

Approved February 18, 1992
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 February 4, 1992 in room 531-N of the Capitol.

~~All~~ members ~~were~~ present ~~except~~: Senators Oleen, Bogina, Doyen, Francisco, Kanan, Moran, Strick and Vidricksen.

Members Absent: Senator Gaines.

Committee staff present:

Julian Efird, Kansas Legislative Research Department
Fred Carman, Revisor of Statutes Office
Mary Allen, Committee Secretary

Conferees appearing before the committee:

Rocky Vacek, Kansas Barber Board
Shaun McGrath, Kansas National Resource Council
Joyce Wolf, Kansas Audubon Council
Leo Hafner, Division of Legislative Post Audit

The meeting of the Senate Committee on Governmental Organization was called to order at 1:35 p.m. by the Chairman, Senator Lana Oleen.

Rocky Vacek, Administrative Officer of the Kansas Barber Board, appeared before the Committee to request that a bill be prepared for introduction which would make some statutory language changes concerning barbering requirements. He reported that these proposed changes would not increase costs to the agency and are not controversial in nature. (Attachment I) Since a quorum of the Committee was not yet present, action on this request was deferred to later in the meeting.

The Chairman opened the second hearing on SB 471.

Senate Bill 471 - Kansas Governmental Operations Accountability Law
(K-GOAL)

Staff presented a fact sheet regarding the agencies which would be affected by the proposed K-GOAL legislation including a list of the years in which state agencies would be subject to audit, review, and evaluation and a list of the years in which state agencies would be subject to abolition. (Attachment II)

Chairman Oleen introduced Shaun McGrath, Executive Director of the Kansas Natural Resource Council, who spoke of SB 471. Mr. McGrath noted that the intention of K-GOAL will make legislative oversight of state agencies more effective and meaningful. He requested that the Committee consider an amendment to the bill to make the Kansas Board of Agriculture also subject to K-GOAL. (See Attachment III for Mr. McGrath's testimony.)

Joyce Wolf, Kansas Audubon Council, spoke in support of the intent of SB 471. She said that the Council suggests that the State Conservation Commission be added to the bill to the list of agencies which should be subject to periodic review and performance audit. She stated, further, that the Council is concerned that the Kansas Water Office is included in SB 471 as an agency subject to abolishment. She said that the Council would prefer that that agency be included as one to be periodically reviewed. (See Attachment IV for Ms. Wolf's testimony.)

Chairman Oleen called on Leo Hafner, Division of Legislative Post Audit, to provide the Committee with a list of performance audits previously conducted of agencies that Post Audit would be required to audit under SB 471. The list presented by Mr. Hafner (Attachment V) includes those audited from January, 1987, to date. Mr. Hafner observed that the Division of Post Audit would like to see some flexibility built into SB 471 concerning the audits to be performed in the first year. Pointing out that the Department of Social and Rehabilitation Services

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,
room 531-N, Statehouse, at 1:35 ~~a.m.~~/p.m. on February 4, 1992.

and the Department of Commerce have received several audits recently, he proposed that an agency to be audited at a later year might be "pushed up" to audit in an earlier year in order that some of the audits already completed could be used in the review of that agency. He further suggested that one or more of the agencies to be reviewed the first year might be moved back to a later year.

Committee discussion followed concerning the capability of the work force of the Division of Legislative Post Audit to perform the audits called for in SB 471 while, in addition, being available for other audit requests. Chairman Oleen pointed out that this matter was a concern of the Interim Committee which recommended the bill; however, that Committee was not contemplating total performance audits of entire agencies. She noted that audit scope statements can be drafted to request audits of an agency on a narrow scope.

There being a quorum present, the Committee turned its attention to the bill draft request by the Kansas Barber Board.

Senator Francisco moved that a bill be drafted for introduction by the Committee to incorporate the request of the Kansas Barber Board. Senator Vidricksen seconded the motion. The motion carried.

Chairman Oleen said that the Committee has been requested to introduce a bill concerning continuing education for dentists. (Attachment VI)

Senator Strick moved that a bill be drafted for introduction by the Committee concerning continuing education for dentists (Attachment VI). Senator Kanan seconded the motion. The motion carried.

Senator Doyen moved that the minutes of the January 28, 1992, meeting be approved. Senator Bogina seconded the motion. The motion carried.

