

MINUTES OF THE SENATE COMMERCE COMMITTEE.

The meeting was called to order by Chairperson Karin Brownlee at 8:30 a.m. on May 1, 2003 in Room 123-S of the Capitol.

All members were present except: Senator Steineger, absent

Committee staff present: April Holman, Legislative Research
Mitch Rice, Revisor of Statutes
Jodie Anspaugh, Secretary

Conferees appearing before the committee: Janet Buchanan, Kansas Corporation Commission
Brett A. Reber
Daniel L. Watkins

Others attending: See attached list.

Chairperson Brownlee welcomed Janet Buchanan from the Kansas Corporation Commission to brief the committee on the recent SBC report to the KCC on not fulfilling the requirements of DSL deployment in Docket Number 98-SWBT-677-GIT. Ms. Buchanan clarified to the committee that today she is not speaking on behalf of the Commission but on behalf of the Commission Staff. She is here to provide information regarding facts and disputed matters but cannot provide any information regarding how the Commissioners may rule on this matter. Senator Barone voiced his discomfort with having Ms. Buchanan speak on this topic. Chairperson Brownlee indicated that she invited Ms. Buchanan and that because telecommunication is a responsibility of this committee, it is important for the committee to be apprised of DSL deployment.

Ms. Buchanan read from her written testimony. She reviewed the history leading up to the docket, beginning in 1998. The docket was opened in 1998 in order to evaluate whether or not SBC-KS's level of KUSF support was appropriate or if its support should be modified. (See Attachment 1 for a detailed explanation of the docket history.) SBC made an agreement on January 6, 2000 regarding DSL deployment with a deadline of August 2003, which SBC has indicated they cannot meet. Commission Staff was puzzled that SBC-KS did not apply for an extension until April 23, 2003, though they knew for over three years that deployment must be completed by August 2003. Staff is concerned because prior reports from SBC-KS regarding DSL deployment provided to the Commission contained inaccurate numbers on deployed equipment. The committee did not have any questions for Ms. Buchanan.

Chairperson Brownlee asked Steve Weatherford, president of the Kansas Development Finance Authority, to introduce the two candidates for the KDFFA board who are having confirmation hearings today. Mr. Weatherford introduced Dan Watkins, an attorney in Lawrence, and Brett Reber, an attorney in McPherson.

Daniel L. Watkins gave the committee brief background information on himself. (Attachment 2) He has lived in Lawrence for 30 years as an attorney. Senator Brownlee asked him what interests him in being on the KDFFA board. Mr. Watkins responded that he has seen what bonds can do locally for schools, jails, and other things, and is excited about the possibility of these long-term capital markets. Senator Brownlee asked Mr. Watkins what his thought on ERO 30 is. He replied that it makes sense. Kansas may be the only state without a single family housing authority. He answered questions about his work on Governor Sebelius' campaign.

Brett A. Reber gave the committee brief background on himself. (Attachment 3) He grew up in Ellsworth, received his undergraduate degree from KU and his law degree from the University of Tulsa. He began his career as a litigator but is now in business law. Senator Brownlee asked Mr. Reber what he thinks of adding housing to KDFFA and what expertise he brings to the board. He responded that he

CONTINUATION SHEET

MINUTES OF THE SENATE COMMERCE COMMITTEE at 8:30 a.m. on May 1, 2003 in Room 123-S of the Capitol.

believes the people in the housing department would like to be under KDFA. His expertise is in industrial revenue bonds in McPherson. He does not have any specific expertise in housing. Senator Kerr asked him if he sees any potential conflicts of interest because KDFA will have \$4.5 million annually in ten-year tax credits to distribute, handing out a total of \$50 million in tax credits per year. Mr. Reber did not see any potential conflict of interest.

Chairperson Brownlee had additional questions for Mr. Watkins on housing and the private sector. He responded that he has relatively little experience in housing, and without legislative authorization, government should not compete with the private sector.

Senator Barone moved to approve Brett Reber and Daniel Watkins's confirmations for the KDFA board. Senator Emler seconded. The motion carried.

Chairperson Brownlee mentioned that outside bond attorneys have noticed additional cleanup is needed on the Star Bond bill. Senator Kerr said that it is prohibited to change things in conference that have not been done in either chamber. Senator Brownlee stated that she is committed to only doing clean up changes and not policy changes.

The meeting was adjourned at 9:25 a.m.

SENATE COMMERCE COMMITTEE

GUEST LIST

DATE: Thursday, May 1, 2003

NAME	REPRESENTING
JANET BUCHANAN	KCC
Nancy Pollock	SBC
Edwards Rodriguez	SBC
John Idoux	Sprint
Doblie Snow	CWA
Jerry Leatherman	KCCT
Nelson Krueger	Everest
Rick Wilhoit	Farmers Alliance
Norma Phillips	KOOCH
Jan Watkins	
Brett A. Reber	
Jim Grachner	SBC
Nuke Reecht	AT&T
Steve Montgomery	MCI
David Springs	Curb
TOM DAY	KCC
ALAN COBB	KCCT
D. S. Koch	SBC



Kansas Corporation Commission

Kathleen Sebelius, Governor John Wine, Chair Cynthia L. Claus, Commissioner Brian J. Moline, Commissioner

Briefing of Recent Developments in Docket Number 98-SWBT-677-GIT
Janet Buchanan, Chief of Telecommunications
On behalf of Kansas Corporation Commission Staff

Before the Senate Commerce Committee
May 1, 2003

Chairperson Brownlee and members of the Senate Commerce Committee:

I appear today at the request of Chairperson Brownlee. Because the information requested is related to an open proceeding in which decisions are pending, I wish to clarify that I appear on behalf of the Commission Staff. I can provide information regarding facts and disputed matters but cannot provide any information regarding how the Commissioners may rule on this matter. With that clarification, I will begin by providing some background regarding Docket Number 98-SWBT-677-GIT.

Background

- On April 29, 1998, the Commission opened this docket for the purposes of evaluating whether SBC-KS's level of KUSF support was appropriate or if its support should be modified.
- Various disputes arose regarding the relevancy of the production of certain information, documents and studies. Those disputes were the subject of an appeal before the District Court of Shawnee County, Kansas, Division 11.
- In an effort to settle the discovery disputes and avoid further lengthy and costly delay, the parties to this proceeding entered into a Stipulation and Agreement on October 18, 1999. The Commission issued an order approving the Stipulation and Agreement on January 6, 2000.
- The Stipulation and Agreement contained several provisions. They are:
 - SBC would make DSL available to Kansas customers in 40 wire centers in 24 communities over a three year period beginning on August 1, 2000.
 - DSL was to be provided near ubiquitously in Hays, Hutchinson, Kansas City, Lawrence, Manhattan, Salina, Topeka and Wichita. DSL was to be provided where technically feasible in Arkansas City, Bonner Springs, Coffeyville, Dodge City, El Dorado, Emporia, Garden City, Great Bend,

Senate Commerce Committee

5-1-03

Attachment

1-1

Independence, Leavenworth, Liberal, McPherson, Newton, Ottawa, Parsons and Pittsburg.

SBC-KS would provide a free 800 line to each public K-12 school and county seat within its service territory in which approximately 10% of the school's or county seat's constituents are required to make toll calls to gain access to such entity.

SBC-KS would provide Extended Area Service between Topeka and Rossville and forego the lost toll and access revenues.

