

Approved 3-26-90  
Date

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Senator Lana Oleen at  
Chairperson

1:35 ~~am~~/p.m. on MARCH 13, 1990 in room 531-N of the Capitol.

All members were present except: Senator Moran - Excused  
Senator Doyen - Excused

Committee staff present: Julian Efird - Research  
Fred Carman - Revisor

Conferees appearing before the committee: Zoel Parenteau, President, KPTS-TV, Wichita  
Robert Fuzy, President, KCPT-TV, Kansas City, Ks  
David Corliss, League of Municipalities  
Jim Cobler, Director of Accounts & Reports

Hearing on: HB 2588 - Kansas Public Broadcasting System; Proposal No. 25

Chairman Oleen stated this legislation was recommended by the Special Committee of Federal & State Affairs and Governmental Organization. An interim study was held on HB 2253 and some components of this bill are in HB 2588.

Zoel Parenteau testified that the duties of the Commission have been misinterpreted by language in the proposed legislation; therefore, clarification is needed. There is no narrowing of the responsibilities of the Commission and the Commission will deal exclusively with public television and public radio broadcasting. An opinion was sought from the Attorney General in order that there would be no future confusion. Mr. Parenteau stated the Commission also supports provisions which would increase membership to the committee with another public member, increase terms to 3 years and the Chair be held by a public member only. This will give more continuity and input to the Commission.  
(Attachment 1)

Robert Fuzy supports HB 2588 and feels all amendments to the bill are significant and will allow the Commission to function more efficiently. He feels all changes being proposed are important to clarify the Commission's role in interconnection of radio and television stations and lend effective continuity in performing responsibilities.  
(Attachment 2)

In discussion, it was noted that funds have not been received by the Commission but there is confusion in language relating to this subject in Sub section (g) page 3. The increase in membership on the Commission was proposed by Representative Dean. Concern was expressed by a Committee member regarding the private monies and current responsibilities of the Commission as referenced on page 3 of the bill.

Hearing on: HB 2836 - Concerning the Department of Administration; certain functions and duties

Jim Cobler briefly clarified for the Committee the changes proposed in this bill. Presently records have to be kept indefinitely for cancelled warrants and this bill would limit entitlement to claim payment to five year. The process to inform individuals about warrants was discussed. As staff is not available to do a physical inventory in all state office, it is felt this language should be removed. New language regarding audits allows the director to determine if an account should be paid and he may refuse payment when it is determined a claim is not valid. Basically the change in language allows random audit rather than total claim audit. The purpose of this proposal is to remove two staff members in the department, a savings of \$60,000. Mr. Cobler said there has always been confusion on vouchers for less than \$5.00 for payment, as statutes vary among agencies and he would like to have the authority

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,  
room 531-N, Statehouse, at 1:35 ~~XX~~/p.m. on March 13, 1990

to issue such vouchers at his discretion. Mr. Cobler stressed that the present system of retaining employee records of deductions, benefits, etc., should be kept with the agency where the employee is working, with the information forwarded to him through the computer system, rather than move all the records to his office.

Chairman Oleen requested Dr. Loren Phillips to continue testimony on HB 2756.

Further clarification was given to the new language regarding the naming of the father on a birth certificate. With the advent of direct forwarding of vital statistic information to the agency from hospitals and funeral homes, it is recommended that the position of registrar be eliminated. (Attachment 3)

A motion was made by Senator Bogina to amend line 16, page 2, changing "or" to "and" and recommending HB 2756 favorably as amended; seconded by Senator Francisco.  
Motion carried.

Hearing on: HB 2626 - Concerning electricians; relating to standard examinations.

David Corliss gave testimony supporting passage of this legislation. The national codes and standards used by cities and counties are periodically updated and there is an update for 1990. To continue the system of reciprocal recognized examinations for electricians, HB 2626 is necessary to amend K.S.A. Supp. 12-1525 to read "July 1, 1990." The League believes statutes establishing reciprocity should reflect national code changes. (Attachment 4)

A motion was made by Senator Bogina to recommend favorably HB 2626; seconded by Senator Strick.  
Motion carried.

Meeting adjourned. The next meeting will be March 19, 1990.