Chairman Oleen announced the appointment of the following subcommittees for sunset reviews:

Department of Corrections: Senator Doyen, Chairman
Senator Francisco

Kansas Lottery: Senator Vidricksen, Chairman
Senator Strick

Department of Administration: Senator Bogina, Chairman
Senator Gaines

Board of Healing Arts: Senator Moran, Chairman
Senator Kanan

The Chairman adjourned the meeting at 2:20 p.m.

Larry Cowdin
Gene Robben
Les Nefzer
Rocky White
John Mendenhall
Jaye Wref
Shaun McGrath
Greg Kussak
Donna & Alast
Michael Wolff

KDOT
KDOT
Post Audit
KS Books Bond
GRS
KS Audubon Council
KS. Natural Res Council
K.S.B.A.
Genesee County
Common Cause/KS



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February 27, 1991

Rocky Vacek
Administrative Officer
Kansas Board of Barber Examiners
717 S. Kansas Ave.
Topeka, Kansas 66603-3811

Dear Rocky:

As I discussed with you and the board members at your last meeting, I have discovered numerous statutory and regulatory changes which should be implemented in order to make your legal scheme coherent. Following our list of the issues which I have identified, I would recommend that the board study these matters and develop a package of proposed legislative changes for the 1992 session. In relation to regulations, I would suggest that the board study the matters I am bringing to its attention as well as thoroughly review all of your regulations. I have not gone over all of the regulations carefully, but I suspect there are others which should be amended.

Statutes

1. K.S.A. 1990 Supp. 65-1819(a) provides: "Every licensed barber, every licensed instructor, and every licensed operator of a barber school or barber college shall annually renew the license and pay the required fee." This statute does not require operators of a barber shop to renew their license annually.

2. K.S.A. 1990 Supp. 65-1820 addresses the suspension of a certificate of registration. The board no longer issues certificates of registration and therefore this statute should be repealed. (K.S.A. 1990 Supp. 65-1820a provides the appropriate procedure for suspending or revoking a license.)

Senate Governmental Organization Committee
2-4-92
Attachment I

3. K.S.A. 1990 Supp. 65-1820a provides the statutory authority to refuse to issue, renew, suspend, or revoke any license. Within that section, subsection (10) allows the board to take administrative action for "the violation of any of the sanitary regulations promulgated by the board for the regulation of barber shops; barber schools and barber colleges." However, that statute does not provide authority to take administrative action if a barber school has violated any of the provisions found in K.A.R. 61-3-1 et seq., the regulations pertaining specifically to schools. K.S.A. 1990 Supp. 65-1825 gives the board authority to adopt the school regulations, but there is no statutory authority to take action against a licensee for violation of those regulations. Although K.A.R. 61-3-23 purports to establish authority to take administrative action for violation of those rules, that regulation is not authorized by any statutory authority (i.e. K.S.A. 1990 Supp. 65-1820(a) and therefore is not an enforceable regulation.)

4. K.S.A. 1990 Supp. 65-1820a(a), K.S.A. 1990 Supp. 65-1821, and K.S.A. 65-1829 all contain the same requirement that administrative proceedings must be conducted in accordance with the Kansas Administrative Procedure Act. This does not need to appear in three separate statutes. It is sufficient for that authority to appear in K.S.A. 1990 Supp. 65-1820a(a). The other two statutes should be repealed.

5. K.S.A. 1990 Supp. 65-1823 contains definitions that are duplicitous with the definitions found in K.S.A. 1990 Supp. 65-1809. Therefore, K.S.A. 1990 Supp. 65-1823 should be repealed.

6. K.S.A. 1990 Supp. 65-1825(b) refers to "each person to whom a certificate of registration is granted." Since the board no longer issues certificates of registration, that phrase should be changed to "license."

7. K.S.A. 1990 Supp. 65-1825a is identical with the first paragraph of K.S.A. 1990 Supp. 65-1825. It should therefore be repealed.

8. K.S.A. 1990 Supp. 65-1826 provides: "The practice and procedure of the board with respect to any investigation made by it under authority of this act shall be accordance with rules and regulations promulgated by the board. Such rules and regulations shall provide for proper notice and hearing in accordance with provisions of the Kansas Administrative Procedure Act." The Kansas Administrative Procedure Act

addresses the proper legal procedure for administrative hearings. It does not pertain to administrative investigations. Therefore, the second second sentence of that statute is meaningless and should be repealed.

