

Approved _____

2-21-91
Date

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

The meeting was called to order by Sen. Bill Morris at
Vice Chairperson

11:00 a.m. ~~p.m.~~ on February 19, 1991 in room 254-E of the Capitol.

All members were present ~~xxxxx~~:

Committee staff present:

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

Conferees appearing before the committee:

Ms. Melanie Jack, KBI

A booklet entitled "Overview of the Kansas Liquor Industry" from Jim Conant, ABC Division, was given to each committee member for reference material in consideration of various legislation. A copy is on file in the office of the Chairman of the Federal and State Affairs Committee.

Ms. Melanie Jack, Assistant Attorney General, KBI, presented requests for three bill introductions.

1. Kansas Parimutuel Racing Act - amend K.S.A. 74-8807 to include the power and authority of the Kansas Bureau of Investigation regarding enforcement of the Kansas Parimutuel Racing Act and Kansas Administration Regulation. The KBI has been enforcing these gaming laws, but would like their duties to be precisely defined.
2. Insurance for Drug Forfeiture Airplanes - add provision to K.S.A. 75-701 et seq. to allow the KBI to insure its drug forfeiture planes. Funds utilized to purchase this insurance will come either through a grant from DEA or drug forfeiture funds.
3. Kansas Parimutuel Racing Act - amend K.S.A. 74-8804 to prohibit the Kansas Racing Commission from disclosing background information, other than conviction data. The information received by the Commission would be confidential and disclosure would be limited to members and certain staff of the Commission as necessary to determine an applicant's qualifications.

A motion was made by Senator Bond and seconded by Senator Strick to introduce the three bills. The motion carried.

A request for introduction of a bill by Senator Reilly was presented; bill draft 1 RS 0766 - an act relating to district coroner salaries; amending K.S.A. 22a-227 and repealing the existing section. Copies of letters from Dr. Claudia McAllaster, Coroner, Leavenworth, Kansas, and the Board of Leavenworth County Commissioners were distributed. (Attachment 1)

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

The minutes of the February 14, 1991, meeting were approved.

Action on: SB 151 - creating the KBI, KHP and KDOC special asset forfeiture fund.

The Vicechairman read a response from Nancy Lindberg, Assistant to the Attorney General, regarding a question at the previous meeting as to whether cities and counties also put proceeds into

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs,
room 254-E, Statehouse, at 11:00 a.m./~~p.m.~~ on February 19, 1991

the fund administered by the Attorney General. It follows:
"Neil Woerman manages the fund. Budget asked him about adding
the DOC. It is fine with him. The fund is completely separate
from local entities--only involves the KBI and KHP."

Staff from the revisor's office said a balloon amendment was
prepared with technical amendments to the bill.

A motion was made by Senator Yost and seconded by Senator Vidricksen
to recommend the bill favorably with the technical amendments.
The motion carried.

The meeting was adjourned at 11:15 a.m.

CLAUDIA McALLASTER, M.D., F.A.A.P.

4500 SOUTH FOURTH STREET
LEAVENWORTH, KANSAS 66048

PEDIATRIC AND ADOLESCENT
MEDICINE

TELEPHONE
(913) 727-3100

September 6, 1990

The Honorable Ed Reilly, Jr.
Kansas State Senator
Box 189
Leavenworth, Kansas 66048

Dear Ed,

Please consider introducing legislation to amend KS22a-227 regarding coroners' salaries to specify that the listed amounts are a minimum payment rather than an exact salary. As you probably know, the coroners' reimbursement for services has not been changed since 1963. Nevertheless, a recent Kansas Medical Society commission to study the coroner's laws concluded that no legislative change was necessary because most counties already consider the assigned salary to be a minimum and pay well above that amount. As you can see by the enclosed reply to my 1991 budget request for a salary increase, the Leavenworth County Commissioners choose not to interpret the law as flexible.

Arguments for raising the Leavenworth County Coroner's salary are enclosed in the attached budget request excerpt. Obviously, I think the coroner performs an important function, and I don't think it is fair to either the citizens or the law enforcement personnel of the county to have the position vacant. If every unexpected death required a \$600 autopsy, the cost would soon be far more than I asked in salary.

Compelling though these arguments may be however, the commissioners are going to ignore them as long as they have a statute behind which to hide. Unfortunately, they may soon find themselves without a coroner, and unable to negotiate salary with prospective candidates from their entrenched position. I seriously doubt anyone would accept the post at the current reimbursement level. Therefore, I am asking you to amend the Kansas State Statute on coroners' salaries so that the commissioners will find themselves with negotiating room when they attempt to engage a successor for my position.

Thank you for your careful consideration of this matter. I have also contacted Representative Jenkins and Representative Graeber, and you may certainly discuss it with them if you wish. I will be happy to contact other Kansas coroners to generate support as needed; let me know when and how I can be of assistance

Sincerely,



Claudia McAllaster, M.D.
Coroner, First Judicial District of Kansas

CM/mm
2 encl.

Senate F&SA
2-19-91
Att. 1

COUNTY OF LEAVENWORTH

COURTHOUSE
4th & WALNUT
LEAVENWORTH, KANSAS 66048
Area Code (913) 684-0400



FROM THE OFFICE OF:

**BOARD OF COUNTY COMMISSIONERS
OF LEAVENWORTH COUNTY, KANSAS**

August 27, 1990

Claudia McAllaster, M.D.
4500 S. 4th Street Trafficway
Leavenworth, Kansas 66048

Re: Compensation for County Coroner

Dear Dr. McAllaster:

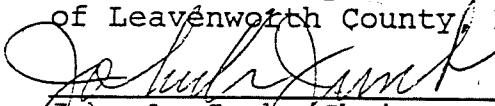
The County Commission has carefully reviewed your budget request for 1991. Specifically, the Commission reviewed your request for an increase in your salary based upon your length of service in office, case load and experience.

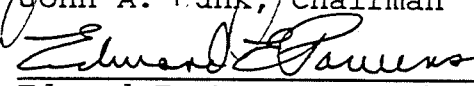
I am enclosing for your review copies of K.S.A. 22a-227 and 22a-228. Unfortunately, State Law specifically sets the salary for a county coroner in a county the size of Leavenworth County and does not allow us latitude with regards to that salary.

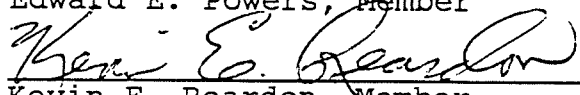
Any action by the Commission to increase your salary would evidently be illegal and void. While the Commission certainly appreciates the services you have rendered to the County, it is hopeful that you will continue to serve as the County Coroner, we are unable to grant the request for a salary increase due to the strictures of the State Legislature.

Sincerely,

Board of County Commissioners
of Leavenworth County, Kansas


John A. Funk, Chairman


Edward E. Powers, Member


Kevin E. Reardon, Member

Enclosure

City-County Probation
684-0760

Council on Aging
684-0777

Emergency Medical Service
684-0788

Noxious Weeds
684-0494

Community Corrections
684-0775

County Infirmary
684-1010

Health Department
684-0730

Sheriff
682-5724