

MINUTES
LEGISLATIVE COORDINATING COUNCIL

June 30, 2011

Members participating:

President Steve Morris, Chairperson
Speaker Michael O'Neal, Vice Chairperson
Senator Jay Emler, Majority Leader
Senator Anthony Hensley, Minority Leader
Representative Arlen Siegfried, Majority Leader
Representative Jene Vickrey, Speaker Pro Tem
Representative Paul Davis, Minority Leader

The meeting was called to order by President Morris at 1:36 p.m. in Room 548-S, Statehouse.

1. Speaker O'Neal moved that the minutes of the Legislative Coordinating Council meeting held on June 1, 2011, be approved. Senator Emler seconded the motion. The motion carried.
2. Alan Conroy, Director of Legislative Research, distributed information regarding proposed interim study topics, meeting days and committees as proposed by Speaker O'Neal and President Morris. Speaker O'Neal moved that the following be approved:
 - Establishment of the **Special Committee on Financial Institutions and Insurance** as follows:
 - Membership:** 11 members (five from the Senate, four majority party members and one minority party member, and six from the House, five majority party members and one minority party member)
 - Chairperson:** Member of the Senate
 - Meeting Days:** 3 days
 - Topics:**
 - (1) *Uninsured Motorists*. Conduct a comprehensive study on the issue of uninsured

motorists in Kansas, including methods to determine which vehicles are not insured. The study would include: (a) Determining what electronic method is best for Kansas in determining whether a vehicle is uninsured, including a review of electronic verification databases maintained by the state or direct queries of insurance company databases; (b) reviewing steps to encourage Kansans to purchase vehicle insurance, including a study of low cost basic liability policies as provided in selected other states; (c) determining if additional penalties would be effective in prompting non-complying Kansans to acquire vehicle insurance; and (e) studying alternatives to address uninsured vehicles that also are not registered.

(2) *Criminal History Record Checks and Fingerprinting of Certain Financial Service Representatives.* Study the possible authorization of fingerprinting and criminal history record checks of certain financial services representatives in Kansas. Review the potential impact on financial regulatory agencies and their licensees, as well as the Kansas Bureau of Investigation.

(3) *State Implementation of the Federal Patient Protection and Affordable Care Act.* Study the federal Patient Protection and Affordable Care Act for any required corresponding state implementation legislation. Review options for a Kansas health insurance exchange that will comply with the federal health care legislation.

- Appointment of members of the **KAN-ED Study Committee**, as provided by 2011 Senate Substitute for House Bill No. 2011, as follows:

Membership: 10 members (five from the Senate, four majority party members and one minority party member, and five from the House, four majority party members and one minority party member); of the Senate members at least one shall be from each of the following committees: Standing Committee on Education, Joint Committee on Information Technology, Standing Committee on Public Health and Welfare, Standing Committee on Ways and Means and Standing Committee on Utilities; of the House members, at least one shall be from each of the following committees: Standing Committee on Appropriations, Standing Committee on Health and Human Services, Standing Committee on Education, Joint Committee on Information Technology and Standing Committee on Energy and Utilities.

Chairperson: Member of the House

Meeting Days: 2 days

Topic: *Efficiency and Effectiveness of KAN-ED.* Study the efficiency and effectiveness of the KAN-ED Program in providing broadband internet access to schools, libraries and hospitals. The review shall include the following topics from 2011 Senate Substitute for House Bill No. 2014: (1) Determine the economic value of the KAN-ED program to the state; (2) describe how KAN-ED funds are used; (3) determine if there is a more cost efficient way to provide schools, libraries and hospitals broadband internet access; (4) describe any alternate ways to provide schools, libraries and hospitals broadband internet access; and (5) compare the costs of alternatives to the KAN-ED program.

- Assignment of the following topic to the **Joint Committee on Energy and Environmental Policy:**

Topic: *Kansas Corporation Commission's Abandoned Oil and Gas Well Plugging Program.* Study the Kansas Corporation Commission's abandoned oil and gas well plugging program. Review the effectiveness of the program. Study the impact of not

transferring the \$400,000 from the State General Fund yearly into the program, as required by statute.

- Request the **Legislative Budget Committee** to study the following:

Topics:

(1) *Office of the State Fire Marshal*. Review the duties, functions and responsibilities of the Office of the State Fire Marshal. Study if the Office of State Fire Marshal might be merged with another state agency. Review 2011 Senate Bill No. 220 and 2011 House Bill No. 2370, both of which would eliminate the Office of State Fire Marshal and transfer the statutory duties, responsibilities and associated funding to other state agencies, including the investigative duties to the Kansas Bureau of Investigation, inspection duties to the Division of Facilities Management within the Department of Administration and hazardous material duties to the Division of Emergency Management within the Adjutant General's Department.

(2) *Providing Medicaid Adult Dental Benefits*. Study the potential cost effectiveness and potential health benefits of providing adult Medicaid recipients with dental benefits. Currently, the federal Patient Protection and Affordable Care Act and the Children's Health Insurance Program provide children with guaranteed access to a funding source for dental services, while no such funding source is available for adults under either Medicaid or Medicare.

(3) *Status of Psychiatric Residential Treatment Facilities Placement for Youth*. Study the status of the current placement policy for youth in psychiatric residential treatment facilities. Review if the psychological and physical needs of youth are being adequately met in psychiatric residential treatment facilities and alternative settings. Review the current and proposed funding streams for psychiatric residential treatment facilities.

- Request the **State Employee Pay Plan Oversight Committee** to study the following:
Topic: *Effects of the Classified State Employee Market Pay Adjustments*. Study the effects of the classified state employee market pay adjustments for fiscal year 2010 and fiscal year 2011. Evaluate whether such pay adjustments accomplished the goal of having classified state employees paid comparable salaries and fringe benefits when compared to private sector employees.

