

Approved APRIL 30, 1987  
Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

1:35 ~~am~~/p.m. on March 31, 1987 in room 531N of the Capitol.

All members were present except:

Senator Gaines

Committee staff present:

Jill Wolters - Revisor  
Rainey Gilliland - Research

Conferees appearing before the committee:

Henry Fournier - Board of Cosmetology  
Wilma George - President of Kansas Electrolysis  
Clark Duffy - Assistant Director, Water Office  
James Power - Acting Director, Division of Environment  
Judy McConnell - Executive Services  
Harley T. Duncan - Secretary of Revenue

The Chairman called the meeting to order and introduced Henry Fournier to speak on HB 2382 which would regulate the practice of electrology. He explained that this bill would create the new licensure category of "electrologists" and provide for the licensure of electrologists by the State Board of Cosmetology. Mr. Fournier then introduced Wilma George who showed a brief film on the process of electrolysis and explained the procedure used in this process. They also distributed handouts and pictures which showed the "before" and "after" views of electrology.

Then Chairman then introduced Clark Duffy who spoke briefly in support of HB 2059, HB 2061 and HB 2423. He read a letter from Philip Martin, Chairman of the Kansas Water Authority. (Exhibit A) The Kansas Water recommended that the Committee not act upon HB 2423 this year.

There was some discussion from the Committee and the Chairman stated that the presentation should be more broad and requested a sub-report with more facts and figures for the Committee to study. Mr. Duffy said that he would furnished that information.

The Committee then heard testimony from James Power who spoke in support of HB 2059 and HB 2061. These bills would continue in existence the Kansas Water Authority, the Kansas Water Office and Kansas Water Office Director until July 1, 1989. He also supported the concept of HB 2423 which would expand the interests represented on the Kansas Water Authority. (Exhibit B)

Judy McConnell spoke briefly on HB 2423 recommending a change in the wording on page 3, lines 0094-0096. (See balloon version attached - Exhibit C)

A memorandum was distributed by Harley Duncan who discussed recommendations made the subcommittee of the House Committee on Governmental Organization on HB 2060. (Exhibit D) A brief report was made by Senator Hoferer from the Senate Subcommittee of Governmental Organization who recommended that the support be renewed for this bill. Senator Francisco, the other member of the subcommittee studying this bill, also recommended that the Committee go along with this.

A motion was made by Senator Johnston to recommend SB 2060 favorable for passage. This was seconded by Senator Hoferer. Motion carried.

The meeting was adjourned at 2:28 by the Chairman.

GUEST LIST

COMMITTEE: Senate Governmental Organization

DATE: March 31, 1987

NAME	ADDRESS	COMPANY/ORGANIZATION
Aaron Talle	Hillsboro	
Lenny Medley	Hillsboro	
Cliff Roeder	Hillsboro	
Robert L George	Topoka	
Joan McConnell	State Office Bldg	Ho. Cooperation Comm.
Marianne Kussner	630 K Street	
Leincha Schallenberg	Shawnee	electrologist
Wilma George	1115 W. 10th	KADE
Barbara Kupper	"	"
CR Duff	Topoka	KWO
SK Duff	Topoka	Budget Division
Leland Rolf	Topoka	DWR, KSBA.
Raymond Brown	Haysville	VISITOR
Synette Brown	Oregonville	Visitor

Kansas Water Office Testimony  
to the  
Senate Committee on Governmental Organization  
Re: H.B. 2059, 2061 and 2423

March 30, 1987

H.B. 2059 and H.B. 2061

The Kansas Water Office supports H.B. 2059 and H.B. 2061 which would continue in existence the Kansas Water Authority and Kansas Water Office until July 1, 1989.

The two-year extension of the agency is supported by the Kansas Water Office for the primary reason stated in the House Committee report: "The Legislature has a commitment to assist in the implementation of the State Water Plan and should take an active role in seeing that the state's water needs are met. Legislative review of the water planning process should occur on a periodic basis."

The Kansas Water Office is pleased with the thorough review of agency activities conducted by the Subcommittee of the House Governmental Organization Committee. Both the Kansas Water Office and the Kansas Water Authority appreciate the opportunity provided by the Subcommittee to participate in the review process.

H.B. 2423

The Kansas Water Office concurs with the testimony provided by the Kansas Water Authority on H.B. 2423.

KANSAS WATER AUTHORITY



*H. Philip Martin, Chairman*

109 S.W. Ninth, Suite 200, Topeka, Kansas 66612 (913) 296-3185

March 27, 1987

The Honorable Ben Vidricksen  
Kansas Senator  
Senate Governmental Organization Committee  
Rm. 143-N, Statehouse  
Topeka, KS 66612

Dear Senator Vidricksen:

On behalf of the Kansas Water Authority, I would like to provide testimony on that portion of House Bill 2423 which would expand the membership of the Kansas Water Authority from 18 to 21 members.