9. K.S.A. 65-1820a(b)(8) uses the phrase "certificate of registration." That phrase should be amended to "license."

10. K.S.A. 1990 Supp. 65-1818 provides: "Every holder of a license shall display it in a conspicuous place next to or near the holder's work chair." I assume the license this statute speaks of is a barber's license, and not a school or salon license. That statute should be amended to make it clear that it pertains only to a barber's license.

11. As I mentioned, I could not find any clear statutory authority for the board to license barber shops. While that authority might be implied from the total statutory scheme, it would be preferable to have clear statutory authority granted to the board to license barber shops.

Regulations

1. K.S.A. 65-1820a(b)(2) gives the board authority to take administrative action "when applicant or licensed barber is or becomes afflicted with an infectious or communicable disease." K.A.R. 61-3-10 requires that a student "furnish a certificate from a Kansas licensed physician, showing that he or she is free from any contagious, infectious or communicable disease." K.A.R. 61-1-19 provides: "No person suffering from communicable or infectious diseases, which are dangerous to the public health, shall knowingly be served in a barber shop, school or college, or restroom in connection therewith." K.A.R. 61-1-20 provides: "Any member of the board or proper health officer shall have authority to require any barber to submit to a physical examination when in the judgment of this officer, the board may be affected with a contagious or infectious disease." Under the authority of K.S.A. 1990 Supp. 65-1825 the board may adopt rules and regulations as necessary to carry out the provisions of the barber's act. I would suggest that the board adopt by regulation a list of the specific infectious, communicable, or contagious diseases that will fall within the statutory and regulatory authority.

2. K.S.A. 1990 Supp. 65-1826 provides: "The practice and procedure of the board with respect to any investigation made by it under authority of this act shall be in accordance with rules and regulations promulgated by the board." Therefore,

rules and regulations should be adopted which set forth the investigatory procedure the board will utilize when doing its investigations.

3. K.S.A. 1990 Supp. 65-1817, as amended by the 1990 legislature, authorizes the board to adopt fees with a higher ceiling. In order to do this the board must promulgate by regulation a new fee schedule.

4. K.A.R. 61-3-2 requires a student to complete 1,500 hours of schooling within nine months. This regulation is in conflict with K.S.A. 1990 Supp. 65-1810(a)(1) which requires a student to complete 1,500 hours of school within 18 months. K.A.R. 61-3-2 is therefore void and without force or effect and should be amended to comply with the statute, or repealed.

5. K.A.R. 61-4-2 is entitled "Renewal of Licenses and Certificates of Registration." The phrase "certificates of registration" should be deleted.

6. K.A.R. 61-7-1 regarding fees includes several references to "certificate" and this should be changed to "license."

7. K.A.R. 61-4-2 refers to licenses of a "chair lessee." There is no statutory authority to license a category of chair lessee. The statutory authority to license extends to barbers, barber schools and at least arguably barber shops.

8. K.A.R. 61-3-4 has several references to the word "permit." That word should be changed to "license."

9. K.A.R. 61-3-5 refers to a "registered barber." This should be amended to a "licensed barber."

10. K.A.R. 61-3-22 refers to a "permit." This should be changed to "license."

11. K.A.R. 61-3-23 refers to a "permit." This should be changed to "license." However this regulation insofar as it authorizes or purports to authorize the revocation of a permit or licence for failure to comply with regulations applicable to schools is not valid as mentioned earlier.

12. K.A.R. 61-3-25 refers to "registered apprentice barbers." The word "registered" should be changed to "licensed." In addition, that regulation refers to K.S.A. 65-1811 and to K.S.A. 1977 Supp. 74-1806, both of which have been repealed.

Therefore, that regulation should be written referring to appropriate current statutes.

I will be glad to be of assistance to you and the board regarding any changes in the statutory language or regulations. As I mentioned, there may well be other changes needed which come to the board's attention once a thorough review of the statutes and regulations has been completed.

Very truly yours,

OFFICE OF THE ATTORNEY GENERAL
ROBERT T. STEPHAN



Camille Nohe
Assistant Attorney General

CN:bas

S.B. 471, the Kansas Governmental Operations Accountability Law (K-GOAL), would replace the Kansas Sunset Law. Most of the agencies currently subject to sunset are included under provisions of this proposal. K-GOAL would provide two separate legislative review procedures, the first (1) process for **evaluation** of one group of state agencies and a second (2) process for **abolition** of another group of state agencies:

1. Evaluation of designated state agencies at least every six years, with subsequent timing of evaluations subject to legislative determination, would be applied to one group of agencies.

