

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Steve Morris at 10:35 a.m. on February 5, 2001, in Room 123-S of the Capitol.

All members were present except: All Present

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Amory Lovin, Kansas Legislative Research Department
Stuart Little, Kansas Legislative Research Department
Norman Furse, Revisor of Statutes
Michael Corrigan, Assistant Revisor, Revisor of Statutes Office
Julie Weber, Administrative Assistant to the Chairman
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department

Others attending: See attached guest list

Bill Introduction

Senator Jordan moved, with a second by Senator Feleciano, to introduce a bill (1rs0800) concerning children; children in need of care definitions. Motion carried.

Chairman Morris opened the public hearing on:

SB 86 - Late fees for failure to obtain park permits

Staff briefed the Committee on the bill.

Chairman Morris welcomed Clint Riley, Legal Counsel, Kansas Department of Wildlife and Parks who spoke in favor of **SB 86** (Attachment 1). Mr. Riley mentioned that by increasing the late payment fee to \$15.00, the department hopes that the fee serves as a more effective deterrent and park users would obtain the required park permits without being cited for a violation. The Chairman thanked Mr. Riley for his presentation before the Committee.

Committee questions and discussion followed. There being no further conferees to appear before the Committee, the Chairman closed the public hearing on **SB 86**.

Chairman Morris opened the public hearing on:

SB 96 - The director of information technology and director of capital improvements for the department of corrections are unclassified employees

Staff briefed the Committee on the bill.

Chairman Morris welcomed Tim Madden, Chief Legal Counsel, Kansas Department of Corrections, who presented the prepared testimony from Secretary Charles E. Simmons and spoke in favor of **SB 96** (Attachment 2). Mr. Madden explained that **SB 96** enhances the Department's ability to be competitive in recruiting and retaining qualified personnel for the positions proposed to be in the unclassified service. The Chairman thanked Mr. Madden for his presentation before the Committee.

CONTINUATION SHEET

Committee discussion and questions followed regarding the salaries and classified or unclassified status of Information Technology positions within other State agencies.

There being no further conferees to appear before the Committee, the Chairman closed the public hearing on **SB 96**.

The Chairman turned the Committee's attention to discussion of:

SB 86 - Late fees for failure to obtain park permits

Committee questions and discussion followed.

Senator Jackson moved, with a second by Senator Kerr, to pass **SB 86** as favorable. Motion carried by a roll call vote.

The Chairman turned the Committee's attention to discussion of:

SB 96 - The director of information technology and director of capital improvements for the department of corrections are unclassified employees

Committee questions and discussion followed. Senator Barone requested more information regarding the Department of Correction's information technology positions and what the other State agencies are doing. Chairman Morris directed Staff to query into what the other agencies are doing. Chairman Morris suggested having the Department of Administration come and visit with the committee to provide additional information.

The meeting adjourned at 11:25 a.m. The next meeting is scheduled for February 7, 2001.

SENATE WAYS AND MEANS COMMITTEE
GUEST LIST

DATE February 5, 2001

NAME	REPRESENTING
Tim Madden	Ks Dept of Corrections
Clint Riley	KDWP
Dick Koenig	KDWP
Mike Huffles	Ks. Govt Consulting



STATE OF KANSAS
DEPARTMENT OF WILDLIFE & PARKS

Office of the Secretary
900 SW Jackson, Suite 502
Topeka, KS 66612-1233
785/296-2281 FAX 785/296-6953



SENATE BILL NO. 86

**Testimony Provided to
Senate Committee on Ways and Means
February 5, 2001**

Senate Bill No. 86 would increase the late payment fee for state park permits from \$5 to \$15. This bill was introduced at the request of the Kansas Department of Wildlife and Parks, and is supported by the department.

Although most state park patrons purchase the required permit to use our parks, thus contributing to the parks operations, a few do attempt to cheat the user-fee system. Under current law, a person who is cited for failure to purchase a required state park permit has the opportunity to pay the price of the missing permit and a \$5 late payment fee within 24 hours of the violation notice. By doing so, that person is legally excused from the violation, and may not be convicted for failure obtain the park permit. Unfortunately, it appears that a growing number of people are viewing the \$5 late payment fee as an opportunity, rather than a deterrent. In other words, they are willing to risk not buying required park permits, knowing that they would owe only an additional \$5 if caught. This leads to additional time and resources spent in monitoring park permit violations, as well as in collection of the late payment fees.

An additional, related frustration exists when the department turns in accumulated park permit violations to a county prosecutor. In certain instances, county attorneys are unwilling to prosecute violations so unimportant that a person can avoid penalty by payment of a \$5 fee. When this occurs, no enforcement threat exists to ensure that park permits are obtained, as required by law. Although no set amount would always convince a county attorney to take seriously a citation for failure to purchase a park permit, we believe a higher late payment fee may help.

By increasing the late payment fee to \$15, the department hopes that the fee serves as a more effective deterrence, and park users would obtain the required park permits without being cited for a violation. In addition, the higher fee may help ensure that, in the worst case scenario, real threat of prosecution would exist. Consequently, the department respectfully requests that the Committee support SB 86.

W:\WPDOCS\LEGISLAT\01BILLS\SB86TE.WPD

Senate ways and means
2-5-01
Attachment 1



DEPARTMENT OF CORRECTIONS
OFFICE OF THE SECRETARY

Landon State Office Building
900 S.W. Jackson — Suite 400-N
Topeka, Kansas 66612-1284
(785) 296-3317

Bill Graves
Governor

Charles E. Simmons
Secretary

Memorandum

Date: February 5, 2001

To: Senate Ways and Means Committee

From: Charles E. Simmons
Secretary of Corrections

Re: SB 96

SB 96 amends K.S.A. 75-5205 to include the positions of Director of Information Technology and the Director of Capital Improvement for the Department of Corrections in the unclassified service. SB 96 enhances the Department's ability to be competitive in recruiting and retaining qualified personnel for these positions.

These positions have a great deal of responsibility in regard to the Department's operation and mission. The Director of Information Technology is responsible for managing and directing all information technology, communications, and records management functions in the Department. The Director of Capital Improvements is responsible for developing and managing the Department's capital improvements program, including new construction, renovation and major maintenance projects. Both positions require managerial and specialized technical skills that are currently in high demand in the marketplace.

By placing these positions in the unclassified service, the Department will have the flexibility to offer compensation levels needed to retain qualified personnel in these positions. The existing personnel performing these functions do so through designation as temporary project positions, while the authorized FTE are being held vacant. SB 96 would allow the Department to place these individuals into authorized FTE positions.

The Department requests favorable consideration of SB 96.

CES/TGM/cj

cc: Legislative file