



Marvin Burris of Board of Regents spoke as a proponent to **SB 342**. (Attach. 1).

In answer as to whether he had checked with the Governmental Ethics Commission in regard to any problems in terms of private entities providing monies for an unclassified employee to move, Mr. Burris said as far as he knew the institutions have historically done this. He said he would find out if it had been checked out with the Commission.

No action was taken on this bill.

**HB 2065**

**Membership of Joint Committee on State Building Construction and Information Technology**

There was discussion on the request to amend **HB 2065** to increase the membership of the Joint Committee on State Building Construction and Information Technology by up to 5 from each House.

Senator Salmans read from the proposed amendment to **HB 2065** from the House Committee. (Attach. 2).

It was moved by Senator Feleciano and seconded by Senator Salmans that **HB 2065** be recommended favorably for passage. The motion carried on a roll-call vote.

**SB 159**

**Topeka State Hospital Plan; transfer of control**

The **SB 159** was explained to the Committee by Paul West.

Senator Gilstrap asked what the opposition was to the bill. The Chairman said that there was concern about the loss of the facilities to the blind that is on the corner, one of the prime areas of the property. The easy access to buses is of importance to them and they were concerned as to whether other facilities they might be assigned would be comparable.

Chairman Kerr explained that he had met twice with various members of the Jim Reardon's staff, Mayor Joan Wagnon and questions were asked about what bus service would be available and he was assured that they are committed to providing services that are equal quality or better at another location should something happen to the property at 6<sup>th</sup> and McVicar.

Janet Schalansky, Department of SRS, said that a task group has been meeting to address the issues being discussed and they are in the process of developing a vision and a plan as to what the services ought to look like. This is to be presented to the Secretary of SRS by June 1.

Representative Rocky Nichols spoke to the Committee as in regard to **SB 159**. He said there were a lot of different proposals but he felt the missing link was community input. He didn't particularly mean community support or community veto power. He offered a proposed amendment to the bill that he believed would do just that. (~~Attach. 3~~) (ATTACHMENT 3)

It was decided that since there appeared to be a lack of communication between the blind community and SRS, **SB 159** be held. This would also give them additional time to study the proposed amendment.

It was moved by Senator Lawrence and seconded by Senator Gilstrap that the minutes for March 3, 4 and 5 be approved. The motion carried on a voice vote.

The meeting adjourned at 12:15 p.m. The next meeting is scheduled for Monday, March 15, 1999.

# SENATE WAYS AND MEANS COMMITTEE GUEST LIST

DATE: 3/12/99

NAME	REPRESENTING
Kes Bahr	Ks. Governmental Consulting
Louis Chabala	Budget
J. Chubb	SOS
Marvin Burris	Bd of Regents
Dale Brunton	Dept of Adm
St. Chh	Legislature
Chris Henue x	DFM
JOE FRITTON	DEPT OF ADMIN.
Row Seiber	Do Admin
Betsy Thompson	SRS
DENNIS ROGERS	SRS
Janet Schalansky	SRS
Mike Nittles	SRS
Jack Hawn	KIPERS
Bill Moore	KIB
Kurt Bailey	KIB
Lucielle Parli	KIB
Hermine Moore	KIB
Michael Byington	Envision



**SENATE WAYS AND MEANS COMMITTEE  
TESTIMONY ON SENATE BILL 342**

**Presented by  
Marvin A. Burris  
Director of Planning, Budget and Governmental Affairs  
Kansas Board of Regents**

**March 12, 1999**

The Board of Regents requested the introduction of SB 342, which amends the statute on reimbursement of moving expenses; specifically, SB 342 amends K.S.A. 76-727 as follows:

*(b) (3) Reimbursement for moving expenses may be made to applicants for positions in the unclassified service under the Kansas civil service act at state educational institutions other than chief executive officers in accordance with this section if such reimbursement is from private funds provided to the state educational institutions by the endowment associations or other affiliated corporations of such state educational institutions.*

This amendment would not permit the institutions to reimburse such employees for moving expenses from state funds. This amendment would facilitate the reporting of nontaxable moving expenses on Regents employees' W-2s, and is the result of discussions with representatives of the Department of Administration. The following paragraphs briefly summarize the issue addressed by the proposed amendment.

Regents institutions have historically paid moving expenses for certain professional personnel recruited to the institution. Such costs have been financed by private monies and paid by the universities' endowment associations. Since the payments are made by the endowment association on behalf of a university employee, IRS rulings require that the payment of such nontaxable moving expenses must be reported on the employee's W-2. (If the endowment association issued a 1099 to the employee, the benefit would be taxable to the employee.) The Department of Administration prepares the W-2s for all state employees, since the State of Kansas is the single employer of all state employees. The Department of Administration has declined to include on the W-2 such nontaxable moving expenses provided by the endowment association. The Department has indicated that such reporting would result in the appearance that the State provided the benefits to the employee, when statute prohibits the Regents institutions from paying moving expenses for employees other than the CEOs.

Resulting from discussions with representatives of the Department, a mutually agreeable solution was reached: That the Board of Regents would seek an amendment to the statute on moving expenses, which would allow a Regents institution to pay moving expenses for unclassified employees other than CEOs, provided that the reimbursement is from funds provided to the institution from its endowment association or other affiliated corporations. Both the Secretary of Administration and the Director of Accounts and Reports have indicated they would support such an amendment.

The Committee's favorable consideration of SB 342 would be greatly appreciated.

