

1 **As Amended by House Committee**

2 *Session of 2001*

3
4 **SENATE BILL No. 31**

5
6 By Committee on Ways and Means
7 (By request of SRS Transition Oversight Committee)

8
9 1-12

10
11 AN ACT concerning **joint committees of the legislature; redesign-**
12 **nating** the SRS transition oversight committee; ~~redesignating such~~
13 ~~committee~~ as the SRS oversight committee; **prescribing the com-**
14 **position of certain joint committees;** amending K.S.A. 46-2701, **46-**
15 **3001** and 75-4375 and repealing the existing sections.

16
17 *Be it enacted by the Legislature of the State of Kansas:*

18 Section 1. K.S.A. 46-2701 is hereby amended to read as follows: 46-
19 2701. (a) There is hereby created the SRS ~~transition~~ oversight committee.
20 In accordance with this section, the SRS transition oversight committee
21 in existence on ~~the day immediately preceding the effective date of this~~
22 ~~act~~ *June 30, 2001* is hereby continued in existence *and shall be redesign-*
23 *ated and known as the SRS oversight committee.* On and after July 1,
24 ~~1999~~ *2001*, the *SRS* oversight committee shall consist of 12 members as
25 follows:

26 (1) Three members who shall be appointed by the chairperson of the
27 house appropriations committee, from among the members of the house
28 appropriations committee, of whom two are members of the majority
29 party and one is a member of the minority party;

30 (2) three members who shall be appointed by the chairperson of the
31 senate ways and means committee, from among the members of the sen-
32 ate ways and means committee, of whom two are members of the majority
33 party and one is a member of the minority party;

34 (3) two members who shall be appointed by the speaker of the house
35 of representatives from among the members of the house ~~committee on~~
36 ~~health and human services~~ **of representatives**, one of whom shall be a
37 member of the majority party and one of whom shall be a member of the
38 minority party;

39 (4) two members who shall be appointed by the president of the
40 senate from among the members of the senate ~~committee on public~~
41 ~~health and welfare~~, one of whom shall be a member of the majority party
42 and one of whom shall be a member of the minority party; ~~and~~

43 (5) two members appointed jointly by the speaker of the house of

1 representatives and the president of the senate from among the members
2 of the health care reform legislative oversight committee, one of whom
3 shall be a member of the majority party and one of whom shall be a
4 member of the minority party; **and**

5 **(6) members shall be appointed so that at least four members**
6 **who are members of the house of representatives are also mem-**
7 **bers of the committee on appropriations and at least four members**
8 **who are members of the senate are also members of the committee**
9 **on ways and means.**

10 (b) (1) The terms of office of all members of the SRS transition over-
11 sight committee serving on June 30, ~~1999~~ 2001, are hereby continued as
12 *members of the SRS oversight committee* until June 30, ~~2001~~ 2003. The
13 vice-chairperson of the SRS transition oversight committee on June 30,
14 ~~1999~~ 2001, shall on July 1, ~~1999~~ 2001, become chairperson of ~~such~~ *the*
15 *SRS oversight* committee, and the chairperson of the SRS transition over-
16 sight committee on June 30, ~~1999~~ 2001, shall on July 1, ~~1999~~ 2001, be-
17 come vice-chairperson of ~~such~~ *the SRS oversight* committee. The chair-
18 person and vice-chairperson of the SRS ~~transition~~ oversight committee
19 serving in such offices on July 1, ~~1999~~ 2001, shall continue in such offices
20 until June 30, ~~2000~~ 2002. The vice-chairperson of the SRS ~~transition~~
21 oversight committee on June 30, ~~2000~~ 2002, shall on July 1, ~~2000~~ 2002,
22 become chairperson of such committee, and the chairperson of the SRS
23 ~~transition~~ oversight committee on June 30, ~~2000~~ 2002, shall on July 1,
24 ~~2000~~ 2002, become vice-chairperson of such committee. The chairperson
25 and vice-chairperson of the SRS ~~transition~~ oversight committee serving
26 in such offices on July 1, ~~2000~~ 2002, shall continue in such offices until
27 June 30, ~~2001~~ 2003.

28 (2) If a vacancy occurs in the office of any member of the SRS ~~tran-~~
29 ~~sition~~ oversight committee, a successor shall be appointed in the same
30 manner as the original appointment.

31 (c) The *SRS* oversight committee shall meet on call of the chairper-
32 son. All such meetings shall be held in Topeka unless authorized to be
33 held in a different place by the legislative coordinating council. Members
34 of the *SRS* oversight committee shall receive compensation and travel
35 expenses and subsistence expenses or allowances as provided in K.S.A.
36 75-3212 and amendments thereto, when attending meetings of such
37 committee.

