

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Carolyn McGinn at 8:30 a.m. on February 9, 2006, in Room 423-S of the Capitol.

All members were present.

Committee staff present:

Raney Gilliland, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Lisa Montgomery, Revisor of Statutes Office
Judy Holliday, Committee Secretary

Conferees appearing before the committee:

Gary Daniels, Secretary, Kansas Department of Social & Rehabilitation Services
Christopher Tymeson, Chief Legal Counsel, Kansas Department of Wildlife & Parks
Cindy D'Ercole, Director of Government Relations, Kansas Action for Children

Others attending:

See attached list.

Chairperson McGinn asked for testimony on **SB 459, if person owes arrearages on child support, Secretary of Wildlife and Parks not issue license, permit, stamp or tag to person.** Emalene Correll, Legislative Research, explained the bill which would create a new law dealing with collection of child support which complies with federal guidelines. The bill would allow the Secretary of SRS to notify the Secretary of Wildlife & Parks (KDWP) the names of persons in arrearage on child support payments. Through new licensing procedures and with the new automated program, persons in arrearage on child support payments who apply for a recreational license would not be able to purchase the permit, the license, or other issue of KDWP until the arrearage is paid. The vendor would be required to deliver to the applicant written notice stating the basis for the action and options available to the applicant. A further provision in the bill would require the Secretary of SRS to release the name of a person from the quarterly listing once the arrearage is paid.

Gary Daniels, Secretary, Kansas Department of Social and Rehabilitation Services, briefed the Committee on several bills before the Legislature this year dealing with the child support issue: HB 2706, dealing with interception of driving privileges; SB 468, which intercepts insurance payments; SB 420 which allows the Kansas Payment Center to endorse checks for persons not in the custody of the Secretary; and SB 459 which is being heard today. He introduced Jaime Corkhill, Senior Attorney for Child Support, SRS, who presented testimony in favor of **SB 459 (Attachment 1)**. Ms. Corkhill stated that the Department's goal is not to deny people recreational licenses, but to encourage people to be in compliance to avoid this sanction. She called the Committee's attention to a fact sheet attached to her testimony regarding the Child Support Enforcement Program (CSE).

Senator Huelskamp asked who matches the names on the new system, and Chris Tymeson responded that KDWP gets the information from SRS and has the system that makes the match. Senator Huelskamp asked about out-of-state individuals who owe child support and how their status would be affected in receiving hunting licenses, and Ms. Corkhill responded that their names would be on the list also.

Chairperson McGinn asked Chris Tymeson about the interstate compact they worked last year and if the child support issue can be tied into that or not. Chris responded that there are two separate issues, one is child support and the other deals with violators.

Chairperson McGinn commented on the bill regarding the applicant coming back into compliance, and that it is up to them to obtain a release from SRS. Ms. Corkhill stated that depending on how often the file is updated with KDWP, it would be a matter of waiting until the next quarterly system update. Chairperson McGinn stated that her concern was that a person would be back in compliance but the update would not have been done so the person could get their license. Ms. Corkhill commented that is the emphasis on outreach and voluntary compliance so this would not happen.

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Senator Lee asked about suspension of professional license and Ms. Corkhill told the Committee that suspension of a professional license comes only when a judge finds a person in contempt of court and he orders the suspension.

Senator Ostmeyer asked if the “deadbeat dad’s” name is taken off when they meet their obligations, and whether the name stays on the list a couple of months to make sure they stay in compliance? Ms. Corkhill stated that as it stands now, they will take their name off the list if they pay their arrearage or enter into an agreement and pay that first payment. If they get out of compliance again, their name would go back on the list.

Senator Teichman asked if the quarterly list of names coordinates with the cycle of license dates, and Ms. Corkhill responded that it could.

Senator Francisco asked if there is additional expense or administrative costs split between KDWP and SRS? Ms. Corkhill deferred to Chris Tymeson who stated that he did not think the impact would be an issue.

