



SB 778 continued -

that was at the K.U. Medical Center. He indicated that the legislative committee studying the matter had full cooperation from the attorney general's office. He stated that this bill is not designed as a slap at the attorney general's office. He stated that members who served on the interim committee felt that a special person was needed to work on this particular job because of its special nature. The appointment would be made by the attorney general. He stated that if the bill passes, it would require appropriations. He related that there are differing opinions with regard to the applicability of the statute of limitations.

at  
Senator Gaines reviewed some of the problems/the K.U. Medical Center. He stated he feels someone will need to devote all their attention to work on this case for quite sometime.

Don Hoffman, Assistant Attorney General, testified and brought the committee up to date regarding a number of cases that are being processed as a result of problems in the construction of state buildings. He stated that the legislative investigation has been most helpful. He stated that he does not believe the statute of limitations applies to the state. He spoke of product liability cases, of state employees and agencies directly connected with the project, and reviewed different cases and problems they have encountered. He stated that they prefer to file the cases in Shawnee County rather than the county where the construction occurred. He stated there is no question but what will be litigation centering on the K.U. Medical Center. He stated that his department has requested two additional positions, and that they are planning to use these two positions to handle this litigation. He stated that the bill would not go into effect until July 1, and that would be too late to hire outside counsel. He stated he feels these matters should be left to be dealt with by staff personnel rather than hiring outside persons. He stated that he is not confident that there will be huge recoveries in the various cases. Committee discussion with him followed dealing with such matters as the availability of his office staff to deal with problems, the amounts budgeted for the new positions, the problems in pinpointing accountability leading to delays in his office being informed of problems, the fact that his office has not appointed any special prosecutors, and that he does not feel that a special prosecutor would have any more independence than any other prosecutor has.

The meeting adjourned.

These minutes were read and approved  
by the committee on 2-10-78.

GUESTS

SENATE JUDICIARY COMMITTEE

NAME	ADDRESS	ORGANIZATION
Jesus Herman	5550 W. 39th	Associated Students of the
Mark Bennett	Topeka	KSA
Debra Harrison	Topeka	ASK
Ron Todd	Topeka	Insurance Dept.
Don Hoffman	Topeka	AG
Dan Watkins	"	"
Mindy Bergner	Topeka	Comp. Journal
Ed Johnson	Topeka	Kans. Assoc. Prop/Car Ins Co.
LMCORNISH	"	Ks Assn.
Homer Cowan	Ft. Scott	The Western Ins Cos.
Kent M. Cornish		WIBW-TV
Ed Rutherford		( ) ( )
Jack Swartz	Topeka	KACI
RUD GRANT	"	"
Kathleen Sedelius	"	KTLA
Ann Hebbiger	Oakland Park	L.W.V.K.
Bill Genny	Topeka	Governor's Office
	"	