

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven Brunk at 1:30 p.m. on March 03, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative Rocky Fund – Excused
Representative Mike Kiegerl – Excused
Representative Mike Peterson – Excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes
Doug Taylor, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Stephen Bainum, Committee Assistant

Conferees appearing before the Committee:

Marjorie A Blaufuss, Kansas National Education Association

Others attending:

See attached list.

The minutes of 1/12/11, 1/24/11, 1/25/11 and 1/26/11 were approved.

The Chairman opened the hearing on **HB 2229 Schools; equal access by employee associations and organizations.**

Mike Heim explained the changes in the bill. Representative Wolfe Moore said this would require additional action but it would not be difficult to do. Mike said drafting the amendment would be easy but it would be a significant change in the way things are done.

Marjorie Blaufuss, Kansas National Education Association, presented testimony as an opponent of **HB 2229 (Attachment 1)**. She said that the definition of “education employee association” is exceedingly broad in this bill. Once a professional employees' organization is duly elected, it has certain rights that other professional employees' organizations do not have. Among those are the use of facilities for meetings, the mail systems and bulletin boards. Representative Rubin asked if the school district negotiates with the exclusive bargaining agent and then decides on its own after negotiations are completed to grant that same access to other organizations, that does not interfere with your bargaining rights, does it? Marjorie said that it depends on how the negotiations were concluded. Representative Gregory said Riley County does not use KNEA. Representative Goico asked why any organization should have exclusive rights to communicate. Representative Loganbill asked if there were any contracts that you know of that limit access to the other groups? Marjorie said she was not familiar with other contracts. Representative O'Hara said that this bill with some changes to the Professional Negotiations Act would prevent the exclusion of access to all professional organizations.

The Chairman said that he would hold the hearing open to be heard at a later date.

The Chairman opened the hearing on **HB 2242 Vital statistics; Concerning death and stillbirth certificates.**

Mike Heim explained the changes made in the bill.

Senator Mary Pilcher Cook presented testimony as a proponent of **HB 2242 (Attachment 2)**. She said that the bill makes two changes. One is a scientific definition, “living individual organism of the species homo sapiens” is replacing the outmoded and unscientific definition, “product of conception.” The other is that the causes of stillbirth would be better reported in Kansas. Representative Brunk said that the language is consistent with the language we are using in other bills. Representative Knox asked if a woman miscarries and there is no evidence that it is under 250 grams would the state issue a stillbirth

CONTINUATION SHEET

The minutes of the House Federal and State Affairs Committee at 1:30 p.m. on March 03, 2011, in Room 346-S of the Capitol.

certificate? Mary said that was correct.

The Chairman called on Dr. Elizabeth Saadi, Deputy Director, Kansas Department of Health and Environment to answer questions. She said that in Kansas you do not get a choice in filing a certificate. If a death occurs it has to be filed by law. If you are looking at a loss of unborn children below 350 grams it is considered a miscarriage. So we are trying to get better information on miscarriage events. Representative Boman asked what the minimum weight was that would require a record be made? Elizabeth did not have an answer for the minimum. However smoking, uncontrolled diabetes and exposure to toxins can cause miscarriages. So we need the health community to report on them. We are looking at any losses that can be filed. Representative Knox asked if there was no system in place now to actually have statistics on early miscarriages? Elizabeth said not that they maintain. Hospitals may have some statistics but not for the state and for public health.

Robert Moser, MD, Secretary Kansas Department of Health and Environment, presented written only testimony as neutral on **HB 2242** (Attachment 3). His concern was that the changes in **HB 2242** would create deviations from national health standards. He suggested that a new group of vital events be reported to KDHE – miscarriages.

The Chairman said that he would hold the hearing open to be heard at a later date.

The next meeting is scheduled for March 07, 2011.

The meeting was adjourned at 2:35 p.m.