

MINUTES OF THE SENATE JUDICIARY COMMITTEE.

The meeting was called to order by Chairman Vratil at 9:35 a.m. on January 27, 2003 in Room 123-S of the Capitol.

All members were present.

Committee staff present: Mike Heim, Kansas Legislative Research Department
Lisa Montgomery, Office of the Revisor of Statutes
Dee Woodson, Committee Secretary

Conferees appearing before the committee:

District Judge Nancy Parrish
Kevin Robertson, Kansas Dental Association
Terry Humphrey, Executive Director, Kansas Trial Lawyers Assn.

Others attending: see attached list

The Chairman called for bill introductions. John Badger, Chief Counsel for SRS, requested introduction of three bills. The first bill would amend K.S.A. 23-4, 118 to delete subsection (h) which, if left in effect, would cause the Kansas Payment Center's enabling statute to sunset after July 1, 2003. The second bill would amend K.S.A. 8-240 to require a social security number on all driver's license applications. Without amending Kansas law regarding this requirement, the state could lose federal funding. The third bill would repeal K.S.A. 39-7,154 to abolish the requirement that SRS pass through to the assistance family up to \$40 per month of current support collected. (Attachment 1) Senator Goodwin moved to introduce the three bills, Senator Schmidt seconded, and the motion carried.

Chairman Vratil introduced Judge Nancy Parrish who gave a presentation and update on the district courts. She distributed a chart showing a statewide summary of caseload filings and FTE positions which had been updated through 2002. She talked about the present workload within the judicial system and the funding issues. (Attachment 2)

The Chair called the Committee's attention to the January 24 letter from Janet Schalansky, Secretary, Kansas Department of Social And Rehabilitation Services. He explained that this letter concerned her previous testimony on **SB 16** that SRS did not need access to social security numbers that are submitted along with a driver's license application. She said that through further research and work, SRS has determined it is necessary for them to have access to social security numbers for the Child Support Enforcement program in order to be in compliance with Title IV-D requirements. (Attachment 3)

SB 34 - Charitable health care provider under tort claims act

Chairman Vratil opened the hearing on **SB 34**. Conferee Robertson testified in support of this bill relating to the Kansas Dental Charitable Foundation and its oral health access project in conjunction with many other dental groups and organizations. He told the Committee that on the weekend of February 28, March 1 and 2 at the Finney County Fairgrounds in Garden City, they would provide a wide range of dental services to everyone who appeared and requested the services at absolutely no cost. He said Garden City

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was chosen as the site for this first project because of its diverse and economically impacted population, and that they planned to do two projects like this each year. He stated that this project is so unique that it is not covered by the existing Charitable Healthcare Provider Act, and that **SB 34** would simply extend the Charitable Healthcare Provider Act to dentists and dental hygienists who participate in this project. He said that it was the intent for this bill to become effective upon publication in the Kansas Register, but that it was drafted to say in the statute books. He asked that the proposed bill be amended on page 3, lines 36 and 37, to publication in the Kansas Register.(Attachment 4)

Conferee Humphrey testified in support of **SB 34**, and explained that amending the definition of “charitable health care provider” would allow the Kansas Dental Association (KDA) to offer free, mobile dental services through a community service project. She stated that the Kansas Trial Lawyers Association worked with KDA in drafting the language for the new section. (Attachment 5)

Following general questions and discussion, the Chair closed the hearing on **SB 34**. He announced that the Committee would work the bill today due to the limited time line. Senator Oleen pointed out that the bill had 40 co-sponsors.

Senator Umbarger made a motion to amend the bill to make it effective upon publication in the Kansas Register, seconded my Senator Schmidt. The motion carried.

Following Chairman Vratil’s brief review of **SB 34** and discussion, Senator Donovan moved to pass the bill out favorably as amended, seconded by Senator Schmidt, and the motion carried.

Final Action on:

SB 16 - Application requirements for drivers’ licenses and identification cards

Chairman Vratil reviewed **SB 16**, and stated that it needed to be amended in order to take into consideration federal laws and regulations requiring that social security numbers be made available for child support enforcement purposes. After Committee questions and discussion, Senator Allen made a motion to amend page 2, line 6 after the word “confidential” to insert “and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012, and amendments thereto” and insert this same phrase on page 5, line 22 after the word “confidential”. The motion was seconded by Senator O’Connor, and the motion carried. (Attachment 6)

Committee discussion continued on **SB 16** with concerns expressed regarding the recommendation that a person either have a driver’s license or an identification card, but not both; and how that policy might adversely affect foreign students and military personnel. The Chair asked Sheila Walker, Division of Motor Vehicles, to respond to that inquiry, and she said that as far as her department knew it would not affect them. Upon further questioning, Ms. Walker explained how the application process worked, and said that the verification process is rather quick.

The Chair noted that the Division of the Budget was still preparing a fiscal note for the bill, and it had not been received to date.

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Senator Schmidt made a motion to pass **SB 16** out favorably as amended, seconded by Senator Allen, and the motion carried. Senator Pugh asked that his “No” vote be recorded after he expressed his reasons for voting against the bill.

The minutes of the January 22 meeting were approved on a motion by Senator Donovan, seconded by Senator Goodwin, and the motion carried.

The meeting adjourned at 10:30 a.m. The next scheduled meeting is January 28, 2003.