

Approved Thomas F. Walker  
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by REPRESENTATIVE THOMAS F. WALKER at  
Chairperson

9:00 a.m./~~PM~~ on WEDNESDAY, MARCH 15, 1989 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor  
Carolyn Rampey - Legislative Research  
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Representative Martha Jenkins  
Representative Barbara Allen  
Susan Irza - Director, Division of Personnel Services, Dept. of Administration

The meeting of the House Governmental Organization was called to order by Representative Thomas F. Walker, Chairman.

HCR 5012 - Terms of Legislators

Representative <sup>Jenkins</sup> distributed copies of her testimony to the committee. (Attachment 1) This concurrent resolution would increase the terms of state representatives from two years to four years and the terms of state senators from four years to six years. Four year terms for house members are not uncommon as several states have them. This would eliminate posturing and election year politics, reduce constant campaigning, and allow legislators to learn legislative procedure.

Representative Allen passed out her testimony and a statistics paper. (Attachments 2 \*and 3) Campaign spending is getting out of control. This concurrent resolution would result in candidates spending only half as much because they would in the case of House candidates, run only once every four years. There is an average reelection rate of 96% so, on the average, only 4% do not get reelected. Some would argue that longer terms would make Representatives less accountable, but it would rather give more time to work for the good of constituents.

Both Representative Jenkins and Representative Allen answered questions from committee members and expressed their gratitude for the hearing. That said it was a learning experience for them.

Chairman Walker thanked Representatives Jenkins and Allen and, as there was no other conferees, closed the hearing on HCR 5012.

SB 204 - Employee Suggestion Award Program

Susan Irza, Department of Administration, passed out copies of her testimony. (Attachment 4) The bill would allow payment of a net cash award instead of the announced award less the standard deductions. The bonus would be equal to the actual cash payment. The award program was started in 1980. The employee's supervisor is also awarded an amount equal to ten percent of the award to the employee. When state employees receive the award checks they are surprised and disappointed when the check is substantially less than the amount awarded by the board. Legislation is sought to award the checks in such a way that the net amount of the check is the amount of the award. Two amendments were proposed; one in the attached balloon and one regarding terms of board members.

Ms. Irza responded to questions from the Committee. She will appear on the bill at a future date.

Chairman Walker had staff distribute a balloon they had prepared that contained several clarifying amendments. (Attachment 5)

The meeting was adjourned.

\*Corrected Cost Savings amounts \$8,180&\$22,561. Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.





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 HOUSE OF  
 REPRESENTATIVES

Testimony before the House G.O. Committee  
 H.C.R. 5012 - Extension of Terms  
 15 March 1989

Mr. Chairman, members of the Committee.

House Concurrent Resolution 5012 increases the terms of state representatives from two years to four years, and increases the terms of state senators from four years to six years. Representatives elected in 1990 and thereafter will be elected for four year terms. Senators elected in 1992 and thereafter shall be elected for six year terms.

Our terms are set out in the legislative article of the state constitution and in our state statutes under K.S.A. 46-156. A change in the constitution would require the adoption of this resolution by two thirds of the members of the House and Senate, and if successful, the resolution is eligible for placement on the general election ballot in 1990.

Four year terms for House members are not uncommon throughout the nation. There are currently four states that have four year terms for House members and they are: Alabama, Louisiana, Maryland and Mississippi. A number of other states have also taken it under consideration. And this is not the first time such a proposal has been introduced in the Kansas Legislature. The House Federal and State Affairs Committee held hearings on a similar measure in 1984.

Our reasons for introducing this resolution are several-fold, and Rep. Allen will discuss some of those reasons with you. I am more than happy to answer questions upon the conclusion of Rep. Allen's testimony.

1. ELIMINATES POSTURING AND ELECTION YEAR POLITICS

As you all are well aware, the House of Representatives works the first year after an election for the welfare of the state, and works the second year for the welfare of our own re-election bids. The Senate on the other hand, puts in three good years of work. While my remarks are somewhat facetious, it can't be denied that we are

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often motivated in our work by the results we may obtain in an election year. By increasing our terms from two to four years, we can eliminate much of the posturing that takes place every other session. We can truly work for the common good and not be concerned with what we accomplish right before our elections. Our performance and the services we provide would be much improved by increasing our terms.

