

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

1:30 a.m./p.m. on March 26, 1985 in room 531-N of the Capitol.

All members were present except:

Committee staff present:

Julian Efird - Research  
Bruce Kinzie - Revisor

Conferees appearing before the committee:

Rep. Sandy Duncan - 88th District  
Jim Yonally - Director of Governmental Relations, National Federation of  
Independent Business/Kansas  
Gordon Hahn - The Associated Landlords of Kansas (TALK)  
Quentin Hope - KANZ, Kansas Public Radio Association  
Zoel Parenteau - KPTS-Channel 8, Wichita  
Bill Kaufman - Kansas Board of Regents  
Dale Anderson - KTWU-Channel 11, Topeka  
Jamie Schwartz - Secretary of Economic Development

The Chairman called the meeting to order and introduced Dr. Todd Reynolds and his group of government students from Marymount College in Salina. He then introduced Rep. Sandy Duncan who explained HB 2278 which would amend several sections of the rules and regulations filing act. He stated that this bill is a result of the Attorney General's decision to declare unconstitutional the Legislature's authority to modify, reject, or revoke rules and regulations promulgated by executive branch agencies by adopting a concurrent resolution. The Legislative Coordinating Council then directed the Joint Committee on Administrative Rules and Regulations to study alternative ways in which the Legislature could exercise a constitutional oversight of regulations. This Committee recommended that the Act be amended to create as an additional grounds for filing of a temporary regulation, the adoption by the Legislature of a concurrent resolution expressing a concern about a proposed or existing regulation. The concurrent resolution would suggest corrective language and specify a time frame for an agency response.

Testimony from Rep. Rochelle Chronister was then passed out in support of HB 2273 which would set a state policy that recognizes the greater potential effect of rules and regulations on small businesses (those under 250 employees) and says state agencies shall consider the economic effect of their rules and regulations on those businesses. (Exhibit A) Jim Yonally also spoke in favor of HB 2273. He indicated that HB 2273 was requested by NFIB/Kansas because small businesses have trouble dealing with extensive rules and regulations. Gordon Hahn also testified in support of HB 2273. (Exhibit B)

The Chairman then introduced Quentin Hope who spoke in support of HB 2007 which replaces the existing Kansas Public Television Board with the Kansas Public Broadcasting Commission. The Commission would assume the Board's present responsibilities and its jurisdiction would be expanded to include public radio broadcasting. Mr. Hope indicated that he represented Kansas Public Radio which includes KHCC-Hutchinson, KKSU-Manhattan, KANU-Lawrence, KANZ-Pierceville and KMUW-Wichita. Zoel Parenteau also spoke in favor of HB 2007 especially in regard to the expansion of the Commission. (Exhibit C) Bill Kaufman then passed out an Amendment which the Board of Regents is recommending to HB 2007. (Exhibit D) Dale Anderson stated that he also is in favor of HB 2007 but would like to see the membership of the Commission reflect the six highway districts of Kansas.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Governmental Organization,  
room 531-N, Statehouse, at 1:30 a.m./p.m. on March 26, 1985

The Chairman then indicated that we would try to finish SB 177 at this time. Jamie Schwartz again answered questions concerning SB 177, the reorganization of the department of economic development. The Chairman called for a vote on the conceptual motion made yesterday by Senator Bogina and seconded by Senator Frey which would amend SB 177 by moving the Office of Minority Affairs to the Small Business Development Division. Although Senator Johnston voiced his opposition to this Amendment, the motion carried. Senator Johnston then made a motion to report SB 177 as amended favorable for passage. This was seconded by Senator Winter and the motion passed.

Senator Francisco made a motion to approve the minutes of the March 25 meeting. Senator Winter seconded the motion and it passed.

The meeting was then adjourned by the Chairman.

