

Approved: March 21, 2012
(March 15, 2012)

MINUTES OF THE HOUSE CHILDREN AND FAMILIES COMMITTEE

The meeting was called to order by Chairperson Mike Kiegerl at 9:06 a.m. on Thursday, March 15, 2012, in Room 142-S of the Capitol.

All members were present except:
Representative Brunk - Excused

Committee staff present:
June Christensen, Committee Assistant
Rena Jefferies, Office of the Kansas Revisor of Statutes
Martha Dorsey, Kansas Legislative Research Department
Jay Hall, Kansas Legislative Research Department

Conferees appearing before the Committee:

Proponents:

None

Opponents:

Penn National Gaming (Written Testimony)
Kansas Lottery (Written Testimony)

Neutral:

Mr. Clint Patty, Attorney, Frieden, Unrein & Forbes, LLP
Ms. Trisha Thomas, Director of Child Support Enforcement, Kansas Department of Social and Rehabilitation Services (SRS)

Others in attendance:
See attached list.

Chairman Kiegerl said since this will be the last meeting of the session, he had called it for a hearing and possible action on **HB 2775 – an act concerning debts owed for child support**. It may be referred to the Federal and State Affairs Committee for further action if not passed out of this committee today.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

Minutes of the HOUSE CHILDREN AND FAMILIES Committee at 9:00 AM on Thursday, March 15, in 142-S of the Capitol.

He introduced Ms. Renae Jefferies, Office of the Kansas Revisor of Statutes to present a briefing on the bill. Ms. Jefferies reviewed the bill, which would allow the Kansas Lottery, any lottery gaming facility manger or owner licensee to offset any prize winnings of \$1200 or more to be withheld if there was more than \$25 owed in back child support. There would be other requirements for SRS and the gaming facilities as well. (Attachment No. 1).

Representative McCray-Miller questioned if the debtor's list would be public information, and Ms. Jefferies said SRS would compile and maintain the list as confidential information.

Representative Kiegerl opened the hearing and spoke as a proponent. He explained that the state of Missouri has this legislation in place and had been able to collect all but about \$30,000 of a recent payoff of \$200,000 from a winner who had not paid child support for over 12 years. It might also prevent winners from participating in more gambling and other things that would not allow the state to be able to collect back child support or other arrearages. He noted that he would like to get this legislation accomplished this year so it would not die.

There were no other proponents.

Mr. Clint Patty, an attorney with Frieden, Unrein and Forbes, LLP, addressed the committee on behalf of clients BHCMC, LLC, and Kansas Star Casino, LLC, and the Lottery Gaming facilities in Dodge City and Mulvane, Kansas. Although not an opponent of the proposed legislation, he said he believed that there were several technical issues that needed to be resolved in the verbiage that might help contain frivolous lawsuits. He said he had testified on a similar bill a few years, but it had not gone anywhere. (Attachment 2).

John Bottenberg, representing Penn National Kansas Speedway, in opposition of the proposed legislation, and said he concurred with much of what Mr. Patty had said. (Attachment 3).

Written testimony was received from the Kansas Lottery. (Attachment 4).

Ms. Trisha Thomas, SRS director of child support enforcement, presented neutral written testimony and stood for questions. There were none. (Attachment 5).

Chairman Kiegerl closed the hearing and asked for Committee members' thoughts on the bill.

Representative Roth said he thought the short time frame and issues raised by the conferees would prevent him from voting to move the bill out of committee at this time.

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Chairman Kiegerl said he would like to see this law on the books as soon as possible. He will visit with the chair of the Federal and State Affairs Committee and suggested the conferees might want to be involved in drafting different language. He said he would defer this to the Federal and State Affairs Committee, and hopefully, something would be done by the end of the session.

Approval of the February 7, 9, 14, 15, and 21, 2012, minutes

Chairman Kiegerl requested a motion to approve the above minutes.

Representative Gregory moved that the February 7, 9, 14, 16 and 21, 2012, minutes be approved as presented. Seconded by Representative McCray-Miller, and carried unanimously.

Chairman Kiegerl adjourned the meeting at 9:26 a.m.