

MINUTES

LEGISLATIVE COORDINATING COUNCIL

May 25, 2006

Members present:

Speaker Doug Mays, Chairperson  
President Steve Morris, Vice-Chairperson  
Senator Derek Schmidt, Majority Leader  
Senator Anthony Hensley, Minority Leader  
Representative Clay Aurand, Majority Leader  
Representative Ray Merrick, Speaker Pro Tem  
Representative Dennis McKinney, Minority Leader

The meeting was called to order by Speaker Mays at 2:10 p.m. in Room 123-S, State Capitol.

CONSENT AGENDA

Senator Schmidt moved that the minutes of the December 19, 2005, Legislative Coordinating Council meeting be approved as presented. President Morris seconded the motion and the motion carried.

REPORT OF SUBCOMMITTEE ON ADMINISTRATION

President Morris presented the report of the Subcommittee on Administration. The subcommittee recommends on June 18, 2006, moneys budgeted for the payment of salaries of staff in legislative leadership offices be increased by an amount to provide a 2.5% increase from that authorized for FY 2006 for each such office for such purpose and be increased on September 10, 2006, by 2.5% for each such office for such purpose; that commencing on June 18, 2006, the Director of Legislative Administrative Services, the Director of Legislative Research and the Revisor of Statutes be authorized to fix compensation and salaries for personnel within their respective offices (for whom they are authorized to fix salaries and compensation) including the payment of longevity compensation for personnel in amounts equal to and subject to the same eligibility requirements as that authorized and prescribed by law for personnel in the classified service, within the limitations of moneys available for such purposes; that commencing on June 18, 2006, the biweekly salaries of the Director of Legislative Administrative Services, Director of Legislative Research, Legislative Post Auditor and Revisor of Statutes be increased by an amount equal to 1.5% of the biweekly rate of pay in effect immediately prior to such date as authorized for such persons by the Legislative Coordinating Council (if moneys are available in

the particular agency budget therefor) and commencing on September 10, 2006, the biweekly salaries be increased an additional 2.5% (if moneys are available in the particular agency budget therefor), together with the payment of longevity compensation for eligible personnel in amounts equal to and subject to the same eligibility requirements as that authorized and prescribed by law for personnel in the classified service; that commencing on June 18, 2006, the biweekly salaries of full-time legislative employees not otherwise covered by this memo or under the Kansas public employees retirement system shall be increased by 2.5 % of the biweekly rate of pay in effect for such employees for the preceding biweekly payroll period (1% of this increase in lieu of longevity) and commencing on September 10, 2006, the biweekly rate of pay be increased an additional 2.5%, and any such employee may receive additional salary and compensation as may be authorized by the appointing authority for such employee; that invited legislators who attend the annual Kansas Geological Survey tour receive an enroute day, mileage from the point of departure and salary on all days of the tour; that the Department of Administration, the Office of Revisor of Statutes and the Legislative Research Department develop a scope statement for a state employee pay plan study with the draft scope statement to be presented to the Council at its June meeting; and that the chairperson and ranking minority member of the House and Senate committee on insurance be authorized to attend the National Council of Insurance Legislators National meeting. President Morris moved that the report of the Subcommittee on Administration be approved. Representative Merrick seconded the motion and the motion carried.

#### REPORT OF SUBCOMMITTEE ON FACILITIES AND PLANNING

Representative Aurand presented the report of the Subcommittee on Facilities and Planning to the Council. The subcommittee received a capitol restoration project update from Barry Greis, Capitol Architect. Included in the update was the recommendation that the proposed 4<sup>th</sup> floor south wing committee room (420 South) be relocated to the north west wing of 5<sup>th</sup> floor. It was determined that some of the walls on the 4<sup>th</sup> floor were load bearing and would result in additional structural engineering construction costs. By moving the proposed committee room from 4<sup>th</sup> floor to 5<sup>th</sup> floor a construction cost savings would result and the committee room size would remain roughly the same.

