

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at _____
Chairperson

1:47 ~~am~~ p.m. on March 16, 1983 in room 531N of the Capitol.

All members were present except:

Committee staff present:

Norm Furse - Revisor
Julian Efird - Legislative Research

Conferees appearing before the committee:

Representative R.D. Miller
Jamie Schwartz - Kansas Department of Economic Development
Duane Johnson - State Librarian

Representative Robert D. Miller, sponsor of House Bill 2074, appeared before the committee to present some background information on this bill. He explained that the amendment would replace the Chief Justice on the Commission with an additional lay citizen to be appointed by the governor, allow selection of the academic library member from any of the Regents institution libraries and would place the State Librarian as a non-voting member and Secretary of the Commission. He stated that the Board of Regents concurs with the change made in the academic member representation and that the Chief Justice was aware of the change. (Exhibit A) Representative Miller urged favorable consideration of House Bill 2074.

Jamie Schwartz presented testimony on House Bill 2242 pointing out the three things that the amendments would accomplish. He explained that passage of this bill would allow the department to reduce the number of divisions by one and division directors by two but retain the powers and duties currently being performed, as well as the necessary staff capacity. (Exhibit B) There was some discussion and Mr. Schwartz answered questions from the committee.

A motion was made by Senator Francisco to pass Senate Bill 2242 favorably out of committee. This was seconded by Senator Roitz. Motion carried.

Duane Johnson addressed the committee on House Bill 2093 and gave background information on it. He pointed out that this bill was necessary to insure the State Library's compliance with federal audit requirements and that this bill would have no fiscal effect as it will not cause change in the budget or program of the services from the State Library. (Exhibit C)

After brief discussion Senator Francisco made a motion to pass Senate Bill 2093 favorably out of committee. Senator Gaar seconded this. Motion carried.

Discussion then turned to House Bill 2074. Senator Gaar made a motion to strike the words "from a list of three candidates recommended by the federation" from lines 37 and 38. Senator Mulich seconded this. After some deliberation Senator Gaar amended his motion to include the words "who shall be appointed by the governor" from line 37. The motion carried as amended.

Senator Gaar then made the motion that Senate Bill 38 and 39 be not passed. Senator Mulich seconded this. Motion carried.

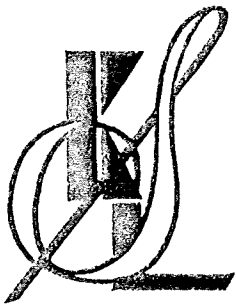
Senator Mulich made the motion to approve the minutes. It was seconded by Senator Francisco. Motion carried.

The committee was adjourned at 2:19 p.m.

GUEST LIST

COMMITTEE: Senate Governmental Organization DATE: Mar 16, 1983

NAME	ADDRESS	COMPANY/ORGANIZATION
Denna R. Brackett	Lake Quivira Ks.	J. City League of Women Voters
Claire Ement	Prairie Village, Ks	League of Women Voters
Bob Fanning	Meriden Ks	KASEA
Gene Plestik	Olathe Ks	Ks Library Assoc.
Caroline Longmoor	Topeka, Ks	Kansas State Library, Serv. for Blind
Wm. T. J. [unclear]	Topeka	State Library
John Kelly	Topeka	DHR
Rose George	Rockland Park	League of Women Voters
Virginia McLaughlin	Prairie Village	League of Women Voters Johnson Co.
Thora Stadler	Bassville	Topeka Johnson Co. L.W.V.



State Library of Kansas

(913) 296-3296

Third Floor, State Capitol,

Topeka, Kansas 66612

Background information on House Bill No. 2074

Representative Robert D. Miller, Sponsor

1. H.B. No. 2074 would amend K.S.A. 75-2546 which defines the membership of the Kansas State Library Advisory Commission.
2. The proposed amendment would a) replace the Chief Justice on the Commission with an additional lay citizen to be appointed by the Governor, b) allow selection of the academic library member from any of the Regents institution libraries, rather than from only the University of Kansas or Kansas State University, and c) would place the State Librarian as a non-voting member and Secretary of the Commission.
3. The membership on the Commission of the Chief Justice has not been a necessity since 1975, when the Law Library was moved to the Judicial Center. The Chief Justice has not been able to attend Commission meetings regularly, making a quorum sometimes difficult to achieve.
4. H.B. 2074 has been introduced with the awareness and consent of the Chief Justice.
5. The Board of Regents concurs with the change made in the academic member representation.
6. Letters from the Office of the Chief Justice and the Board of Regents are attached.

DFJ/bs

Enc.

