

Approved 2-12-91  
Date

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

The meeting was called to order by Sen. Edward F. Reilly, Jr. at  
Chairperson

11:00 a.m./P.M. on February 7, 1991 in room 254-E of the Capitol.

All members were present ~~xxxx~~

Committee staff present:

Mary Galligan, Legislative Research Department  
Mary Torrence, Office of Revisor of Statutes  
Deanna Willard, Committee Secretary

Conferees appearing before the committee:

Chuck Simmons, Department of Corrections  
Art Weiss, Deputy Attorney General  
Bob Runnels, Kansas Catholic Conference

Chuck Simmons, Department of Corrections, requested introduction of bill draft 1 RS 0585 concerning county jails; relating to payment of costs of maintaining certain inmates; amending K.S.A. 1990 Supp. 19-1930 and repealing the existing section.

A motion was made by Senator Vidricksen and seconded by Senator Morris to introduce the bill. The motion carried.

Mr. Simmons requested introduction of bill draft 1 RS 0636, concerning corrections; relating to the conveyance of offenders to the secretary of corrections; amending K.S.A. 1990 Supp. 75-5220 and repealing the existing section.

This bill would enlarge from three to five, excluding Saturday, Sunday, and holidays, the number of days which the secretary of corrections has to provide an admission for an offender.

A motion was made by Senator Morris and seconded by Senator Strick to introduce the bill. The motion carried.

Mr. Simmons requested introduction of bill draft 1 RS 0584 concerning the disease acquired immune deficiency syndrome; authorizing a court to order tests therefor in certain circumstances; authorizing disclosure of certain information relating thereto.

If an employee has been exposed to AIDS body fluids, they currently cannot be notified. The court could order the inmate to submit to a test, and the results would be made available to the officer.

Senator McClure requested from staff current law regarding rights of a rape victim who thinks she has been exposed to AIDS.

A motion was made by Senator Strick and seconded by Senator McClure to introduce the bill and request that it be referred to Public Health. The motion carried.

Mr. Simmons requested introduction of bill draft 1 RS 0635 concerning controlled substances; relating to the forfeiture of property; disposition of proceeds; creating the Kansas bureau of investigation, Kansas highway patrol and Kansas department of corrections special asset forfeiture fund; amending K.S.A. 1990 Supp. 65-4173 and repealing the existing section.

CONTINUATION SHEET

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room 254-F Statehouse, at 11:00 a.m./~~p.m.~~ on February 7, 1991

A motion was made by Senator Morris and seconded by Senator Daniels to introduce the bill. The motion carried.

Mr. Simmons requested introduction of bill draft 1 RS 0634 concerning corrections; relating to parolees; creating the employed parolees fee fund; amending K.S.A. 1990 Supp. 22-3717 and repealing the existing section.

Parolees would pay \$7 per month to fund supervision. If they have no resources, this requirement would be revoked.

A motion was made by Senator Bond and seconded by Senator Strick to introduce the bill and request that it be referred to Ways and Means. The motion carried.

A package of five bill requests was presented on behalf of the Attorney General. Mr. Art Weiss was available for questions.

Civil penalties - amend K.S.A. 50-636 in the Consumer Protection Act to raise civil penalties to up to \$5,000 per violation, and raise civil penalties to \$10,000 per violation for violations committed against senior citizens and the disabled. The enhanced portion of the senior citizen/disabled penalties would be spent for senior citizen consumer education.

A motion was made by Senator Morris and seconded by Senator Daniels to introduce the bill. The motion carried.

Negative selection - prohibit the practice of sending notices about services or goods and requiring the consumer to take an affirmative step to avoid being charged for such goods or services. For example, a book publisher sends a postcard stating that unless the consumer checks a box indicating otherwise, the consumer will be deemed to have ordered the book and will be billed.

A motion was made by Senator McClure and seconded by Senator Walker to introduce the bill. The motion carried.

Solicitations disguised as invoices - require language similar to that found in the Postal Service regulations which require solicitations clearly state, in bold-faced type and in a color different than that used in the rest of the solicitation, that the notice is in fact a solicitation and that the recipient is under no obligation to purchase the service.

A motion was made by Senator McClure and seconded by Senator Strick to introduce the bill. The motion carried.

Travel promoter - require travel promoters to segregate certain funds in a separate trust fund; require promoter to disclose actual flight and airline so consumer can check arrangements, eliminate consumer problems when promoters go out of business.

A motion was made by Senator Bond and seconded by Senator Anderson to introduce the bill. The motion carried.

Three-day cancellation - expand the three-day cancellation right to cover other areas such as health spas and buying clubs. Now the Consumer Protection Act 50-640 only covers door-to-door solicitation.

Art Weiss said this bill excluded places with on-site merchandise.

A motion was made by Senator Bond and seconded by Senator Morris to introduce the bill. The motion carried.

CONTINUATION SHEET

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room 254-E, Statehouse, at 11:00 a.m.~~p.m.~~ on February 7, 1991.

Mr. Bob Runnels, Kansas Catholic Conference, requested introduction of bill draft 1 RS 0434 relating to requirements for notification of certain persons before performance of abortions on minors. He said this bill is an agreement between the Kansas Catholic Conference, Kansans for Life and the Right to Life of Kansas.

A motion was made by Senator Strick and seconded by Senator Vidricksen to introduce the bill. The motion carried.

The minutes of the January 31 meeting were approved.

The meeting was adjourned at 11:55 a.m.

