

Approved: 5-2-97
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chair Sandy Praeger at 9:00 a.m. on May 2, 1997 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Emalene Correll, Legislative Research Department
Jo Ann Bunten, Committee Secretary

Conferees appearing before the committee:

Gary R. Mitchell, Secretary, Kansas Department of Health and Environment

Others attending: See attached list

Hearing on SB 50 - Continuation and duties of Joint Committee on Children and Families

SB 50 would extend the life of the Joint Committee on Children and Families by four years until July 1, 2001. Current law provides that the Committee would cease to exist on July 1, 1997. The bill also deletes several of the specific responsibilities assigned to the Committee by current law. It also provides that the Committee make recommendations to the House Committee on Appropriations and the Senate Committee on Ways and Means regarding funding of children's programs. The act also provides that the Committee report to the Legislature each year any findings and recommendations it has concerning children and families. After Committee discussion on the bill, Senator Becker made a motion the Committee recommend **SB 50** favorably for passage, seconded by Senator Hardenburger. The motion carried.

Confirmation Hearing on Gary R. Mitchell, Secretary, Kansas Department of Health and Environment

The Chair introduced Gary R. Mitchell, Secretary, Kansas Department of Health and Environment, who outlined for the Committee his goals and qualifications as Secretary of KDHE. (Attachment 1) Secretary Mitchell noted that he is ready, willing and able to cooperate with the legislature and other agencies in order to fulfill his duties as Secretary. Committee discussion related to environmental issues, water quality issues, nursing home regulations, rules and regulations of the department, regulation vs. deregulation and issues involving the Environmental Protection Agency.

Written testimony was received from the Kansas Audubon Council expressing support in working with Secretary Mitchell. (Attachment 2)

Senator Hardenburger made a motion the Committee recommend Gary R. Mitchell favorably to the full Senate for confirmation, seconded by Senator Langworthy. The motion carried.

Adjournment

The meeting was adjourned at 9:45 a.m.

Objective: Seeking a position with government and congressional affairs for a national corporation or trade association building on 16 years of experience as a senior congressional staff member overseeing major legislative policy, media relations and personnel management.

HIGHLIGHTS OF QUALIFICATIONS

- Thorough understanding of the U.S. Congress and legislative process including working with each of the other committees as well as the Republican leadership..
- Over 15 years in agricultural and environmental policy/issue development.
- Highly skilled in managing people and motivating staff.
- Effective skills as a communicator of ideas and challenges.
- Experienced in working with national media and trade publications.

PROFESSIONAL EXPERIENCE AND ACCOMPLISHMENTS

Legislative:

- Responsible for organizing an agenda and schedule for 49 congressional committee members and coordinating agenda with other committees and House leadership;
- Proven record of building coalitions among members of Congress, trade organizations and other constituencies to pass major legislative initiatives;
- Worked on every major Farm Bill since 1981 as well as other major legislation such as the Safe Drinking Water Act, Superfund, Cleanwater, Patent Term Restoration and tax legislation issues;
- Primary author of the "Freedom to Farm Act," which was the policy cornerstone of the 1996 Farm bill modernizing U.S. agriculture program policy;
- Directed efforts to reform and modernize the Federal Insecticide Fungicide and Rodenticide Act (FIFRA) and the Delaney Clause;
- Directed major communications efforts; contacts with national major media; worked effectively with media to promote agenda.
- Involved in all legislative activities impacting U.S. Agriculture over the last 15 years;

Administrative:

- Proven track record with four years experience as Majority and Minority Staff Director of a major Committee of Congress managing a staff of 50;
- Created management plan for downsizing Committee staff by 1/3 and reducing the budget by 25 percent in the GOP takeover;
- Implemented two year multi-million dollar budget planning/cycle for the committee, coming in under budget.