SBC-KS would spend an additional \$250,000 for one calendar year to increase awareness of the availability of Lifeline service.

SBC-KS's KUSF support for high cost areas would be determined in Docket Number 99-GIMT-326-GIT. The company's KUSF support would be fully portable to any eligible telecommunications carrier who wins a customer from SBC-KS.

SBC-KS would permanently forgo \$15 million of the \$65 million in KUSF revenue the company had received prior to this docket. SBC-KS would be allowed to rebalance to local rates the difference between the KUSF support determined in Docket Number 99-GIMT-326-GIT and \$50 million. (That amount to be rebalanced to local rates was eventually determined to be approximately \$40 million.)

SBC-KS would be allowed to implement customer specific pricing for all toll and WATS services. Rates for those services would be priced above long-run incremental cost and imputed access charges.

Staff and CURB would not oppose an application by SBC-KS for price deregulation of Plexar services, Auto Redial and Speed Calling.

SBC-KS would file a collocation tariff in Kansas with terms and conditions that met FCC requirements. The tariff was to be based on the collocation tariff utilized at that time in Texas. The company would also file cost studies and supporting data to establish Kansas-specific pricing for collocations services.

SBC-KS would no longer be required to be the designated carrier for intraLATA toll in exchanges for which it is not the incumbent local exchange carrier.

SBC-KS would reduce access charges by \$4.7 million. The company would be allowed to rebalance the reduced revenue to local rates.

SBC-KS would dismiss without prejudice the discovery dispute appeal.

- Through letters to Staff, SBC-KS provided updates on its progress with DSL deployment on December 26, 2001 and September 6, 2002. Those letters contained information that led Staff to believe that deployment was proceeding at a reasonable pace.

Recent Developments

- On March 17, 2003, the Commission issued an order in this docket (Docket Number 98-SWBT-677-GIT), directing SWBT to file reports regarding its compliance with the Commission's order approving the Stipulation and Agreement requiring SBC-KS to deploy DSL in 40 wire centers within 24 Kansas communities. The Commission requested that SBC-KS provide answers to specific questions contained in the Commission's order. SBC-KS would be required to file three reports regarding its progress using updated data for each report.
- On April 7, 2003, SBC-KS filed its first of three required reports. SBC-KS provided the following information that it believed to be responsive to the Commission's request.

For each wire center, SBC-KS reported the number of living units served by the wire center, the number of living units with access to DSL within 15,500 feet of the central office, the number of living units with access to DSL beyond 15,500 feet of the central office and the percentage of total living units that have access to DSL. SBC-KS noted that, theoretically, within 15,500 feet of the central office all customers should have access to DSL. However, there are some technological impediments that could prevent some customers from receiving that service. SBC-KS was not yet able to quantify the number of living units affected by the technological limitations.

The company also reported the number of remote terminals that had been deployed to provide service beyond 15,500 feet of the central office.

SBC-KS submitted maps of each wire center illustrating the availability of DSL. Data regarding investment in DSL facilities and revenue gained through the provision of DSL services was also reported.

SBC-KS made the Commission aware for the first time that the company would not meet the required deadline of August 2003 for deployment of DSL. The company expects to complete the required deployment by year-end of 2003.

SBC-KS also made the Commission aware for the first time that it had reported erroneous information to the Staff in letters dated December 26, 2001, and September 6, 2002.

- On April 16, 2003, SBC-KS filed a motion for extension of time to meet the required deployment of DSL. The company indicated that it would need an additional five months to complete the required deployment in the near ubiquitous wire centers. SBC-KS cited several reasons for the delay. The company states that the Kansas deployment is a very large project and it is difficult to estimate the time necessary to complete the deployment. The company indicates that the telecommunications industry has experienced an economic downturn. SBC-KS has had to reallocate resources. SBC-KS indicated that it is interested in using a new vendor to provide some of the necessary equipment. The company believes this equipment will be more efficient. However, SBC-KS indicates that the equipment will not be available until some date in the future.
- On April 23, 2003, Staff filed a response to the report of SBC-KS. From the information provided by SBC-KS, Staff identified several issues for which it believes further clarification should be provided.

First, SBC-KS recently made Staff aware that one of the wire centers in the Kansas City metro area that was included in the Stipulation and Agreement serves no Kansas customers. SBC-KS provided the list of wire centers during the negotiation of the Stipulation and Agreement and presumably believed that Kansas customers were served by the wire center. Staff suggested that SBC-KS be required to clarify why the wire center was placed on the initial list. If it was placed on the list in error, Staff suggests that the Commission may wish to require additional deployment in another Kansas City metro area wire center to compensate for the deployment it had anticipated would benefit Kansas customers.

The information provided by SBC-KS also raised concerns for Staff regarding whether the company would be meeting the definitions of "technically feasible" and "nearly ubiquitous" as represented through written testimony and under examination at the hearing held regarding the Stipulation and Agreement. The maps provided by SBC-KS indicate there are many areas within near ubiquitous wire centers for which it has no plans to deploy DSL. It appears, from the level of detail provided, that some of those areas have residential development and for which deployment would have been contemplated under the terms of the Stipulation and Agreement. Staff requested that a greater level of detail be provided regarding these areas. Regarding the technically feasible deployment, Staff requested that greater detail be provided so that it could be verified that deployment met the level anticipated.

Staff was also concerned that prior reports regarding DSL deployment were inaccurate. From those reports, it appeared that SBC-KS was

making steady progress toward meeting its commitment. The magnitude of the error is significant. According to the information provided previously, SBC-KS would have deployed 424 remote terminals by August of 2002. In fact, as of February 1, 2003, only 254 remote terminals have been deployed. As yet, SBC-KS has not been able to provide an explanation for this reporting error. Staff suggested that a fine would be appropriate. However, Staff was uncertain whether K.S.A. 66-138 or K.S.A. 66-175 is applicable in this situation. Staff suggested that SBC-KS be required to produce a detailed explanation of the reporting error.

Staff was disturbed by the indication in the report that SBC-KS would not meet the required deadline for deployment. Staff accorded little value to the DSL provision of the Stipulation and Agreement other than the value of certainty in timing of deployment. Staff suggests that missing the deadline is a breach of the Stipulation and Agreement and a violation of a Commission order.

- On April 23, 2003, Staff also filed a response to SBC-KS' motion for an extension of time to deploy DSL. Staff does not disagree that the size of the deployment is large. However, the size of deployment was certainly a primary factor considered by the parties to the Stipulation and Agreement when determining the completion date. While SBC-KS has known for over three years that deployment must be completed by August 2003, and certainly if this deployment were a priority for SBC-KS then that time afforded the company flexibility in resource allocation. Staff was also puzzled that SBC-KS waited so long to make the Commission aware that it desired to use the more efficient equipment of a new vendor but that the equipment was not yet available. Staff believes it is prudent to use the most efficient technology available but believes SBC-KS should have notified Staff on a timely basis so that options could have been more fully explored. Staff suggests that the Commission impose penalties through K.S.A. 66-138 for violation of a Commission order. The statute provides for a penalty of between \$100 and \$1000 per offense. It also specifies that every day during which a company fails to comply with the order is a separate and distinct violation. Staff also suggests that each wire center for which deployment is delayed would also represent a separate violation. In the alternative, Staff suggests that SBC-KS could make amends for the belated completion of its DSL deployment by agreeing to extend deployment to additional communities.
- On April 24, 2003, the Citizens' Utility Ratepayer Board (CURB) filed a response to the report and motion for an extension of time of SBC-KS. CURB's response highlighted many of the same issues raised by Staff. CURB also suggested that the request for an extension of time should be denied and remedies made. In addition to penalties that can be levied through K.S.A. 66-138, CURB suggests that a "rebalancing" of the terms of the Stipulation and Agreement is in order. CURB suggests that SBC-KS be required to provide a one-time refund, a

reduction in local rates, a reduction of local rates by increase KUSF support, additional DSL deployment or some combination of these suggestions.

