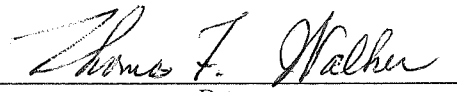


Approved


Date 1-18-90

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Thomas F. Walker at
Chairperson

9:05 a.m./p.m. on Wednesday, January 17, 1990 in room 522-S of the Capitol.

All members were present except:

Representative Brown - Excused
Representative Weimer - Excused

Committee staff present:

Avis Swartzman - Revisor
Carolyn Rampey - Legislative Research
Jackie Brey Meyer - Committee Secretary

Conferees appearing before the committee:

The meeting of the House Governmental Organization Committee was called to order at 9:05 a.m. by Representative Thomas F. Walker, Chairman. The Chairman stated the minutes would stand approved at the end of the meeting if there were no corrections or additions.

The Chairman entertained a motion for a bill request by the Board of Accountancy concerning increased academic requirements for accountants. Representative Sughrue moved a bill be drafted. Representative McClure gave a second to the motion. The motion carried.

Chairman Walker called on Carolyn Rampey, Legislative Research, to begin her review of 1989 committee carryover bills.

Carolyn distributed an attachment for the committee to follow along as she reviewed each bill. (Attachment 1)

HB 2022 concerns the size of documents. HB 2090, concerning the Board of Accountancy will be reviewed later. HB 2176 concerns the Corrections Ombudsman Board. HB 2209 would give a gender balance to boards, commissions, committees, councils, etc. HB 2536 concerns domestic water rights. HB 2467 concerns membership of the KanWork Interagency Coordinating Committee. SB 10 expands the membership of the State Board of Indigent Defense Services. SB 192 would establish July 27 of each year as Korean War Veterans Day in Kansas. SB 371 would establish a 12 member commission on epilepsy. H.C.R. 5007 would amend the Kansas Constitution so that after January 9, 1995, the constitutional officers of the Executive Department would be the Governor, Secretary of State and Attorney General. Eliminated would be the Lieutenant Governor as a constitutional officer.

Carolyn added that the Commission on Civil Rights was on the sunset schedule, reports are due from the Department of Revenue, and a review will be done on SRS Youth Services.

On a question regarding lottery sunset, the Chairman replied that he thought Federal & State Affairs would probably deal with this. The Chairman also stated there will be subcommittees on Civil Rights Commission & Department of Administration.

Two corrections were made to the minutes and they were approved as corrected.

The Chairman announced Thursday's agenda and adjourned the meeting at 9:33 a.m.

MEMORANDUM

Kansas Legislative Research Department

Room 545-N - Statehouse
Topeka, Kansas 66612-1586
(913) 296-3181

January 17, 1990

To: House Committee on Governmental Organization

Re: Summary of Selected Bills Held Over from the 1989 Session

H.B. 2022. The 1988 Legislature made it illegal, as of July 1, 1988, for any state agency or court of the state to require the filing of documents or pleadings on legal size paper. After July 1, 1990, all documents filed with state agencies will have to be on standard size paper (8 1/2 by 11 inches), with the following exceptions: forms used for accounting or bookkeeping records; paper used for architectural or engineering drafts or documents, maps, graphs, diplomas, tables, charts, or art work; paper used in computer printers or paper designed to produce a finished product that is no larger than standard size; output from test measurements and diagnostic equipment, and machine generated paper tapes; public records otherwise required to be nonstandard size or exempt by law; documents required by the federal government to be nonstandard size; and documents exempt by the Secretary of Administration or the Supreme Court.

Under the law, the state courts, upon written application to the Kansas Supreme Court, would be permitted to continue to accept documents that are not on standard size paper in order to avoid unnecessary delay or cost or to promote justice.

1989 H.B. 2022 would remove the courts from the act entirely. That is, the paper size requirements would not apply to them at all and they would not have to apply to the State Supreme Court to be exempted from any requirement of the act.

The House Committee held no hearings on this bill.

H.B. 2090. H.B. 2090 concerns the Board of Accountancy, which had rules and regulations that required that each certified public accounting office be supervised by a certified public accountant (CPA) who spent more than 50 percent of his or her time in the office. This requirement made it impossible for a sole practitioner to have two offices.

H.B. 2090 would make it possible for a CPA to have more than one office as long as "adequate supervision is provided." The Board of Accountancy would be prohibited from requiring that the manager of an office devote more than one-half of his or her working time to a single office.

Hearings were held on the bill February 3, 1989. The Chairman of the Board of Accountancy and the Executive Director of the Kansas Society of Certified Public Accountants asked that no action be taken on the bill because the Board was in the process of drafting new rules and regulations that would accomplish the intent

of the bill. Representative Bill Brady spoke in support of the bill. (His testimony indicates that he did not think the Board was changing its rules and regulations.)

On August 29, 1989, new rules and regulations of the Board of Accountancy became effective. According to these new regulations, each CPA or CPA partnership or corporation may have one additional office as long as a CPA is present at the office at least two-thirds of the time the additional office is open.

H.B. 2176. This bill concerns the Corrections Ombudsman Board and the state youth centers in Topeka, Beliot, Larned, and Atchison. The Office of the Ombudsman for Corrections was established in 1975 to handle complaints from inmates and staff of the Kansas correctional institutions. It is an independent agency intended to be an impartial finder of facts and an advocate of administrative justice.

H.B. 2176 would expand the jurisdiction of the Ombudsman and the Board to include the four youth centers that are under the Department of Social and Rehabilitation Services (SRS). Hearings were held on the bill on February 17, 1989, at which time the Commissioner of the Division of Youth Services, SRS, and Representatives Sebelius and Shriver spoke in support of the bill. The fiscal impact of the bill, estimated last year, is that the Board would have to hire one additional person to handle the increased workload. Salary and other operating expenditures would total \$47,069.