## 2. REDUCES CAMPAIGNS AS FULL TIME JOBS

I believe that many people are discouraged from running for office due to the amount of time a candidate must devote to his/her campaign. More often than not, campaigns usually begin after the filing deadline regardless of whether there is primary opposition. These campaigns become more involved and require a greater time commitment as election day nears. So if one were to stop and think about it, a campaign lasts six months long and occurs every other year! That's every other summer that one must put everything else aside to devote their energies to a campaign. I won't belabour this point any longer as I know you all know how much time and effort we each dedicate to our own campaigns, but wouldn't it be nice to have a few summers off to spend with families and to build our professional careers?

## 3. COMPETENCE

Citizen legislators have a very limited time to learn legislative procedure and acquire an in depth understanding of public problems and problems related to the State's fiscal operations. The four year term is clearly preferable to a two year term because it allows a greater opportunity to become informed and therefore, greater competence to address the public's needs and interests effectively.

To conclude, I urge the Committee to send this bill to the floor so it can be debated on general orders. Even if members of this committee have reservations about the merits of this proposal, I believe it is meritorious enough to be debated by the committee of the whole.

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 HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 MEMBER: JUDICIARY  
 PENSIONS, INVESTMENTS AND BENEFITS

Testimony Before the House G.O. Committee  
**H.C.R. 5012 - Extension of Terms**  
 March 15, 1989

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to appear before you today on H.C.R. 5012, which proposes to change the length of terms in the Kansas House of Representatives and Kansas Senate, to four and six years, respectively.

I propose to you two compelling reasons for considering these changes:

**1. COST SAVINGS**

Campaign spending is out of control! During the 1988 election period, <sup>\$8,180</sup> House of Representative candidates received ~~\$2,257,667~~<sup>12</sup>, and Senate candidates received ~~\$1,849,973~~<sup>6</sup> from all sources of contributors. To put these <sup>\$22,561</sup> numbers in perspective, the average candidate in a 1988 House race received ~~\$18,061~~ in contributions, and the average candidate in a 1988 Senate race received ~~\$46,249~~ in contributions.

By comparison, total contributions to Kansas House of Representative candidates during the 1982 election cycle totaled \$1,246,359. Thus, the average candidate in a 1982 House race received just \$9,970 in contributions, or about one-half the dollars received just six years and three election cycles earlier. In other words, the cost of a House campaign has doubled in the last six years!

Obviously, extending terms will not curb inflation, which is partly to blame for the rapid increase in the cost of financing campaigns. But it will permit candidates running for office in the House of Representatives, to spend whatever dollar amount is needed to get elected, only once every four years instead of once every two years. In other words, after adjusting for inflation, House candidates will spend only one-half as much to hold office in any four year period as they are spending now, because they will be running for office only one-half as often.

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The United States Supreme Court has interpreted federal attempts to cap spending in congressional campaigns as unconstitutional. We can safely assume similar attempts at the state level would also be ruled unconstitutional. But the issue of campaign finance is on the minds of the public, and on the minds of elected officials. In fact, the Legislature's desire to limit campaign spending was evidenced last week when the House of Representatives passed H.B. 2136, which reduces the aggregate amount a candidate may receive from a PAC, in each primary election and general election, from \$750 to \$500.

Obviously, if the Legislature cannot limit the amount candidates may spend in an election, other alternatives for controlling campaign finance should be examined. Reducing the dollar amounts a candidate may receive from a PAC is one such solution. Another is to extend Kansas term lengths in the House of Representatives and the Senate, to four and six years respectively, so that a candidate is required to finance his or her campaign less often. In an age in which the public and elected officials are tired of spending so much money to finance campaigns, doesn't this proposal make sense?

## 2. REELECTION STATISTICS AND ACCOUNTABILITY

Some may argue against a proposal for extension of terms in the Kansas House of Representatives, on the grounds that two-year terms were placed in our Constitution to provide for a high rate of turnover in the House. However, election statistics will not allow this theory to hold water. In the last five election cycles, the percentage of incumbents who ran for and were returned to office in the House were the following: 1980 - 98%; 1982 - 94%; 1984 - 98%; 1986 - 98%; 1988 - 94%, or an average reelection rate of 96%! Almost all incumbents who wish to return for another term in the House can do so; on average, only 4% don't get reelected!