- SBC-KS, Staff and CURB met April 30, 2003, to see if an agreement could be reached to resolve the issues in dispute. SBC-KS has agreed to provide additional information to Staff and CURB and further discussions are expected.
- At the May 1, 2003 Administrative Meeting, the Commission will discuss the report filed by SBC-KS, the responses to the report filed by Staff and CURB, the motion for an extension of time and the responses of Staff and CURB to that motion.

Below are the links to the Commissions web site for the recent filings in Docket Number 98-SWBT-677-GIT.

Notice of Filing of Report by Southwestern Bell Telephone, L.P.
<http://www.kcc.state.ks.us/scan/200304/20030407170821.pdf>

Motion of Southwestern Bell Telephone, L.P. For Extension of Time to Deploy DSL Facilities Pursuant to Order No. 24.
<http://www.kcc.state.ks.us/scan/200304/20030416165831.pdf>

Response of Commission Staff to Southwestern Bell Telephone, L.P.'s Report Regarding DSL Deployment.
<http://www.kcc.state.ks.us/scan/200304/20030423150558.pdf>

Response of Commission Staff to Motion of SWBT for Extension of Time to Deploy DSL Facilities.
<http://www.kcc.state.ks.us/scan/200304/20030423130025.pdf>

Response of CURB to SWBT's Motion for Extension of Time and Its Report Regarding DSL Deployment.
<http://www.kcc.state.ks.us/scan/200304/20030424165544.pdf>

Senate Confirmation Information Summary
Prepared and Submitted by the Office of Governor Kathleen Sebelius

Appointee: Daniel L. Watkins

Position: Member of the board of directors of the Kansas Development Finance Authority

Appointment Date: February 14, 2003

Expiration Date: January 15, 2005

Term Length: Fulfill unexpired term

Statutory Authority: K.S.A. 74-8903

Party Affiliation: Democrat

⇒ Statutory geographic representation
Requirements (*insert any that apply*)

Congressional District:

County:

Size requirement (*if any*):

Other, specify:

⇒ Statutory party affiliation requirement: 3:2 ratio

⇒ Statutory industry or occupation requirements:

Salary: N/A

Predecessor: Thomas Blackburn, who resigned

Board Composition Prior to Confirmation of New Appointee:

(SEE ATTACHED LIST)

Senate Commerce Committee

5-1-03

Attachment 2-1

GovAppts: 5

Term Length: Four Years

Contact: Stephen R. Weatherford
Kansas Development Finance Authority
555 S. Kansas Avenue, Suite 202
Topeka, Kansas 66603
785/357-4445
785/357-4478 fax

TotalAppts: 5

Notes: No fewer than 3 from general public
Governor designates Chair & Vice-Chair
Meets monthly

Statute: KSA 74-8903

Party Ratio: 3:2

Confirmation: Y

** Committee Approved; Subject to Full Senate Confirmation

2-2

	<u>County</u>	<u>Affiliation</u>	<u>CD</u>	<u>H</u>	<u>S</u>	<u>Appointment Date</u>	<u>Expiration Date</u>
Blackburn Thomas C. 9304 Buena Vista Shawnee Mission KS 66207 H: 913/383-8325 W: 913/262-7117 FAX:	Johnson	R	3	22	7	05/02/2001	01/15/2005
		Position: a member Seat #: 001 Succeeds: Paul Thompson Appointed by: Governor Remarks: Public Member					
Guenthner Robert I. 2433 Cardinal Drive Wichita KS 67204 H: 316/838-1084 W: 316/262-2671 FAX:	Sedgwick	R	4	91	25	01/20/2000	01/15/2003
		Position: a member and Vice Chair Seat #: 004 Succeeds: himself -- reappointed Appointed by: Governor Remarks: Public Member					
Hildreth Bart 205 Linqiest Hall Wichita KS 67260-0135 H: 316/684-4856 W: 316/978-6332 FAX: 316/978-3364 or 3626	Sedgwick	D	4	85	30	01/20/2000	01/15/2003
		Position: a member Seat #: 005 Succeeds: himself -- reappointed Appointed by: Governor Remarks: Public Member					

	<u>County</u>	<u>Affiliation</u>	<u>CD</u>	<u>H</u>	<u>S</u>	<u>Appointment Date</u>	<u>Expiration Date</u>
Montgomery John G. 222 W Sixth Street Junction City KS 66441 H: W: 785/762-5100 FAX: 785/762-4584	Geary	D	2	65	22	05/02/2001	01/15/2005
		Position: a member					
		Seat #: 003					
		Succeeds: Daniel Snyder					
		Appointed by: Governor					
		Remarks: Public Member					

23

Page Thomas A. 715 North Stagecoach Wichita KS 67230 H: 316/733-4148; car - W: 316/383-4345 FAX:	Sedgwick	R	4	99	30	05/02/2001	01/15/2005
		Position: a member and Chair					
		Seat #: 002					
		Succeeds: himself -- reappointed					
		Appointed by: Governor					
		Remarks: Public Member					

VITA
DANIEL L. WATKINS

EDUCATION

University of Kansas, Juris Doctor, 1975
St. Mary of the Plains College, Bachelor of Science, Mathematics, 1969

EMPLOYMENT EXPERIENCE

Attorney at Law: General Civil Practice, Lawrence, Kansas, 1987-Present
Insurance Supervision/Receivership, 1997-Present
Vice President, Foresight Resources Corp., Lawrence, Kansas, 1984-1986

Government Service/Practice

Chief Counsel and Special Assistant to the Secretary of Transportation, State of Kansas, 1980-1984
Chief of Staff for the Governor of Kansas, 1979-1980
Assistant Attorney General, Chief of the Criminal Division, State of Kansas, 1975-1978
VISTA Volunteer and VISTA Supervisor (Volunteers in Service to America), Broward County,
Florida, 1969-1972

Other

Executive Director, Kansas Democratic Party, 1978
Manager, Dennis Moore for Attorney General Campaign, 1986

CIVIC/PROFESSIONAL ACTIVITIES

Certified Insurance Receiver-Multiple Lines, International Association of Insurance Receivers
Member, Kansas and Douglas County Bar Associations
Co-Chair, Jayhawks for Higher Education, Kansas University Alumni Association, 1997-2000
Chair, Bert Nash Community Mental Health Center Endowment, 1998-2001
Past Chair, Board of Directors, Friends of the Lied Series (Performing Arts), University of Kansas,
1996-1998
Past Chair, Board of Directors, Lawrence Chamber of Commerce, 1990-1996
Past Chair, Board of Directors, Bert Nash Community Mental Health Center, 1986-1992
Trustee, Overland Park Regional Medical Center, Overland Park, Kansas, 1997-1998
Board of Trustees, St. John's School Development/Endowment Fund, Lawrence, Kansas, 1989-1995
Board of Directors, Union Pacific Depot Restoration, Lawrence, Kansas, 1990-1997
Member, Central Junior High School Site Council, 1995-1998
Coach, Youth Basketball and Baseball, CYO, AAU, DCABA, Holcom, 1985-1997
Candidate for United States House of Representatives, 3rd Congressional District, 1980

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dwat97964@aol.com

CAREER SYNOPSIS

LAW PRACTICE

Engaged in General Civil and Governmental practice since 1975.