Ex. A



Supreme Court of Kansas

Kansas Judicial Center
Topeka, Kansas 66612

ALFRED G. SCHROEDER,
Chief Justice

(913) 296-3807

October 28, 1982

Mr. Duane F. Johnson
State Librarian
Third Floor, Statehouse
Topeka, Kansas 66612

Dear Mr. Johnson:

Chief Justice Schroeder has no objection to the proposed amendment to K.S.A. 75-2546 shown in bill draft 3 RS 0024 eliminating his membership on the state library advisory commission.

As discussed previously, this change should have been made at the same time library trustee statutes were repealed. Not making the change at that time apparently was an oversight.

Thank you for providing the opportunity to approve the change in draft form.

Sincerely,

A handwritten signature in cursive script that reads "Paul Purcell".

PAUL PURCELL
Administrative Assistant to
to the Chief Justice

PP:ph

Board of Regents - State of Kansas



Suite 1416 Merchants National Bank Tower
Topeka, Kansas 66612-1251 (913) 296-3421

February 25, 1983

The Honorable Robert D. Miller
Kansas House of Representatives
183-W, Capitol Building
Topeka, Kansas 66612

Dear Representative Miller:

I have reviewed the content of House Bill 2074 and want to convey to you that the amended language being proposed on Lines 29-31 of the bill poses no problem for the Board of Regents or its institutions. This matter has been discussed among the Regents institutions' librarians and they concur with the thrust of the change being proposed.

I will not plan to be present at Tuesday morning's hearing unless you indicate to me that you feel it would be particularly helpful to have someone make the above statements to the committee. Please feel free to share the content of this letter with committee members during the course of the hearing if you desire to do so.

Sincerely,

A handwritten signature in cursive script that reads "Stanley Z. Koplik".

Stanley Z. Koplik
Executive Director

SZK:an

✓cc: Mr. Duane F. Johnson, State Librarian

Testimony to the Senate Committee
On Governmental Organization
House Bill 2242

presented by
Charles J. Schwartz
Secretary
Kansas Department of Economic Development

March 16, 1983

Ex. B

House Bill 2242, as amended, accomplishes three things:

- 1) To remove from the statutory responsibilities of KDED requirement to analyze freight rates;
- 2) To remove division status of the research and publications section, delete the division director position, but to retain the functions of this division with the Secretary to be delegated within the department as he deems appropriate; and
- 3) To abolish the office of the director of housing. The powers and duties of the director are retained by the department.

K.S.A. 74-5005(p) provides KDED with responsibility "to analyze transportation and freight rates to determine if rates involving Kansas products, shippers or consignees are detrimental to the economic interests of the state, and promote efforts to correct inequities."

Kansas at one time was a leading producer of wheat flour, shipping to all parts of the U.S. However, a combination of Interstate Commerce Commission Regulations and advancing technology in transportation brought about changes which made it less expensive to ship wheat and more expensive to ship flour. The result was the steady loss of markets for flour and the closing of many flour mills. (In 1960 there were still 42 operating mills -- in 1982 only 16 were left.)

In 1962, a Governor's Economic Development Committee recommended a new Department of Economic Development. Among the many charges given this agency was the task of originating questions pertaining to the inequities in freight tariffs and active promotion of corrective measures.

The Department carried a line item budgeted amount for several years to prepare Freight Rate Studies. The funds were used on at least two occasions to retain expert legal services to represent the state in ICC hearings concerning freight rates on flour. The last case was at least ten years ago. No budget request for such funding has been made since, nor has any activity occurred in the department in this area.

The Kansas Corporation Commission has responsibility in this area and it is also included under the purview of the Department of Agriculture.

The request to diminish division status of the research and publications function is made to enable organization of this function under the supervision of the Industrial Development division.

Most of the work of this section is directly supportive of industrial development activities and this reorganization would allow better coordination of these functions and be administratively cost effective by eliminating the need for a division director.

Responsibilities for Kansas! Magazine and the KDED Report have previously been transferred to the Travel and Tourism division leaving only the research and analysis and industrial development publications functions with the division.

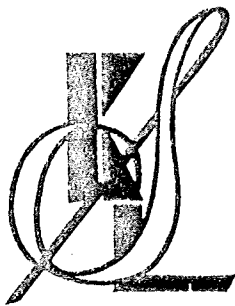
This request is consistent with the Governor's FY 1984 budget recommendation.

The bill, as amended by the House committee, abolishes the office of the director of housing. The powers and duties performed by the director would be retained by the department.

The housing program currently administers the HUD Section 8 housing assistance grant and provides limited technical assistance to local housing authorities. These functions would continue to be performed by the staff provided for in the FY 84 budget recommendation under the supervision of the administration section of the department.

The housing program would be retained because of the federal contract requirements associated with federal funding in support of seven housing projects. These contractual obligations will extend for 20 years. The abolishment of the office of the director of housing would achieve administrative cost savings without substantial loss to the housing program.