GUEST LIST

COMMITTEE: Senate Governmental Organization

DATE: March 26, 1985

NAME	ADDRESS	COMPANY/ORGANIZATION
David Horning	815 N. Walnut, Suite 300, Hutchinson	KHCC/Kansas Public Radio
Quentin Hope	Piercesville, Ks.	KANZ / "
Todd Reynolds	Salina, Ks.	Marymount College
David Johnson	Salina, Ks.	Marymount College
JoAnn Younger	Salina, Ks.	Marymount College
Cynthia Taylor	Salina, Ks.	Marymount College
Kim Baason	Salina, Ks.	Marymount College
Cathy Whitell	Lawrence	Marymount College
Diane Reeves	Dorance	Marymount College
Regina Hund	PAXICO	Marymount College
Jim Zoually	Overland Park	NFIB/Kansas
Patricia Clark	Rep. Cronin's Office	
Bill Kaufman	Topeka	Kansas Board of Regents
John Christensen	Topeka	Washburn Law School
Bob Anderson	Topeka	KTWA-TV
Paul Vauntress	Wichita	KPTS
Hiby / Stegman	Mayetta	Div. of Budget
John Reher	Lawrence	Sen. Johnston's Office
Gerald L. Merryman	Topeka	Div. of Purchases
Nick Roesch	Topeka	Div. of Purchases



TOPEKA

HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
VICE CHAIRMAN: COMMUNICATION, COMPUTERS,  
AND TECHNOLOGY  
MEMBER: CALENDAR AND PRINTING  
WAYS AND MEANS

ROCHELLE CHRONISTER  
ASSISTANT MAJORITY LEADER  
REPRESENTATIVE, NINTH DISTRICT  
WILSON-WOODSON COUNTIES  
LIBERTY AND NEOSHO TOWNSHIPS  
IN COFFEY COUNTY  
ROUTE 2—BOX 321A  
NEODESHA, KANSAS 66757

HB 2273 is a bill which would set a state policy that recognizes the greater potential effect of rules and regulations on small businesses (those under 250 employees), and says state agencies shall consider the economic effect of their rules and regulations on those businesses. When an adverse effect is noted, the agency may take certain steps to reduce that effect if it is not specifically prohibited (as in fire or safety codes) by:

- 1) establishing separate compliance on reports, or
- 2) by exempting small businesses from all or part of the rule or regulation.

The legislature has recognized in the past the problems created for smaller businesses. For instance, at the time that the speed-up of sales tax collections took place two years ago, the state had a sliding scale for the number of times a business must turn in collections based on the size of the business.

1st District Rep. Pat Roberts has called on the federal government to change its rules and regulations on small hospitals in light of the economic problems that are being created in requiring the same regs for St. Francis Hospital in Wichita and Thomas County Hospital.

According to the Third Annual Report prepared by the Small Business Administration, small businesses in Kansas account for 99% of the business establishments and provide 82% of Kansas jobs. More than 35% of Kansas' total employment is provided by firms with fewer than 100 employees. Obviously, the backbone of the Kansas commercial sector is the small businessman. Over 80% of the growth in new businesses is in those with under 250 employees. The agricultural crisis is having a great effect on small businesses in Kansas and anything that we can do to relieve some of the burden on these businesses will help the economic climate of the State.





(913)-232-4476

## **Commentary about House Bill 2273**

**March 26th, 1985**

The more than 1,200 members of The Associated Landlords of Kansas, represented through active chapters in more than six Kansas cities, are hopeful about the possible passage of House Bill 2272. We are glad to appear today in support of the bill.

Our members primarily purchase real estate as an investment outside their other employment, meaning they are not "large businesses" with ample resources to employ when addressing requirements placed on them by governmental rules and regulations or other procedures. Most of our members maintain and manage their own properties during nights and weekends. We feel H2273 would be a definite improvement toward reducing the impact of state rules and regulations on small businesses throughout the state.

If impacts in this area can be reduced, it should help our members and other small businesses everywhere hold the line on their operating costs. In the case of our members, this should help restrain at least somewhat the speed with which housing costs for the state's population will rise. Impacts should be just as positive where other businesses are involved.

We are encouraged by the possible passage of the bill. If there is other information we can provide, or assistance we can render with the passage of this bill, please let us know, by writing or by leaving a message at our Topeka office phone (232-4476).

