls, Who Chooses the Best.

Mrs. John J. Ingalls, who kindly acted in the capacity of judge of the letters written by the Mail and Breeze children to Santa Claus, has selected Emilie Neighbor of Ness City as the winner of the prize for the best letter written by a girl, and Freeman C. Martin of Yates Center as the winner of the prize for the best letter written by a boy. Emilie Neighbor is a "short grass" production, only six years old, born in Ness county, and now attending her second term at school. Freeman C. Neighbor is the son of Register of Deeds James L. Martin of Woodson county, and is none years old. Both letters were written by the little folks without any help whatever, and they speak volumes for the public school system of Kansas.

Nearly 500 letters were submitted early in the month to Mrs. Ingalls, who writes to the Mail and Breeze that it was a difficult task to select two from so many interesting and well-written letters.

The Mail and Breeze would be pleased if all the letters could be published, but space will not permit. Here are a few:

Topeka, Kan.

Dear Santa Claus---I am a good little boy, four years old, and for Xmas I want a sled, and a slate, and a "too-too" car, and a wheelbarrow, and a doll, and a drum, and a horn, and a little wagon. Oh! please bring me a great big ship almost as big as the world, and a kettle and a whistle and a harp and a nice handkerchief, and a pair of rubbers to wear and a little store and a doll that looks like Santa Claus. I am going to borrow Mamma's stockings so be sure and put my things in them. And Oh! be real sure to bring me a Shetland pony and a big wagon so I can ride. I will keep my eyes real tight closed if you will Santa Claus.

Your little friend,
GORDON CURREN.

P. S.---And I want a box of little matches so I can make fire in my stove. And a hood for my doll, and a chair. And please bring mamma and papa some things.

Manhattan, Kan., Dec. 12, 1899.

Dear Santa Claus---I do not see how you can go all over the world in one night, and how you come down the chimneys. We have a base burner. We keep it filled up with coal. The fire never goes out. So if you should come down our chimney I am afraid you would get burned. But we have a sky-light. A sky-light is a window in the top of the house. I will unfasten the screen which is above the sky-light, then there is a little hook. You can unfasten it easily. Then just lift up the glass and there you are. I will put some matches and a candle close to the sky-



light if you want me to. I want an auto-harp, a guitar, a doll and some candy and nuts, if you please. That is all I think of now. If I ever have a chance I will do you a good turn. Good bye.

Your friend,
HALLIE SMITH.
Lock Box 353. Age 11 years.

North Topeka, Kan., Dec. 15, 1899.

Dear Santa Claus---I will tell you what I want for Christmas. I want a doll carriage, a nice story book, a set of nice dishes and some candy and nuts. Be sure to put in some hazelnuts for I like them very much.

It has been a long time since I saw you. I forgot

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KANSAS

Bill Graves
Governor

DEPARTMENT OF HUMAN RESOURCES
Native American Affairs Office

Richard E. Beyer
Secretary

TO: House Federal and State Affairs Committee

FROM: Brad Hamilton, Director
Kansas Office of Native American Affairs

DATE: March 5, 2001

SUBJECT: Support for Concurrent Resolution 5021 – Designating the Signature Building as the Charles Curtis Building

I am Brad Hamilton, director of the Kansas Office of Native American Affairs. I am here today to support Concurrent Resolution 5021 designating the Signature Building as the Charles Curtis Building. Through 38 years of public service, Charles Curtis accomplished a great deal of things that benefited all people. The programs he initiated crossed racial and ethnic boundaries, urban and rural boundaries and age and gender boundaries. Curtis was a man who represented all people. His dignity, integrity and pride followed him from Shawnee County District Attorney to Vice President of the United States. Curtis was a political leader during critical times in our nation's history and without a doubt the greatest native born Kansas who aspired to public service.

Curtis is an exemplary role model for not only Native American youth but all children seeking to find their way. His humble beginnings and fight to be someone can serve to inspire other young people. Faced with the struggle of being a part of different cultures, he thrived and accomplished much at a young age.

When you look at all the accomplished people Kansas has cultivated, Curtis is at the top. He was someone everyone could be proud to know. Isn't it time, we honor him for supporting us and furthering our own state motto Ad Astra Per Aspera, "To the Stars Through Difficulties." Curtis carried his state and people to Washington and reinforced the argument that Kansas was a powerful state in politics.

It is for these reasons that the Kansas Office of Native American Affairs supports identifying the Signature Building as the Charles Curtis Building.

Testimony before the **Federal and State Affairs Committee** on **March 5, 2001** concerning naming the new signature office building in Topeka for **Vice President Charles Curtis** given by Don Chubb.

Future Vice President Charles Curtis was born near Topeka on January 25, 1860 on land owned by his grandmother, Julie Gonville Papan, who was half French and half Kansa Indian. Curtis was one eighth Indian and a full member of the Kansa tribe.

Curtis's mother died in 1863, and when his father left to fight in the civil war young Charley was sent to live with his grandmother on the Kansa reservation near Council Grove. During this time the boy spent two years in the tribal school, but he primarily learned the ways of the Kansa, including a love of horses. Returning to Topeka and his Curtis relatives, Curtis became a successful local jockey, largely supporting his family with his earnings from his successes at local racetracks.