Senate Ways and Means Committee

Date: 3/12/99

Attachment # 1

## PROPOSED AMENDMENT TO HOUSE BILL NO. 2065

(As Amended by House Committee)

On page 4, after line 19, by inserting:

"Sec. 3. K.S.A. 74-9303 is hereby amended to read as follows: 74-9303. (a) There is hereby created a body politic and corporate to be known as the information network of Kansas, Inc. INK is hereby constituted as a public instrumentality and the exercise by INK of the authority and powers conferred by this act shall be deemed and held to be the performance of an essential governmental function.

(b) INK shall be governed by a board consisting of ~~10~~ <sup>11</sup> ~~12~~ members as follows:

- (1) The president of Kansas, Inc.;
- (2) the secretary of state;
- (3) two members who are chief executive officers of agencies of the executive branch, appointed by the governor who shall serve at the pleasure of the governor;
- (4) one member appointed by the governor from a list of three Kansas bar association members submitted by such association. Such member shall serve a three-year term;
- (5) three members from other user associations of a statewide character appointed by the governor from a list of not less than nine individuals and their respective user associations compiled initially by the president of Kansas, Inc. and thereafter by the board of INK and submitted to the governor. No two members appointed pursuant to this paragraph shall represent the same user association. The terms for such members shall be for a period of three years, except initially, when the terms shall be for one, two and three years, respectively;
- (6) one member appointed by the governor from a list submitted by the president of the Kansas public libraries association and comprised of three librarians employed by public libraries. Following the initial appointment hereunder, such list shall be comprised of librarians of public libraries which subscribe to INK. Such member shall serve a three-year term;

(7) a member of the joint committee on information technology selected by the joint committee; and

~~(7)~~ (8) the director of information systems and communications who shall serve as a nonvoting member.

(c) The board shall annually elect one member from the board as chairperson of INK, another as vice-chairperson and another as secretary.

(d) ~~Five~~ Six members of the board shall constitute a quorum and the affirmative vote of ~~five~~ six members shall be necessary for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board.

(e) The member of the joint committee on information technology serving as a member of the board shall be paid amounts provided in subsection (e) of K.S.A. 75-3223 and amendments thereto.";

Also on page 4, by renumbering sections 3 and 4 accordingly; in line 20, before "K.S.A." by inserting "K.S.A. 74-9303 and";

In the title, in line 11, before "K.S.A." by inserting "K.S.A. 74-9303 and"

Proposed Amendment to SB 159  
For Consideration by Senate Committee on Ways and Means  
March 12, 1999

On page 2, following line 18, by inserting the following new material to read as follows:

1           “(f)(1) There is hereby created the Topeka state hospital property advisory committee  
2 which shall be composed of the following members:

3           (A) One member shall be a member of the house of representatives whose representative  
4 district includes a portion of Shawnee county and who is appointed by the speaker of the house  
5 of representatives and such member shall serve for a term ending on the first day of the regular  
6 session of the legislature in next ensuing odd-numbered year;

7           (B) one member shall be a member of the house of representatives whose representative  
8 district includes a portion of Shawnee county and who is appointed by the minority leader of the  
9 house of representatives and such member shall serve for a term ending on the first day of the  
10 regular session of the legislature in next ensuing odd-numbered year;

11           (C) one member shall be a member of the senate whose senate district includes a portion  
12 of Shawnee county and who is appointed by the president of the senate and such member shall  
13 serve for a term ending on the first day of the regular session of the legislature in next ensuing  
14 odd-numbered year;

15           (D) one member shall be a member of the senate whose senate district includes a portion  
16 of Shawnee county and who is appointed by the minority leader of the senate and such member  
17 shall serve for a term ending on the first day of the regular session of the legislature in the next  
18 ensuing odd-numbered year;



1 (E) one member shall be the mayor of the city of Topeka; and

2 (F) at least one member but not more than three members shall be appointed by the  
3 secretary of administration from among those persons who are residents of Shawnee county and  
4 who are not officers or employees of any state or local governmental agency and each such  
5 member shall serve at the pleasure of the secretary of administration.

6 (2) The Topeka state hospital property advisory committee shall organize annually by  
7 electing a chairperson and vice-chairperson from among the members. The advisory committee  
8 shall meet regularly on call of the chairperson and shall meet at least once each calendar quarter.

9 (3) The legislators who are members of the Topeka state hospital property advisory  
10 committee attending meetings of such advisory committee, or attending a subcommittee meeting  
11 thereof authorized by such advisory committee, shall be paid compensation, subsistence  
12 allowances, mileage and other expenses as provided in K.S.A. 75-3223 and amendments thereto  
13 upon vouchers approved by the secretary of administration or the secretary's designee from  
14 appropriations made for the department of administration.

15 (4) The Topeka state hospital property advisory committee shall meet and shall advise  
16 and consult regularly with the secretary of administration and other representatives of the  
17 department of administration with regard to current and proposed uses and other dispositions of  
18 the Topeka state hospital property. The secretary of administration shall present formal and  
19 informal proposals for new or different uses or other dispositions of the Topeka state hospital  
20 property and shall solicit comments from the advisory committee thereon. The advisory  
21 committee shall study and shall provide a forum for the expression and discussion of concerns  
22 and recommendations from residents of Shawnee county relating to current and proposed uses

1 and other dispositions of the Topeka state hospital property.

2 (5) The Topeka state hospital property advisory committee shall analyze each formal  
3 proposal presented by the department of administration that would change any current use of the  
4 Topeka state hospital property and may prepare a local impact report on such proposal. Each  
5 local impact report prepared by the advisory committee shall describe and evaluate the effects of  
6 the proposal on Shawnee county and the surrounding counties and on the state as a whole. The  
7 department of administration and the legislative research department shall provide staff  
8 assistance in the preparation of local impact reports. Each local impact report shall be submitted  
9 to the secretary of administration and such others as deemed appropriate by the advisory  
10 committee.”