

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by the Chair, Carol Dawson, at 9:00 a.m. on March 8, 1995 in Room 521-S of the Capitol.

All members were present except: Rep. Ray Cox, Excused

Committee staff present: Dennis Hodgins, Legislative Research Department
Carolyn Rampey, Legislative Research Department
Arden Ensley, Revisor of Statutes
Donna Lutjohann, Committee Secretary

Conferees appearing before the committee: Kyle Smith, KBI

Others attending: See attached list

Chairman Dawson opened the hearing on SB 19 regarding the compensation and expenses of legislative members of Kansas information resources council. See written testimony submitted by Senator Morris (Attachment 1).

The Chairman requested Carolyn Rampey from Legislative Research Department summarize the bill for the Committee. Ms. Rampey noted that the bill has, since its inception, been declared moot after the Senate Committee of the Whole's amendment. Initially, the bill requested that legislators serving on the Kansas Information Resources Council be compensated for expenses incurred. The Senate amended the bill removing legislators from serving on the Council.

Chairman Dawson recognized Kyle Smith who spoke to the bill. He requested the Committee amend the bill to include a member of the KBI be placed on the Council. See Attachment 2.

The Chairman closed the public hearing on SB 19.

Announcements regarding the Committee's schedule and deadlines for hearing bills in committees was discussed. The Chairman brought the Committee's attention to the minutes of February 13 and March 7. Rep. Benlon made a motion to approve the minutes. It was seconded by Rep. Gilbert. The minutes were approved.

The Chairman adjourned the meeting at 9:34 a.m.

The next meeting is scheduled for Thursday, March 9, 1995, at 9:00 a.m. in Room 521-S of the Capitol.

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TOPEKA

SENATE CHAMBER

Rep. Dammann / Dem

171-W

COMMITTEE ASSIGNMENTS

VICE CHAIRMAN AGRICULTURE
 MEMBER ENERGY & NATURAL RESOURCES
 WAYS AND MEANS
 JOINT COMMITTEE ON COMPUTERS
 AND TELECOMMUNICATIONS

SENATE GOVERNMENTAL ORGANIZATION COMMITTEE

SB 19

January 18, 1995

The purpose of this legislation is to correct a mistake committed in the original authorizing legislation for the Kansas Information Resources Council passed by the 1994 Legislature. The problem was known at the time the bill was returned to the House for a motion to concur or nonconcur with the Senate changes in the bill, but since the bill was not placed in a conference committee due to the motion to concur prevailing, the problem was not corrected last year.

Currently, the two members of the Legislature who serve on the Council are not paid per diem compensation for attendance at the monthly meetings. This practice is contrary to the reimbursements provisions for legislators serving on most public entities, except a few such as the Kansas Tourism Commission.

It would appear that legislators were inadvertently included in the section of the bill which precludes the three private sector representatives from receiving per diem compensation for serving on the Council. The rationale was that these people were on the payroll of their companies and would be compensated by the firms when attending the Council meetings.

During the Sessions when both legislators are in Topeka, this provision is not important. However, as all of you know, during the Interim when legislators come to Topeka for statutorily mandated attendance for serving on public bodies other than legislative committees, per diem compensation usually is paid. There are a few exceptions, but in general, attendance at these public meetings is treated just like attendance at regular Interim legislative committee meetings.

I urge your favorable recommendation of this bill to correct this problem.

HOUSE GOVERNMENTAL ORGANIZATION
 AND ELECTIONS
 March 8, 1995
 Attachment 1



LARRY WELCH
DIRECTOR

KANSAS BUREAU OF INVESTIGATION
DIVISION OF THE OFFICE OF ATTORNEY GENERAL
STATE OF KANSAS



CARLA J. STOVALL
ATTORNEY GENERAL

TESTIMONY
KYLE G. SMITH, ASSISTANT ATTORNEY GENERAL
KANSAS BUREAU OF INVESTIGATION
BEFORE THE HOUSE GOVERNMENTAL ORGANIZATION AND
ELECTIONS COMMITTEE
REGARDING SENATE BILL 19
MARCH 8, 1995

Madam Chairman and Members of the Committee:

I am Kyle Smith, Assistant Attorney General assigned to the Kansas Bureau of Investigation (KBI). I appear today on behalf of Director Larry Welch to request this committee consider an amendment to SB 19.

The amendment we offer was originally requested as separate legislation and was introduced as HB 2444 in the Judiciary Committee. However, due to the large volume of bills before that committee, coupled with the observation that SB 19 appeared to be a good vehicle, we requested that no hearings be held on HB 2444, but rather we would try to amend SB 19.

As seen in the attached balloon, we are requesting that the Director of the Kansas Bureau of Investigation be designated as a member of the Kansas Information Resources Council (KIRC). As the committee is aware, the KIRC has an important and formidable job in managing the state's information resources. The Director of the KBI is in charge of some of the largest data bases in the state; the criminal history record central repository and the AFIS fingerprint repository. Further, the Director is by statute a member of the Criminal Justice Coordinating Council, which due to recommendations of the Koch Crime Commission and various federal legislation, is currently revamping, computerizing and designing a plan to bring computerized

HOUSE GOVERNMENTAL ORGANIZATION
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March 8, 1995

Attachment 2

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access to these records to the courts, Department of Corrections, SRS and Health & Environment.

The Director of the Sentencing Commission, Lisa Moots, originally suggested that we pursue this legislation as the function of the KIRC is so closely related to the information resources function of the KBI.

If this committee feels SB 19 would be an appropriate vehicle for this amendment, we would be most appreciative of this addition. I would be happy to stand for questions.

SB19

SENATE BILL No. 19

By Joint Committee on Computers and Telecommunications

1-10

12 AN ACT concerning the Kansas information resources council; amending
13 K.S.A. 1994 Supp. 75-4740 and repealing the existing section.

14
15 *Be it enacted by the Legislature of the State of Kansas:*

16 Section 1. K.S.A. 1994 Supp. 75-4740 is hereby amended to read as
17 follows: 75-4740. (a) There is hereby established the Kansas information
18 resources council which shall be attached to the department of admin-
19 istration for purposes of administrative functions.

20 (b) The council shall be composed of ~~20~~ **[18]** members as follows:

21 The secretary of administration; the secretary of health and environ-
22 ment; the secretary of human resources; the secretary of revenue; the
23 secretary of social and rehabilitation services; the secretary of transpor-
24 tation; the judicial administrator of the Kansas supreme court; the exec-
25 utive director of the Kansas board of regents; ~~the chairperson of the joint~~
26 ~~committee on computers and telecommunications;~~ the commissioner of
27 education; four additional chief administrative officers of various state
28 agencies; and three representatives from the private sector, the chief in-
29 formation architect and the director of the budget to serve as advisory,
30 nonvoting members. ~~In addition, during those periods of time when the~~
31 ~~chairperson of the joint committee on computers and telecommunica-~~
32 ~~tions is a member of the senate, one member of the council shall be a~~
33 ~~member of the house of representatives appointed by the chairperson of~~
34 ~~the committee on appropriations~~ **speaker** of the house of representatives
35 and during those periods of time when the chairperson of the joint com-
36 mittee on computers and telecommunications is a member of the house
37 of representatives, one member of the council shall be a member of the
38 senate appointed by the chairperson of the committee on ways and means
39 ~~president of the senate.~~ **Legislator members of the council serving on**
40 **the effective date of this act shall continue to serve as members until**
41 **July 1, 1995.** The four chief administrative officers and representatives
42 from the private sector shall be appointed by the governor for a term not
43 to exceed 18 months. Members, other than members appointed to the

the director of the Kansas bureau of investigation;