General Civil Practice

Engaged in the private practice of law in Lawrence, Kansas since 1987 representing clients on diverse legal matters including business acquisitions, contract negotiation, zoning and land use, employee/employer relations, environmental liability, healthcare planning, telecommunications law, and a wide range of other issues.

Insurance Company Supervision/Receivership

Since 1997, served as Kansas Insurance Department and Shawnee County, Kansas District Court appointed Supervisor, Rehabilitator and/or Liquidator for several insurance companies including Farm and Ranch Life Insurance Company, West General Insurance Company, National Colonial Insurance Company and The Centennial Life Insurance Company. Coordinate troubled company activities with Kansas Insurance Department Commissioner, Chief Counsel and Examiners. Work closely with outside counsel, NOLHGA, State Guaranty Associations, TPA's and others in managing affairs, recovering and distributing assets of liquidation estates.

Governmental Practice

Served as Chief Counsel and special Assistant to the Kansas Secretary of Transportation from 1980-1984. Managed staff of eight attorneys and coordinated activities of outside counsel. Served as a key member of the Secretary's executive committee which managed and reorganized the agency.

The legal department was responsible for handling tort claims/personal injury actions, eminent domain proceedings, contract preparation and review, construction claims and other legal and administrative actions. Played an active role in developing agency policies to assure compliance with Federal mandates and to minimize potential agency liability in its activities. Represented Kansas at the Interstate Commerce Commission proceedings on the Union Pacific/Missouri Pacific Railroad merger; directed the settlement of state and county tax claims and other creditor claims in the Rock Island Railroad Bankruptcy; and assisted Special U. S. Attorney in investigating and taking administrative and criminal action against Kansas contractors involved in bid rigging on highway projects.

Kansas Attorney General's Office

From 1975-78, served as Assistant Attorney General in the Criminal Division. Responsible for research and writing of legal opinions on criminal law and procedure; assisted county and district attorneys as a special prosecutor; reviewed and argued appeals to the Kansas Supreme Court; reviewed extraditions; investigated allegations of official misconduct; represented the State in prisoner lawsuits and appeals; prosecuted securities fraud; and monitored legislative activity.

In 1977, appointed Chief of the Criminal Division. Supervised other attorneys and investigators; represented the Kansas Highway Patrol; advised the Director of the Kansas Bureau of Investigation.

OTHER EMPLOYMENT EXPERIENCE

Executive Director, Kansas Democratic Party

Managed Speaker John Carlin's campaign for Governor in 1978. Headed Governor-elect Carlin's transition team after the 1978 election. Transition team assisted the Governor-elect in

preparation of budget, selection of cabinet officers and office staff, writing inaugural and state-of-the-
speeches, and developing systems for scheduling, legislative tracking, and policy develop

Chief Administrative Assistant to the Governor of Kansas

Served as Governor Carlin's Chief Administrative Assistant during his first year in office. Worked closely with cabinet officials on the Governor's agenda and served with the Secretary of Administration, Press Secretary, Policy Director and Legislative Liaisons in coordinating the Governor's management of state government.

Manager, Dennis Moore for Attorney General Campaign

Had direct responsibility for developing and executing campaign plan with the campaign staff, media consultant, fundraising group and volunteers. Campaign was in 1986.

Director and Vice President of Foresight Resources Corp.

In 1984, helped found Foresight Resources Corp., a software development and marketing company in Lawrence, Kansas. Served as Vice President of Foresight; responsible for securing \$1.5 million in venture capital investment in the company; Director of the company and Secretary/Treasurer. Foresight developed computer aided design software products for use on IBM and compatible personal computers. In 1987, Foresight has sales of \$2 million as **drafix 1** gained a niche in the worldwide microCAD.

VISTA

After receiving a degree in mathematics and a teaching certificate from St. Mary of the Plains College in 1969, served as a VISTA (Volunteers in Service to America) Volunteer in Broward County, Florida. Organized and taught in a school for pregnant teenage girls who were expelled from the public schools. After two years of VISTA operation the school became a part of the Broward County School system. After a year as a volunteer, was selected by sponsoring agency as the Project Supervisor for 35 VISTA Volunteers in 13 Broward County communities.

The VISTA project designed and developed low-cost non-profit housing and recreation centers with local churches, developed student reading and adult education programs with the school system, organized a transportation system for health care appointments, funded and ran a mobile eye and dental clinic, assisted the sponsoring agency with Headstart, Housing and food programs, and assisted numerous community-based organizations on wide range of issues.

The project was evaluated as one of the top-rated projects in the country in 1971. Served as a member of the National Task Force for Volunteer Support in 1972 to identify the elements present in successful programs for application to VISTA and community leader training around the country.

Law School

After VISTA service, attended Kansas University Law School starting in the fall of 1972. In law school, was active in the Student Bar Association, the University Judiciary and the Legal Aid Clinic. Admitted to Kansas and federal bars in 1975.

REFERENCES

Available upon request.

(for Appointments Office use only)

KBI Check: NA In Process Complete

KANSAS GOVERNOR SEBELIUS APPOINTMENT QUESTIONNAIRE

Position for which you are applying: Kansas Development Finance Authority Board

Full Name (please include middle name): Daniel Lawrence Watkins

Home Address: 643 Indiana Lawrence, KS 66044 Douglas
(City, State, Zip) (County)

Business Address: 1440 Wakarusa Dr., Suite 100 Lawrence, KS 66049 Douglas
(City, State, Zip) (County)

Business Name: Law Offices of Daniel Watkins

Position Title: Attorney

Home Phone: (785) 842-8794 Business Phone: (785) 843-0181 Cell Phone: (785) 979-2518

Facsimile No: (785) 749-5652 E-Mail Address: dwtatk97964@aol.com

Driver's License No: _____ Social Security No: _____

Date of Birth: 9/2/1947 Place of Birth: Kansas City, MO Kansas resident? Yes

Registered Voter? Yes Party Affiliation: Democrat

Congressional District: 3 Kansas Senate District: 2 Kansas Representative District: 45

Do you have the legal right to live and work in the United States? Yes

Education: Juris Doctor, Univ. of Kansas School of Law, 1975; B.S. Mathematics,
St. Mary of the Plains College, 1969; Bishop Miege High School, 1965

Employment Experience: Law Office, private practice, 1987-Present; Foresight Resources
Corp., 1984-1986; State of Kansas - Department of Transportation 1980-1984, Governor's
Office 1978-1980, Attorney General's Office 1975-1978

Do you hold any professional licenses? If so, please provide numbers: Kansas Supreme Court #08866

What special skills could you bring to this position? Knowledge of state government and legislative
process, understanding of financial transactions

Previous government appointments: Assistant Attorney General, 1975-1978
(Please provide dates) Chief Administrative Assistant to Governor, 1978-1980
Chief Counsel and Special Assistant to Secretary of
Transportation, 1980-1984

EXPERIENCE AND AFFILIATIONS (Note: All yes answers require a detailed response. Attach a separate sheet if necessary.)

