

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:30 a.m. on March 24, 2003, in Room 123-S, of the Capitol.

All members were present except: Senator Jim Barone - excused

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department
Melissa Calderwood, Kansas Legislative Research Department
Julian Efirid, Kansas Legislative Research Department
Amy Van House, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Michael Corrigan, Assistant Revisor of Statutes
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Ron Srajer, Chairman of the Board of Directors, Information Network of Kansas
Representative Dean Newton
John Badger, Chief Counsel, Kansas Department of Social and Rehabilitation Services
Paul Morrison, District Attorney, Johnson County
Stephen M. Howe, Assistant District Attorney, Johnson County (written testimony)
Kathleen S Lamm, Deputy Director, Johnson County Area Agency on Aging
Deanne Bacco, Executive Director, Kansas Advocates for Better Care
Debbie Collins, Director of Governmental Relations, Johnson County Developmental Supports
Sandy Barnett, Executive Director, Kansas Coalition Against Sexual and Domestic Violence
Dr. Ernie Pogge, Chair, Capitol Advocacy Group for AARP Kansas
Craig Kaberline, Executive Director, Kansas Area Agencies on Aging Association
Kathleen Taylor Olsen, Kansas Bankers Association, presented by Chuck Stones

Others attending: See attached list

Chairman Morris opened the public hearing on:

SB 261--Transfer the Information Network of Kansas to Kansas, Inc.

Staff briefed the committee on the bill.

Ron Srajer, Chair of the Board of Directors for the Information Network of Kansas, spoke regarding **SB 261** (Attachment 1). Mr. Srajer explained that the bill sustains the INK self-funded portal model and supports Kansas leadership in E-Government services to citizens and businesses. He also noted that **SB 261** reinforces their tie to economic development initiatives.

Committee questions and discussion followed. There being no further conferees to come before the meeting, the Chairman closed the public hearing on **SB 261**.

Senator Kerr moved, with a second by Senator Jackson, to recommend **SB 261** favorable for passage. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

HB 2254--Reporting of abuse, neglect and exploitation of dependent persons

Staff briefed the committee on the bill.

CONTINUATION SHEET

Representative Dean Newton testified in support of **HB 2254** (Attachment 2). Representative Newton explained that **HB 2254** is the product of extensive collaboration between law enforcement, service providers and individuals who advocate for the elderly and disabled. He noted that the main purpose of the legislation is to broaden the protections of dependant adults, including the elderly and those with physical and mental illness.

John Badger, Chief Counsel, Kansas Department of Social and Rehabilitation Services, testified in support of **HB 2254** (Attachment 3). Mr. Badger mentioned that **HB 2254** provides for several positive changes to the adult abuse, neglect and exploitation statutes.

Paul Morrison, Johnson County District Attorney, testified in support of **HB 2254** (Attachment 4). Mr. Morrison explained hat over the last several years prosecutors and law enforcement officials across the state have seen a rise in the number of crimes being committed against the elderly or other disabled adults. He noted that this bill attempts to address this growing problem in a proactive way.

Written testimony was presented by Paul Morrison on behalf of Stephen M. Howe, Johnson County Assistant District Attorney in support of **HB 2254** (Attachment 5).

Kathleen Lamm, Deputy Director, Johnson County Human Services and Aging, testified in favor of **HB 2254** (Attachment 6). Ms. Lamm explained that they support the addition of reporting to local law enforcement during normal business hours, in addition to the current requirement for reporting to them when SRS offices are closed. She noted this will facilitate earlier intervention by law enforcement agencies and will provide clarity as well as consistency of instruction for mandated reporters.

Deanne Bacco, Executive Director, Kansas Advocates for Better Care, testified in support of **HB 2254** (Attachment 7). Ms. Bacco urged favorable attention to the bill and advance the cause of protecting vulnerable adults from abuse, neglect and exploitation.

Debbie Collins, Director of Governmental Relations, Johnson County Developmental Supports (JCDS), testified in support of **HB 2554** (Attachment 8). Ms. Collins explained that JCDS is supportive of the measures presented in HB 2254 that strengthens the ability of local law enforcement departments, including the District Attorney's office, to fully protect their population from abusive practices both in the community and in the state institutions.

Sandy Barnett, Executive Director, Kansas Coalition Against Sexual and Domestic Violence, testified in support of **HB 2254** (Attachment 9). Ms. Barnett noted in her testimony that **HB 2254** expands the definition of abuse to include financial exploitation and will require financial officers and guardians/conservators to report abuse.

Dr. Ernie Pogge, representing AARP Kansas, testified in favor of **HB 2254** (Attachment 10). Dr. Pogge urged favorable consideration to **HB 2254** and expand protections for vulnerable adults from abuse, neglect and exploitation.

Craig Kaberline, Executive Director, Kansas Area Agencies on Aging Association, testified in support of **HB 2254** (Attachment 11). Mr. Kaberline mentioned that one of the greatest roles that a government plays is to protect the rights of its most vulnerable citizens and believes this change in the Kansas abuse statute increases that protection.

Kathleen Taylor Olsen, Kansas Bankers Association, appeared before the committee as a neutral conferee regarding **HB 2254** (Attachment 12). Ms. Olsen expressed concern that a dilemma bankers face is whether, in so reporting suspected financial abuse, they are breaching the implied contract of confidentiality they have with their customers.

There being no further conferees to come before the committee, the Chairman closed the public hearing on **HB 2254**.

CONTINUATION SHEET

Senator Adkins moved, with a second by Senator Feleciano, to amend **HB 2254** with the technical balloon amendment proposed in the testimony of the Kansas Department of Social and Rehabilitation Services. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Jordan, to recommend **HB 2254** favorable for passage as amended. Motion carried on a roll call vote.

Chairman Morris called the committee's attention to discussion of:

SB 257—Authority for the animal health department to increase certain fees

Senator Jackson moved, with a second by Senator Schodorf, to table **SB 257** and recommend an interim study to look at the fairness issue regarding the fee schedules. Committee questions and discussion followed. Senator Jackson withdrew his motion with the approval of the second to the motion, Senator Schodorf. The Department will prepare a schedule of fees to propose to the committee.

The meeting adjourned at 12:10 p.m. The next meeting is scheduled for March 25, 2003.