GUEST LIST

COMMITTEE: SENATE GOVERNMENTAL ORGANIZATION

DATE 3-13-90

NAME	COMPANY / ORGANIZATION	ADDRESS
ZOEL PARENTERAU	KPTS, <del>WICHITA</del>	WICHITA
Ann Randol	KPT	K. O.
Robert Fuzy	"	"
Nick Stechtz	Kosa / Ksusk	Bunko. A. 11
Virgil Basgall	PBC & DISC	Topeka L50B7 <sup>th</sup>
Barbara Paschke	Bd. of Regents	Topeka
Dob N Anderson	KTWW	Topeka
LORNE A. PHILLIPS	KDHE	TOPEKA
Cherlene Satzler	KDHE	Topeka
JANE CORLIS	League of Municipalities	Topeka
James R. Cobler	Dept of Administration	"
WAYNE K WIAWECKI	AFSCME	"

Governmental Organization Committee  
H.B. 2588 - Public Broadcasting Commission

KPTS supports HB 2588 for the following reasons:

1. It clarifies the intent of the original statute through improved wording. Members of the commission and the legislature were so confused with the scope of the commission's responsibilities -- particularly with the current wording in Sec. 2. (a) -- that it was necessary to request an Attorney-General's opinion to straighten out the confusion (See attached). By these changes in sections 2. (a) through 2. (1), future misunderstandings as to the commission's responsibilities should be avoided.

2. In recognition of this problem, the commission voted unanimously on January 11, 1989, to recommend to the legislature that the commission be "left intact to deal with public television and public radio broadcasting exclusively as the Attorney General recommends..." Rep. Dean, then a member of the commission, introduced HB 2253 last session, which was the forerunner of this bill.

3. As you know, the provisions of this bill reflect the recommendations of this past summer's Special Committee on Federal and State Affairs/Governmental Organization.

4. We also support the other provisions which would: increase the commission by another public member, increase public members' terms from 2 to 3 years, and direct that the commission chair be held only by a public member. Subsequent speakers will address these points in more detail, but we are supportive for the purposes of improving the commission's future operations.

Zoel Parenteau  
KPTS, Wichita

S.G.O.  
ATTACH 1  
3/13/90



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN  
ATTORNEY GENERAL

December 19, 1988

MAIN PHONE (913) 296-2215  
CONSUMER PROTECTION 296-3751

ATTORNEY GENERAL OPINION NO. 88-167

The Honorable Henry M. Helgerson, Jr.  
State Representative, 86th District  
4009 Hammond Drive  
Wichita, Kansas 67218

Re: State Departments; Public Officers and Employees --  
Public Broadcasting -- Kansas Public Broadcasting  
Commission; Powers and Duties

Synopsis: Pursuant to K.S.A. 1987 Supp. 75-4907(a), the  
public broadcast commission's powers and duties to  
provide "coordination and information" relate to  
public television and radio broadcasting, and not  
all telecommunications matters. Cited herein:  
K.S.A. 1987 Supp. 75-4905; 75-4907.

\* \* \*

Dear Representative Helgerson:

You have requested our opinion concerning the powers and  
duties of the Kansas public broadcast commission  
(commission). Specifically, you inquire whether the  
commission, pursuant to K.S.A. 1987 Supp. 75-4907(a), has the  
power or duty to "provide coordination and information" on all  
telecommunications matters concerning the state.

The purpose of the public broadcasting statutes is found in  
K.S.A. 1987 Supp. 75-4905:

"It is hereby found and declared that it  
is in the public interest of the state to  
encourage the expansion of noncommercial  
public television and radio broadcasting  
coverage by originating stations to  
unserved areas of the state and its use

for instructional purposes; that the expansion of noncommercial public television and radio broadcasting and its programming diversity depend on freedom, imagination and initiative; that it furthers the general welfare to encourage such programming which will be responsive to the interests of people throughout the state and which will constitute an expression of diversity and excellence; that it is necessary and appropriate for the state government to complement, assist and support a policy that will most cost effectively make noncommercial public television and radio service available to the people of the state." (Emphasis added).

K.S.A. 1987 Supp. 75-4907(a) provides as follows:


"The commission shall administer this act and shall have and may exercise the following powers, duties and functions:  
(a) provide coordination and information on matters relating to public television and radio broadcasting among state agencies, all facets of Kansas public education, and individuals, associations, and institutions working in such fields both within and without the state. . . ." (Emphasis added).

When the above provision concerning the commission's powers and duties is read with the purpose of the act, it can be seen that the commission's powers and duties to provide "coordination and information" relate to public television and radio broadcasting, and not all telecommunications matters.