Chairperson McGinn called the Committee’s attention to written testimony submitted by the Kansas Action for Children (Attachment 2). She noted she did not have Wildlife and Parks on the agenda for testimony, but recognized Chris Tymeson who spoke in favor of **SB 459** (Attachment 3).

Senator Huelskamp noted the time-sensitive issue for out-of-state residents and the time constraints of downloading up to 200,000 names, and Mr. Tymeson stated that the first time would be the hardest and that after that update the names that had fallen off the list would be sorted more quickly. Senator Huelskamp asked if the vendor had been notified, and Mr. Tymeson stated they had.

Senator Pyle stated concern that the night before a person wants to go hunting, his name shows up on a vendor’s list and he cannot check on it, thus losing out on hunting for that season. Chairperson McGinn asked for Jamie Corkhill to clarify how the match works, and Ms. Corkhill explained that they would require several pieces of specific information about that person before a license would be issued. Senator Pyle asked what criteria determines a match, and Chris Tymeson responded that under the new system, an address, social security number, driver’s license and full name would all have to be an exact match in order for that person to obtain a license; if one of those components of information does not match, a license will not be issued.

Chairperson McGinn asked if there is a privacy problem if this were to occur in a small town, and Mr. Tymeson responded that it is a matter of public record anyway. Chairperson McGinn commented that maybe there should be a hotline for people to call SRS if there is a problem with an incorrect entry.

Senator Ostmeyer asked about the percentage of violations or deadbeat dads, and Mr. Tymeson replied it was a small percentage.

Senator Taddiken asked if a local vendor issues a license, will that vendor contact the Pratt office before he issues the license, and Mr. Tymeson replied no, that the paper system is gone.

Staff asked Jamie Corkhill if this bill complies with federal requirements for child enforcement laws. Ms. Corkhill replied that prior to the new system, the federal government accepted the SRS’ sanctions on the lifetime license because there was no technology in place, but now SRS is concerned that the federal requirements would expand to include annual licenses.

Senator Lee asked Chris Tymeson about the permit issue on electronic licenses and if the Department had a response. She told the Committee that last summer, Walmart had advertised on the KDWP website as a vendor for electronic licenses, but a business owner in Russell was told he could not sell a half-price senior citizen license even though he had the same Internet-based system. Chairperson McGinn advised the Committee that a lot of time could be spent on this issue and there are still possible glitches in this system. She declared the hearing closed on **SB 459** and thanked those who testified.

Chairperson McGinn opened the hearing on **SB 386, air contaminant emission sources, regional haze**. She

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called the Committee's attention to the memorandum submitted by Ron Hammerschmidt, Director of Environment, KDHE, on particulate matter. Dr. Hammerschmidt answered some questions about the ability to trade credits on mercury, and stated that the Department would look at all sources of the mercury and give the entities the opportunity to trade.

Dr. Hammerschmidt called the Committee's attention to a graph showing the particulates from agricultural operations and dust from roads or feedlots which are not being considered because they settle fairly quickly and are not into the atmosphere. Chairperson McGinn asked the Farm Bureau representative if Farm Bureau is comfortable with the agency's approach and he stated that at this point, they have no opposition.

Senator Huelskamp asked if the Department has the authority to regulate particulates from normal agricultural operations with regard to regional haze, if perhaps the Department should warn those with respiratory problems to stay indoors during times when wind is carrying these particulates, and commented that perhaps a public relations approach would be helpful.

Chairperson McGinn asked for a motion to move the bill out of Committee. Senator Ostmeyer made a motion, seconded by Senator Francisco, to move the bill. The motion carried.

Chairperson McGinn advised the Committee that the minutes would be approved at the next meeting, Friday, February 10. She also mentioned that **SB 417, imposing certain restrictions on boating, and SB 453, environmental laws; compliance audit privilege; immunity; lesser penalties for violations** would be heard at that meeting.

Seeing no further discussion to come before the Committee, the meeting adjourned at 9:21 a.m.