When a spurt of growth threatened Curtis's riding career in his late teens, Charley entered Topeka High school, where he quickly caught up with the other students. He supported himself by driving a horsedrawn "hack" between the train depot and local hotels until as late as midnight each night, in addition to selling fruit and working as a reporter for the North Topeka Times.

At the age of 21 Curtis read law with a local attorney and then established a law practice with another young lawyer. Remember "Boston" Corbett, the soldier who killed John Wilkes Booth, who fired his pistol to clear the Kansas House of Representatives while serving as the assistant doorkeeper. His defense helped Curtis win the post of Shawnee County Attorney. He was elected to the U.S. House of Representatives in 1892, a position he held until he was appointed to the U.S. Senate in 1907.

Curtis was the first Kansas Senator chosen by popular election in 1914. He was also the first native-born Kansan to serve in the U.S. Senate and the first Native American. Noted for short speeches and a talent for persuading others to compromise, Curtis was a candidate for the presidential nomination in 1928. He lost to Herbert Hoover, who asked Curtis to join him on the ticket as Vice President in order to unify the party and assure the farm vote. Hoover and Curtis were easily elected, making Curtis the first Vice President from a state west of the Mississippi River. Because Curtis's wife Annie had died four years earlier, his half sister Dolly Gann served as hostess at his social events. Curtis is remembered as a champion of agricultural and Indian affairs, and as the first Vice President to have an official automobile.

Because of the great depression, Hoover and Curtis lost their bid for reelection four years later. Curtis died in 1939. His body, along with a bow sent by a Kansa Chief, lay in state in the rotunda of the U.S. Capitol Building and the Kansas Statehouse. He is buried in Topeka.

There are a number of important reasons for naming the new signature office building in Topeka for Charles Curtis. From a statewide prospective, he achieved higher elected office than any other native born Kansan. He was the first Native American to hold the office of Vice President. He was certainly the first Topekan to hold these offices, as well as being a descendant of the family who operated a ferry here before the town was founded, and who still live in Topeka today. In the first 150 years of our state's history no native Kansan has achieved the political recognition earned by Charles Curtis.

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Kansas Licensed Beverage Association
17 East Eighth Street Lawrence, Kansas 66044
Voice 785.331.4282 Fax 785.842.1679 Cell 785.766.7492
www.klba.org phil@klba.org

Mr. Chairman and Representatives of the Committee,
Good morning! Thank you for the opportunity to speak today. I am **Philip Bradley**, representing the **Kansas Licensed Beverage Assn. (KLBA)**.

HB-2528 is quite simple. When one applies for a license to serve on premise in Kansas the applicant is required to post a bond or cash equivalent to assure that they pay their liquor taxes. Each year this bond is reviewed and raised to the average of the previous 3 months. We are asking for relief from this requirement if we meet stringent conditions.

- We must ask for consideration
- We request at the time of renewal (the research necessary would already be done as a part of the renewal process)
- That we are current on our liquor taxes and have been for the previous 24 months
- And that we have complied with the provisions of the Kansas Liquor Control Act

Then at the discretion of the Director we may be given relief. The Director may re-impose the bond if and *when in the judgment of the Director it is necessary in order to secure the collection of the tax, interest or penalty.*

This bonding is an extraordinary measure and not usual in the business community. We understand however that our industry is held to higher standards of conduct and practices. We are simply asking for relief when we prove to the state that we have and will be good, timely and hopefully, cheerful taxpayers.

This issue was introduced here last year but was too late to finish the process. We have incorporated changes to address the only concerns with last years measure. We have discussed this with the ABC and feel that we have addressed all of their questions.

The differences from the version you have before you are

- Page 2 line 40, replace *12 months* with *24 months*
- Page 3 lines 30-31, replace *12 months* with *24 months*
- Page 4 line 8, replace *12 months* with *24 months*
- Page 5 line 27, replace *12 months* with *24 months*
- Add language to make clear that this request occurs only renewal
- That this only applies to the bond that is imposed to secure the liquor taxes

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About KLBA-

We are a group of small business owners who formed to educate the public about our industry. We represent the interests of over 3000 businesses, the men and women who as a part of their business hold a license for on premise alcohol service. We are the restaurants, hotels, clubs, bars, and caterers you frequent and enjoy.

We are in the hospitality business. Our customers come to us for service and fun. As a part of this service we offer alcoholic beverages. We advocate safe responsible consumption and are training our servers to practice these principals.

We work with the ABC to educate, train and promote compliance and responsible practices. We are one of only three server-training programs certified by the ABC in Kansas.

Our founder and immediate past president is Rita Madl (The Sandbar, Lawrence & The Lodge of Baldwin City). Our current president is Tom Intfen (Paddy O'Quigley's, Lenexa, KC and Pats Blue Ribbon Bar-B-Q, KC, Manhattan, Lawrence, MO, NE and Co-founder of Tanners, Wichita and KC)

Philip Bradley
Director of Public Affairs
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