

MINUTES OF THE HOUSE TAXATION COMMITTEE.

The meeting was called to order by Chairperson Wagle at 9:00 a.m. on January 27, 2000 in Room 519-S of the Capitol.

All members were present except: Rep. Howell - excused
 Rep. Sharp - excused
 Rep. Johnston - excused
 Rep. Campbell - excused
 Rep. Gregory - excused
 Rep. Edmonds - excused

Committee staff present: Chris Courtwright, Legislative Research Department
 April Holman, Legislative Research Department
 Don Hayward, Revisor of Statutes
 Shirley Sicilian, Department of Revenue
 Ann Deitcher, Committee Secretary
 Edith Beaty, Taxation Secretary

Conferees appearing before the committee: Rep. Tom Sloan
 Fred Gatlin
 Prof. James Shanteau, Kansas State University
 Terri Roberts, Kansas State Nurse's Assoc.
 Orion Bell, Local Director of American Red Cross

The Chair introduced Representative Sloan who explained **HB 2613**. (Attachment 1). He pointed out that the bill did not violate any federal laws against paying for organs because it does not designate who should receive them.

Representative Gatewood asked if a family can donate their loved ones organs even though the deceased hadn't signed a donor card. Representative Sloan said they could.

Representative Sloan closed by saying if **HB 2613** isn't the answer, then someone must come up with one. He reminded the Committee there were 68 thousand people waiting and the National Organ Donor clearing house says that 5 thousand will die every year, so we're not doing enough. We must do more.

Representative Flora asked how the tax credit would work. Representative Sloan said that the process as he envisioned it to be, was when one goes to donate blood, the Red Cross gives you a form they've filled out with the necessary proof of your donation. When you file your income tax on April 15, you will attach this form.

Fred Gatlin spoke as a proponent for **HB 2613**. (Attachment 2). He told the Committee that he is on the waiting list for a kidney transplant due to the Polycystic Kidney Disease he suffers from. He presently has dialysis three times a week.

Next to appear in support of **HB 2613** was James Shanteau, Professor of Psychology, Kansas State University. He spoke to the Committee of his studies over the past 15 years of people's health care choices, (Attachment 3), and said that one common answer as to why there were so few organs donated was the lack of knowledge about the need for donors. However, their studies of over 800 residents of Kansas showed that almost 99% were aware of the shortage and were sympathetic to the plight of potential recipients. He said, in his view it was unstated motivations, subjective risks and unarticulated fears about donation. If these motivations, risk and fears could be addressed, then rates of donation would increase.

Appearing as an opponent of **HB 2613** was Teri Roberts, Executive Director of Kansas State Nurses Association. (Attachment 4).

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Ms. Roberts said that her organization knew that increased attention in this area would help with organ and tissue donations but they could not support **HB 2613** because they believe that the financial incentive comes very close to what is commonly referred to as retailing organs. She said that current federal law prohibits the sale of human organs and violators of the law can be fined a minimum of \$50 thousand and/or imprisonment for a maximum of five years.

Orion Bell, Director of the Kansas Capital Area Chapter of the American Red Cross in Topeka, testified as an opponent to **HB 2613**. (Attachment 5).

One of the things Mr. Bell stressed was the importance of not depending on your signature as a donor that is on your driver's license. Too many people have not had their wishes carried out because their family wasn't informed of those wishes and their driver's license was misplaced at the time of the person's death.

The Chair declared the hearing on **HB 2613** to be closed.

Representative Ray spoke to the Committee of a problem facing Black and Veatch regarding their High Performance Incentive Program Tax Credit. She said they have changed from a partnership to a corporation, and even though they are the same people and the same company, there is some question that they will not receive the tax credits they previously had received because they were told there were a different company. She did not believe this was the intent.

Representative Ray moved that a bill be adopted to clarify the intent of the Black and Veatch tax credit plan.. Representative Minor seconded the motion and it carried on a voice vote.

The meeting adjourned at 10:15 a.m. The next meeting is scheduled for Tuesday, February 1, 2000.