EMPLOYMENT HISTORY

Chief of Staff, Committee on Agriculture, U.S. House of Representatives,
1995 to Present

Republican Staff Director, Committee on Ag. U.S. House of Rep.
1993-1994

State Director-Congressman Pat Roberts-Salina, Kansas*
1987 - 1993

Subcommittee Consultant-Committee on Ag., U.S. House of Rep.
1983 - 1986

Agricultural Legislative Assistant to Congressman Pat Roberts
1981 - 1983

Asst. Farm Manager-Wood Farm Inc.-Solomon, Kansas
1978 - 1981

*During this period farmed and owned 500 acre Central Kansas wheat farm;

EDUCATION

B.S. Economics and History Kansas State University, Manhattan Ks.
1978

Masters in Agricultural Economics-KSU-24 hours of course work
1978

APPOINTMENTS QUESTIONNAIRE

Office of Governor Bill Graves

Please complete and return this form to the Governor's Appointments Office. Attach additional sheets if necessary.

Name: Gary R Mitchell
Home Address: 1213 N. Quontico St.
City, State, Zip: Arnington Va 22205
Business Address: Committee on Ag. - U.S. House of Rep
City, State, Zip: Washington D.C. 20515
Home Phone: 703 536 2408 Business Phone: 202-225-0023
Date of Birth: 12/24/56 Place of Birth: Clay Center, Kansas
Party Affiliation: GOP KBI Check: NA In Process Complete
Appointed as: Secretary of the Kansas Department of Health & Environment
Appointment Date: 4-22-97 Expiration Date: —
Term Length: Pleasure of the Governor Statutory Authority: KSA 75-5601
Salary: \$81,000 Predecessor: James O'Connell
Statutory Requirements: _____

BACKGROUND

1. List high school, college, or other education institutions attended along with the date attended and degree conferred.

Education Institution	Dates	Degree
<u>Solomon High School</u>	<u>1970-74</u>	<u>Diploma</u>
<u>Kansas State University</u>	<u>1974-78</u>	<u>BS.</u>
<u>Completed 24 hrs final Masters in Ag. Econ</u>		

2. List memberships in business, trade and professional organizations for the past 10 years.

Organization	Dates
<u>Kansas Farm Bureau</u>	<u>1986- to Present</u>
<u>Lions Int'l</u>	<u>1986-1993</u>

3. List any public offices you have been elected or appointed to, along with the dates of service.

<i>Office Held</i>	<i>Dates</i>
<u>Director Elderly Housing - Solomon Is</u>	<u>86-93</u>

4. List any positions held with a foreign, federal or local government entity along with the dates of service.

<i>Position</i>	<i>Government Entity</i>	<i>Dates</i>
<u>Worked for</u>	<u>Congressman Pat Roberts</u>	<u>since</u>
<u>1981</u>		

5. List any lobbying activities you have been involved in during the past five years. This includes activities as a registered lobbyist activities for which you were compensated.

<i>Group</i>	<i>Compensation (yes/no)</i>	<i>Dates</i>
<u>N/A</u>		

6. List experience or interest which qualify you for the position to which you have been appointed.

Worked on environmental legislation
managed staff of SO
Worked with communities and constituents

7. Summarize business and professional experience.

in the last decade I have bought paid
(and continue to pay for) 500+ acres of farmland
16 years of Fed legislative experience in wide
Ranging of areas

8. List any service in the United State military. Include dates of service, branch, date and type of discharge.

<i>Branch</i>	<i>Discharge</i>	<i>Dates</i>
<i>N/A</i>		

9. Provide details of any arrest, charge or questioning by a federal, state or other law enforcement authority for violation of any federal, state, county or municipal law, regulation or ordinance (excluding traffic violations for which a fine of !00 or less was imposed).

N/A

10. List and provide details of any interests that may present a conflict of interest for this position.

N/A

I, GARY R MITCHELL, declare that this questionnaire is true, correct and complete to the best of my knowledge.

Gary R Mitchell
Signature

4-18-97
Date

Return completed questionnaire to Judy Krueger, Secretary of Appointments, State Capitol, Rm 226-S, Topeka, Kansas 66612.
If you have questions, please call 913/296-4052.



KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSE

APPOINTMENT TO STATE OFFICE IS SUBJECT TO SENATE CONFIRMATION

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by each person whose appointment to a state position is subject to Senate confirmation (K.S.A. 46-247 and 46-248). Failure to complete and return this statement may result in a fine of \$10 per day for each day it remains unfiled. Also, any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 913-296-4219.