In the past, the Kansas Water Authority has been silent on proposals to modify the size or configuration of the body. However, the Kansas Water Authority is concerned about the potential impact of further expansion. This concern is solely for the size of the organization and not the representation of the membership. There is a point at which a group becomes unwieldy simply because of its size.

The Kansas Water Authority was created in 1981 with 16 members. In 1986, that membership was expanded to 18 members. During these five years, 37 individuals have served on the Kansas Water Authority. This represents an average turnover of four members per year. The Kansas Water Authority believes that its constantly changing membership coupled with a large membership can significantly diminish its capability to deal with complex issues over a period of several years.

As a result of these concerns, the Kansas Water Authority voted unanimously to recommend that the Senate Governmental Organization Committee request that this issue be assigned to interim study by the legislature and that this provision of House Bill 2423 not be acted upon this year.

Sincerely,

*H. Philip Martin* 57-1714  
H. Philip Martin, Chairman  
Kansas Water Authority

HPM:dk



Testimony on H.B. 2059, 2061 and 2423

Presented to the Senate Committee  
on Governmental Organization

March 30 and 31, 1987

by

James A. Power, Jr.  
Acting Director, Division of Environment

Mr. Chairman and Committee Members:

The Department of Health & Environment is pleased to testify in support of H.B. 2059 and H.B. 2061 which would continue in existence the Kansas Water Authority, the Kansas Water Office and Kansas Water Office Director until July 1, 1989, and in support of the concept of H.B. 2423 which would expand the interests represented on the Kansas Water Authority.

The Kansas Water Office has been successful in coordinating the efforts of various Kansas water regulating agencies. The continuing exchange of program information between the Division of Water Resources, the Fish & Game Commission, the Kansas Geological Survey, KDHE, the State Conservation Commission, the Mined Land Reclamation Board, and Groundwater Management Districts has been beneficial to all. Regulation of water quantity and quality issues is a multimedia effort and can no longer be the domain of one agency. We support the continuing efforts of the Kansas Water Authority and Kansas Water Office in this area. This approach has increased the awareness of water issues in Kansas at the grass roots level. We suggest the KWA/KWO give increased emphasis to coordination of water quantity planning issues in the future.

KDHE is embarking on several expanded water quality program areas in the next few years as required by the federal government. The Kansas Water Office, the Kansas Water Authority and river basin advisory committees will be useful to KDHE by advising us in our efforts to comply with federal mandates to implement a rigorous groundwater protection program, a wellhead protection strategy, a nonpoint source strategy, and a sludge management strategy by increasing local involvement in knowledge of and cleanup of environmental contamination incidents.

Our support of H.B. 2423 is not without concern. Although it is difficult to argue against increasing Kansas Water Authority membership by adding another representative of the general public, a member with knowledge of water conservation and environmental issues, and the Secretary of Commerce, we are concerned the Kansas Water Authority membership may become an unwieldy number. It is our preference to see the above interests represented within the existing membership, if possible.

Mr. Chairman, Committee Members, the department urges you to pass H.B. 2059, 2061 and 2423.

HOUSE BILL No. 2423

By Committee on Governmental Organization

0018 AN ACT concerning the Kansas water authority; relating to the  
0019 powers, duties and functions thereof; amending K.S.A. 1986  
0020 Supp. 74-2622 and repealing the existing section; also repeal-  
0021 ing K.S.A. 1986 Supp. 74-2622a.

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

0023 Section 1. K.S.A. 1986 Supp. 74-2622 is hereby amended to  
0024 read as follows: 74-2622. (a) There is hereby established within  
0025 and as a part of the Kansas water office the Kansas water author-  
0026 ity. The authority shall be composed of ~~18~~ 21 members of whom  
0027 ~~11~~ 13 shall be appointed as follows: (1) ~~Eight~~ One member shall  
0028 be appointed by the governor, subject to confirmation by the  
0029 senate as provided in K.S.A. 75-4315b, and amendments thereto.  
0030 Such member shall serve at the pleasure of the governor and  
0031 shall be the chairperson of the authority; (2) ten members shall  
0032 be appointed by the governor for terms of four years; ~~except that~~  
0033 ~~of the first members of the authority, two members shall be~~  
0034 ~~appointed for terms commencing July 1, 1981, and ending on~~  
0035 ~~May 1, 1982, two members shall be appointed for terms com-~~  
0036 ~~mencing on July 1, 1981, and ending on May 1, 1983, two~~  
0037 ~~members shall be appointed for terms commencing on July 1,~~  
0038 ~~1981, and ending on May 1, 1984, and two members shall be~~  
0039 ~~appointed for terms commencing on July 1, 1981, and ending on~~  
0040 ~~May 1, 1985. The governor shall designate the term for which~~  
0041 ~~each of the members first appointed shall serve. Of the members~~  
0042 appointed under this provision one shall be a representative of  
0043 large municipal water users, one shall be representative of small  
0044 municipal water users, one shall be a board member of a western  
0045 Kansas groundwater management district, one shall be a board  
0046 member of a central Kansas groundwater management district,