- a. Performance audits of each agency would be required.
- b. Reviews would be required in each house.
- c. No abolition of agency would be threatened.

Year in which state agencies would be subject to audit, review, and evaluation:

- 1993 Department of Human Resources
Insurance Department
State Treasurer's Office
Pooled Money Investment Board
- 1994 Department of Health and Environment
Department on Aging
Department of Commerce
- 1995 Department of Revenue
Department of Wildlife and Parks
Kansas Commission on Governmental Standards and Conduct
- 1996 Department of Social and Rehabilitation Services
Department of Transportation
- 1997 Department of Corrections
Department of Administration
State Corporation Commission

2. Abolition of other designated state agencies on a specified date, unless continued in existence or reestablished by the Legislature, would be applied to a second group of agencies.

- a. No performance audits would be required (audits would be optional).
- b. Reviews would be required in each house prior to abolition.

Year in which state agencies would be subject to abolition:

- 1993 Behavioral Sciences Regulatory Board
Commission on Epilepsy
- 1994 Kansas Water Office and Water Authority
Human Rights Commission
Kansas Film Services Commission
- 1995 Board of Nursing
- 1996 Real Estate Appraisal Board
- 1997 Board of Healing Arts
Kansas Lottery and Lottery Commission

Prepared by the Kansas Legislative Research Department, 1/31/92
SB471

Senate Committee on Governmental Organization
2-4-92
Attachment II

Kansas Natural Resource Council

Testimony before the Senate Governmental Organization Committee

Re: SB471 - Kansas Governmental Operations Accountability Law

From: Shaun McGrath, Executive Director

Date: February 4, 1992

My name is Shaun McGrath, and I represent the Kansas Natural Resource Council, a private, non-profit, organization which advocates sustainable resource policies for the state. Our membership is over 850 statewide.

The Kansas Natural Resource Council supports passage of SB471. The intention of K-GOAL, as delineated in New Section 2., will make legislative oversight of state agencies more effective and meaningful.

KNRC would like to request that an amendment be made to the bill which would make the Kansas Board of Agriculture also subject to K-Goal.

Since 1872 when the Kansas Agricultural Society's executive committee became the Kansas State Board of Agriculture, the state has given the Board various responsibilities, including regulatory authority. Since 1872, the Board has also received annual state appropriations.

Over the years, many efforts have been made to change the structure of the Board. Between 1900 and 1925, three attempts were made to create an integrated Department of Agriculture. In 1931, 1941, 1953, and in 1961, changes were made to the selection of delegates.

In recent history, a number of bills were introduced which would have effected the structure of the Board. These include attempts in 1971, 1974, 1975, 1976, 1979, 1980, 1981, 1982, 1986, 1987, and most recently, 1991. Indeed, there seems to be a consistent pattern of frustration with the Board's structure.

The Board of Agriculture has never been subject to legislative review in its 120 year history. By bringing it into SB471, there is an opportunity to make the Board subject to the same oversight other state agencies receive under the same intentions of K-GOAL.

We ask that this amendment be made, and that the bill pass favorably. Thank you for this opportunity to speak.

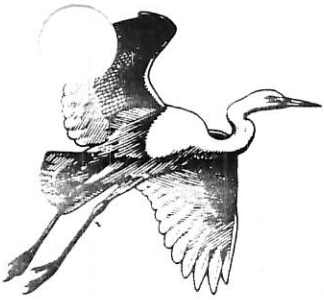


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2-4-92

Senate Committee on Governmental Organization

Attachment III



Kansas Audubon Council

January 28, 1992
Senate Government Organization Committee
SB 471; Re: Proposal No. 10 -- Sunset Review

My name is Joyce Wolf and I am the legislative liaison for the Kansas Audubon Council. The Council is comprised of National Audubon Society members who reside in areas served by the ten chapters (Kansas City, Leavenworth, Lawrence, Topeka, Manhattan, Salina, Hutchinson, Emporia, Wichita, and Southeast Kansas) as well as others who live in areas not served by these chapters. Audubon members share a desire to promote a sustainable society through the conservation, protection, and wise use of the earth's natural resources.

