

# Senator Jay Emler

## Kansas Senate District 35

## Thoughts from the Capitol

February 25, 2002

Jay Scott Emler, Kansas State Senator, 35th District

### **NASA's Small Airplane Transportation System Program**

Members of the Senate Commerce Committee were recently urged to support the development and implementation of a Small Airplane Transportation System (SATS) in 83 rural Kansas communities. This proposal has a 25-year goal to improve air access and bring next-generation technologies to these small communities. The envisioned outcome is to improve travel between remote communities and transportation centers in urban areas by utilizing a new generation of single-pilot planes for personal and business transportation between the nation's 5,400 public use general aviation airports.

SATS is conceived as a safe travel alternative, freeing people and products from current transportation system delays by creating access to more communities in less time. To gain further insight into the benefits of such a program, NASA has begun a research initiative to prove the SATS concept will work. This initiative covers a five-year period from FY 2001 through FY 2005, with funding of \$69 million.

Kansas has all the major expertise to make a major contribution to the development and demonstration of SATS, committee members were told. The state is a leader in the small aircraft and avionics industries. Also, Kansas has exceptional university expertise in aerospace and communications and has airport infrastructure at 146 landing facilities.

For additional information regarding the SATS initiative, go to <http://sats.nasa.gov>.

### **Telemarketing No Call List**

In 2000, the Kansas Legislature passed HB 2580 which required the Kansas Corporation Commission to work with the telecommunications industry to develop a way to inform consumers about their rights under federal and state laws that pertain to unsolicited phone calls; and to inform consumers about the Direct Marketing Association's (DMA) Telephone Preference Service, a nationwide do not call listings.

The DMA's Telephone Preference Service (TPS) allows you to "opt out" of national telemarketing lists. When you register with TPS, your name, address, and telephone number are placed on a "do-not-call" file. All DMA members are required to run their telemarketing list of prospective customers through the TPS file to remove the individuals who have registered with TPS. This service applies only to residential telephone numbers.

A consumer may register with the DMA by mail at no cost. If the consumer registers online, there is a \$5.00 charge. Registration is good for 5 years, or until the consumer changes telephone numbers. If you would like a form that you may use to register with the DMA list,

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please call my office in Topeka. To register online: <http://www.the-dma.org/consumers/consumerassistance.html>

### Long-Term Care Insurance

#### SCR 1614

The Kansas Senate recently passed SCR 1614, a resolution urging the secretary of the Kansas Department on Aging to begin an education and awareness campaign that encourages younger Kansans to invest in long-term care insurance at an age when it is affordable and decrease dependence on public moneys to finance long-term care. Legislators have become increasingly aware of the aging population in Kansas and the potential costs to the state should those requiring nursing home care increase. With the average life expectancy being almost 80 years and the average cost for care in a nursing home being \$40,000 - \$50,000, long-term care insurance can help assure the security, dignity and independence of Kansans as they age. The education and awareness campaign is expected to be funded through grants and existing department funds.

#### SB 586

The Senate Financial Institutions and Insurance committee heard supporting testimony on SB 586, a bill that would increase the possibility for people to afford long-term care insurance. SB 586 is an additional attempt to encourage people to invest in and assure their own long-term care. The bill extends the current maximum waiting period for long-term care coverage sold in Kansas from 100 days to 365 days. Secretary of the Department on Aging Connie Hubbell testified, "This change will allow insurance agents and purchasers of long-term care insurance to tailor each policy to the individual policy holder." It will also provide lower premium options, thus enabling many people to purchase long-term care insurance who otherwise could not afford the investment. The committee is expected to pass the bill out favorably to the Senate.

### Judiciary Committee

The Senate Judiciary Committee reconsidered a bill that places restrictions on teenage drivers. SB 432 prohibits drivers between the ages 16 to 18 from transporting more than one non-sibling passenger ages 16 to 18 with exemptions for transportation to and from work, school or church. Testimony offered statistical evidence of minors having fewer accidents with only one passenger in the vehicle. The bill was defeated the first time the committee took final action. A move to reconsider revived the bill and it passed out of committee on a vote of six to five.

The Committee also passed SB 486 to the full Senate. This bill does away with common law marriage in Kansas. Kansas is one of only eight states that still acknowledges common law marriage. Recently, defense attorneys have attempted to use the law as a defense to the charge of rape when a girl under the age of 18 has had sexual relations with older men. In one such case, the girl was 10 and the man (the girl's mother's boyfriend) was 26.

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### **Agriculture**

The Senate Agriculture Committee heard testimony this week on SB 556, an act that would establish a research program at Toronto State Park examining possible ways to control sericea lespedeza.

Sericea lespedeza is a grass that is classified as a noxious weed in Kansas. It is notorious for its hardiness and its ability to spread rapidly in both long-stem and short-stem grasses. Kansas's ranchers and outdoors enthusiasts have been battling sericea lespedeza for years, and state officials have been searching for control and eradication methods for almost as long.

Under SB 556 the Secretary of Wildlife and Parks in Kansas would establish a program that seeks to control and eradicate sericea lespedeza. Methods studied would include: intensive grazing schemes, differentiated burning methods, and various chemical and mechanical control methods.

Livestock producers and landowners would be able to participate in field day demonstrations of sericea lespedeza control methods at the park. The bill directs the secretary to develop the sericea program to study the biology, control and eradication of the weed. The secretary could enter into contracts with cooperators to develop the control program, or the department could align with the universities in Kansas to develop the program.

In a related vein, SB 548 gives the Secretary of Agriculture authority to designate a county as a sericea lespedeza disaster area to provide for the control and eradication of the weed within such county. This disaster area designation authority is encapsulated within the time from July 1, 2002, through June 30, 2005. This program is being piloted to determine whether or not the disaster area designation will better allow state officials to efficiently battle sericea lespedeza in an area of significant infestation.

Under SB 548, this designation would allow a county conservation district to utilize available funds to control and eradicate sericea lespedeza within the time frame mentioned above, if the secretary has declared the county in question a sericea lespedeza disaster area.

### **Education**

The Education Committee passed out a bill which will increase the Base State Aid Per Pupil by \$20 next year. After last year, it was decided that the Tax Committee will need to decide where to get the increased revenue. Last year the Education Committee came up with several alternatives for funding, none of which were accepted.

The Committee also took testimony on a bill that would set a definite time within which the parents of a child with an individual education plan can either consent to the plan or request a due process hearing. Many parents were very opposed to the legislation and gave many examples of how the system is not working currently. I believe, with some modifications, however, that this legislation will be in the children's best interests.

Finally, the Committee held a hearing on SB 551. This bill would provide some additional incentives for school districts to consolidate. No action was taken.



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### Redistricting

My biggest concern this week has been Congressional redistricting. The map that passed out of committee on Monday places McPherson County and the bottom third of Marion County in the 4th Congressional District. The 1st District is primarily agricultural. The 4th District is primarily urban. I believe McPherson and Marion Counties have more community of interest with the 1st District than the 4th. Feel free to write and express your opinion on this crucial issue.

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I appreciate hearing from you. There are three convenient ways to contact me. You may write to me at:

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Or, you may call me at:  
785.296.7354.

Or, you may e-mail me at:  
[emler@senate.state.ks.us](mailto:emler@senate.state.ks.us).

For those of you who want to write to me at my McPherson office or home, feel free to do so. It takes me a little longer, however, to respond because the letters and e-mail are forwarded to my Topeka office.