

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE.

The meeting was called to order by Chairperson Senator Nancey Harrington at 10:30 a.m. on March 7, 2001 in Room 245-N of the Capitol.

All members were present except: Senator John Vratil, Excused

Committee staff present: Russell Mills, Legislative Research Department  
Nikki Kraus, Committee Secretary

Conferees appearing before the committee:

Tim Madden, Chief Legal Council, Kansas Department of Corrections

Others attending: See Attached List

Chairman Harrington stated that the committee would work **HB 2105**—An act relating to the use and display of the American flag, following the hearing on:

**HB 2127—Concerning testing for infectious diseases and making information available to corrections employees**

Tim Madden, Chief Legal Counsel, Kansas Department of Corrections, presented testimony on behalf of Charles E. Simmons, Secretary of Corrections. (Attachment 1).

Senator Gooch stated that he remembered the original bill, and this bill was just an expansion of an existing bill to any transmittable disease.

Mr. Madden stated that Senator Gooch was correct and that the bill also expanded the personnel who would be able to have this information.

Senator O'Connor asked Mr. Madden if there was a policy or a duty to warn people to what they could be exposed. Theresa Kiernan stated that expansion of the bill does not change it and does not make it the duty on the part of the physician to make known that the patient has a disease. Ms. Kiernan stated that she did not know if a duty existed but that this bill did not create one.

Senator Teichman made a motion to place **HB 2127** on the Senate Consent Calendar. Senator Brungardt seconded the motion. The motion passed.

Chairman Harrington stated that the committee would address **HB 2105—An act relating to the use and display of the American flag**

Chairman Harrington stated that in previous discussion of the bill, Senator Vratil had stated that he believed that the legislation in the bill was already contained in current statutes. Russell Mills, Legislative Research Department, stated that current law made it necessary to do patriotic activities and that Senator Vratil wanted to amend current statutes instead of creating new law.

Senator O'Connor stated that in section two of the amendment, it also stated that current law required private parochial schools to fly an American flag as well. Mr. Mills confirmed, and Senator O'Connor stated that she had not been aware of that.

Senator Teichman stated that she had heard some concerns from constituents about the Kansas flag as well as the American flag. Chairman Harrington stated that testimony from the American Legion had really been

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more concerned that children were not learning how to properly deal with the American flag.

Senator O'Connor made a motion to amend the bill. Senator Teichman seconded that motion. The bill was amended.

Senator O'Connor made a motion to recommend the amended bill favorably. Senator Teichman seconded the motion. The motion passed.

Senator O'Connor was assigned to carry the bill on the floor.

The meeting was adjourned at 10:52 a.m. The next meeting is scheduled for 10:30 a.m. on March 8, 2001.