A. IDENTIFICATION:

PLEASE TYPE OR PRINT

M i t c h e l l G A R Y R

Last Name

First Name

MI

N O N E

Spouse's Name

1 2 1 3 N Q U A N T I C O S T

Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

A R L I N G T O N Va 2 2 2 0 5

City, State, Zip Code

7 0 3 ** 5 3 6 ** 2 4 0 8

Home Phone Number

2 0 2 ** 2 2 5 ** 0 0 2 3

Business Phone Number

B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:

D e p t o f H e a t h & E n v i r o n m e n t

List Name of Agency, Commission or Board

S e c r e t a r y

Position

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

* 4 1 5 5

C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income in, which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here ____.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY WHOM	PERCENT OF OWNERSHIP INTERESTS
1. 310 Acres w 1/2 28-12-1E Dickinson County KS	Farm land	100%	<u>100%</u> You ___ Spouse ___ Jointly	
2. 220 Acres w 1/2 34-12-1E Dickinson County KS	Farm land	100%	<u>100%</u> You ___ Spouse ___ Jointly	
3.			___ You ___ Spouse ___ Jointly	
4.			___ You ___ Spouse ___ Jointly	
5.			___ You ___ Spouse ___ Jointly	
6.			___ You ___ Spouse ___ Jointly	
7.			___ You ___ Spouse ___ Jointly	

D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here X.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

E. RECEIPT OF COMPENSATION: List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE ____.
If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	U.S. House of Rep - Committee	Washington D.C. 20515	Government
2.			

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
If you have nothing to report in Section "E"2, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	N/A		
2.			

F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section. If you have nothing to report in Section "F", check here X.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	N/A		
2.			
3.			
4.			
5.			

RECEIPT OF FEES AND COMMISSIONS: List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.
 If you have nothing to report in Section "G", check here .

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. DECLARATION:

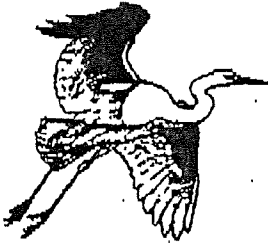
I, GARY R MITCHELL, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

4-18-97
Date

Gary R Mitchell
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES _____.

Return your completed statement to the Secretary of State, State House, Topeka, Kansas 66612.



Kansas Audubon Council

Testimony on the Appointment of Gary R. Mitchell
to be Secretary of the Kansas Department of Health and
Environment

for the Senate Public Health & Welfare Committee
May 1, 1997

FAX to 913-296-6718

Thank you for the opportunity to offer testimony on the appointment of Gary R. Mitchell to the position of Secretary of KDHE. My name is Christopher Cokinos. I am a resident of Manhattan, Kansas, and the current president of the Kansas Audubon Council.

The mission of the National Audubon Society is "to conserve and restore natural ecosystems, focusing on birds, other wildlife, and their habitats, for the benefit of humanity and the earth's biological diversity." The KAC, as a state affiliate of the national organization, shares in this mission. Here in Kansas we have a variety of positive and a few negative aspects to our environmental situation.

On the positive side, we have a state with a lot of wide open spaces, beautiful views, overall good air quality, and a wonderful quality of life for most of our residents. A wide variety of plant and animal species dwell here and most of their populations are strong and healthy.

On a less positive note, there are some areas of significant concern regarding the Kansas environment. Chief among these concerns--and a major part of the KDHE mission--is water quality. Our water quality is now compromised by suspended solids, urban and agricultural chemicals, bacteria, and other human-generated contaminants. These contaminants are problematic for both human health and the health of our wildlife. In the long run, these contaminants also compromise our state's economic well-being.

KDHE is instrumental in protecting and advancing the health of the state through appropriate water testing, guidelines, and regulations that aid in monitoring and controlling contaminants. Many areas of KDHE oversight concern water quality: landfills, abandoned wells, toxic sites, household hazardous waste, mined lands, storm water run-off, municipal water treatment, non-point

(more)



Recycled Paper

Senate Public Health & Welfare
Date: 5-2-97
Attachment No. 2

Mitchell Testimony, p. 2
May 1, 1997

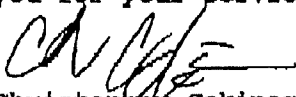
source pollution, public drinking water, and industrial pollution, to name just a few.