1. **Military Service:** List rank, date, and type of discharge from active service: N/A
2. **Government Experience:** List on a separate sheet any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, or other part-time service or positions), with dates of service:
3. **Elective Public Office:** List on a separate sheet all elective public offices sought and/or held with dates of service:
4. **Honors and Awards.** List on a separate sheet all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievements:
5. **Organization Affiliations.** List on a separate sheet all local, state, and national civic, cultural, educational, charitable, or work-related organizations you have been associated with in the past ten years. Include any position held in the organization and the dates of service.
6. **Organization Restrictions:** To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status, or veteran status? If yes, please describe: No Yes _____
7. **Issues.** Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe. No ___ Yes
8. **Submission of views.** Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particular controversial issue other than in an official governmental capacity? If yes, please describe. No Yes _____
9. **Associations.** Have you ever had any association with any person, group, or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If yes, please describe. No Yes _____
10. **Opposition.** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential attack on a separate sheet. No Yes _____
11. **Miscellaneous.** List on a separate sheet any factors, other than the information provided above, which particularly qualify you or are relevant to the position to which you are seeking appointment? Include any special skills.

CONFLICTS OF INTEREST: (Yes answers require a detailed response. If necessary, use a separate sheet.)

12. **Relationship to governmental employees.** Are you or your spouse or other close family members related to any state governmental official or employee? If yes, please provide details. No Yes _____
13. **Compensation.** During the past five years have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If yes, please explain. No _____ Yes
14. **Business relationships.** Describe on a separate sheet any business relationship, dealing, or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client, or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state. None
15. **Transactions with officials.** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If, yes, please explain on a separate sheet. No Yes _____
16. **Spouse or other family members.** If the nature of employment for your spouse or other close family member is related in any way to the position to which you want to be appointed, please indicate the employer, the position, and the length of time it has been held. If it is not, please so state. N/A
17. **Lobbying activities.** Describe briefly on a separate sheet any lobbying activity during the past ten years in which you have engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action. Describe briefly any lobbying activity during the last ten years in which your spouse has engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action that is related in any way to the position to which you are seeking appointment. (Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government, or any official of the legislative branch.) If none, please so state. N/A
18. **Regulated activities.** Describe on a separate sheet any interest that you, your spouse, or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership, or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state. _____
19. **Other.** Please describe on a separate sheet any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state. N/A

ETHICAL MATTERS: (Yes answers require a detailed response. If necessary, use a separate sheet.)

20. **Citations.** Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If yes, please provide details.
No ___ Yes X
21. **Convictions.** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Kansas offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If yes, please explain.
No X Yes ___
22. **U.S. Military convictions.** Have you ever been convicted by any military court? If yes, please provide details. No X Yes ___
23. **Imprisonment.** Have you ever been imprisoned, been on probation, or been on parole? If yes, please provide details. No X Yes ___
24. **Agency proceedings: Civil Litigation.** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If yes, please provide details.
No X Yes ___
25. **Agency proceedings and civil litigation of affiliates and family.** Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If yes, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)
No X Yes ___
26. **Other litigation.** Other than the litigation described above, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If yes, please describe. Is anyone currently threatening to sue you or any business in which you are an officer, director, or partner? If yes, please describe. No ___ Yes ___
27. **Drivers license.** Has your drivers license ever been suspended or revoked? If yes, please describe. No ___ Yes X
28. **Parking tickets.** Do you have outstanding parking tickets from any jurisdiction in Kansas that have remained unpaid for more than 60 days? If yes, please explain. No X Yes ___
29. **Security clearance denial.** Have you ever been denied a military or other governmental clearance? If yes, please explain. No X Yes ___

30. **Firings.** During the past ten years, have you been fired from a job for any reason? Did you quit after being told that you would be fired, or did you leave by mutual agreement because of specific problems? If yes, please provide details. No Yes
31. **Alimony and child support.** Are you now, or have you ever been delinquent in the payment of alimony or child support? If yes, please provide details. No Yes
32. **Consumption of alcohol.** Are you currently abusing alcohol? No Yes
33. **Controlled substances.** Are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If yes, please describe. No Yes
34. **Physical examination.** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test? No Yes
35. **Other.** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment.

FINANCIAL MATTERS: (Yes answers require a detailed response. If necessary, use a separate sheet.)

36. **Delinquencies.** Are you delinquent on any federal, state, or local debt? (Include delinquencies for income, property, or other taxes; governmental loans; overpayment of benefits; required payments into or under governmental programs; and other debts or required payments to the government; plus any defaults on or under loans which are or were guaranteed, insured, or subsidized by any unit of government.) If yes, please provide details on a separate sheet of paper. No Yes

REFERENCES/SIGNIFICANT SUPPORTERS (elected officials, community leaders, friends, etc.)

Name: State Senator Mark Buhler Relationship to you: Friend

Telephone: (785) 841-0481

Name: County Commissioner Relationship to you: Friend
Bob Johnson

Telephone: (785) 594-6920

Name: Sandra Shaw Relationship to you: Friend

Telephone: (785) 841-5810, (785) 843-4815

Name: Lawrence Mayor Sue Hack Relationship to you: Friend

Telephone: (785) 842-6608

AUTHORIZATION AND CERTIFICATION:

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature *Janice Matthews* Date 3/10/03

Please attach a copy of your resume if you have not previously provided one to the Appointments office.

EXPERIENCE AND AFFILIATIONS, Attachment

2. Volunteers in Service to America, 1969-1972 (VISTA)
3. Candidate for U.S. Congress, 1980
4.
 - Board Emeritus, Bert Nash Community Mental Health Center, 1994
 - Recognition by U.S. Marshall, Department of Justice for Assistance in Investigation, 1984
 - Certified Insurance Receiver, Multiple lines, International Association of Insurance Receivers, 2001 - Present
5.
 - Co-Chair, Jayhawks for Higher Education, KU Alumni Association, 1997-Present
 - Chair and Member, Board of Trustees, Bert Nash Center Endowment, 1998-Present
 - Chair and Member, Board of Directors, Lied Center/Performing Arts, University of Kansas, 1996-1998
 - Chair and Member, Board of Directors, Lawrence Chamber of Commerce, 1990-1996
 - Chair and Member, Board of Directors, Bert Nash Community Mental Health Center, 1986-1993
 - Member, Board of Directors, Columbia Overland Park Regional Medical Center, 1997-1998
 - Chair and Member, St. John's School Board and Parish Finance Council, 1985-1995
 - Member, Kansas Association of Community Mental Health Centers, 1991
 - Douglas County Bar Association, 1990-Present
 - Kansas Bar Association, 1990-Present
 - American Bar Association, 2002-Present
 - Inns of Court, 1999-2001
 - VanGo Mobile Arts Community Board/Advisor, 1999-2001
 - Board Member, Union Pacific Depot Restoration, 1990-1997
 - Member, Central Junior High Site Council, 1995-1998
 - Coach, Youth Basketball and Baseball, CYO, AAU, DCABA, Holcom, 1985-1997
7. Yes, South Lawrence Trafficway and local zoning matters involving commercial development and hospital permit.
13. Yes. I receive compensation for receivership services for the Kansas Insurance Department. Phyllis receives disability benefits under KPERS coverage.
18. None
20. Yes – an ethics complaint filed by Fred Phelps in 1978 to Board of Law Examiners – Dismissed without a hearing.
26. As receiver of insolvent or financially troubled companies, I have been involved in litigation as representative for the Commissioner of Insurance. I was a defendant with others in a lawsuit in 1983 or 1984 involving an employment issue when employed as Special Assistant to the Kansas Secretary of Transportation. The matter was settled and dismissed.
27. Yes, temporarily suspended due to untimely renewal. KS Dept. of Revenue Driver's License Division sent renewal application to wrong address (543 Indiana rather than 643 Indiana).



