

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Senator Lana Oleen at 11:05 a.m. on February 12, 1996 in Room 254-E of the Capitol.

Members present were: Senator Oleen, Chair
Senator Tillotson, Vice Chair
Senator Jones, Ranking Minority Member
Senator Gooch
Senator Hensley
Senator Jordan
Senator Papay
Senator Praeger
Senator Ramirez
Senator Vidricksen
Senator Walker

Committee staff present: Mary Galligan, Legislative Research
Mary Torrence, Revisor
Nancy Wolff, Committee Secretary

Conferees appearing before the committee:
Ron Smith, Kansas Bar Association

Others attending the meeting: See attached list

The committee met to review the changes being proposed to **SB474**, the Whistleblower Act. Senator Oleen distributed a substitute bill draft on the bill for the committee to consider which incorporated the changes that had been proposed by the Department of Administration, Kansas Association of Public Employees and the concerns previously expressed by the committee.

Ron Smith, Kansas Bar Association, stated that the wording of the bill related to professional conduct "at law" might need further clarification.

Senator Hensley questioned Subsection I on Page 4 of the bill draft and what and how it deals with attorney/client relations and if the language would address any other type situations where confidentiality is desired, i.e., doctor/patient, clergy, counselor, etc.

Senator Praeger made a motion to amend the substitute bill to include the privilege section in Section I to specify that the Act does not authorize disclosure of privileged information and Senator Hensley seconded the motion. The motion carried.

Senator Hensley then asked if the KBA had clarified the language related to actual damages and what the effect of such language being left out of the bill would be. It was the general consensus that the language that had been substituted would cover any possible damages that might be incurred by such an action. Senator Praeger made a motion to adopt the substitute bill as amended and Senator Ramirez seconded the motion. The motion carried.

Senator Praeger made a motion to report **SB 474** favorably as amended and Senator Papay seconded the motion. The motion carried.

Senator Tillotson made a motion that the minutes for January 30 and 31, and February 1 (two meetings) be approved and Senator Jones seconded the motion. The motion carried.

Senator Jones made a motion that a committee bill be introduced which would allow a qualified person access to a safety deposit box following the death of the primary holder. Senator Gooch seconded the motion and the motion carried.

There being no other business, the meeting was adjourned at 11:45 p.m.