Very truly yours,



ROBERT T. STEPHAN  
ATTORNEY GENERAL OF KANSAS



Rita L. Noll  
Assistant Attorney General

RTS:JLM:RLN:bas

Senate Committee on Governmental Organization  
House Bill 2588  
March 13, 1990

I am Robert F. Fuzy, manager of KCPT Channel 19 in Kansas City. I am here to speak in favor of House Bill 2588.

The amendments called for in this bill are significant. They will make it possible for the Kansas Public Broadcasting Commission to function more efficiently, benefiting both the State and the stations affected.

The increase in lay representatives to three (for a total commission membership of eight) and the increase in their terms to three years will provide continuity and added time for the commissioners to become familiar with the issues with which they must deal.

The changes in Section 2 (b) clarify the commission's role in interconnection of the radio and television stations while Section 2 (k) enables the commission to conduct the studies to determine the feasibility of that interconnection.

While these amendments are not what one would call "sweeping" they are important and I urge you to report HB 2588 favorably.

S.G.O.  
Attach 2  
3-13-90



# State of Kansas

Mike Hayden, Governor

Department of Health and Environment

Division of Information Systems

Landon State Office Bldg., Topeka, KS 66612-1290

(913) 296-1415

FAX (913) 296-6231

Stanley C. Grant, Ph.D., Secretary

Testimony presented to the  
Senate Governmental Organization

by

The Kansas Department of Health and Environment

House Bill 2756

H.B. 2756 is being introduced to (1) eliminate reference to local registrars; (2) clarify language in K.S.A. 65-2409 with regard to determination of parentage and (3) eliminate reference to burial permits in K.S.A. 65-2414 since the in-state burial permits were abolished in 1982.

With regard to eliminating reference to local registrars, it should be noted that the role and function of the local registrar originally was to assist the State Registrar in the collection of birth, death and stillbirth records. When the vital statistics system was established in 1911, there were over 600 local registrars. Over time, the number of local registrars was decreased as the ability to collect and transmit records improved. In 1986 there were 143 local registrars.

During the 1986 Legislative Session, the House Governmental Organization Committee made a number of recommendations designed to improve the efficiency of the Office of Vital Statistics. The Committee recommended that the number of local registrars be reduced to no more than one per county and that serious consideration be given to a direct reporting system to allow vital records to be transmitted directly to the Office of Vital Statistics from the originating institution rather than through a local registrar.

The Office of Vital Statistics complied with this directive by decreasing the number of local registrars and by initiating a direct reporting pilot project. The pilot project accomplished the anticipated goals with no negative ramifications.

During the 1988 Legislative Session H.B. 2715 was proposed to abolish the local registrar position by the House Public Health and Welfare Committee. A hearing was held by the House Public Health and Welfare Committee after which a decision was made to allow the bill to die since it was felt the State Registrar had the authority to pursue direct reporting without legislative action.

In October, 1989 all 105 counties became direct reporting counties to facilitate the implementation of an electronic birth certificate system across the state; however, the Department's authority to eliminate the local registrar position

SG.D  
ATTACH 3  
3/13/90



Testimony--House Bill No. 2756--March 12, 1990

without legislation was challenged in court by the City Clerk (former local registrar) in Kansas City, Kansas. The court case has been dismissed and the Kansas City, Kansas City Clerk has agreed to support the proposed legislation.

The Office of Vital Statistics is currently implementing an electronic birth certificate (EBC) system in hospitals across the state. EBC allows the hospital to transmit the birth certificate data electronically via either floppy disk, modem, or the Kansas Data Network. Currently there are 20 hospitals reporting births electronically representing approximately 64% of all births occurring in the State of Kansas. It is anticipated that 80% of all births will be reported electronically by the time all installations are completed.

An optical disk system is also being installed and implemented that will completely automate the processing of the vital records and the issuance of certified copies.

The automation of vital statistics and direct reporting will provide Kansas with the most efficient, expeditious system/service possible. In addition, the system will eliminate redundancy and speed up the process. The internal edits in the EBC system alone have reduced the number of errors found on incoming records from 30% to approximately 4%. With an automated system it would be inefficient and redundant to have vital records routed through a local registrar.

Statewide direct reporting will also impact on and decrease the extent of fraud activities associated with the illegal issuance of birth and death information.

It should also be noted that local registrars initially assisted with the registration of home births and the preparation of burial permits. Today home births represent a very small percentage of total births (less than .3 of 1%) and in-state burial permits were eliminated in 1982. Today the only time a burial permit is required is if the body is being transported out-of-state and those permits are now issued by the funeral director.

