

Approved April 6, 1992
Date

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

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

1:40 ~~xxx~~ p.m. on March 31, 1992 in room 531-N of the Capitol.

~~Members~~ members ~~present~~ present: Senators Oleen, Doyen, Francisco, Kanan, Moran, Strick and Vidricksen.

Members Absent - Excused: Senators Bogina and 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:

Brian Moline, State Corporation Commission

The meeting of the Senate Committee on Governmental Organization was called to order at 1:40 p.m. by the Chairman, Senator Lana Oleen, who called for consideration and discussion of bills previously heard by the Committee.

Senate Bill 426 - Concerning the state corporation commission.

The Chairman announced that a substitute bill has been prepared to SB 426 in cooperation with the State Corporation Commission (Attachment I). Brian Moline, General Counsel of the State Corporation Commission, explained Substitute for SB 426 and noted that it contains two major provisions. The first, he said, is a provision to codify in the statutes the positions of Director of the Division of Utilities, the Director of the Division of Conservation, the Director of the Division of Transportation, the Director of Public Affairs and Consumer Protection, the General Counsel, and the Executive Director as unclassified employees. He noted that the second provision in the bill simply clarifies that any other positions except the Division heads, unless otherwise specifically provided by law, shall be in the classified service of the Kansas Civil Service Act. The Chairman clarified that the provisions of this bill do not affect those positions which are currently recognized by appropriation measures as unclassified.

Senator Moran moved that Substitute for SB 426 be reported favorably for passage. Senator Kanan seconded the motion. The motion carried.

The Chairman called the Committee's attention to HB 2667.

House Bill 2667 - Sunset law, state corporation commission, continuation.

Senator Francisco moved that HB 2667 be amended by changing the date of sunset of the State Corporation Commission from the year 2000 to the year 1998. Senator Kanan seconded the motion. The motion carried.

Senator Kanan moved that HB 2667 as amended be reported favorably for passage. Senator Francisco seconded the motion. The motion carried.

The Committee turned its attention to SB 738.

Senate Bill 738 - Members of the Kansas real estate commission, qualifications.

Senator Doyen moved that SB 738 be reported adversely for passage. Senator Kanan seconded the motion. The motion carried.

The Committee considered HB 3103.

House Bill 3103 - State employees health care commission, composition, classified and retired employee representation.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

room 531-N, Statehouse, at 1:40 ~~a.m.~~/p.m. on March 31, 1992

Senator Francisco reported that an amendment to HB 3103 has been prepared which would keep the State Employees Health Care Commission at three members but the composition would be the Secretary of Administration, the Commissioner of Insurance and an employee of the State of Kansas who is in the classified service. (See Attachment II) The classified employee would replace the current member of the general public on the Commission.

Senator Francisco moved that HB 3103 be amended by replacing the member of the general public on the State Employees Health Care Commission with an employee of the State of Kansas who is in the classified service (Attachment II). Senator Moran seconded the motion. The motion carried.

Senator Francisco moved that HB 3103 as amended be recommended favorably for passage. Senator Moran seconded the motion. The motion carried.

The Committee turned its attention to SCR 1629.

Senate Concurrent Resolution 1629 - Urging state agency heads to serve the public need with maximum effectiveness, efficiency and economy.

Senator Francisco moved that SCR 1629 be recommended favorably for passage. Senator Strick seconded the motion. The motion carried.

Senator Strick moved that the minutes of the March 16, 1992, March 23, 1992 and March 24, 1992 meetings of the Committee be approved. Senator Francisco seconded the motion. The motion carried.

Chairman Oleen announced that there would be hearings on bills at the next meeting of the Committee, Monday, April 6, 1992.

The meeting was adjourned at 1:55 p.m. by the Chairman.

GUEST LIST

NAME

REPRESENTING

Tom Whitaker
Mary E. Turkington

Ks. Motor Carriers Assn
Ks. Motor Carriers Assn -

SUBSTITUTE FOR SENATE BILL NO. 426

By Committee on Governmental Organization

AN ACT concerning the state corporation commission.

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

Section 1. The state corporation commission is authorized to organize the office of the state corporation commission as it deems most efficient, so long as the same is not in conflict with law. Division directors, and other directors specified in subsection (b) of section 2, the general counsel and the executive director shall perform such duties and exercise powers as are delegated by the state corporation commission and such duties and powers as are prescribed by law.

Sec. 2. (a) The state corporation commission may appoint persons to the positions specified in subsection (b) to serve as full-time employees of the state. Such persons shall be in the unclassified service of the Kansas civil service act and shall receive compensation fixed by the state corporation commission and approved by the governor, subject to the limitations of appropriations therefor.

(b) The offices to which this section apply are the following:

- (1) The director of the division of utilities;
- (2) the director of the division of conservation;
- (3) the director of the division of transportation;
- (4) the director of public affairs and consumer protection;
- (5) the general counsel; and
- (6) the executive director, who shall also serve as secretary to the state corporation commission.

Sec. 3. The state corporation commission, subject to the Kansas civil service act and subject to appropriations therefor, may appoint other employees necessary to implement the duties and

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Attachment J

powers prescribed by law. Employees appointed under this section shall be in the classified service of the Kansas civil service act, unless otherwise specifically provided by law.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

Proposed Amendment to House Bill No. 3103
(As Am by House Committee of the Whole)

On page 1, in line 18, by striking "five" and inserting "three"; in line 20, by striking all after "ministration"; by striking all of lines 21 to 25, inclusive; in line 27, by striking "(5)" and inserting "(3)"; also in line 20, after "public", by inserting "who is a classified state employee"; by striking lines 29, 30 and 31, inclusive;

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Attachment II