38 (d) (1) The *SRS* oversight committee shall monitor the long-term
39 care programs that were transferred from the secretary of social and re-
40 habilitation services to the secretary of aging. The *SRS* oversight com-
41 mittee shall ensure that the transfer of the long-term care programs does
42 not lead to a loss of services by consumers.

43 (2) The *SRS* oversight committee shall monitor, review and make

1 recommendations relating to privatization efforts at the state hospitals,
2 the closure of hospital beds, the downsizing of staff, ~~the closure of Topeka~~
3 ~~state hospital and Winfield state hospital and training center~~, the funding
4 of community services and the availability of adequate community
5 services.

6 (3) The *SRS* oversight committee shall monitor, review and make
7 recommendations relating to (A) privatization of children service pro-
8 grams of the department of social and rehabilitation services including
9 family preservation, foster care and adoption programs, (B) privatization
10 of child support collection programs and any other programs of the de-
11 partment of social and rehabilitation services, and (C) privatization of any
12 programs of the department on aging.

13 (4) The *SRS transition* oversight committee shall monitor, review and
14 make recommendations relating to federal social welfare reform laws and
15 the regulations and policies implementing such laws and the activities of
16 the department of social and rehabilitation services relating to such fed-
17 eral laws, regulations and policies and the operation of the home and
18 community based services programs.

19 (5) The *SRS* oversight committee shall:

20 (A) Prepare an interim report on findings and recommendations
21 which shall be provided to the legislature on or before the first day of the
22 legislative session;

23 (B) prepare a final report on findings and recommendations which
24 shall be provided to the legislature on or before the first day of the ~~2001~~
25 ~~2003~~ legislative session.

26 (e) The *SRS transition* oversight committee is hereby abolished on
27 July 1, ~~2001~~ ~~2003~~.

28 Sec. 2. K.S.A. 75-4375 is hereby amended to read as follows: 75-
29 4375. (a) Each state officer or employee (1) who is employed by an in-
30 stitution that is closed or abolished or otherwise ceases operations or that
31 is scheduled for such closure, abolition or cessation of operations and has
32 a budget reduction imposed that is associated with such closure, abolition
33 or cessation of operations, and (2) who is a direct care employee as de-
34 fined by this section, and (3) who is laid off from employment with such
35 institution for the reason of such closure, abolition, or cessation of op-
36 erations or such imposition of a budget reduction, and (4) who remains
37 in such employment until the date the employee is laid off, shall receive
38 compensation from the department of social and rehabilitation services
39 for the following:

40 (A) Forty hours of pay at the state officer or employee's regular
41 hourly rate of pay on the date the employee is laid off if such employee
42 has completed one full year of service but less than two full years of
43 service on the layoff date;

1 (B) eighty hours of pay at the state officer or employee's regular
2 hourly rate of pay on the date the employee is laid off if such employee
3 has completed two full years of service but less than three full years of
4 service on the layoff date;

5 (C) one hundred twenty hours of pay at the state officer or em-
6 ployee's regular hourly rate of pay on the date the employee is laid off if
7 such employee has completed three full years of service but less than four
8 full years of service on the layoff date; or

9 (D) one hundred sixty hours of pay at the state officer or employee's
10 regular hourly rate of pay on the date the employee is laid off if the
11 employee has completed four full years of service or more on the layoff
12 date.

13 (b) As used in this section, "direct care employee" means state offi-
14 cers or employees in the classified service under the Kansas civil service
15 act who: (1) Are exempt from the provisions of K.S.A. 75-6801 and
16 amendments thereto as prescribed in policies and procedures prescribed
17 by the secretary of administration, including but not limited to state of-
18 ficers and employees whose positions are in the following job class series:
19 (A) Activity therapist, (B) activity therapy technician, (C) licensed mental
20 health technician, (D) licensed mental health technician specialist, (E)
21 licensed practical nurse, (F) licensed practical nurse, senior, (G) mental
22 health aide, (H) radiologic technologist, (I) registered nurse, (J) activity
23 specialist, (K) mental retardation specialist, (L) mental retardation tech-
24 nician, and (M) mental retardation trainee; or

25 (2) are in positions that are assigned to job classes or job class series
26 that are designated as direct care employee job classes or job class series
27 by the secretary of social and rehabilitation services for purposes of this
28 section, except that no such designation shall be effective until the sec-
29 retary of social and rehabilitation services has presented such designation
30 to the SRS ~~transition~~ oversight committee created by K.S.A. ~~1997 Supp.~~
31 ~~46-2701 and amendments thereto.~~