The Council agrees with the intent of SB 471. We are fully supportive of the need for periodic review of state agencies and would like to suggest that the State Conservation Commission be added to the list of agencies which should be subject to this review and performance audit. I have attached a copy of part of the October 1991 issue of Groundwater Management District #2's newsletter which outlines their attempt to participate in the Non Point Source Pollution Management Plan and their subsequent withdrawal from this program which is funded and overseen by the State Conservation Commission. I am also including a copy of an article that appeared in GMD #4's newsletter which also documents the need for closer examination of how public dollars are being expended for certain water-related projects.

The Kansas Audubon Council also wants to take this opportunity to express our concern about seeing the Kansas Water Office as an agency subject to abolishment. We would support its inclusion as an agency to be periodically reviewed. Unless the process for water resources management is dramatically altered, we believe the abolishment of the Kansas Water Office would be unwise. From the perspective of a citizens group, the Water Office has been most instrumental in involving the public in the decision-making process through the Basin Advisory Committees and its series of annual public hearings on the State Water Plan.

We appreciate this opportunity to share our comments and concerns with the committee.

Senate Government Organization Committee

2-4-92

Attachment IV

1-4

Association to Market Water Rights

Land owner and author, Ernest Ratzlaff, Moundridge, Kansas, hopes to convince his neighbors to join a water rights marketing association.

Under the terms of the marketing agreement, a land owner would convey authority to the Alta Groundwater Association to act as its agent to file for and market water rights on association members' property.

The association's selling price is \$400 per acre-foot of proven water production with a maximum production of one and a half acre-foot per acre.

One potential buyer the association hopes to interest is the City of Wichita. A city official confirmed that Mr. Ratzlaff had approached the City with the marketing idea.

Water right applications filed by the association are subject to the District's aquifer management program and policies that limit groundwater development to the aquifer's average annual recharge of six inches and must be approved by the Chief Engineer, Division of Water Resources.

District Board Withdraws from Water Quality Association and NPS Plan

Frustrated by program and funding delays, excessive bureaucratic guidelines and increasing state control of a local planning association, the District Board of Directors terminated its membership in the Equus Beds Water Quality Association and sponsorship of the association's Non Point Source Pollution Management Plan.

The purpose of the water quality association was to locally develop and implement a comprehensive non-point source pollution (NPS) plan for the Equus Beds aquifer.

The unprecedented Board action was a result of:

- The State Conservation Commission's (SCC) failure to approve and fund the locally developed NPS plan.
- A growing concern further participation in the plan could jeopardize funding and resources committed to District water quality protection projects and programs.
- The District would increasingly expend more time complying with SCC's cumbersome and changing guidelines instead of preventing groundwater pollution.
- The NPS plan had become State directed, driven by excessive SCC guidelines and policies that stifled creativity and innovation.

SCC's program was authorized in 1989 by the Legislature to fund locally developed water quality plans with state water plan funds. To date, SCC has not funded one local NPS plan and except for consultant's fees, has not released any of the 1.6 million dollars in its NPS pollution control fund.

Over a twelve month period and without state funding, the local association met with local, state and federal officials and held over fifteen public meetings to obtain public comment and input during the development of a comprehensive forty-seven page non point source plan.

Mike Dealy, District manager, commenting on the cost to develop the plan said, "I don't know how much the plan has cost the county health departments, county conservation districts or county extension. But, it has cost the District between \$5,000 and \$7,000 over the past year. I can not continue to justify involvement in a plan with nothing to show for the cost and effort, except a growing stack of paper."

The local NPS plan was ready for state review and approval late last year, but was delayed three months after Ken Kern, a SCC reviewing official, threatened to reject the plan if it was submitted without thirteen administrative memorandums which documented local, state and federal agencies cooperating with the Association.

SCC required the documentation despite the fact that its own planning consultants attended nearly every association meeting and could verify agency cooperation.

Despite undergoing extensive Association review, numerous reviews by local, state and federal agencies and the public; the plan was rejected by SCC. However, several state officials that reviewed it recommended to SCC that the plan be approved.

One KDHE official wrote, "Although I have a number of questions and concerns, I am generally complimentary to the plan as it appears to reflect a local attempt to get after some issues. That willingness to proceed appears to me to be more important than any quibbles over their program design."

Nevertheless, Kern instructed the Association to evaluate the reviewing agencies' comments, concerns and recommendations and revise the local plan.

The plan was finally approved last month by SCC. Nearly one year after the Association had completed it.

However, the NPS check will not be in the mail anytime soon. SCC guidelines will require at least eleven more workplans, implementation plans and numerous project contracts, before any funding is released.