Finally, critics may argue that extending House terms will make Representatives less accountable to their constituents. This is simply not true. We need only look to the Kansas Senate to recognize that longer terms do not mean less accountability to our constituents, but rather more time to work for the good of our constituents and the good of our state!

SUMMARY OF 1988 ELECTION YEAR  
CONTRIBUTIONS TO STATE CANDIDATES

| TYPE OF CONTRIBUTOR                  | SENATE CANDIDATES  | HOUSE OF REPRESENTATIVE CANDIDATES | JUDICIAL CANDIDATES | DISTRICT ATTORNEY CANDIDATES | BOARD OF EDUCATION CANDIDATES | TOTAL CONTRIBUTED  |
|--------------------------------------|--------------------|------------------------------------|---------------------|------------------------------|-------------------------------|--------------------|
| PACs                                 | \$ 603,649         | \$ 956,578                         | \$ 4,350            | \$ 3,369                     | \$ 3,775                      | \$1,571,721        |
| INDIVIDUALS                          | 548,814            | 515,672                            | 143,316             | 89,069                       | 4,005                         | \$1,300,876        |
| CORPORATIONS, BUSINESSES, UNIONS     | 188,934            | 151,145                            | 54,608              | 23,946                       | 50                            | \$ 418,683         |
| OUT-OF-STATE ORGANIZATIONS           | 142,677            | 147,136                            | 1,130               | 4,225                        | 0                             | \$ 295,168         |
| PARTY COMMITTEES                     | 57,150             | 59,898                             | 2,323               | 3,608                        | 100                           | \$ 123,079         |
| CANDIDATE'S/SPOUSE'S PERSONAL FUNDS  | 127,033            | 185,997                            | 88,607              | 9,859                        | 188                           | \$ 411,684         |
| OTHER CANDIDATES                     | 27,376             | 30,624                             | 2,400               | 900                          | 100                           | \$ 61,400          |
| UNITEMIZED                           | 154,340            | 210,617                            | 28,518              | 6,223                        | 6,629                         | \$ 406,327         |
| <b>TOTAL CANDIDATE CONTRIBUTIONS</b> | <b>\$1,849,973</b> | <b>\$2,257,667</b>                 | <b>\$325,252</b>    | <b>\$141,199</b>             | <b>\$14,847</b>               | <b>\$4,588,938</b> |

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COMPARISON OF 1982, 1984, 1986, 1988 CONTRIBUTIONS  
TO HOUSE CANDIDATES BY TYPE OF CONTRIBUTION

| TYPE OF CONTRIBUTOR                    | 1982<br>AMOUNT     | 1984<br>AMOUNT     | 1986<br>AMOUNT     | 1988<br>AMOUNT     |
|--|--------------------|--------------------|--------------------|--------------------|
| PACs                                   | \$603,974          | \$658,639          | \$873,416          | \$956,578          |
| INDIVIDUALS                            | 263,620            | 310,126            | 288,420            | 515,672            |
| CORPORATIONS,<br>BUSINESSES,<br>UNIONS | 75,320             | 75,328             | 95,389             | 151,145            |
| OUT-OF-STATE<br>ORGANIZATIONS          | 17,850             | 58,800             | 147,725            | 147,136            |
| PARTY COMMITTEES                       | 49,614             | 41,060             | 38,369             | 59,898             |
| CANDIDATE'S/SPOUSE'S<br>PERSONAL FUNDS | 76,375             | 96,264             | 134,718            | 185,997            |
| OTHER CANDIDATES                       | -                  | -                  | 18,813             | 30,624             |
| UNITEMIZED                             | 159,606            | 106,065            | 125,800            | 210,617            |
| <b>TOTAL</b>                           | <b>\$1,246,359</b> | <b>\$1,346,282</b> | <b>\$1,722,650</b> | <b>\$2,257,667</b> |



Testimony to  
HOUSE GOVERNMENTAL ORGANIZATION COMMITTEE  
by  
Susan Irza, Director of Personnel Services  
March 15, 1989

Good morning. Mister Chairman and members of the Committee, my name is Susan Irza. I am here as Director of the Division of Personnel Services, Department of Administration.