KANSAS GOVERNMENTAL ETHICS COMMISSION

STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

A. IDENTIFICATION:

PLEASE TYPE OR PRINT

Watkins	Daniel	L.
Last Name	First Name	MI
Phyllis A. Watkins		
Spouse's Name		
643 Indiana		
Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number		
Lawrence, KS 66044		
City, State, Zip Code		
(785) 842-8794	(785) 843-0181	
Home Phone Number (include area code)	Business Phone Number (include area code)	

B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:*(check one or more of the following)*

1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education or District Attorney);
2. Appointed Member of a State Board, Council, Commission or Authority;
3. Appointed State Position is Subject to Senate Confirmation;
4. Employee of a State Agency or University;
5. General Counsel for a State Agency;
6. Candidate for State Office.

Kansas Development Finance Authority

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Division if applicable (May use acronyms)

Position

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

*

7	0	4	5
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Rev. 2/2001

C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here ____.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1. Law Offices of Daniel L. Watkins	Law Office	Proprietor	100%	DLW
2. ING Intermediate Bond A	Mutual Fund	Retirement Account	586.5 shares	DLW
3. Campbell Strategic Allocation	Mutual Fund	Retirement Account	2.23 shares	DLW
4. Equitable Life Annuity	Annuity Retirement Account	Retirement Account	100%	PAW
5.				
6.				
7.				
8.				
9.				
10.				

D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here X .

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

E. RECEIPT OF COMPENSATION: List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE X.
If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.			
2.			

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
If you have nothing to report in Section "E"2, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Social Security Administration		Disability Benefit Admin.
2.	Security Benefit Group		Disability Policy for KPERS

F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.
If you have nothing to report in Section "F", check here ____.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Law Offices of Daniel L. Watkins	Proprietor	Dan Watkins
2.	Bert Nash Endowment	Trustee	Dan Watkins
3.	Javhawks for Higher Education	Co-Chair	Dan Watkins
4.	Lawrence Public Library	Board Member	Phyllis Watkins
5.			
6.			
7.			
8.			

- G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.
- If you have nothing to report in Section "G", check here ____.

NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1. First National Development, Ltd.	415 N. LaSalle Chicago, IL	DLW
2. N.R. Hamm Quarry, Inc.	P.O. Box 17 Perry, KS	DLW
3. Steve Bruce Race Cars, LLC	P.O. Box 3627 Lawrence, KS	DLW
4. John Wulfkuhle	316 Maine Lawrence, KS	DLW
5. Sebelius for Governor Campaign	P.O. Box 4302 Topeka, KS	DLW
6. Centennial Life Insurance Company	1440 Wakarusa #100, Lawrence, KS	DLW
7. Heartland Health, Inc.	1440 Wakarusa #100, Lawrence, KS	DLW
8. Independence Indemnity Insurance Co.	1440 Wakarusa #100, Lawrence, KS	DLW
9. National Colonial Insurance Company	1440 Wakarusa #100, Lawrence, KS	DLW
10. Kansas Manufacturers and Commerce SIF	1440 Wakarusa #100, Lawrence, KS	DLW
11. West General Insurance Company	1440 Wakarusa #100, Lawrence, KS	DLW
12. State of Kansas - Department of Insurance	420 SW 9th Topeka, KS	DLW
13. David Clemente Construction	4512 Goldfield Ct. Lawrence, KS	DLW

H. **DECLARATION:**

I, Samuel Watkins, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

3/10/03

Date

Samuel Watkins

Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 0

Return your completed statement to the Secretary of State, Memorial Hall, First Floor, 120 SW 10th Ave., Topeka, Kansas 66612-1594.

Senate Confirmation Information Summary
Prepared and Submitted by the Office of Governor Kathleen Sebelius

Appointee: Brett A. Reber

Position: Member of the board of directors of the Kansas Development Finance Authority

Appointment Date: February 17, 2003 **Expiration Date:** January 15, 2007

Term Length: 4 years

Statutory Authority: K.S.A. 74-8903 **Party Affiliation:** Democrat

⇒ Statutory geographic representation
Requirements (*insert any that apply*)

Congressional District:

County:

Size requirement (*if any*):

Other, specify:

⇒ Statutory party affiliation requirement: 3:2 ratio

⇒ Statutory industry or occupation requirements:

Salary: N/A

Predecessor: Bart Hildreth

Board Composition Prior to Confirmation of New Appointee:

(SEE ATTACHED LIST)

Senate Commerce Committee

5-1-03
Attachment 3-1

GovAppts: 5

Term Length: Four Years

Contact: Stephen R. Weatherford

TotalAppts: 5

Notes: No fewer than 3 from general public
Governor designates Chair & Vice-Chair
Meets monthly

Kansas Development Finance Authority
555 S. Kansas Avenue, Suite 202
Topeka, Kansas 66603
785/357-4445
785/357-4478 fax

Statute: KSA 74-8903

Party Ratio: 3:2

Confirmation: Y

** Committee Approved; Subject to Full Senate Confirmation

3-2

	<u>County</u>	<u>Affiliation</u>	<u>CD</u>	<u>H</u>	<u>S</u>	<u>Appointment Date</u>	<u>Expiration Date</u>
Blackburn Thomas C. 9304 Buena Vista Shawnee Mission KS 66207 H: 913/383-8325 W: 913/262-7117 FAX:	Johnson	R	3	22	7	05/02/2001	01/15/2005
		Position: a member Seat #: 001 Succeeds: Paul Thompson Appointed by: Governor Remarks: Public Member					
Guenthner Robert I. 2433 Cardinal Drive Wichita KS 67204 H: 316/838-1084 W: 316/262-2671 FAX:	Sedgwick	R	4	91	25	01/20/2000	01/15/2003
		Position: a member and Vice Chair Seat #: 004 Succeeds: himself -- reappointed Appointed by: Governor Remarks: Public Member					
Hildreth Bart 205 Linquist Hall Wichita KS 67260-0135 H: 316/684-4856 W: 316/978-6332 FAX: 316/978-3364 or 3626	Sedgwick	D	4	85	30	01/20/2000	01/15/2003
		Position: a member Seat #: 005 Succeeds: himself -- reappointed Appointed by: Governor Remarks: Public Member					

	<u>County</u>	<u>Affiliation</u>	<u>CD</u>	<u>H</u>	<u>S</u>	<u>Appointment Date</u>	<u>Expiration Date</u>
Montgomery John G. 222 W Sixth Street Junction City KS 66441 H: W: 785/762-5100 FAX: 785/762-4584	Geary	D	2	65	22	05/02/2001	01/15/2005
	Position:	a member					
	Seat #:	003					
	Succeeds:	Daniel Snyder					
	Appointed by:	Governor					
	Remarks:	Public Member					