As one local official put it, "The program has to be the Mother of all red tape."

EQUUS BEDS GROUNDWATER NEWS

District Staff

Mike Dealy..... Manager
 Jody Arrowsmith..... Secretary
 Don Koci..... Technician
 Tom Adrian..... Attorney

Board Officers

Eugene Goering..... President
 Tim Maier..... Vice President

Mike Withrow..... Secretary
 Gordon Schmidt..... Treasurer

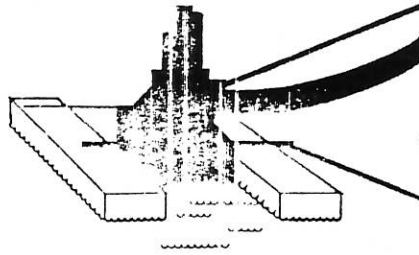
Board of Directors

Dennis Clennan..... Member
 Craig Gibson..... Member
 Paul Holzrichter..... Member
 Charles Pauls..... Member
 Oran Winter..... Member

The Equus Beds Groundwater News is published quarterly by the Equus Beds Groundwater Management District No. 2. Subscriptions are free of charge. Please help us maintain a current mailing list. Address corrections are appreciated. The District office is located at 313 Spruce Street, Halstead, Kansas 67056-1925, (316) 835-2224.

The Harvey County Retired Senior Volunteer Program assists in preparing the newsletter.

Pumping the Tailwater



with



WAYNE BOSSERT

ABANDONED WELLS - CAN WE AFFORD TO BE INEFFICIENT?

If you were really concerned about abandoned wells, how would you go about approving the use of your tax money to fund an abandoned well plugging program? Would you fund a program having the general public voluntarily identifying candidate wells following some public education and then cost-share up to 70% per well - averaging maybe \$200/well; or one which would have qualified persons working with local landowners to find all the wells within your area and then cause them to be plugged at a cost of less than \$50.00 per well? Keep in mind that state law forbids abandoned wells and assigns the plugging responsibility to the landowner.

Well guess what!! Kansas has just recently approved for funding the first program mentioned (more expensive, longer running and less complete) rather than even considering the significantly more cost-efficient and complete option, which has already been designed and operated successfully within the state. And they're still continuing to process several other similar programs for yet more funding - programs which are easily 4 times more costly and will see far fewer wells plugged!

More?! The Kansas Water Authority recently seemed to agree that the second option was better when they unanimously recommended that no new state water plan funding be used for private cost-sharing for the plugging of illegal wells. Yet the recent funding approval went ahead anyway, after the recommendation, simply because it's to use existing state funding. Is it really OK to spend existing tax dollars thusly when it's a NO-NO to spend future dollars in this manner? What a deal!

This GMD, with our abandoned well experience, has been trying to keep the state from making this costly decision for 2 years now. We simply think it's wrong to use 4 times the public money to do a job that could be done much more completely for 1/4 the cost. Responsible government has an obligation to be as fiscally efficient as possible. In closing, our position is a controversial one for many who've had little or no experience in plugging abandoned wells. As a result, we've decided to provide equal time for those who would like to justify the high costs proposed when significantly less expensive options are available. Let's hear from you.



**NORTHWEST KANSAS
GROUNDWATER MANAGEMENT DISTRICT NO. 4**
P.O. Box 905 • 1175 South Range Avenue • Colby, Kansas 67701
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Legislative Division of Post Audit

January 28, 1992

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Senator Lana Oleen, Chair
Senate Governmental Organization Committee
Room 143-N, Statehouse
Topeka, KS 66612

Dear Senator Oleen:

You asked me to provide you with a list of performance audits we have conducted at agencies that we would be required to audit under Senate Bill 471. I have listed all such audits conducted from January 1987 to-date. The date in parentheses is the date the audit was issued.