One of the Division of Personnel Services' responsibilities is to staff the Employee Award Board. This is a five person board made of three classified employees (Linda Morse, Kansas State University; Milo Kratochvil, Department of Transportation; Leo Taylor, Department of Corrections) and two unclassified employees appointed by the Legislature (Ben Barrett, Legislative Research Department; and Sue Bauman, Governor's Office).

One of the purposes of the Employee Award Board is what I want to talk about today. The Board reviews suggestions from employees and, after exploration of those suggestions, may award cash for suggestions that increase the efficiency and effectiveness of state agency operations.

The employee suggestion award program was started in 1980, but it did not flourish because of awkward and cumbersome procedures. In 1986, Senator Ben Vidricksen provided the leadership to substantially change the Employee Suggestion Award Program. Since that time it has become a successful program. The State of Kansas program received a national award for

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Performance Excellence from the National Association of Suggestion Systems. NASS membership is comprised of 1,000 North American businesses and governmental agencies. Since July 1, 1986, some 507 suggestions have resulted in estimated savings of over \$600,000.

The Employee Award Board requests the legislation be enacted so cash awards can be paid to employees in net amounts up to the maximum level permitted by law. Maximum awards can be approved up to 10% of the first year's estimated savings, or \$5,000, whichever is less.

The employee's supervisor is also awarded an amount equal to ten percent of the award to the employee. Awards are funded from the agency's savings if the suggestion is specific only to that agency. Suggestions with benefits that are intangible or apply to many agencies are funded from the Employee Award Board's fund of \$10,000.

Cash awards are reduced by applicable federal and state payroll deductions. These withholdings mean the award check for the employee is substantially less than the amount awarded by the Board. Attached for you is a representative list.

State employees receiving cash awards and administrators presenting award checks are often surprised and disappointed when the face amount of the check is much less than the announced amount of the award.

The Employee Award Board seeks the attached legislation to allow award checks to be calculated in such a way that the net amount of the check is the amount of the award.

The proposed legislation will have no cost impact on the Fiscal Year 1990 budget proposed for the employee award program. The legislation will, however, increase the total amount paid for cash awards but such increases will be taken from savings produced by the adopted suggestion or otherwise justified by improvements in state service.

You will note that the Senate Committee added language to the bill to place time boundaries on board membership and stagger terms of membership. The two members appointed by the Chair of the Legislative Coordinating Council would serve three years; the three members appointed by the Secretary of Administration would serve four years. Upon expiration of the term of any member, a successor would be appointed to a four year term. The Employee Award Board and the Department of Administration support this addition to the bill.

We call to your attention the need to address the status of the present board members and suggest that the following sentence be added to the end of proposed Section 2(b): The terms of office for board members as of July 1, 1989, shall be deemed to have commenced on the date of their original appointment to the board.

Thank you for your time. I would be pleased to answer any questions or respond to any comments.

EMPLOYEE SUGGESTION AWARDS PROGRAM

Examples of Gross-to-Net Awards

| <u>Employee</u>  | <u>Suggestion</u>   | <u>Savings</u> | <u>Gross</u> | <u>Net</u> |
|--|---|----------------|--------------|------------|
| William Allen<br>Systems Analyst<br>Dept. of Agricul.<br>Topeka<br>#880175                                     | Use of Standard<br>Land Description<br>To Locate Wells  | Intangible     | 901          | 500        |
| Michael Jacobs<br>Construction<br>Engineer<br>DOT<br>Fort Scott<br>#880055                                     | Improvements to<br>Communications<br>Between Super-<br>visors and<br>Employees  | Intangible     | 71           | 50         |
| Joan Newman<br>Social Worker<br>SRS<br>Chanute<br>#870159  | Reduce Cost of<br>Pre-Screening SRS<br>Clients for Medical<br>Services  | 50,000         | 5,000        | 2,807      |
| William Pearson<br>Child Support<br>Enforcement<br>Officer<br>SRS<br>Parsons<br>#870054                        | Increase of Day<br>Care Services for<br>AFDC Children   | 240,000        | 2,837        | 2,000      |
| Delbert Tuttle<br>Corrections<br>Officer<br>Correctional<br>Vocational<br>Training Center<br>Topeka<br>#870165 | Combining Five<br>Forms Into a<br>Single Form   | Intangible     | 143          | 100        |
| Bertha Webb<br>Carroll Newman<br>Custodial<br>Supervisors<br>Wichita State U.<br>Wichita<br>#870182            | Wrote <u>Housekeeping</u><br><u>Manual</u> for<br>Custodial Staff.<br><u>Manual</u> was<br>Distributed to Other<br>State Agencies | 9,000          | 900<br>900   | 689<br>685 |