33

Page Thomas A. 715 North Stagecoach Wichita KS 67230 H: 316/733-4148; car - W: 316/383-4345 FAX:	Sedgwick	R	4	99	30	05/02/2001	01/15/2005
	Position:	a member and Chair					
	Seat #:	002					
	Succeeds:	himself -- reappointed					
	Appointed by:	Governor					
	Remarks:	Public Member					

320 S. Walnut
McPherson, KS 67460
Home Ph: (620) 241-7138
Office Ph: (620) 241-0554
email: breber@bwisecounsel.com

Brett A. Reber

Experience

1988 to present Bremyer & Wise, L.L.C. McPherson, KS

Attorney

- Practicing general business law.
- Serve as president of the firm.
- Contact: Robert W. Wise, 120 W. Kansas, McPherson, KS 67460
(620) 241-0554

1986-1988 U.S. Dist. Court, Northern District Tulsa, OK

Law Clerk

- Office of Honorable Thomas R. Brett, U.S. District Court Judge.
- Legal research and writing.
- Contact: Elizabeth Leidy, 224 S. Boulder, Tulsa, OK 74103
(918) 699-4120

1986, summer Boone, Smith, Davis & Hurst Tulsa, OK

Law Clerk

- Summer intern position.
- Contact: Ken Crump, 1437 S. Boulder, Suite 670, Tulsa, OK 74119
(918) 583-2393

Education

1983-1986 University of Tulsa, School of Law Tulsa, OK

- J.D., 1986

1977-1981 University of Kansas Lawrence, KS

- B.G.S., 1983

1973-1977 Ellsworth High School Ellsworth, KS

Organizations

- Kansas Bar Association, 1988 to present
- Kansas Association of Defense Counsel, 1990 to present
- Julia J. Mingenback Foundation, 1998 to present
- McPherson Industrial Development Company, 1999 to present
- St. Joseph Endowment Association, 2000 to present
- Pheasants Forever, 1996 to present
- McPherson Airport Authority, 1999 to present
- McPherson Library Board, 1991 to 2001
- St. Joseph School Council, 1993-1998

Honors & Awards

- Outstanding Young Lawyer, Kansas Bar Association, 1995
- Leadership McPherson, 1990
- Outstanding Service Award, Oklahoma Bar Association Young Lawyer's Division, 1998
- Outstanding Contribution Award, Pheasants Forever Organization, 2001

KBI Check: NA In Process Complete

KANSAS GOVERNOR SEBELIUS APPOINTMENT QUESTIONNAIRE

Position for which you are applying: Kansas Development Finance Authority

Full Name (please include middle name): Brett A. Reber

Home Address: 320 S. Walnut McPherson, KS 67460 McPherson
(City, State, Zip) (County)

Business Address: 120 W. Kansas Ave. McPherson, KS 67460 McPherson
(City, State, Zip) (County)

Business Name: Bremyer & Wise, L.L.C.

Position Title: Lawyer

Home Phone: (620) 241-7138 Business Phone: (620) 241-0554 Cell Phone: (620) 242-7433

Facsimile No: (620) 241-3641 E-Mail Address: breber@bwisecounsel.com

Driver's License No: _____ Social Security No: _____

Date of Birth: 5/8/59 Place of Birth: Emporia, Kansas Kansas resident? Yes

Registered Voter? yes Party Affiliation: Democrat

Congressional District: 1st Kansas Senate District: 35 Kansas Representative District: 73

Do you have the legal right to live and work in the United States? yes

Education: J.D. -- University of Tulsa, School of Law, 1986

B.G.S. -- University of Kansas, 1983

Employment Experience: Bremyer & Wise L.L.C., McPherson, Kansas (law firm) 1988-present

U.S. District Judge Thomas R. Brett (law clerk) 1986-1988

Do you hold any professional licenses? If so, please provide numbers: KS Law License #13130
#514-58-0314 Private Pilot License OK Law License #11970

What special skills could you bring to this position? (see attached)(#11)

Previous government appointments: None
(Please provide dates)

**Additional Comments for
Kansas Governor Sebelius Appointment Questionnaire**

2. **Government Experience.**
- Served a full-time internship with Governor John Carlin, spring of 1981 in the Constituent Services Department
 - McPherson Library Board, 1991-2001
 - Served as a law clerk for U.S. Federal Judge Thomas R. Brett, 1986-1988
4. **Honors and Awards.**
- Outstanding Young Lawyer, Kansas Bar Association, 1995.
 - Leadership McPherson, 1990
 - Outstanding Service Award, Oklahoma Bar Association Young Lawyer's Division, 1997
 - Outstanding Contribution Award, Pheasants Forever Organization, 2001
5. **Organization Affiliations.**
- Kansas Bar Association, 1988 to present (1995, president)
 - Kansas Association of Defense Counsel, 1990 to present (director, 2000, 2001)
 - McPherson Industrial Development Company, 1999-present (director)
 - Julia J. Mingenback Foundation, 1998-present (vice president)
 - Saint Joseph School Council, 1993-1998 (president)
 - Saint Joseph Endowment Association, 2000-present (president)
 - Pheasants Forever, 1996-present (local chapter president, executive committee)
 - McPherson Airport Authority, 2000-present (ex-officio member)
 - McPherson Library Board, 1991-2001
11. **Miscellaneous.**
- Business experience gained as a lawyer for individual and corporate clients.
 - Have been intimately involved in industrial development in McPherson County, both on a volunteer basis and as a lawyer for various business clients, including work on numerous revenue bond issues and tax abatement requests.
17. **Lobbying activities.**
- During the representation of a corporate client on a tax matter appeal to the Kansas Board of Tax Appeals, I spoke with Department of Revenue officials and Senate and House of Representatives with regard to the taxation of oil refineries and the method of taxation for Kansas oil refineries.

Note: All yes answers require a detailed response. Attach a separate sheet if necessary:

1. **Military Service:** List rank, date, and type of discharge from active service: No
2. **Government Experience:** List on a separate sheet any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, or other part-time service or positions), with dates of service: see attached
3. **Elective Public Office:** List on a separate sheet all elective public offices sought and/or held with dates of service: None
4. **Honors and Awards.** List on a separate sheet all scholarships, fellowships, honorary degrees, honorary society memberships, and any other special recognitions for outstanding service or achievements: see attached
5. **Organization Affiliations.** List on a separate sheet all local, state, and national civic, cultural, educational, charitable, or work-related organizations you have been associated with in the past ten years. Include any position held in the organization and the dates of service. see attached
6. **Organization Restrictions:** To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status, or veteran status? If yes, please describe: No Yes _____
7. **Issues.** Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe. No Yes _____
8. **Submission of views.** Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particular controversial issue other than in an official governmental capacity? If yes, please describe. No Yes _____
9. **Associations.** Have you ever had any association with any person, group, or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If yes, please describe. No Yes _____
10. **Opposition.** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If yes, please identify and explain the basis for the potential attack on a separate sheet. No Yes _____
11. **Miscellaneous.** List on a separate sheet any factors, other than the information provided above, which particularly qualify you or are relevant to the position to which you are seeking appointment? Include any special skills. see attached

CONFLICTS OF INTEREST: (Yes answers require a detailed response. If necessary, use a separate sheet.)