EXHIBIT C  
3/31/87

0047 one shall be a member of the Kansas association of conservation  
0048 districts, one shall be representative of industrial water users,  
0049 one shall be a member of the state association of watershed  
0050 districts, one shall have a demonstrated background and interest  
0051 in water use conservation and environmental issues, and one two  
0052 shall be representative of the general public. The member who  
0053 is representative of large municipal water users shall be ap-  
0054 pointed from three nominations submitted by the Kansas league  
0055 of Kansas municipalities. The member who is representative of  
0056 small municipal water users shall be appointed from three nom-  
0057 inations submitted by the Kansas rural water district's associa-  
0058 tion. The member who is representative of a western Kansas  
0059 groundwater management district shall be appointed from three  
0060 nominations submitted by the presidents of the groundwater  
0061 management district boards No. 1, 3 and 4. The member who is  
0062 representative of a central Kansas groundwater management  
0063 district shall be appointed from three nominations submitted by  
0064 the presidents of the groundwater management district boards  
0065 No. 2 and 5. The member who is representative of industrial  
0066 water users shall be appointed from three nominations submit-  
0067 ted by the Kansas association of commerce and industry. The  
0068 member who is representative of the state association of water-  
0069 shed districts shall be appointed from three nominations sub-  
0070 mitted by the state association of watershed districts. The  
0071 member who is representative of the Kansas association of con-  
0072 servation districts shall be appointed from three nominations  
0073 submitted by the state association of conservation districts. If the  
0074 governor cannot make an appointment from the original nomi-  
0075 nations, the nominating authority shall be so advised and, within  
0076 30 days thereafter, shall submit three new nominations; ~~(2) one~~  
0077 ~~member shall be appointed by the governor, subject to confir-~~  
0078 ~~mation by the senate as provided in K.S.A. 75-4315b, and~~  
0079 ~~amendments thereto, and such member shall serve at the plea-~~  
0080 ~~sure of the governor and shall be the chairperson of the authority.~~  
0081 Members appointed by the governor shall be selected with  
0082 special reference to training and experience with respect to the  
0083 functions of the Kansas water authority, and no more than five six

0084 of such members shall belong to the same political party; (3) one  
0085 member shall be appointed by the president of the senate for a  
0086 term of two years ~~commencing on July 1, 1981~~; and (4) one  
0087 member shall be appointed by the speaker of the house of  
0088 representatives for a term of two years ~~commencing on July 1,~~  
0089 ~~1981~~. The state geologist, the chief engineer of the division of  
0090 water resources of the state board of agriculture, the secretary of  
0091 the department of health and environment or the director of the  
0092 division of environment of the department of health and envi-  
0093 ronment, if so designated by the secretary, the chairperson of the  
0094 state corporation commission or ~~the director of the conservation~~  
0095 ~~division of the state corporation commission, if so designated by~~  
0096 ~~the chairperson,~~ the secretary of commerce or a designee of the  
0097 secretary, the director of the Kansas water office, the director of  
0098 the Kansas fish and game commission and the director of the  
0099 agricultural experiment stations of Kansas state university of  
0100 agriculture and applied science shall be nonvoting members ex  
0101 officio of the authority. The director of the Kansas water office  
0102 shall serve as the secretary of the authority.

0103 (b) In the case of a vacancy in the appointed membership of  
0104 the Kansas water authority, the vacancy shall be filled for the  
0105 unexpired term by appointment in the same manner that the  
0106 original appointment was made. Appointed members of the  
0107 authority attending regular or special meetings thereof shall be  
0108 paid compensation, subsistence allowances, mileage and other  
0109 expenses as provided in K.S.A. 75-3223, and amendments  
0110 thereto.

0111 (c) The Kansas water authority shall:

0112 (1) Consult with and be advisory to the governor, the legis-  
0113 lature and the director of the Kansas water office.

0114 (2) Review plans for the development, management and use  
0115 of the water resources of the state by any state or local agency.

0116 (3) Make a study of the laws of this state, other states and the  
0117 federal government relating to conservation and development of  
0118 water resources, appropriation of water for beneficial use, flood  
0119 control, construction of levees, drainage, irrigation, soil conser-  
0120 vation, watershed development, stream control, gauging of

a designee of the chairperson



0121 stream and stream pollution for the purpose of determining the  
0122 necessity or advisability of the enactment of new or amendatory  
0123 legislation in this state on such subjects.