Passage of House Bill 2242 would allow the department to reduce the number of divisions by one and division directors by two but retain the powers and duties currently being performed, as well as the necessary staff capacity.



State Library of Kansas

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Topeka, Kansas 66612

Background information concerning House Bill No. 2093

1. Talking Book and other information services for the blind and other handicapped readers have been provided through the Kansas State Library since 1970, when these responsibilities were transferred from the State Department of Social and Rehabilitation Services. Authorization for this service by SRS was provided in K.S.A. 76-158d.
2. The State Librarian is authorized by statute to provide extension library services, K.S.A. 1981 Supp. 75-2534 and 75-2537, but there is no specific mention of services for the blind or of authority to contract with the Library of Congress for that library's assistance in the provision of Talking Book services as there is in K.S.A. 76-158d.
3. The National Library for the Blind, within the Library of Congress, provides Talking Book materials and professional assistance to state libraries, under contract and without charge, to encourage provision of complete information service to the blind and physically handicapped.
4. To insure the State Library's compliance with federal audit requirements, the new authorizations included by H.B. 2093 are necessary.
5. H.B. 2093 has no fiscal effect. The new authorizations will not cause change in the budget or program of services from the State Library.

DFJ/bs



State Library of Kansas

Duane F. Johnson
State Librarian

913-296-3296
In Kansas 1-800-432-3919
State Capitol
Topeka, Kansas 66612

Ex. C

HOUSE BILL No. 2093

By Committee on Public Health and Welfare

(By request)

1-25

0018 AN ACT relating to the Kansas state library; providing for library
0019 services for the blind and other handicapped readers; amend-
0020 ing K.S.A. 1982 Supp. 75-2534 and 75-2537 and repealing the
0021 existing sections; also repealing K.S.A. 76-158d.

0022 *Be it enacted by the Legislature of the State of Kansas:*

0023 Section 1. K.S.A. 1982 Supp. 75-2534 is hereby amended to
0024 read as follows: 75-2534. (a) There shall be a state library which
0025 shall be designated as the Kansas state library which shall be
0026 located in Topeka. The state library shall consist of books,
0027 pamphlets, papers, pictures, maps, charts and documents of
0028 every description now belonging thereto, together with such
0029 others as may be acquired by gift, purchase, exchange or other-
0030 wise. The state library shall provide library and informational
0031 services to the judicial, legislative and executive branches of the
0032 state government and said library shall also provide extension
0033 services to all of the residents of the state. *For the benefit of*
0034 *blind readers of Kansas, the state library may make available*
0035 *books and other reading matter in Braille, talking books or any*
0036 *other medium of reading used by the blind. To this end, the state*
0037 *library is authorized to provide library services for the blind*
0038 *and other handicapped persons through contract, agreement or*
0039 *otherwise with the library of congress or any regional library*
0040 *thereof.* The chief officer of the state library shall be the state
0041 librarian.

0042 (b) The provisions of the Kansas sunset law apply to the
0043 office of the state librarian and the Kansas state library provided
0044 for by this section, and such office and library are subject to
0045 abolition thereunder.

0046 Sec. 2. K.S.A. 1982 Supp. 75-2537 is hereby amended to read
0047 as follows: 75-2537. The state librarian shall have the complete
0048 management of the state library, including all extension library
0049 services. ~~He or she~~ *or reader services for the blind and other*
0050 *handicapped persons. The state librarian* shall employ a director
0051 of reference and such other employees as are required to ad-
0052 minister the laws providing for the state library and reference
0053 services. Except as otherwise provided in this act, all employees
0054 of the state librarian shall be within the classified service under
0055 the Kansas civil service act.

0056 Sec. 3. K.S.A. 76-158d and K.S.A. 1982 Supp. 75-2534 and
0057 75-2537 are hereby repealed.

0058 Sec. 4. This act shall take effect and be in force from and
0059 after its publication in the statute book.

SESSION OF 1983

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2093

As Recommended by House Committee on Ways and Means

Brief of Bill*

H.B. 2093 would amend current statutes to clarify the authority of the State Library to provide, through contract or agreement with the Library of Congress, services to the blind and other handicapped readers.

Background

The Talking Book Program, authorized under K.S.A. 76-158(d), was administratively transferred from the Division of Services for the Blind of the Department of Social and Rehabilitation Services to the State Library in 1970. The State Librarian is currently authorized to provide extension services through K.S.A. 75-2534 and 75-2537; however, the statutes are unclear regarding authorization for the State Library to contract with the Library of Congress to make the Talking Book Program available to handicapped readers in Kansas. The amendment has no fiscal impact and may be relevant for the audit of the State Library's federal programs anticipated to occur within the next year.

* Bill briefs are prepared by the Legislative Research Department and do not express legislative intent.