In the case of home births, local health departments assist in the preparation of birth certificates. This arrangement promises a better, more accurate birth certificate since health professionals are better able to determine what types of information should be recorded. In addition, this system promotes access to health services due to the contact with the local health department that results in better health care for both the infant and the mother.

Contingent upon funding, the final phase of the Vital Statistics automation effort includes plans to implement the local issuance of vital records on a regional basis across the State of Kansas. We propose to implement issuance services in the KDHE district offices located in Salina, Hays, Wichita, Chanute and Dodge City and in the City Clerk's office in Kansas City, Kansas. We anticipate implementation of the final phase at the time all birth records back to 1911 are converted to the optical disk system and funding is available.

Language in K.S.A. 65-2409 with regard to legal definition of father of child currently reads "at the time of conception or birth" which is interpreted to be "at the time of conception or birth or anytime in between" as the mother could conceivably be unmarried at the time of conception and at the time of birth

Testimony--House Bill 2756--March 12, 1990

and have been married "sometime in between". The recommended change will simply clarify the language and make it consistent with the interpretation.

Since the in-state burial permit was eliminated in 1982, the proposed change to K.S.A. 65-2414 would simply remove language referencing the permit.

In summary, since the purpose and function of the local registrar no longer exists and records are now being transmitted directly to the Office of Vital Statistics from the funeral homes and hospitals and the recommended changes to K.S.A. 65-2409 and 65-2414 simply clarify current language or eliminate obsolete language, we recommend passage of H.B. 2756. Passage of H.B. 2756 will allow the Vital Statistics system to operate at the most efficient, effective level possible which in turn will allow the most expeditious service possible to the citizens of Kansas.

Testimony presented by: Dr. Lorne A. Phillips  
State Registrar  
Office of Vital Statistics  
Division of Information Systems  
March 12, 1990



**League  
of Kansas  
Municipalities**

**Municipal  
Legislative  
Testimony**

An Instrumentality of Its Member Cities. 112 West Seventh Street, Topeka, Kansas 66603 913-354-9565 Fax 354-4186

TO: Senate Committee on Governmental Organization  
FROM: David Corliss  
RE: HB 2626; Electrician Examination  
DATE: March 13, 1990

The 1989 Legislature amended K.S.A. Supp. 12-1525 by enacting Sen. Sub. for HB 2124 (1989 Session Laws Chapter 59) which designated standard examinations which may be used by any county or city which requires licensure of electricians. The standard examination for electricians was to be based upon codes and standards effective on July 1, 1989--the date that legislation took effect. The examination based on the codes and standards effective July 1, 1989 prepared and published by the national trade testing entity--statutorily declared to be Block and Associates--is designated the standard examination for determining the qualification of persons seeking licensure as electricians.

In keeping with technological and regulatory changes, the national codes and standards used by cities and counties are periodically updated. The National Electrical Code (NEC) has been updated for 1990. Block and Associates--the testing entity designated under Supp. 12-1525 for reciprocally recognized examinations--will change the test for electricians in July 1990 to include changes to the NEC. After July 1990 Block and Associates will not offer electrician examinations based on the 1989 edition of the NEC.

In order to continue the current system of a reciprocally recognized examination for electricians, HB 2626 is necessary. It amends K.S.A. Supp. 12-1525 to change "July 1, 1989" to "July 1, 1990", and makes appropriate reference changes to K.S.A. 1989 Supp. 12-1527.

**League Policy Statement.** The League's convention-adopted Statement of Municipal Policy provides at Section I-9: "Statutes establishing reciprocity for licensure examinations should be amended as new versions, reflecting national code changes, are promulgated."

The League respectfully requests your favorable consideration of HB 2626.

S.G.O.  
ATTACH 4  
3-13-90

President: Irene B. French, Mayor, Merriam • Vice President: Frances J. Garcia, Mayor, Hutchinson • Directors: Ed Ellert, Mayor, Overland Park • Harry Felker, Mayor, Topeka • Greg Ferris, Councilmember, Wichita • Idella Frickey, Mayor, Oberlin • William J. Goering, City Clerk/Administrator, McPherson • Judith C. Hollnsworth, Mayor, Humboldt • Jesse Jackson, Mayor, Chanute • Stan Martin, City Attorney, Abilene • Richard U. Nienstedt, City Manager, Concordia • Judy M. Sargent, City Manager, Russell • Joseph E. Steineger, Mayor, Kansas City