0124 (4) Make recommendations to other state agencies and polit-  
0125 ical subdivisions of the state for the coordination of their activi-  
0126 ties relating to flood control, construction of levees, drainage,  
0127 irrigation, soil conservation, watershed development, stream  
0128 control, gauging of stream, stream pollution and groundwater  
0129 studies.

0130 (5) Make recommendations to each regular session of the  
0131 legislature and to the governor at such times as the authority  
0132 considers advisable concerning necessary or advisable legisla-  
0133 tion relating to any of the matters or subjects which it is required  
0134 by this act to study for the purpose of making recommendations  
0135 to the legislature. All such recommendations to the legislature  
0136 shall be in drafted bill form together with such explanatory  
0137 information and data as the authority considers advisable.

0138 (6) Approve, prior to submission to the legislature by the  
0139 Kansas water office or its director, (A) any contract entered into  
0140 pursuant to the state water plan storage act, (B) any amendments  
0141 to the state water plan or the state water planning act and (C) any  
0142 other legislation concerning water resources of the state.

0143 (7) Approve, before they become effective, any policy  
0144 changes proposed by the Kansas water office concerning the  
0145 pricing of water for sale pursuant to the state water plan storage  
0146 act.

0147 (8) Approve, before it becomes effective, any agreement en-  
0148 tered into with the federal government by the Kansas water  
0149 office.

0150 (9) Request any agency of the state, which shall have the duty  
0151 upon that request, to submit its budget estimate pertaining to the  
0152 state's water resources and any plans or programs related thereto  
0153 and, upon the authority's receipt of such budget estimate, review  
0154 and evaluate it and furnish recommendations relating thereto to  
0155 the governor and the legislature.

0156 (10) Approve, prior to adoption by the director of the Kansas  
0157 water office, rules and regulations authorized by law to be

0158 adopted.

0159 (11) *Approve, prior to adoption by the director of the Kansas*  
0160 *water office, guidelines for conservation plans and practices*  
0161 *developed pursuant to subsection (c) of K.S.A. 74-2608, and*  
0162 *amendments thereto.*

0163 (d) The Kansas water authority may appoint citizens' advi-  
0164 sory committees to study and advise on any subjects upon which  
0165 the authority is required or authorized by this act to study or  
0166 make recommendations.

0167 (e) The provisions of the Kansas sunset law apply to the  
0168 Kansas water authority established by this section, and the au-  
0169 thority is subject to abolition under that law.

0170 Sec. 2. K.S.A. 1986 Supp. 74-2622 and 74-2622a are hereby  
0171 repealed.

0172 Sec. 3. This act shall take effect and be in force from and  
0173 after its publication in the statute book.



KANSAS DEPARTMENT OF REVENUE  
*Office of the Secretary*  
State Office Building · Topeka, Kansas 66612-1588

MEMORANDUM

TO: The Honorable Ben Vidricksen, Chairman  
Senate Committee on Governmental Organization

FROM: Harley T. Duncan  
Secretary of Revenue

RE: HB 2060

DATE: March 31, 1987

Thank you for the opportunity to appear before you on HB 2060 which extends the sunset date for the Department of Revenue and the Office of the Secretary for two years from 1987 to 1989.

A subcommittee of the House Committee on Governmental Organization has conducted quite a thorough review of certain segments of the Department and certain issues therein. Among the issues reviewed were closure of all non-scale ports of entry except five, consolidation of departmental field offices, establishing only permanent driver license stations, K-BITS and departmental work on accounts receivable management and formation of a Division of Collections.

The Committee's recommended a two-year sunset extension with another review in 1989 was based on: (a) likely personnel and policy changes as part of the new Administration; (b) significant changes occurring in the Divisions of Property Valuation and Alcoholic Beverage Control as a result of reappraisal and liquor by the drink; and (c) continuing concerns about accounts receivable management.

The Department has no particular concern with a two-year sunset extension, but I would think the normal seven-year would be more appropriate. I believe the oversight desired by the House Committee can be conducted without the sunset mandate. It could be part of a recommended Post Audit schedule, an interim study or a special study during the regular session.

More importantly, I would recommend that work in areas the Committee wishes to review in 1989 be undertaken prior to the beginning of the Session. Conducting a thorough sunset review during a regular session is difficult, if not impossible. The review this year required a performance audit of the K-BITS project by the Division of Legislative Post Audit. I believe too little time was allowed for that Audit, and as a result, the conclusions drawn were not well founded. The problem caused by the conclusions was compounded because too little time remained to discuss the matter fully with all the relevant committees. To avoid these types of problems, I encourage the committee to conduct such background work prior to the 1989 Session.

Thank you for the opportunity to appear before you. I would be glad to answer any questions.