

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson David Adkins at 9:10 a.m. on January 27, 2000 in Room 514-S of the Capitol.

All members were present except: Rep. Landwehr - excused
 Rep. McKechnie - excused

Committee staff present: Alan Conroy, Kansas Legislative Research Department
 Stuart Little, Kansas Legislative Research Department
 Robert Waller, Kansas Legislative Research Department
 Jim Wilson, Revisor of Statutes Office
 Mike Corrigan, Revisor of Statutes Office
 Dave Stallings, Assistant to the Chairman
 Mary Shaw, Committee Secretary

Conferees appearing before the committee:
 Andy Tomkins, Commissioner of Education, Kansas Department of Education
 Dale M. Dennis, Deputy Commission, Kansas Department of Education
 Judge John White, Iola, Non Judicial Salary Initiative Chairman
 Judge Larry McClain, Olathe, Non Judicial Salary Initiative Member
 Bobbi Mariani, Division of Personnel Services
 Jerry Sloan, Budget & Fiscal Officer, Office of Judicial Administration

Others attending: See attached list.

Chairman Adkins mentioned that the Committee will be taking a field trip to Wyandotte High School, Kansas City, Kansas, on Tuesday, February 1, 2000, learning first hand some of the challenges and opportunities that are available in urban school settings. Hopefully, there will be an appreciation of the complexity of the issues that are confronted by urban educators as well as some of the great things that are going on in urban schools that may very well not be in keeping with many of the myths that many think of as popular perceptions about urban schools.

Briefing on Problems and Challenges Relating to Urban Schools

Chairman Adkins welcomed Andy Tompkins, Commissioner, and Dale M. Dennis, Deputy Commissioner, Kansas State Department of Education who gave a briefing on problems and challenges relating to urban schools. Mr. Tompkins and Mr. Dennis presented a list of issues which potentially confront school districts, particularly urban high schools along with a summary of programs currently available to assist school districts in dealing with these issues. The cover letter to their testimony mentioned that the State Department of Education, in partnership with New American Schools and Education Commission of the States, has initiated an effort to help six urban-like districts with school reform efforts. The partnership emphasizes support in selecting research-based instructional designs that will increase student achievement ([Attachment 1](#)).

Committee questions and discussion followed. Chairman Adkins thanked Mr. Tompkins and Mr. Dennis for their presentation.

Briefing on the Review of Judicial Branch Nonjudicial Salary Initiative

Chairman Adkins welcomed Judge John White, Iola, NJSI Chair, Judge Larry McClain, Olathe, NJSI Member, Bobbi Mariani, Division of Personnel Services and Jerry Sloan, Budget & Fiscal Officer, Office of Judicial Administration, who made a presentation regarding the Nonjudicial Salary Initiative ([Attachment 2](#)). The Chairman turned the meeting over to Judge John White. Judge White explained that they were before the Committee to discuss a problem they have in the Judicial Branch, a plan and a proposed solution to it ([Attachment 3](#)). He noted that, knowing the state's funding problems, he was pleased to tell the Committee that the proposed solution they have does not include raising any money from the State General Fund. They have a proposal to finance nonjudicial employees salary adjustments

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through increases in docket fees and other ways it can be done within the court system without asking for additional money from the State General Fund.

Judge White mentioned a problem of turnover, attracting employees and keeping them. Judge White noted that 70% of nonjudicial judicial branch employees leaving the Judicial Branch have tenure of less than 3 years. Also, 620 positions had an average of 3.42 years service. Judge White noted that the NJSI includes representatives from the judiciary, clerks of the court, court administrators, court services, and the Office of Judicial Administration. The recommendations of NJSI are (noted in testimony):

Recommendation 1

- The compensation plan should provide for an annual cost of living adjustment that is commensurate with increases in the inflation rate, as measured by current economic indicators.

Recommendation 2

- The committee recommends that the Supreme Court adopt separate pay plans for supervisory and non-supervisory employees.
- The plan for supervisory personnel should include a pay for performance component and an annual COLA.
- The plan for non-supervisory personnel should include an annual COLA and periodic step increases. Each of these step increases should be larger than the present 2.5% step increase, but there should be fewer step increases in number.

Judge White introduced Bobbi Mariani, Department of Administration, Division of Personnel Services. Ms. Mariani mentioned that they support the methodology and systems that were used by the Judicial Branch for the Nonjudicial Salary Initiative to develop their pay plan. She noted that their staff was included in all meetings and they provided technical compensation expertise from the Division of Personnel Services. Ms. Mariani mentioned that they encourage support for the plan and that it provides the Executive Branch with a sampling of employees to put on a different pay plan to see how it would work.

Chairman Adkins welcomed Judge McClain, Olatha, NJSI Member. Judge McClain mentioned that he served as administrative judge in Johnson County for four years and their clerk's office employed about fifty people. During that four-year period of time there was one week that they were fully staffed. Judge McClain noted that turnover in both their clerk's office and for probation officers has been around 35% for the past several years, and the training requirements have cost 2/3 of one year of a full-time employee to do the hiring and training of a new employee. Judge McClain noted that the pay plan being proposed has no cost to the State General Fund and encourages support of that pay plan.

Chairman Adkins introduced Jerry Sloan, Budget & Fiscal Officer, Department of Judicial Administration, who presented additional handouts:

- Nonjudicial Employee Compensation, A Report to the Kansas Supreme Court from the Nonjudicial Salary Initiative ([Attachment 4](#))
- Nonjudicial Salary Initiative Fund ([Attachment 5](#))
- Judicial Branch nonjudicial salary initiative fund; receipts; expenditures - copy of a proposed bill ([Attachment 6](#))

Mr. Sloan explained that the first item is the full committee report to the Kansas Supreme Court of the Nonjudicial Salary Initiative Committee. Mr. Sloan mentioned that docket fees are used for different purposes, the majority of which are not for the Judicial Branch.

Mr. Sloan noted that in the handouts there was also a proposed bill to implement the nonjudicial salary initiative recommendations (see attachment 6) and that the most substantive provision of the proposed legislation is in section 1.

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Chairman Adkins mentioned that it is his intent to have a bill for introduction and he understands that the Revisors are currently working on the language, and given the complexity of the proposal, it might be best to review the completed draft and give Subcommittee Chairman Jeff Peterson an opportunity to review it and that it would be the intention of the Chairman to refer that bill to the Tax, Judicial and Transportation Budget Committee for consideration with the other judicial legislative issues. The Chairman does anticipate having a bill that would embody the proposal available for introduction in the House and it is his understanding that a parallel bill will be available for consideration by the Senate. Chairman Adkins thanked all the conferees from the Nonjudicial Salary Initiative Presentation. Committee questions and discussion followed.

The meeting was adjourned at 10:55 a.m. The next meeting is scheduled for February 1, 2000.