

Approved FEB 26 1991
Gary Blumenthal
Date

MINUTES OF THE House COMMITTEE ON Governmental Organization

The meeting was called to order by Rep. Gary Blumenthal at
Chairperson

9:00 a.m./~~p.m.~~ on February 18, 1991 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Carolyn Rampey, Research Dept.
Avis Swartzman, Revisor of Statutes
Nita Shively, Committee Secretary

Conferees appearing before the committee:

Rep. Tim Shallenburger

Chair opened the meeting by announcing that, at the request of the sponsor, HB 2219 will be withdrawn from action/discussion.

Chair recognized Rep. Shallenburger who requested the introduction of a bill requiring that the proceedings of the House and Senate be transcribed into daily journal form. Motion to introduce this legislation was made by Rep. Weimer, seconded by Rep. Lawrence, motion carried.

Chair advised that written testimony was distributed to the committee on the following: Testimony from Rep. Helgerson on HB 2084, (Attachment 1), testimony from Lee Droegemueller, Commission of Education, (Attachment 2), Fiscal Note for HB 2080, (Attachment 3), and Fiscal Note for HB 2084, (Attachment 4).

HB 2214 - AN ACT concerning the House committee on interstate cooperation; amending K.S.A. 46-402 and repealing the existing section.

Chair announced that both hearing and action would be taken on this bill today, provided there are no objections. Chair acknowledged that this is an unusual situation, but since there are no conferees either for or against, the matter can be handled expeditiously. Staff advised that an amendment was necessary on line 28, indicating publication in Kansas Register rather than statute books. Motion to amend HB 2214 was made by Rep. Bowden, seconded by Rep. Bishop, motion carried. On the bill as a whole Rep. Bowden moved to pass HB 2214 favorably as amended, seconded by Rep. McClure, motion carried.

HB 2084 - AN ACT establishing the governor's commission on mental retardation and other developmental disabilities; relating to the composition thereof; prescribing functions therefor.

Chair distributed a sheet listing proposed amendments to HB 2084 and described each change--discussion followed. Rep. Lawrence moved to amend HB 2084--line 28, changing 3 persons who are advocates to read 2 advocates and 2 family members. Motion seconded by Rep. Lahti, motion carried.

Rep. Bowden moved to amend line 19--change 3 members from SRS to 2 members. Motion seconded by Rep. Lahti, motion carried. Rep. Bowden moved to amend line 22--after the word services delete: for the developmentally disabled. Motion seconded by Rep. Weimer, motion carried. Rep. Bowden moved to amend line 32--after the word services delete through to line 36. Motion seconded by Rep. McClure, motion carried. Rep. Bowden made a motion to amend HB 2084 to add where appropriate; one member shall be appointed from the Dept. of Health & Environment. Motion seconded by Rep. Weimer, motion carried. Attachments

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S, Statehouse, at 9:00 a.m./~~p.m.~~^{XX} on February 18, 1991

Following discussion Rep. Bishop made a motion that either chairperson or his designee from KPCDD serve on the Commission. Motion seconded by Rep. Lawrence, motion carried.

Rep. Weimer made a motion to amend the bill; sunset for 2 years. Motion seconded by Rep. Lawrence, division called--motion failed.

On bill as a whole, Rep. McClure moved to report HB 2084 favorably as amended, seconded by Rep. Watson, division called--motion carried. Rep. Ramirez recorded as NO vote.

Chair called attention to minutes for February 11 and February 12, 1991 and asked committee members to review them before next meeting; action will be taken at that time.

Meeting adjourned at 9:45 a.m.