Representative Davis seconded the motion. The motion carried.

3. Mr. Conroy distributed and reviewed a table showing the 2010 actual interim meeting days, the 2011 interim meeting days requested by committees and the number of 2011 interim committee days proposed by President Morris and Speaker O'Neal. Speaker O'Neal moved that the following 2011 interim meeting days be approved:

Administrative Rules and Regulations, Joint Committee on	5
Arts and Cultural Resources, Joint Committee on the	1
Capitol Preservation Committee	1
Claims against the State, Joint Committee on	4
Corrections and Juvenile Justice Oversight, Joint Committee on	3
Energy and Environmental Policy, Joint Committee on	4
Financial Institutions and Insurance, Special Committee on	3

Health Care Stabilization Fund Oversight Committee	1
Health Policy Oversight, Joint Committee on	3
Home and Community Based Services Oversight, Joint Committee on	3
Information Technology, Joint Committee on	2
KAN-ED Study Committee	2
KPERS Study Commission	10
Kansas Security, Joint Committee on	1
Legislative Budget Committee	3
Legislative Educational Planning Committee	2
Pensions, Investments, and Benefits, Joint Committee on	2
Redistricting, Joint Special Committee on	7
State Employee Pay Plan Oversight Committee	2
State Building Construction, Joint committee on	6*

*2 meeting days outside Topeka

Representative Vickrey seconded the motion. The motion carried.

4. Mr. Conroy noted that the KPERS Study Commission did not have a chairperson to organize its first meeting. Representative Siegfried moved that the Kansas Legislative Research Department be directed to facilitate the first meeting of the Commission. Senator Emler seconded the motion. The motion carried. It also was noted that the KAN-ED Study Committee did not have a chairperson. Representative Siegfried moved that the Research Department be directed to facilitate the first meeting of the Study Committee. Senator Emler seconded the motion. The motion carried.
5. Speaker O'Neal moved that there be created a joint Special Committee on Redistricting, consisting of the Senate Standing Committee on Reapportionment and the House Standing Committee on Redistricting, that the chairperson of each standing committee serve as cochairperson of the Committee and that the Committee be authorized to meet seven days for hearings. Representative Siegfried seconded the motion. The motion carried.
6. Speaker O'Neal moved that the chairperson and vice chairperson be authorized to appoint to the Kansas Interagency Coordinating Council on Early Childhood Development and the Midwestern Higher Education Commission those members that the statutes provide will be appointed by the LCC. Senator Emler seconded the motion. The motion carried.
7. Mary Torrence, Revisor of Statutes, reviewed the following proposed changes to LCC Policy 33 (new language underlined):

Policy 33. Communications by committees with state and federal officers and agencies. (a) Interim study committees and joint committees are not authorized to speak for the legislature or the committee except through reports and recommendations and shall not direct any communication to the President of the United States, any member of Congress or any federal agency or to the Governor

or any agency of the state of Kansas making any recommendation for, or indicating approval or disapproval of, any action by any such officer or agency without the prior approval of the LCC. An interim committee or joint committee may direct a nonpolicy statement, inquiry or invitation to the President of the United States, any member of Congress or any federal agency, or to the Governor or any agency of the state of Kansas, at any time, subject to the approval of both the President of the Senate and the Speaker of the House of Representatives.

(b) Committees of the Senate and committees of the House of Representatives are not authorized to speak for the legislature or the committee except through reports and recommendations and shall not direct any communication to the President of the United States, any member of Congress or any federal agency or to the Governor or any agency of the state of Kansas making any recommendation for, or indicating approval or disapproval of, any action by any such officer or agency without the prior approval of the LCC. A committee of the Senate or a committee of the House of Representatives may direct a nonpolicy statement, inquiry or invitation to the President of the United States, any member of Congress or any federal agency, or to the Governor or any agency of the state of Kansas, at any time, subject to the approval of either the President of the Senate, in the case of a committee of the Senate, or the Speaker of the House of Representatives, in the case of a committee of the House of Representatives. (Adopted June 11, 1976; amended June 1, 1984; amended Nov. 4, 1991; amended June 30, 2011.)

Speaker O'Neal moved to approve the amendments to the policy. Representative Davis seconded the motion. The motion carried.

8. Jason Long, Senior Assistant Revisor of Statutes, presented an update on completion of the deliverables due under the contract with Propylon to build the Kansas Legislative Information Services System (KLISS). In addition, Mr. Long reviewed the proposed contract with Propylon for technical support and services for KLISS for FY 2012. Speaker O'Neal moved to authorize the chairperson to execute the contract. Senator Emler seconded the motion. The motion carried.
9. Secretary of Administration Dennis Taylor briefed the Council on the Walk of Honor which will be installed from the Capitol southeast to 10th and Jackson streets. The walk will honor the 25 greatest Kansans and will be privately funded.
10. Ms. Torrence directed members' attention to a memorandum from Mr. Long regarding the filing of an amended notice of claim in pending school finance litigation.
11. Senator Hensley moved that Senators McGinn, Vratil and Kelly and Representatives Rhoades, Kelley and Feuerborn be appointed as members of the Legislative Budget Committee. Speaker O'Neal seconded the motion. The motion carried.

Members of the Council also received from the Office of Revisor of Statutes a memorandum updating the Council on court cases of interest.

On motion, the meeting was adjourned.

Prepared by

Mary Ann Torrence
Revisor of Statutes
as Secretary

Approved by

President Stephen R. Morris
Chairperson