

Senator Jay Emler

Kansas Senate District 35



From the Desk of Jay Scott Emler

Week of January 20 - 23, 2009

SB 8- Kansas Tort Claims Act:

Senate Bill 8 amends the definition of employee in the Kansas Tort Claims Act to include medical students who are enrolled in clinical training at the University of Kansas Medical Center or other health care institutions. The bill is retroactive to July 1, 2008 and provides coverage for medical students. For the last 22 years, this measure has been included in appropriations bills as a proviso. If SB 8 is not passed the University of Kansas will have to purchase malpractice insurance. SB 8 passed 39 to 0.

SB 14- Kansas Council for Interstate Juvenile Supervision:

Kansas has joined 34 other states in adopting the revised Interstate Compact for Juveniles. The Compact updates the 50 year old model by seeking to ensure public safety; improving accountability, enforcement, and visibility for child welfare; and increasing communication among the states. The seven member council would develop, oversee, and enforce state policies regarding operations and procedures of the compact. SB 14 has a fiscal note of \$20,000 which will be absorbed by the Juvenile Justice Authority. The Senate approved the bill 37 to 2.

SB 19- Concealed Carry for prosecutors:

This measure allows certain prosecutors to carry concealed firearms providing they obtain, at their own expense, a concealed carry permit and complete a firearms training course established through the Kansas Law Enforcement Training Center. Prosecutors authorized in the bill include: U.S. Attorney, Assistant U.S. Attorney, Kansas Attorney General, Kansas Assistant Attorney General, District or County Attorney, and Assistant District or County Attorney. In addition, the bill allows prosecutors to carry

concealed firearms in a county courthouse, where much of their work is done. SB 14 has no fiscal note. The bill passed 39 to 0.

Ways and Means Committee Update:

The Senate Ways and Means committee continues to work on Senate Bill 23, the rescission bill for fiscal year 2009. The committee debated the bill for nearly 7 hours on Friday, January 16.

On Monday there was no meeting in honor of the Dr. Martin Luther King, Jr. holiday.

On Tuesday hearings were held on SB 8 (above) and SB 30. SB 8 was passed and sent to the Senate floor. SB 30 would amend existing law related to surplus property, and exempt certain sales from the State Surplus Property Act. First, the Director of Legislative Administrative Services would be authorized to sell computers that are off-lease, and not being returned to the lessor, to members of the Legislature, or its staff who used the equipment, and if the aforementioned parties decline to purchase this equipment, it will be offered to local public libraries. The rules for such sales would be prescribed by the bill. Second, the agency head of a state law enforcement agency would be authorized to sell personal sidearms to state law enforcement officers who either retire or resign to take another law enforcement job. The rules for such sales would be prescribed by the bill. All proceeds from such sales would be deposited into special revenue funds appropriated for each agency and the amount paid shall be for the amount equal to the replacement cost of the computer, or sidearm and trigger lock. At the hearing on the bill, proponents included: Major Mark Bruce, Kansas Highway Patrol; and Steve Kearney, Vice-President of the Kansas State Troopers Association. There were no opponents to the bill. Over the course of the week, the Senate Committee on Ways and Means amended the bill to:

- Allow local public libraries the opportunity to purchase computers not purchased by members of the Legislature or legislative staff;
- Limit the number of additional computers purchasable by authorized individuals to one; and
- Allow all state law enforcement officers who are retiring or resigning the ability to purchase their sidearm upon a satisfactory determination of the state agency head.

SB 30 as amended was recommended favorably for passage on Thursday.

On Wednesday the committee heard a presentation by several executives from the Aviation Industry:

Dan Dymarkowski, Dir. Of Labor Relations for Hawker/Beechcraft; Jim Crone, Dir. Of Structural

Integrity; Dr. John Tomblin, Exec. Dir., National Institute for Aviation Research; and Sam Bloomfield, Distinguished Professor of Aerial Engineering. There was some new information presented regarding SB 23, and there was further discussion on SB 30 as well.

On Thursday Glenn Deck, Exec. Dir. Of KPERS, gave an update on KPERS Long-Term funding. Julian Efrid, Legislative Research, gave a summary on the 2008 Interim Report from the Joint Committee on Pensions, Investment and Benefits. More information was presented on SB 23 and SB 30 was passed.

On Friday, Barb Hinton, Legislative Post Auditor, gave an update on program audits. She explained the difference between being effective and being efficient. Barb went over recent audits of the Financial Regulatory Agencies, Agricultural-Related Agencies, the Dept. of Commerce, Statewide Medical Expenditures (reviewing Medicaid expenditures for Fraud and Abuse), Community Colleges, and K-12 Education. She also noted a particularly relevant audit, Low-Priority Programs: Determining How Much Money Could Be Saved From Eliminating Non-Essential Programs in State Government, for look at by sub-committees.

Testimony on the Economy:

On Wednesday, January 21, the Senate Financial Institutions and Insurance Committee held a joint meeting with the House Financial Institutions Committee to hear testimony from Dr. Thomas M. Hoenig, President and Chief Executive Officer of the Federal Reserve Bank of Kansas City. Dr. Hoenig does not believe the current state of the nation's economy is likely to improve in the short term. In addition, Dr. Hoenig provided general information on the preliminary federal stimulus package; estimated to be approximately \$825 billion with funding allocated for state assistance, infrastructure, and federal government programs.

NBAF Overview:

On Monday, January 12 the Department of Homeland Security issued a Record of Decision (ROD) finalizing the selection of the NBAF site in Kansas. With the issuance of the ROD the Department of Homeland Security and Kansas can begin securing funding, proceeding with designs, and furthering development of NBAF. However, once the ROD has been issued opponents have six years to file lawsuits

protesting the decision.

Texas officials are considering suing the Department of Homeland Security arguing the state was unable to respond to the Department's request to provide state infrastructure investment because the Texas Legislature was not in session.

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TOLL FREE LEGISLATIVE HOTLINE

The State Library will continue its practice of operating the toll free hotline for Kansans to call their legislators and leave brief messages. The hotline number is 1-800-432-3924.

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