HENRY M. HELGERSON, JR.
REPRESENTATIVE EIGHTY-SIXTH DISTRICT
4009 HAMMOND DRIVE
WICHITA KANSAS 67218-1221



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER APPROPRIATIONS
ECONOMIC DEVELOPMENT
ELECTIONS

TO: Rep. Gary Blumenthal, Chairman
House Committee on Governmental Organization

FROM: Rep. Henry Helgerson

RE: HB-2084

DATE: February 12, 1991

Background

The Governor's Advisory Commission on Mental Health and Retardation Services was established in 1947 by Kansas Statute (K.S.A. 75-3302d) to serve as the mental health and retardation advisory body to the Governor and to the Commissioner of Mental Health and Retardation Services. Initially, the Commission concentrated on advising the Commissioner with respect to policies governing the management and operation of the state institutions. When the state services for the mentally ill and mentally retarded reorganized into the cabinet department of Social and Rehabilitation Services, the Commission also became advisory to the Secretary of SRS on mental health issues. With the development of community mental health programs, the commission assumed the additional responsibility of overseeing the long range plans for community programs.

In 1986, the federal government passed the State Comprehensive Mental Health Service Planning Act or commonly referred to as Public Law 99-660. In this act, the federal government required that there would be a state comprehensive mental health service plan developed by every state and each state would create a state mental health service planning council.

Partially in answer to Public Law 99-660 and public pressure to alter the mental health problems in our state, the House Appropriations Committee introduced three pieces of legislation in the 1989 legislative session. They were: HB-2577, HB-2578, and HB-2579. HB-2577 contained provisions for the organization of a mental health service, including the creation of the Governor's Commission on Mental Health Services. HB-2579 incorporated the provisions

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attachment 1*

of HB-2577 and, in addition, created a Department of Mental Health and Retardation Services. HB-2578 created a separate Governor's Commission on Mental Retardation Services. In the summer of 1989, an Interim Committee reviewed these bills and recommended a substitute bill be introduced, which became known as HB-2586, the Mental Health Reform Act. Among its recommendations were the elimination of the Governor's Advisory Commission on Mental Health and Retardation Services and replacing it with the Governor's Commission on Mental Health in HB-2586 and to establish a separate Governor's Commission on Mental Retardation in HB-2578.

In 1990, the legislature passed HB-2586 and amended HB-2578 regarding the composition of the Governor's Commission on Mental Retardation Services. However, because of lack of time and other pressing matters, HB-2578 did not pass the legislature.

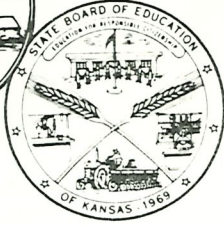
HB-2084

The draft you see before you is the legislation as it was amended by the House Subcommittee on Appropriations in the 1990 legislative session. This legislation details the membership of the commission, the appointment of a Chairman, meetings, and the duties of the Commission.

This legislation provides statutory authorization for an advisory council for the mentally retarded and disabled individuals of this state similar to the one that Public Law 99-660 requires for the mentally ill.

I'd be happy to stand for any questions.

*g. O. 2-18-91
attachment 1-2*



Kansas State Department of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612-1103

(913) 296-3201

Mr. Chairperson and Members of the Committee

My name is Lee Droegemueller, Commissioner of Education, and it is a great honor and privilege that I have been asked to come before this Committee and to address the issues centering on children and families. As you know, education has a vital interest in the welfare of our children and their readiness for learning. We also have sponsored numerous programs for preschool children, which are the most important parts of our services. Needless to say, there is a crisis looming for many children and families in this state.

We have several programs that address special children with needs such as special education, our three- to five-year old mandate for special education, and the 0 to two years, Part H programs. We have programs working with homeless children and preschool children through our Food Service Department. We support one of the largest restaurant systems in the state with the school lunch, day care meals, and the breakfast programs. So, it is with great enthusiasm that we have accepted the national goal "that every child should come to school ready to learn."