By consensus, the Subcommittee made a recommendation to the Council to relocate the proposed 4<sup>th</sup> floor committee room to the 5<sup>th</sup> floor. In addition, Representative Aurand raised concerns about the ability of the Office of Revisor of Statutes and Legislative Research Department to expand in the future. In response to the questions concerning future expansion, Mr. Greis stated that the Revisor's office would have some flexibility, but the Research Department was limited. The possibility of not moving the Division

of Budget back into the Capitol Building was discussed and using that space for other purposes, including future expansion by the Legislative Research Department.

Representative Aurand moved that the subcommittee recommendation to relocate the proposed 4<sup>th</sup> floor committee room to the 5<sup>th</sup> floor be approved. Representative Merrick seconded the motion and the motion carried.

#### LEGISLATIVE COUNSEL

President Morris provided to the Council the report of the Subcommittee on Legislative Counsel selection. President Morris stated that the subcommittee after consideration of the received requests for proposals and the interview of several individuals and firms is recommending that Stephen R. McAllister from Lawrence serve as Legislative Counsel. Mr. McAllister may work in conjunction with the law firm of Thompson, Ramsdall & Qualseth, P.A., Lawrence, Kansas, in carrying out the duties of Legislative Counsel. A proposed contract had been mailed to the members prior to the meeting. Senator Schmidt suggested that the language "requested by LCC" be deleted from the subpoints in section 2, F, 5. Representative McKinney suggested that clause 5 be removed. Representative McKinney moved that with the changes recommended by Senator Schmidt and by him that the contract be approved, Speaker Mays be authorized to sign the contract on behalf of the Legislative Coordinating Council and Mr. McAllister be selected as Legislative Counsel. Senator Schmidt seconded the motion and the motion carried.

#### LEGISLATIVE INTERN PROGRAM

Representative Merrick presented a report concerning the legislative intern program. After the report, it was the consensus of the Legislative Coordinating Council that a modification be made to the program that clarifies the guidelines if an intern is a child of a currently serving legislator.

#### OTHER MATTERS

The Council received a memorandum from the Legislative Research Department relating to new legislative appointments to various boards, committees, commissions, task forces or other similar entities as a result of enactments during the 2006 legislative session.

Speaker Mays moved that the open meeting of the Legislative Coordinating Council be recessed for a closed, executive meeting for the purpose of consideration of personnel matters, that the Legislative Coordinating Council shall resume its open meeting in Room 123-S of the statehouse within 30 minutes, and that this

motion, if adopted, shall be recorded in the minutes of the Legislative Coordinating Council and shall be maintained as a part of the permanent records of the Legislative Coordinating Council. President Morris seconded the motion and the motion carried.

Speaker Mays moved that the open meeting of the Legislative Coordinating Council be recessed for a closed, executive meeting for the purpose of consulting with Stephen McAllister, Legislative Counsel, and Todd Thompson of the law firm Thompson, Ramsdall and Qualseth, P.A., that the consultation is justified because the consultation is privileged in the attorney-client relationship, that the Legislative Coordinating Council shall resume the open meeting in Room 123-S of the statehouse within 30 minutes, and that this motion, if adopted, shall be recorded in the minutes of the Legislative Coordinating Council and shall be maintained as part of the permanent records of the Legislative Coordinating Council. Representative Merrick seconded the motion and the motion carried. The Council reconvened after 30 minutes of executive session.

The Council reconvened after the executive session. Senator Schmidt moved that Mr. McAllister file an amicus brief on behalf of the Legislative Coordinating Council in the school finance case (the *Montoy* case) and seek permission from the Kansas Supreme Court to present oral arguments in the case. Representative Merrick seconded the motion and the motion carried.

Prior to the meeting members of the Council received a Policy 1 report of travel authorization by President Morris, a status report from the Revisor's Office on selected Kansas cases, a summary of and a copy of the proposed legislative counsel contract and Policy 42 reports on outside employment from Ms. Hinton and Mr. Larson.

The next Legislative Coordinating Council meeting dates were established for June as either June 19 or 20 and for July either July 25 or 26.

On motion the meeting was adjourned.

Prepared by

Norman J. Furse,  
Revisor of Statutes,  
as Secretary

Approved by

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Speaker Doug Mays, Chairperson