Audits Required To Be Conducted During CY 1992:

Insurance Department

none

State Treasurer

Review of Cash and Investments in the Custody of the State Treasurer's Office as of January 11, 1991 (February 1991)

Pooled Money Investment Board

The Pooled Money Investment Board's Loan Program for Farmers and Small Businesses (September 1989)

Department of Human Resources

Job Training Programs in Kansas, Part II: Longer-Term Results for Program Participants (July 1987)

Audits Required To Be Conducted During CY 1993:

Department of Commerce

Examining the Department of Commerce's Procedures in Contracting for Services from Lane Marketing Group, Inc. (March 1991)

Reviewing the Department of Commerce's 1991 Bond Allocation (March 1991)

Examining Issues Related to Selected Housing Programs at the Department of Commerce (August 1991)

Senate Committee on Governmental Organization
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Attachment V

Supplement to the Audit of Selected Housing Programs at the Department of Commerce (December 1991)

Examining Mortgage Assistance Programs at the Department of Commerce (December 1991)

Department of Health and Environment

Hazardous Waste Regulation in Kansas (April 1989)

State Agencies' Handling of Water Contamination and Pollution Problems in Kansas (August 1988)

Departing on Aging

Public Transportation Services Provided for the Elderly and Handicapped in Kansas (March 1988)

Audits Required To Be Conducted During CY 1994:

Commission on Governmental Standards and Conduct

none

Department of Wildlife and Parks

Milford Fish Hatchery (October 1987)

Department of Revenue

Reviewing the Department of Revenue's New Computer System (January 1989)

Problems Implementing the Kansas Business Integrated Tax System (March 1987)

Motor Carrier Inspection Stations (January 1989)

Reflective Sheeting for Kansas License Plates (October 1987)

Department of Revenue's Delinquent Tax Collection Process (February 1989)

Results of the State's Program for Reducing Interest Rates on Agricultural Loans (June 1989)

Audits Required To Be Conducted During CY 1995:

Department of Transportation

Reviewing Selected Projections and Cost Estimates for the 1989 Comprehensive Highway Program (March 1989)

Public Transportation Services Provided for the Elderly and Handicapped in Kansas (March 1988)

Reflective Sheeting Used in Highway Construction Zones (January 1988)

Modernization Projects on Highways 4 and 81 (April 1987)

Department of Social and Rehabilitation Services

Caseload Increases That May Be Attributable to the Department of Social and Rehabilitation Services' New Computer Automated Eligibility and Child Support Enforcement System (January 1990)

Comprehensive Automated Eligibility and Child Support Enforcement System (CAECSES) (January 1990)

Security Problems at the Youth Center at Topeka (March 1989)

Review of the Department of Social and Rehabilitation Services' Grant to Court Appointed Special Advocate of Shawnee Co., Inc. (May 1990)

Foster Care Program, Part I: An Overview of the Program (October 1990)

Foster Care Program, Part II: Placement of Children and Delivery of Services (March 1991)

Foster Care Program, Part III: Staffing and Funding Levels (April 1991)

Foster Care Program, Part IV: Summary Report (June 1991)

Placement of Abused and Neglected Children (February 1987)

Assessing How Effectively the Department of Social and Rehabilitation Services Handles Reports of Child Abuse and Neglect (November 1990)

Funerals and Burials for Public Assistance Recipients (April 1990)

Examining Increases in Expenditures for Adult Care Homes (April 1990)

Department of Social and Rehabilitation Services' Provision of Alcohol and Drug Abuse Treatment Services (March 1990)

Drug Acquisitions Under the Medical Assistance Program (October 1989)

Improving the System for Providing Mental Health Programs and Services in Kansas (August 1988)

Client Abuse Reporting System at Winfield State Hospital (March 1987)

Client Abuse Reporting Systems, Part II: Parsons and Norton State Hospitals and Kansas Neurological Institute (September 1987)

Client Abuse Reporting Systems, Part III: Reviewing Implementation of Previous Audit Recommendations (February 1988)

Federal Staffing Requirements for Registered Nurses Applicable to Larned State Hospital (December 1987)

Kansas Industries for the Blind (February 1987)

Audits Required To Be Conducted During CY 1996:

Corporation Commission

State Agencies' Handling of Water Contamination and Pollution Problems in Kansas (August 1988)

Department of Administration

Reviewing the Cost of Operating the Unisys Computer Center (March 1989)

Acquiring Maintenance Services for Computer Equipment (May 1987)

Improving the Efficiency of the Central Motor Pool (November 1987)

Reviewing State Purchasing Contracts (August 1987)

Reviewing the Health Care Plan for State Employees, Part I: Overview of the Contract Negotiating Process and the Proposed Health Care Plan for 1988 (December 1987)

Reviewing the Health Care Plan for State Employees, Part II: Controls and Use (March 1988)

Examining Problems Implementing the Kansas Financial Information Systems (KFIS) (January 1992)

Department of Corrections

Food Service Operations at Department of Corrections Facilities (October 1989)