Governmental Organization Committee  
H.B. 2007  
March 26, 1985

Outline of testimony by Zoel Parenteau, KPTS, Wichita  
In support of HB 2007 as amended

1. COMPOSITION OF THE COMMISSION:

- a. Larger, more representative body desirable.
- b. Difficulties with current Board:

(1) All members have other agency responsibilities which may result in potential conflicts or, at least, distractions.

(2) Share similar (Topeka) perspective - Need input from other than station representatives as to effectiveness of stations, and needs of stations from other areas of the state. Present members not able to conduct individual fact-finding into various stations' activities, or into needs or preferences of unserved areas of the state.

(3) Apparent that the Governor, through the Secretary of Administration, is in a position to direct the policies of the Board. More broadly-based input and shared decision-making from non-bureaucratic, lay representatives should improve on the present arrangement.

c. Commission composition proposed in HB 2007 would accomplish these objectives, although other configurations which result in (1) citizen and (2) state-wide representation, would also suffice.

2. POWERS, DUTIES, FUNCTIONS OF THE COMMISSION:

- a. Agree with all provisions.
- b. Desirability for interconnection.
- c. Inclusion of public radio.
- d. Continued annual support grants to stations.

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2. POWERS, DUTIES, FUNCTIONS OF THE COMMISSION (CONT'D):

e. Matching equipment funds for expansion of service to unserved areas from existing stations.

(1) Suggest consulting unserved areas' leaders and representatives as to their areas' local preferences as to which station's service they would prefer having brought into their communities.

(2) Assist stations in extending coverage for planning and application for construction permits.

f. Assistance in extending service when federal funding is not available.

g. Equipment acquisition assistance for modification, replacement, expansion, or combination of these.

h. Interconnection facilities & services.



0050 Sec. 2. K.S.A. 75-4906 is hereby amended to read as follows:  
 0051 75-4906. There is hereby established the Kansas public televi-  
 0052 sion board, hereinafter referred to as the board, broadcasting  
 0053 commission which board shall consist of three seven members.  
 0054 The membership of the commission shall include: (a) The sec-  
 0055 retary of administration; ~~or the secretary's designee;~~ (b) the  
 0056 executive officer ~~chairperson~~ of the state board of regents and ~~or~~  
 0057 ~~the chairperson's designee;~~ (c) the commissioner ~~chairperson~~ of  
 0058 the state board of education are hereby made members of said  
 0059 board ~~or the chairperson's designee;~~ (d) one member of the  
 0060 senate appointed by the president of the senate; (e) one member  
 0061 of the house of representatives appointed by the speaker of the  
 0062 house; and (f); and (d); (d) one member of the senate appointed  
 0063 by the president of the senate; (e) one member of the house of  
 0064 representatives appointed by the speaker of the house; and (f)]  
 0065 two members of the general public appointed by the governor.  
 0066 Members of the commission who become members by virtue of  
 0067 their offices under subsections (a), (b) and (c) shall perform the  
 0068 duties and responsibilities of membership in person and not by  
 0069 delegation to another person. Members appointed by the gover-  
 0070 nor shall serve for a term of two years following the date of such  
 0071 appointment. Members of the senate and house of representa-  
 0072 tives first appointed shall be appointed for a term ending on the  
 0073 Tuesday following the first Monday in January in the odd-  
 0074 numbered year next following their appointment. Succeeding  
 0075 members of the legislature shall be appointed for terms of two  
 0076 years commencing on the Tuesday following the first Monday in  
 0077 January of each odd-numbered year. All vacancies in office of  
 0078 members so appointed by the governor shall be filled by ap-  
 0079 pointment by the officer making the original appointment gov-  
 0080 ernor for the unexpired term of the [Members of the senate and  
 0081 house of representatives first appointed shall be appointed for a  
 0082 term ending on the Tuesday following the first Monday in  
 0083 January in the odd-numbered year next following their appoint-  
 0084 ment. Succeeding members of the legislature shall be appointed  
 0085 for terms of two years commencing on the Tuesday following the  
 0086 first Monday in January of each odd-numbered year. All vacan-

a member of

designated by the chairperson of the state board of regents

EXHIBIT D 3/26/85