

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Senator Lana Oleen at 11:50 a.m. on March 30, 2000 in Room 245-N of the Capitol.

All members were present.

Committee staff present: Mary Galligan, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Russell Mills, Legislative Research Department
Judy Glasgow, Committee Secretary

Conferees appearing before the committee: Representative Doug Mays
Paul Petersen, A minor consideration
Heather Laird, Wright/Laird Casting
Jean Liebau, Talent Unlimited, L.L.C.
William M. Grace

Others attending: See Attached Sheet

Chairman Oleen opened the hearing on

HB 2838—an act concerning infants and minor children actors

Chairman Oleen recognized Representative Doug Mays, as a proponent to **HB 2838**. Representative Mays reviewed the bill and explained the major parts of the bill. He stated that the bill would cover infants from one month to age 15; and infants must be carried to full term, and of normal birth weight, the bill would provide for 15% of the earnings to be put into a trust for the benefit of the minor child until the child is 18; that the state department of human resources may adopt rules and regulations setting standards for minor children on motion picture sets to protect the safety and well being of minor children.

Chairman Oleen recognized Paul Petersen, a proponent to **HB 2838**. Mr. Petersen, a child actor in the 50's and 60's, stated that there are no regulations covering child labor in the entertainment field. When federal child labor laws were enacted in 1939, the entertainment field was not included. Mr. Petersen stated that laws have been enacted in California covering child labor laws in the entertainment field. Five other states including Kansas have introduced bills dealing with child labor in entertainment. Mr. Petersen explained the Coogan law which California had enacted to protect child stars earnings until they reach the age of 18. This was the result of child actors reaching adult and having no money for their years in the film industry. Mr. Petersen stated that this bill says that an infant must be full term, over 15 days of age and healthy, before the child could be hired for films and commercials. Mr. Petersen asks for the committee's favorable consideration of **HB 2838**.

Chairman Oleen turned to opponents of the bill and recognized Heather Laird, Wright/Laird Casting. Ms. Laird stated that there were several areas in the bill that should be clarified. Ms. Laird stated that the bill refers to the "casting agency" as being the employer. She stated that in Kansas, a casting director hires a talent on behalf of the producer, who signs the check. Ms. Laird also stated that 15 days from the day of order does not allow sufficient time as it may take from 30 to 120 days to pay talent. (Attachment 1).

Chairman Oleen recognized Jean Liebau, as an opponent to **HB 2838**. Ms. Liebau stated that as owner of Talent Unlimited, she represents more than 800 individuals in the Kansas City region. She stated that talent agencies do write checks to actors, but invoice the producer for the talent and are not the "employer". Ms. Liebau stated that

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 245-N Statehouse, at 11:50 A.M. on March 30, 2000.

during the last year only 30 children she controlled grossed over \$600; and of these only 3 were in the \$2,000 to \$3,000 range so none of her clients would have qualified under this bill.

In response to a question from Senator Biggs concerning how many states currently have child labor laws covering the entertainment and sports field, Paul Petersen stated that 37 do not have laws. Mr. Petersen went on to say that there is an movement under way to enact federal laws for child labor in entertainment and one of the steps is to pass legislation at the state level first.

Chairman Oleen noted that written testimony had been received from Representative Bonnie Sharp, as a sponsor and proponent to **HB 2838** (Attachment 2).

Written testimony was received from Shawn Mullane and Jennifer Mangan, Exposure, Inc., Model & Talent Agency, as opponents to **HB 2838** (Attachment 3).

Chairman Oleen closed the hearing on **HB 2838**.

Chairman Oleen announced that the committee would meet in Room 356 E for hearings on March 31, 2000. Senator Oleen explained that she was scheduled to give testimony in another hearing and Vice Chair Harrington had agreed to allow sponsors of **SB 667** time to present and explain some information to consider in their bill.

Vice Chairman Harrington recognized Brad Smoot, representing Kansas Racing, L.L.C. Mr. Smoot provided copies of the amendment to **SB 667** and stated that Bill Grace was present to answer committee questions. In response to a question from Senator Gooch, Mr. Grace stated that 99% of the quarter horse owners and thoroughbred owners were in agreement. Senator Biggs ask if the balloon had made significant changes in the bill and Mr. Grace replied that most of the amendments were technical in nature. Senator Gooch questioned if there would be any risk to the state in the venture and Mr. Grace stated that all the risks would be assumed by the tracks and that the states would have no risk at all. In response to a question concerning what kind of time frame would be needed to determine if this was successful, Mr. Grace stated that the racetrack in Kansas City would need to take 20 % of the market.

Upon completion of questions, Vice Chairman Harrington adjourned the meeting at 1:10 p.m. The next meeting will be March 31, 2000.