Review of an Escape at Stockton Correctional Facility (August 1989)

Reviewing the Usefulness of State Reception and Diagnostic Center Evaluations (December 1987)

Corrections Ombudsman's Office (June 1987)

Examining Prison Population Growth and Its Impact on Inmate Housing and Programs (March 1987)

We also have two audits underway that will address issues related to some of these agencies:

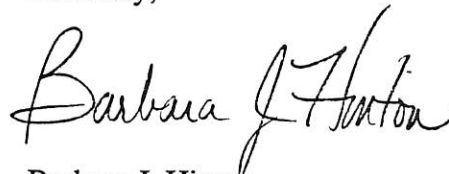
Capacity and Use of the State's Mainframe Computers (to be completed in early to mid-March)

Senator Lana Oleen
January 28, 1992
Page 5.

Overlap in State Agencies' Responsibilities for Groundwater and
Transportation (to be completed in mid- to late April)

If you have any questions, or would like copies of any of these performance
audits, please feel free to call me at 296-3792.

Sincerely,

A handwritten signature in cursive script that reads "Barbara J. Hinton". The signature is written in dark ink and is positioned above the printed name.

Barbara J. Hinton
Legislative Post Auditor

cc: Members, Senate Governmental
Organization Committee

SENATE BILL NO. _____

By

AN ACT concerning dentists; relating to continuing education opportunities therefor; amending K.S.A. 65-1423 and repealing the existing section.

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

Section 1. K.S.A. 65-1423 is hereby amended to read as follows: 65-1423. Nothing in this act shall apply to the following practices, acts, and operations:

(a) To the practice of ~~his profession~~ the healing arts by a ~~physician or surgeon licensed as such~~ person licensed to practice medicine and surgery under the laws of this state, unless he such person practices dentistry as a specialty; or

(b) to the giving by a qualified anaesthetist or registered nurse of an anaesthetic for a dental operation under the direct supervision of a licensed dentist or physician;

(c) the practice of dentistry in the discharge of their official duties by graduate dentists or dental surgeons in the United States army, navy, public health service, coast guard, or veterans' bureau; or

(d) the practice of dentistry by a licensed dentist of other states or countries at meetings of the Kansas state dental association or components thereof, or other like dental organizations approved by the board, while appearing as clinicians or the practice of dentistry by a licensed dentist of other states or countries at meetings of the Kansas state dental association or components thereof, or other like dental organizations approved by the board, when the dentist is practicing dentistry while training as a student under the supervision of a clinician;

(e) to the filling of prescriptions of a licensed ~~and~~

Senate Committee on Governmental Organization
2-4-92
Attachment II

registered dentist as hereinafter provided by any person or persons, association, corporation, or other entity, for the construction, reproduction, or repair of prosthetic dentures, bridges, plates, or appliances to be used or worn as substitutes for natural teeth, provided that such person or persons, associations, corporation, or other entity, shall not solicit or advertise, directly or indirectly, by mail, card, newspaper, pamphlet, radio, or otherwise, to the general public to construct, reproduce, or repair prosthetic dentures, bridges, plates, or other appliances to be used or worn as substitutes for natural teeth;

(f) to the use of roentgen or x-ray machines or other rays for making radiograms or similar records, of dental or oral tissues under the supervision of a licensed dentist or physician: ~~Provided,--however,~~ except that such service shall not be advertised by any name whatever as an aid or inducement to secure dental patronage, and no person shall advertise that he such person has, leases, owns or operates a roentgen or x-ray machine for the purpose of making dental radiograms of the human teeth or tissues or the oral cavity, or administering treatment thereto for any disease thereof;

(g) except as hereinafter limited to the performance of any dental service of any kind by any person who is not licensed under this act, if such service is performed under the supervision of a dentist licensed under this act at the office of such licensed dentist: ~~Provided,--however,~~ except that such nonlicensed person shall not be allowed to perform or attempt to perform the following dental operations or services:

(1) Any and all removal of or addition to the hard or soft tissue of the oral cavity.

(2) Any and all diagnosis of or prescription for treatment for disease, pain, deformity, deficiency, injury or physical condition of the human teeth or jaws, or adjacent structure.

(3) Any and all correction of malformation of teeth or of

the jaws.

(4) Any and all administration of general or local anaesthesia of any nature in connection with a dental operation.

(5) A prophylaxis.

Sec. 2. K.S.A. 65-1423 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.