This partial list of KDHE's responsibilities, just on the environmental side of the agency, is key to both the agency's pivotal role in the state and to some anxiety about this appointment. Reading recent newspaper reports about Mr. Mitchell, we do have some concerns about the lack of science and health education in his background, concerns about his managerial experience in dealing with an organization the size and complexity of KDHE, and concerns about his reactions to stress. Mr. Mitchell must have a chance, of course, to address these matters in a public setting, and we look forward to his statements. But we feel compelled to raise these matters given that KDHE is an agency that is the focus of many strong feelings and viewpoints--and complex scientific issues.

We are certain that the Committee and the Senate will carefully examine these and many other issues, assuring the citizens of Kansas that such concerns are groundless, before confirming this appointment.

With these assurances from our state senators, Kansas Audubon will look forward to working with Mr. Mitchell, if he is confirmed. His experiences in Washington and his love for Kansas should be beneficial in helping set sound and fair policies regarding health and the environment. We are pleased that Mr. Mitchell has assured us that he will have an "open door" policy, encouraging input from all citizens, if the Senate confirms him. Such an attitude is vital in a democracy, especially given that so many people feel increasingly alienated from the very agencies that exist to protect people, their health, and the environment. We appreciate such openness and always welcome the opportunity to work with public officials who are committed to the well-being of all citizens.

Thank you for the opportunity to offer testimony today and thank you for your service to the public.


Christopher Cokinos
President, KAC
2328 Bailey Drive
Manhattan, KS 66502

STATE OF KANSAS

SANDY PRAEGER
SENATOR, 2ND DISTRICT
3601 QUAIL CREEK COURT
LAWRENCE, KANSAS 66047
(913) 841-3554
FAX: (913) 841-3240
STATE CAPITOL—128-S
TOPEKA, KS 66612-1504
(913) 296-7364



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIR: PUBLIC HEALTH AND WELFARE
VICE CHAIR: FINANCIAL INSTITUTIONS AND INSURANCE
MEMBER: ASSESSMENT AND TAXATION
ELECTIONS AND LOCAL GOVERNMENT
HEALTH CARE REFORM LEGISLATIVE
OVERSIGHT COMMITTEE
JOINT COMMITTEE ON CHILDREN AND FAMILIES
SRS TRANSITION OVERSIGHT COMMITTEE

MEMO TO: Senate Public Health and Welfare Committee

FROM: Senator Sandy Praeger

DATE: April 11, 1997

Please find attached Committee minutes of March 26, 31, April 3, 9, and 11, 1997. If you have any additions or corrections, please call JoAnn at 296-7364 before 5:00 p.m, or the minutes will stand approved as written.

Thank you.

STATE OF KANSAS

SANDY PRAEGER
SENATOR, 2ND DISTRICT
3601 QUAIL CREEK COURT
LAWRENCE, KANSAS 66047
(913) 841-3554
FAX: (913) 841-3240
STATE CAPITOL—128-S
TOPEKA, KS 66612-1504
(913) 296-7364



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

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ELECTIONS AND LOCAL GOVERNMENT
HEALTH CARE REFORM LEGISLATIVE
OVERSIGHT COMMITTEE
JOINT COMMITTEE ON CHILDREN AND FAMILIES
SRS TRANSITION OVERSIGHT COMMITTEE

MEMO TO: Senate Public Health And Welfare Committee

FROM: Sandy Praeger, Chair

DATE: May 2, 1997

I would like to thank all of you for your help and cooperation while serving on the Senate Public Health and Welfare Committee during the 1997 Legislative Session. I enjoyed working with you.

If you have any suggestions for bill introductions or study during the interim, please don't hesitate to contact me. I know that we all have an interest in long-term care issues and data collection, and I plan to submit both of those issues in addition to several others.

Attached are the Committee minutes of May 2nd. If you have any additions or corrections, please contact JoAnn by 5:00 today, or they'll stand approved as written.

Thank you again for your hard work and cooperation, and best wishes to each and everyone of you. I hope you have an enjoyable summer. Don't hesitate to contact me any time over the summer and fall. See you next year.

SP:jb