

Approved 2-11-92  
Date

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS

The meeting was called to order by SENATOR DON SALLEE at  
Chairperson

1:30 ~~xxx~~/p.m. on February 3, 1992 in room 529-S of the Capitol.

All members were present ~~except~~

Committee staff present:

Pat Mah, Legislative Research Department  
Ardan Ensley, Office of the Revisor of Statutes  
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Senator Jerry Moran  
Senator Janis Lee  
Bob Barnum, Interim Director, Work Force Development, SRS

Others attending: See attached list.

The meeting was called to order by Chairman Sallee at 1:40 p.m.

The chairman called the attention to a copy of a bill draft from Senator Oleen dealing with campaign finance. The change in the law would enable a participant of a joint fund raising event to pay the other participant their final share of expenses with a check from their campaign account.

Senator Kerr moved, with a second by Senator Brady, to introduce the bill. The motion carried.

SB-533 - relating to governmental ethics; concerning nepotism.

Senator Moran, co-sponsor of SB-533 appeared before the committee stating the bill had been requested by a constituent when a problem developed at Larned State Hospital. The difficulty resulted following the passage of the Ethics package passed last year, essentially, the section dealing with nepotism which severely restricts supervision of family. It was noted this nepotism section has been applied to hiring since, eventually, someone might possibly be supervising a family member. Senate Bill 533 would permit supervision on a temporary basis. It was pointed out that in rural areas many persons are related and it seriously depleted prospective job applicants if there was any possibility of being supervised by a relative.

Discussion emphasized the fact that the intent of the bill was to deal with supervision, not hiring.

Senator Lee related to the committee a situation in which a person had to relinquish a promotion due to the ruling by the Department of Administration since the individual could, temporarily, be supervising a relative.

Bob Barnum, Interim Director, Work Force Development, SRS, appeared and presented testimony before the committee noting the agency has experienced difficulty in recruiting qualified personnel for their facilities in rural Kansas. In the event recruits are found for open positions a spouse may seek employment with the state as it is the only viable employment option open to them. Also, due to relative small population in some communities, it is not uncommon for members of the same family or household to be employed by the same SRS facility. (Attachment 1)

Senator Kerr questioned Carol Williams, Governmental Standards and Conduct, about objections from her organization. She stated they were concerned only with the hiring issue.

Senator Rock moved to amend the bill by striking the comma after "supervise"

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.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON ELECTIONS,  
room 529-S Statehouse, at 1:30 ~~xm~~p.m. on February 3, 1992

and strike the word "temporary and," following temporary. Senator Lee seconded the motion.

The suggestion was made to leave the language as it is and insert another sentence to deal with the necessary changes.

Committee discussion followed with a concensus agreeing to insert language which would permit management of a family member on an occasional or intermittent basis.

Senator Rock amended, with approval of his second, his original motion to include the conceptual idea proposed by the committee. Senator Lee seconded the motion and the motion carried.

Senator Lee moved to pass S B-533 out favorable as amended. Senator Kerr seconded the motion and the motion carried.

The chairman announced the committee would meet February 4, 1992 and he would entertain a request from the Governor's office to introduce legislation concerning initiative and referendum.

Discussion followed as to whether one of the previous resolutions could be revived in order to save costs of reprinting bills and it was noted that such resolutions were obsolete because of dates and possibly other data.

There was discussion concerning the "motor-voter" bill, H.B. 2022 with the suggestion it deserved further consideration. The bill was tabled until the end of the 1991 legislative session.

The meeting adjourned at 2:06 p.m. The committee will meet February 4, 1992.

GUEST LIST

SENATE ELECTIONS COMMITTEE

DATE February 3, 1992

(PLEASE PRINT)

NAME AND ADDRESS

ORGANIZATION

Linda Kinney DPS

State

Patti Frey DPS

State

Rebecca Bossemeyer Topeka

SOS

Michael Wolf Topeka

Common Cause

Bob Bernum II

SBS

Paul Williams

KCGSC

Janet Williams

KCASC

Kansas Department of Social and Rehabilitation Services  
Legislative Testimony on Senate Bill 533

Senate Elections Committee  
February 3, 1992

Robert C. Barnum

SRS supports the modification to K.S.A. 1991 Supp. 46-246a proposed by Senate Bill No. 533. Historically, our agency has experienced difficulty in recruiting qualified personnel for our facilities in rural Kansas. We have particular difficulty recruiting nurses, physicians and other clinical staff. If we are able to find a professional who is willing to relocate to the community, their spouse may seek employment with us also because we may be the only viable employment option open to them. Likewise, because of the relatively small population in these communities, it is not uncommon for members of the same family or household to be employed by the same SRS facility.

The legislation passed last session has twice now limited our capability to efficiently and effectively manage operations. Recently, one of our mental health facilities needed to appoint an acting Superintendent following the retirement of the current superintendent. This appointment was to be for a short term only until such time as the recruitment and selection process could be completed for hiring a new Superintendent. In deciding who to appoint on an acting basis, most of the top managers at the facility could not be considered because they had household or family members working at the facility in different departments. That circumstance dramatically limited our appointment options. SRS is committed to having the best people we can get to manage the critical programs and services provided by our facilities. Our agency needs to have the flexibility in such a situation to choose the most qualified person. We had a similar circumstance in appointing an interim clinical director for that same facility.

The change proposed by S.B. 533 provides the flexibility we need. We will appreciate your favorable action on that bill.