In addressing the issues of governmental structures for serving children, let me just review with you the way the system now works. First, we identify a problem. Second, we ask you for the resources necessary to correct the problem. Once the legislature has found the resources, we then hire staff to provide the service. We now have developed a closed system outside of the consumers. That system also requires monitoring, so we monitor the system. Finally, in most instances, we create advisory councils which support, advise and evaluate the successfulness of the service. Many times we have more advisory or local councils than we have people to place in them. Thus, we have a closed system; one in which, if it is reported the services are not as adequate, there is a tendency for them not to be funded. On the other hand, we sometimes exaggerate the value of the services that we are delivering in order to get more resources to keep the system alive.

We many times have a system structured to serve itself rather than the people needing the services.

A major weakness of this present system is that seldom does the system empower the clients or does it allow the clients to solve their own problems. The emphasis is on what service we can

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attachment 2*

provide for you, rather than what you can do for yourself. To counteract this present system, and I commend you for your investigation into the structures of government, we have to look at business and industry and see what is really happening in new models they are now using to produce quality products. One of the first things is the fact that the business model has changed. It is no longer top-down. Organizations are flattening. In many businesses, the decisions are made by the workers and are often tied directly to the customer or the consumer. Yet most of our government systems are still top-down systems, even though old work models will not suffice. The old work model was based upon people developing a speciality and, once one had a specialty, he/she took care of a specific problem. Now, the workers are able to do many jobs. In contrast, within our present State system, we develop a service speciality, we license people, and the result is that four or five people are serving the same client. Many times, the specialized service could be taken care of by one or maybe two people. In order to restructure the way we deliver service, we must look to those businesses which are looking to the future and using the new model of using human resources. It is with these facts that I recommend we begin restructuring what we are doing and how we are delivering services with our governmental agencies.

I might add that one of the major problems that we have in addressing the problems of children and families is the system of beliefs and values which we hold about children and families. Needless to say, we often think of a family as it was portrayed in the 50's with "Dick and Jane," or in the 60's with "Leave It To Beaver." Ladies and gentlemen, many of our families are not the "Dick and Jane" or the "Leave It To Beaver" families. In fact, we are finding that more and more, we have single-parent families. More and more, we have families where both parents are working. We have families where many of the parents have two and three jobs in order to provide the economic subsistence that they need in order to survive. A recent study points out the fact that unless some drastic changes are made with regard to education and human resource development, as high as 70 percent of the families and children that exist today will have to live at a lower standard than what you have today as parents. What this really means is that the quality of life that we work so hard for is getting less attainable. It really means that unless we have some intervention at earlier ages and really address the needs of education, training and retraining, our state will not be as good a place to live as it was in the past.

In the State's Board new proposal, education is looking at the establishment of a learning community. A learning community is a learning, service community centered around the neighborhood, or, in the smaller communities with less population, a whole community. School and education and services are a central focus of this learning community. One might refer to it as a "one-stop service," similar to the "one-stop shopping" concept, but the idea is to have people and services connected

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attachment 22*

together in such a way that we reduce the duplication and free up the restrictions. This would allow the local community, with one solid advisory council, to meet the needs of the people in their communities, to empower those people to train and retrain and to hire and to select the services that they need in order to correct the deficiencies in the family and children of that community. This is a program which would focus on helping oneself to solve one's problems.

By focusing upon one area in the community, such as focusing on one council, we can maximize the forces and generate the resources by utilizing community personnel. In the cases where the communities are so small they do not have adequate resources, we could promote the use of interactive video technologies. This would allow communities to cluster together so that several communities could share an outstanding teacher or engineer or physician. By sharing human resources, a community can solve their economic, social, and education needs. The interactive video provides a media whereby communication, problem solving, teaching, learning, and health care can be addressed from a distance. By having lesser-skilled people in a local community with access to higher-skilled people throughout the state or in neighboring communities, the issue of providing services and empowering the local community can be successfully addressed.

There is no question that the structure of government needs to be reviewed - the structure of service agencies needs to be reviewed - in light of what is happening in business and industry today. We must look at quality rather than quantity, and we must provide the monitoring to make sure that the services are delivered. More fundamentally, however, we must allow the services to be obtained at the local level with local people.