SENATE BILL No. 204

By Committee on Governmental Organization

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AN ACT concerning the employee suggestion award program; relating to cash awards *and members of the board*; amending K.S.A. 1988 Supp. 75-37,107 and 75-37,110 and repealing the existing ~~section~~ sections.

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

Section 1. K.S.A. 1988 Supp. 75-37,110 is hereby amended to read as follows: 75-37,110. (a) Subject to criteria approved by the board, the payment of cash awards to state employees and immediate supervisors for meritorious suggestions and accomplishments may be made: (1) From appropriations made therefor, or (2) by the state agency employing the employee or by a state agency which has expenditures reduced as a result of the suggestion or accomplishment of the employee, from money appropriated for such state agency and available for operating expenditures or salaries and wages or from money appropriated in any item of appropriation from which expenditures are so reduced.

(b) The maximum *net* cash award made to a state employee for a suggestion shall be limited to 10% of the first year's estimated savings, or \$5,000, whichever is less, except that cash awards approved for suggestions that have a first year's estimated savings of less than \$250 shall be \$25.

(c) On the first day of each regular session of the legislature the secretary of administration shall report to each member of the legislative coordinating council the amount and the purposes for which all awards granted during the preceding calendar year were made.

Sec. 2. K.S.A. 1988 Supp. 75-37,107 is hereby amended to read as follows: 75-37,107. (a) *There is hereby established within the department of administration an employee award board which shall*

45 *be composed of three persons who are in the classified service under*  
46 *the Kansas civil service act named by the secretary of administration*  
47 *and two persons named by the chairperson of the legislative coor-*  
48 *ordinating council.*

49 *(b) On July 1, 1989, the two persons named by the chairperson*  
50 *of the legislative coordinating council shall be appointed for terms*  
51 *of three years and the three persons who are named by the secretary*  
52 *of administration shall be appointed for terms of four years. Upon*  
53 *the expiration of the term of office of any member, a successor shall*  
54 *be appointed for a term of four years. Each person shall hold office*  
55 *for the term of appointment until the successor is appointed.*

56 Sec. ~~2~~ 3. K.S.A. 1988 Supp. 75-37,107 and 75-37,110 ~~is~~ *are*  
57 hereby repealed.

58 Sec. ~~3~~ 4. This act shall take effect and be in force from and after  
59 its publication in the statute book.  
60

Proposed Amendment to Senate Bill No. 204  
As Amended by Senate Committee

On page 1, in line 43, by striking "(a)";

On page 2, in line 45, by striking "three" and inserting "five"; also in line 45, by striking "who are" and inserting ". Three of such persons shall be"; in line 46, by striking "named" and inserting "and shall be appointed"; in line 47, after "two", by inserting "of such"; also in line 47, by striking "named" and inserting "shall be appointed"; in line 48, after the period, by inserting "Of the persons first appointed by the secretary of administration after the effective date of this act, one person shall serve for a term commencing July 1, 1989, and ending June 30, 1990, one person shall serve for a term commencing July 1, 1989, and ending June 30, 1991, and one person shall serve for a term commencing July 1, 1989, and ending June 30, 1993. The secretary shall designate the term for which each of such persons first appointed shall serve. Of the persons first appointed by the chairperson of the legislative coordinating council after the effective date of this act, one person shall serve for a term commencing July 1, 1989, and ending June 30, 1992, and one person shall serve for a term commencing July 1, 1989, and ending June 30, 1993. The chairperson shall designate the term for which each of such persons first appointed shall serve. Upon expiration of the term of each person first appointed after the effective date of this act, a successor shall be appointed for a term of four years. Each person shall serve for the term of appointment and until a successor is appointed.";

Also on page 2, by striking all of lines 49 through 55;

In the title, in line 18, by striking "members" and inserting "composition"; also in line 18, after "the", by inserting "employee award"

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