

# Senator Jay Emler

## Kansas Senate District 35



### From the Desk of Jay Scott Emler

**Week of February 18 - February 22, 2008**

This marks the week before turnaround. Next Friday, everything that began in one house, unless it is exempt, has to be out of that house and across the rotunda and in the other house for debate. This week was a very busy week for committee meetings and trying to get all of the legislation that is still in committee heard and on to the Senate floor. Next Monday, Tuesday and Wednesday, we will still have committee meetings. All day Thursday and Friday we will be on the Senate floor for debate of bills that have made it out of committee.

#### **H Sub 327 House Energy Bill:**

A quick update on Energy legislation. The House passed what it is calling House Substitute for Senate Bill 327. That bill contains the House version of Senate Substitute for House Bill 2066. Since both of those bills have had debate in one house or the other, we will conference on those bills sometime next week, probably beginning on Monday. That energy issue, as you recall, deals with regulatory certainty, with the Sunflower issue, with solar net metering, and with establishing a commission to bring recommendations over the next two years for a firm energy policy for the State of Kansas.

We continue to work on the budget process, with subcommittees meeting whenever possible. We meet over the lunch hour, at the end of the day, or as soon as the Legislature adjourns for the day. Sometimes meetings of the subcommittees go well into the evening hours, but that is what is required in order to tear the budget apart and put it all back together again. A final bill should be ready within the next couple of weeks.

#### **Sub SB 491 Prescription Monitoring Program:**

SB 491 creates the Prescription Monitoring Program Act. The bill requires the Board of Pharmacy to establish and maintain a program for monitoring controlled substances. The Board is required to develop rules and regulations that govern and carry out the provisions of this act, as well as develop an electronic database that practitioners or pharmacists who distribute prescriptions can submit information to regarding each prescription dispensed.

All information in the prescription monitoring database and any records pertaining to the program will remain confidential and are not subject to the Kansas Open Records Act.

SB 491 also creates the Prescription Monitoring Program Advisory Committee that will work in consultation with the State Board of Pharmacy to ensure the effectiveness of the program and would be responsible for submitting an annual report to the Senate Committee of Public Health and Welfare. *SB 491 passed the Senate 40 - 0.*

### **B 584 Food Safety:**

SB 584 consolidates all of the state's food-safety inspection programs into one agency, the Kansas Department of Agriculture (KDA). The process began with a partial consolidation several years ago, and the data now shows that the KDA is employing more inspectors, conducting more inspections, and responding to fewer food-safety violations than when the program was run by the Kansas Department of Health and Environment (KDHE) - and all with the same budget. The KDA's much smaller size compared to the sprawling KDHE results in a much greater ability to give attention to food safety, eliminating middle managers in the program, using more efficient technology to eliminate data entry positions, and taking time to work with businesses to help them adopt good food-handling practices so they avoid food safety violations in the first place. SB 584 will work in tandem with SB 557, also passed this week in the Senate with a 39 - 0 vote, to grant the KDHE additional rule and regulation authority previously not held. *SB 584 passed the Senate 37 - 2.*

### **B 481 Controlled Substances:**

SB 481 amends current law to add the drugs salvia divinorum (commonly called silvia) and gypsum weed (or jimson weed) to the schedule I of the Kansas Controlled Substances Act. Commonly grown plants in Kansas, the seeds of these flowering plants, are hallucinogenic drugs that have become easy to obtain and very harmful if abused. SB 481 makes it illegal to possess, use, or sell these drugs in Kansas. *SB 481 passed the Senate 40 - 0.*

### **SB 46 Crimes Involving Firearms:**

SB 46 amends current law to increase the penalty for the crime of defacing the identification marks of a firearm from a class B nonperson misdemeanor to a severity level 10, nonperson felony. *SB 46 passed the Senate 40 - 0.*

### **Interpretation and Regulation of Farm Trucks:**

Susan Duffy, Executive Director of the Kansas Corporation Commission (KCC), testified in Senate Agriculture on Wednesday, February 20, stating that the KCC is no longer considering the transportation of grain from farm fields to local country elevators as an issue of interstate commerce - unless a state line is actually crossed. Because grain eventually is sold across state lines, the KCC initially sought to regulate farm trucks much like they do with over-the-road truckers. Since the KCC is no longer seeking

these regulations, Kansas farmers will be able to carry out their usual business as they have for the past few decades, without additional regulations being placed on them, or their trucks.

### **SB 437 ROTC Scholarship:**

SB 427 allows the selection committee at each ROTC institution to award ROTC scholarships to qualified students that are enrolled at community colleges, and that meet certain approved requirements for eligibility. The bill also establishes the Military Service Scholarship Program, which awards scholarships to Kansas residents who have served in the military in Iraq, Afghanistan, or on foreign soil or in international waters in support of military operations in those areas. Also included are individuals who had received an honorable discharge or served in the military operations of Enduring Freedom, Noble Eagle, or Iraqi Freedom. The scholarships will be awarded on a priority basis to applicants who have the greatest financial need and would be renewable for students who remain qualified. **SB 437 passed the Senate 39 - 0.**

### **SB 548 School-base Influenza Vaccination Program:**

SB 548 requires the Kansas Department of Health and Environment (KDHE) to increase influenza immunization awareness and participation among parents of children age six months to five years who are enrolled in child care facilities. The KDHE is required to have information on the benefits of annual immunization against influenza for children on its official website and to cooperate with the Department of Social and Rehabilitation Services in distributing information to parents and child care facilities in August and September of every year. The KDHE is also required to study the feasibility of establishing a school-based influenza vaccination pilot program including the costs and benefits of the pilot program, barriers to implementation and strategies for removing the program barriers, the fiscal impact of the pilot program, and the use of vaccines. The Department is encouraged and authorized to seek funding for implementation of the pilot program study from any public or private source. **SB 548 passed the Senate 40 - 0.**

### **SB 518 DeSoto/Johnson County Riverfront Authority:**

SB 518 creates the DeSoto/Johnson County Riverfront Authority. The purpose of the authority is to encourage capital investment that will create recreational, retail, entertainment, economic development, and housing within the riverfront. During the first three years of its existence, that authority will engage in the planning and design of the riverfront. The authority can acquire by purchase, lease, gift, or other means any real property or the rights to real property within the defined riverfront area, as well as acquire other types of property, riparian rights, dams and docks, recreational equipment, and public improvements and can execute agreements, leases, and equipment trust certificates. Operating capital will be provided from revenue or income derived from the riverfront authority or from grants.

**SB 518 passed the Senate 39 - 0.**

### **SB 501 The Kansas Tourism Corporation:**

The Senate Commerce Committee passed out favorably SB 501 Thursday, February 21. SB 501 establishes the Kansas Tourism Corporation with the purpose of collaborating with public and private organizations to influence tourism spending, and growing the Kansas economy by enhancing the visitor experience through targeted marketing, product development, professional development and research. Hopefully, this will elevate tourism in Kansas to a much higher level.

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