12. **Relationship to governmental employees.** Are you or your spouse or other close family members related to any state governmental official or employee? If yes, please provide details. No Yes _____
13. **Compensation.** During the past five years have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If yes, please explain. No Yes _____
14. **Business relationships.** Describe on a separate sheet any business relationship, dealing, or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client, or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state. None
15. **Transactions with officials.** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If, yes, please explain on a separate sheet. No Yes _____
16. **Spouse or other family members.** If the nature of employment for your spouse or other close family member is related in any way to the position to which you want to be appointed, please indicate the employer, the position, and the length of time it has been held. If it is not, please so state. None
17. **Lobbying activities.** Describe briefly on a separate sheet any lobbying activity during the past ten years in which you have engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action. Describe briefly any lobbying activity during the last ten years in which your spouse has engaged for the purpose of influencing the passage, defeat, or modification of any legislative or administrative action that is related in any way to the position to which you are seeking appointment. (Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government, or any official of the legislative branch.) If none, please so state. see attached
18. **Regulated activities.** Describe on a separate sheet any interest that you, your spouse, or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership, or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state. none
19. **Other.** Please describe on a separate sheet any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you seek to be appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state. none

ETHICAL MATTERS: (Yes answers require a detailed response. If necessary, use a separate sheet.)

20. **Citations.** Have you ever been cited for a breach of ethics for unprofessional conduct by, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If yes, please provide details.
No Yes _____
21. **Convictions.** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a minor traffic offense? (Minor traffic offenses do not include the Kansas offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If yes, please explain.
No Yes _____
22. **U.S. Military convictions.** Have you ever been convicted by any military court? If yes, please provide details: No Yes _____
23. **Imprisonment.** Have you ever been imprisoned, been on probation, or been on parole? If yes, please provide details. No Yes _____
24. **Agency proceedings: Civil Litigation.** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If yes, please provide details.
No Yes _____
25. **Agency proceedings and civil litigation of affiliates and family.** Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If yes, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)
No Yes _____
26. **Other litigation.** Other than the litigation described above, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If yes, please describe. Is anyone currently threatening to sue you or any business in which you are an officer, director, or partner? If yes, please describe. No Yes _____
27. **Drivers license.** Has your drivers license ever been suspended or revoked? If yes, please describe. No Yes _____
28. **Parking tickets.** Do you have outstanding parking tickets from any jurisdiction in Kansas that have remained unpaid for more than 60 days? If yes, please explain. No Yes _____
29. **Security clearance denial.** Have you ever been denied a military or other governmental clearance? If yes, please explain. No Yes _____

- 30. **Firings.** During the past ten years, have you been fired from a job for any reason? Did you quit after being told that you would be fired, or did you leave by mutual agreement because of specific problems? If yes, please provide details. No Yes _____
- 31. **Alimony and child support.** Are you now, or have you ever been delinquent in the payment of alimony or child support? If yes, please provide details. No Yes _____
- 32. **Consumption of alcohol.** Are you currently abusing alcohol? No Yes _____
- 33. **Controlled substances.** Are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If yes, please describe. No Yes _____
- 34. **Physical examination.** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test? No _____ Yes
- 35. **Other.** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment.

FINANCIAL MATTERS: (Yes answers require a detailed response. If necessary, use a separate sheet.)

- 36. **Delinquencies.** Are you delinquent on any federal, state, or local debt? (Include delinquencies for income, property, or other taxes; governmental loans; overpayment of benefits; required payments into or under governmental programs; and other debts or required payments to the government; plus any defaults on or under loans which are or were guaranteed, insured, or subsidized by any unit of government.) If yes, please provide details on a separate sheet of paper. No Yes _____

REFERENCES/SIGNIFICANT SUPPORTERS (elected officials, community leaders, friends, etc.)

Name: Robert W. Wise Relationship to you: co-worker

Telephone: (620) 241-0554

Name: Curtis A. Krizek Relationship to you: friend

Telephone: (913) 385-5522

Name: Bill Goering Relationship to you: friend

Telephone: (620) 241-7004

Name: Hon. J. Thomas Marten Relationship to you: friend

Telephone: (316) 269-6578

AUTHORIZATION AND CERTIFICATION:

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature  Date 02/28/2003

Please attach a copy of your resume if you have not previously provided one to the Appointments office.



KANSAS GOVERNMENTAL ETHICS COMMISSION

STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

A. IDENTIFICATION:

PLEASE TYPE OR PRINT

REBER	BRETT	A.
Last Name	First Name	MI
KATHRYN		
Spouse's Name		
320 S. Walnut		
Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number		
McPherson, KS 67460		
City, State, Zip Code		
(620) 241-7138	(620) 241-0554	
Home Phone Number (include area code)	Business Phone Number (include area code)	

B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:*(check one or more of the following)*

1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education or District Attorney);
2. Appointed Member of a State Board, Council, Commission or Authority;
3. Appointed State Position is Subject to Senate Confirmation;
4. Employee of a State Agency or University;
5. General Counsel for a State Agency;
6. Candidate for State Office.

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Kansas Development Finance Authority

Member

Division if applicable (May use acronyms)

Position

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

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Rev. 2/2001

- C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here ____.

	BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Bremyer & Wise, L.L.C. 120 W. Kansas, McPherson	law firm	member units	20%	self
2.	Jedmaster Cookers, Inc. PO Box 463, McPherson	manufacturer	stock	100%	self
3.	Property Investment, L.L.C. Box 1146, McPherson	rental property real estate	member units	100%	self
4.	Bremyer & Wise, L.L.C. 120 W. Kansas, McPherson	law firm 401K/profit sharing plan	stockholder	10%	self
5.	EllKan, L.L.C. 4200 Somerset, Prairie Village	limited partnership	limited partnership interest	1%	self
6.					
7.					
8.					
9.					
10.					

- D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here ____.

	NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.	Dick Hess, McPherson	1002 Turkey Creek Dr., McPherson, KS 67460	self
2.			
3.			

E. **RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE ____.
 If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Bremyer & Wise, L.L.C.	120 W. Kansas, McPherson	law firm
2.	ATS Holdings, Inc.	120 W. Kansas, McPherson	traffic electronics

3. Peoples Bank & Trust 105 S. Main, McPherson bank
 2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
 If you have nothing to report in Section "E"2, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Self-employed	320 S. Walnut, McPherson	pharmacy consultant
2.			

F. **OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.
 If you have nothing to report in Section "F", check here ____.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Peoples Bank & Trust 105 S. Main, McPherson, KS 67460	director	self
2.	ATS Holdings, Inc. 120 W. Kansas, McPherson, KS	secretary	self
3.	Julia J. Mingenback Foundation c/o Peoples Bank, 105 S. Main, McPherson	director	self
4.	Jedmaster Cookers, Inc. PO Box 463, McPherson, KS 67460	president	self
5.	Bremyer & Wise, L.L.C. 120 W. Kansas, McPherson, KS 67460	president	self
6.	Property Investment Company, L.L.C. 120 W. Kansas, McPherson, KS 67460	director	self
7.			
8.			

G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here ____.

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.	Law Firm Clients (confidential)		
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. **DECLARATION:**

I, Brett A. Reber, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

02/28/2003

Date



Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 0

Return your completed statement to the Secretary of State, Memorial Hall, First Floor, 120 SW 10th Ave., Topeka, Kansas 66612-1594.