32 **Sec. 3. K.S.A. 46-3001 is hereby amended to read as follows:**
33 **46-3001. (a) There is hereby created the joint committee on chil-**
34 **children's issues which shall be within the legislative branch of state**
35 **government and which shall be composed of 10 members. Five**
36 **members shall be members of the house of representatives and**
37 **five members shall be members of the senate. Three of the mem-**
38 **bers who are representatives shall be appointed by the speaker of**
39 **the house of representatives, three members who are senators**
40 **shall be appointed by the president of the senate, two members**
41 **who are representatives shall be appointed by the minority leader**
42 **of the house of representatives and two members who are senators**
43 **shall be appointed by the minority leader of the senate. Prior to**

1 *January 13, 2003, at least one member of the committee from the*
2 **house of representatives shall be a member of the committee on**
3 **insurance, one member shall be a member of the committee on**
4 **health and human services and one member shall be a member of**
5 **the committee on appropriations. Prior to January 13, 2003, at least**
6 **one member of the committee from the senate shall be a member**
7 **of the committee on financial institutions and insurance, one mem-**
8 **ber shall be a member of the committee on public health and wel-**
9 **fare and one member shall be a member of the committee on ways**
10 **and means. After January 12, 2003, members of the committee shall be**
11 *appointed so that at least three members who are representatives are also*
12 *members of the committee on appropriations and at least three members*
13 *who are senators are also members of the committee on ways and means.*

14 **(b) All members of the joint committee on children's issues**
15 **shall serve for terms of two years ending on the first day of the**
16 **regular session of the legislature commencing in the first odd-**
17 **numbered year after the year of appointment, except that the first**
18 ~~members shall be appointed on the effective date of this act and shall~~
19 ~~serve for terms ending on the first day of the regular session of the leg-~~
20 ~~islature commencing in 1999. If a vacancy occurs in the office of any~~
21 **member of the joint committee on children's issues, a successor**
22 **shall be appointed in the same manner as the original appointment**
23 **for the remainder of the term. The chairperson shall be appointed**
24 **for a term of one year which ends on the first day of the next**
25 **occurring regular session of the legislature. The speaker of the**
26 **house of representatives shall appoint the first chairperson on the**
27 **effective date of this act and shall appoint the chairperson for the**
28 **term commencing on the first day of the regular session of the**
29 **legislature commencing in 1999 for a one-year term to end on the**
30 **first day of the regular session of the legislature commencing in**
31 **the year 2000. The president of the senate shall appoint the next**
32 **chairperson on the first day of the regular session of the legislature**
33 **commencing in the year 2000 for a one-year term which ends on**
34 **the first day of the next occurring regular session of the legislature.**
35 **Thereafter the appointment of the chairperson shall continue to**
36 **alternate between the speaker of the house of representatives and**
37 **the president of the senate with each subsequent chairperson be-**
38 **ing appointed for a one-year term ending on the first day of the**
39 **regular session of the legislature in the next occurring regular ses-**
40 **sion of the legislature after the year of appointment. If a vacancy**
41 **occurs in the office of the chairperson, a member of the joint com-**
42 **mittee who is a member of the same house of the legislature as the**
43 **member who vacated the office shall be appointed by the speaker**

1 of the house or president of the senate, depending on the house
2 membership of the vacating member, to fill such vacancy.

3 (c) A quorum of the joint committee on children's issues shall
4 be six. All actions of the joint committee shall be taken by a ma-
5 jority of all of the members of the joint committee.

6 (d) The joint committee on children's issues shall have the au-
7 thority to meet at any time and at any place within the state on the
8 call of the chairperson.

9 (e) The provisions of the acts contained in article 12 of chapter
10 46 of the Kansas Statutes Annotated, and amendments thereto,
11 applicable to special committees shall apply to the joint committee
12 on children's issues to the extent that the same do not conflict with
13 the specific provisions of this act applicable to the joint committee.

14 (f) Members of the committee shall receive compensation,
15 travel expenses and subsistence expenses as provided in K.S.A. 75-
16 3212 and amendments thereto when attending meetings of the
17 committee.

18 (g) The joint committee on children's issues shall have the serv-
19 ices of the legislative research department, the office of revisor of
20 statutes and other central legislative staff service agencies.

21 (h) The joint committee on children's issues shall oversee the
22 implementation and operation of the children's health insurance
23 plans created under the provisions of this act, including the as-
24 sessment of the performance based contracting's measurable out-
25 comes as set forth in subsection (b)(4) of K.S.A. 38-2001 and
26 amendments thereto and other children's issues as the committee
27 deems necessary.

28 (i) *The joint committee on children's issues may introduce legislation.*
29 Sec. ~~3~~ 4. K.S.A. 46-2701, **46-3001** and 75-4375 are hereby
30 repealed.

31 Sec. ~~4~~ 5. This act shall take effect and be in force from and after its
32 publication in the statute book.

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