The Committee voted to table the bill on February 27, 1989.

H.B. 2209. H.B. 2209, introduced by Representatives Wagnon and Gross, would make it state policy that appointments to boards, commissions, committees, councils, or other state governmental bodies established by statute be made in such a manner that the gender of appointive members be representative of the population served by the body. No hearings were held on this bill.

H.B. 2536. H.B. 2536 was introduced by the House Governmental Organization Committee to carry out the following recommendation made by the subcommittee that conducted the sunset review of the Kansas Water Authority and the Kansas Water Office and Office of the Director. The subcommittee's report was approved by the full Committee on February 28, 1989.

As an incentive to ensure that domestic water wells are drilled properly, the subcommittee recommends that legislation be introduced to provide that any person drilling a domestic well after July 1, 1990, which is not constructed according to standards established under K.S.A. 82-1205, will not be eligible for securing an appropriation right for water taken from that well. K.S.A. 82a-705a will need to be amended.

Persons drilling domestic water wells are presently required to meet certain state standards that pertain to the drilling of wells. However, many people do not know that these standards exist and thousands of wells may have been dug that were dug in ignorance of applicable rules and regulations.

H.B. 2536 would provide that any person who wanted to secure an appropriation right for water taken from a domestic well would have to dig that well in compliance with the Kansas Groundwater Exploration and Protection Act.

H.B. 2467. H.B. 2467 concerns the membership of the KanWork Interagency Coordinating Committee, a committee that provides oversight of the KanWork program. The Committee is presently composed of the following members:

1. No more than ten members appointed by the Governor, who shall included a representative of the Kansas League of Municipalities, a representative of the Kansas Association of Counties, a representative of a local school district, a representative of the financial community, a representative of the business community, a representative of organized labor, a representative of the child support enforcement program of the judicial branch, and a social services advocacy representative;
2. the Secretary of Social and Rehabilitation Services, who shall serve as chairperson;
3. the Secretary of Human Resources;
4. the Secretary of Administration or the Secretary's designee;
5. the Secretary of Commerce or the Secretary's designee; and
6. a faculty member engaged in teaching social welfare courses at a college or university located in this state appointed by the Chairperson of the State Board of Regents.

H.B. 2467 would add to the list a representative of the State Department of Education who is knowledgeable in the area of vocational-technical education or community colleges, or both, appointed by the Chairperson of the State Board of Education.

Hearings were held on the bill March 1, 1989. Representatives of the Department of Social and Rehabilitation Services and the Department of Education spoke in support of the amendment.

The fiscal impact of adding one new member to the Committee is considered minimal.

S.B. 10. S.B. 10 expands the membership of the State Board of Indigent Defense Services from nine to 13 members. The four new members are to be appointed one each by the President of the Senate, the Speaker of the House, and the minority leaders in the Senate and House. The other nine members would continue to be appointed by the Governor.

The Board of Indigent Defense Services was created in 1982 to provide legal counsel to indigent criminal felony defendants. Defense is provided by public defenders, private attorneys assigned by the Board, and Legal Services of Prisoners, Inc.

The bill was recommended by the 1988 interim Special Committee on Judiciary as part of its study of Proposal No. 23 -- Statewide Public Defender and District Attorney. The bill was suggested also by the Kansas Judicial Council Public Defender Advisory Committee. It was amended by the Senate Committee on Judiciary and passed by the Senate during the 1989 Session.

The House Committee on Governmental Organization held hearings on the bill on March 1, 1989. The Board of Indigent Defense Services has taken no position on the bill.

The fiscal impact of adding four new members to the Board was estimated to be \$2,104 for per diem compensation and travel expenses.

S.B. 192. S.B. 192, as originally introduced, would have established July 27 of each year as Korean War Veterans Day in Kansas.

The Senate Governmental Organization Committee amended the bill to add the following war veterans days each year:

January 27 -- Vietnam War Veterans Day
September 2 -- World War II Veterans Day
November 11 -- World War I Veterans Day

The House Committee held no hearings on this bill.

S.B. 371. The bill would establish the 12 member Commission of Epilepsy within the Department of Health and Environment. Members would include the secretaries of Health and Environment, Human Resources, and Social and Rehabilitation Services, or their designees; the Commissioner of Education, or a designee; one member appointed by the Board of Epilepsy Kansas, Inc.; and seven members appointed by the various secretaries who would serve on the Commission. The Commission would be advisory to the Secretary of Health and Environment, the Governor, and the Legislature.

The Commission is an outgrowth of the Task Force on Epilepsy and other Seizure Related Disorders that was created in 1988 and has since completed its work. The bill was amended by the Senate Committee on Federal and State Affairs and passed by the Senate during the 1989 Session.

The Department of Health and Environment estimated that the fiscal impact of the bill would be \$13,075. The House Committee held no hearings on this bill.

H.C.R. 5007. H.C.R. 5007 is a proposition to amend the Kansas Constitution so that, after January 9, 1995, the constitutional officers of the Executive Department would be the Governor, the Secretary of State, and the Attorney General. Eliminated as a constitutional officer would be the Lieutenant Governor.

After January 9, 1995, if the Office of Governor is vacant or if the Governor becomes disabled, the highest ranking officer of the House of Representatives who is a member of the same political party as the Governor would become Governor, in the case of a vacancy, or assume the duties of Governor, in the case of a disability, until the disability is removed.

The House Committee held no hearings on this resolution.

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