

MINUTES OF THE SENATE COMMITTEE ON SENATE WAYS AND MEANS.

The meeting was called to order by Chairperson Steve Morris at 10:40 a.m. on March 12, 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  
Carolyn Rampey, Kansas Legislative Research Department  
Tom Severn, Kansas Legislative Research Department  
Michael Corrigan, Assistant Revisor, Revisor of Statutes Office  
Julie Weber, Administrative Assistant to the Chairman  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Sabrina Wells, Comptroller, State Insurance Department  
Neil Woerman, Director of the Budget, Office of the Attorney General

Others attending: See attached guest list

Chairman Morris turned the Committee's attention to review of the minutes of the meetings of February 5 and February 7, 2001. Senator Jordan moved, with a second by Senator Schodorf, to approve the minutes of February 2 and 7, 2001. Motion carried by a voice vote.

Chairman Morris opened the public hearing on:

**SB 346—Elimination of salary cap on insurance department employees**

Staff briefed the committee on the bill.

Chairman Morris welcomed Sabrina Wells, Comptroller, State Insurance Department, who spoke in support of **SB 346** (Attachment 1). Ms. Wells explained **SB 346**, current law and the fiscal effect of repealing the statutory salary restrictions on Department of Insurance employees in her testimony.

Committee questions and discussion followed.

Chairman Morris thanked Ms. Wells for her appearance before the Committee. There being no further conferees, the Chairman closed the public hearing on **SB 346**.

Chairman Morris opened the public hearing on:

**SB 347—Elimination of salary cap on certain office of attorney general employees**

Staff briefed the committee on the bill.

Chairman Morris welcomed Neil Woerman, Director of Budget and Special Projects, on behalf of Attorney General Carla J. Stovall, who spoke in support of **SB 347** (Attachment 2). Mr. Woerman explained that Attorney General Stovall regretted not being present personally to testify on the bill because it is an important issue to her. He noted that Attorney General Stovall was in Washington chairing the Spring Meeting of National Attorneys General. Mr. Woerman mentioned that General Stovall did personally raise the issue the bill addresses with the subcommittee and the subcommittee

requested introduction of the bill. Mr. Woerman further explained the intent of the bill in his written testimony. He mentioned that General Stovall was not requesting that her salary be increased but was asking that she be allowed to better compensate her top legal staff and allow the attorney general in the future a better opportunity to compete for top attorneys with other government agencies and with the private sector, against whom the office must litigate.

Committee questions and discussion followed.

The Chairman thanked Mr. Woerman for his appearance before the Committee. There being no further conferees, the Chairman closed the public hearing on **SB 347**.

Chairman Morris called the Committee's attention to discussion of:

#### **SB 330—Professional services sunshine act, exemptions**

Senator Feleciano moved, with a second by Senator Downey, to amend SB 330 and adopt Sub for SB 330 and strike subsection "H" to add the House language to replace it contained in proposed Sub for SB 330 (Attachment 3). Committee discussion followed. Mr. Deck noted that all that the intent of the proposed amendment was to have the KPERS Board to be able to act as their own procurement negotiating committee and the Board was comfortable with this language. Senator Kerr mentioned that he thought the proposed amendment was more consistent with what the subcommittee had in mind and they were looking for language to be consistent with the state law, not an exemption. Motion carried by a voice vote.

Senator Feleciano moved, with a second by Senator Schodorf, to move SB 330 as amended by Sub for SB 330. Motion carried by a roll call vote.

#### **SB 110—Board of accountancy fees**

Senator Salmans moved, with Senator Barone, to move SB 110 as amended by the Subcommittee on Accountancy (Attachment 4). Motion carried by a roll call vote.

#### **SB 322—KPERS board of trustees, assignment of certain positions**

Senator Schodorf moved, with a second by Senator Downey, to amend SB 322 to correct the title for the position of "investment operations analyst" and to make the bill effective upon publication in the Kansas Register. Motion carried by a voice vote.

Senator Kerr moved, with a second by Senator Schodorf, to pass SB 322 favorably as amended. Motion carried by a roll call vote.

#### **SB 346—Elimination of salary cap on insurance department employees**

#### **SB 347—Elimination of salary cap on certain office of attorney general employees**

Senator Feleciano moved, with a second by Senator Barone, to move SB 346 and SB 347 for passage. Committee questions and discussion followed. Senator Feleciano withdrew his motion, with permission of the second, Senator Barone, subject to the Insurance Commissioner and the Attorney General visiting with the President of the Senate.

Chairman Morris mentioned that there is a possibility of limiting the bill to apply only to certain employees of the respective departments.

Senator Barone requested that staff look into other elected officials and see if there are similar salary restraints, i.e., Secretary of State and the State Treasurer.

Senator Huelskamp requested that staff could research whether any positions are vacant or if it was it

hard to fill them last time when they were open.

Chairman Morris mentioned that SB 346 and SB 347 will be held.

**Confirmation Hearing on:**

Michael Braude, Member, Kansas Public Employees Retirement System (KPERs) Board of Trustees

Copies of the Senate Confirmation Information Summary, Prepared and Submitted by the Office of Governor Bill Graves was submitted to each member of the Committee (Attachment 4).

Chairman Morris mentioned that it is the responsibility of this Committee to hold the confirmation hearing, but that the Joint Committee on Pensions and Benefits also needs to have a hearing separately. Senate Committee on Ways and Means needs to make their recommendations as the Joint Committee on Pensions and Benefits will make their recommendations.

Mr. Braude briefed the Committee on his background. Committee questions and discussion followed. In response to a question, Mr. Braude mentioned that he feels that serving on the KPERs Board is a tremendous responsibility and would take it seriously. He noted that he is cognizant of the problems in the past and would try not to let it happen again.

Chairman Morris thanked and wished Mr. Braude good luck. The Chairman mentioned that the Committee would take action the following day, March 13, 2001.

**Bill Introduction**

Senator Huelskamp moved, with a second by Senator Jackson, to introduce a bill (1rs1171) concerning judicial protection issues and compromise language for some producer protection. Motion carried by a voice vote.

The meeting was adjourned at 11:30 a.m. The next meeting is scheduled for March 14, 2001.