Thank you for the opportunity to present this concept before you today.

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STATE OF KANSAS



DIVISION OF THE BUDGET

Room 152-E
State Capitol Building
Topeka, Kansas 66612-1578

(913) 296-2436
FAX (913) 296-0231

JOAN FINNEY, GOVERNOR
Gary Stotts, Acting Director

February 11, 1991

The Honorable Gary Blumenthal, Chairperson
Committee on Governmental Organization
House of Representatives
Third Floor, Statehouse

Dear Representative Blumenthal:

SUBJECT: Fiscal Note for HB 2080 by Committee on
Governmental Organization

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2080 is respectfully submitted to your committee.

HB 2080, as introduced, amends KSA 74-7257 to extend the existence of the Department of Transportation and the office of the Secretary of Transportation under provision of the Kansas Sunset Law from July 1, 1991, to July 1, 1999.

HB 2080 would have no fiscal impact if passed and is consistant with the Governor's recommendations for FY 1992.

The *FY 1992 Governor's Budget Report* contains \$87,600,000 from the State General Fund and \$737,248,196 from all funds for the Department of Transportation until the sunset date of July 1, 1991. In the event HB 2080 does not pass, the Department of Transportation would sunset in FY 1992 which would result in a increase to the State General Fund of \$87,600,000.

Sincerely,

Gary Stotts
Acting Director

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attachment 3-

115-5
STATE OF KANSAS



DIVISION OF THE BUDGET

JOAN FINNEY, GOVERNOR
Gary Stotts, Acting Director

Room 152-E
State Capitol Building
Topeka, Kansas 66612-1578

(913) 296-2436
FAX (913) 296-0231

February 13, 1991

The Honorable Gary Blumenthal, Chairperson
Committee on Governmental Organization
House of Representatives
Third Floor, Statehouse

Dear Representative Blumenthal:

SUBJECT: Fiscal Note for HB 2084 by Representatives
Helgerson and Blumenthal

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2084 is respectfully submitted to your committee.

HB 2084, as introduced, establishes the Governor's Commission on Mental Retardation and other Developmental Disabilities. The Commission would consist of 15 members appointed by the Governor for a term of two years.

The Commission is charged with consulting with the Secretary of Social and Rehabilitation Services concerning management and operation of all state mental retardation institutions and facilities, as well as community mental retardation facilities. The Commission would also monitor and evaluate the adequacy of mental retardation services within the state. In addition, the Commission would also consult with the Governor, provide an annual report to the Governor and Legislature, and recommend legislation concerning mental retardation programming. HB 2084 would take effect July 1, 1991.

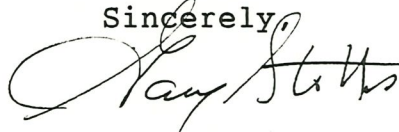
HB 2084, as introduced, would increase expenditures from the State General Fund by approximately \$7,192 in FY 1992 and each year thereafter from the recommendations contained in the *FY 1992 Governor's Budget Report*. This estimate includes travel, lodging, per diem, and subsistence costs for four

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The Honorable Gary Blumenthal
February 13, 1991
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one-day meetings for 15 Commission members and \$1,000 to print 1,000 copies of an annual report. Additional meetings, or visits to state institutions and community facilities, would increase the cost of Commission activities.

Sincerely,



Gary Stotts
Acting Director

cc: Representative Henry Helgerson
Karen DeViney, SRS

2399

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attachment 4-2

Proposed Amendments to HB 2084

Line 19: change 3 members from SRS to 2 members

Line 22: after the word services delete: for the developmentally disabled.

Line 28: change 3 members to 4 members

Line 32: after the word services delete through to line 36.

add where appropriate: one member shall be appointed from the Department of Health and Environment.

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attachment 5*