

MINUTES
LEGISLATIVE COORDINATING COUNCIL

June 1, 2012

Members participating:

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

The meeting was called to order by Speaker O'Neal at 9:10 a.m. in Room 548-S, Statehouse.

1. Representative Davis moved that the minutes of the Legislative Coordinating Council meeting held on November 15, 2011, be approved. Senator Emler seconded the motion. The motion carried. President Morris moved that the minutes of the Legislative Coordinating Council meeting held on February 1, 2012, be approved. Senator Emler seconded the motion. The motion carried.
2. Kevin Yowell of KanFocus (formerly VoteTracker) presented three options for renewal of the Legislature's subscription to KanFocus: Option one, a one-year subscription at a cost of \$81,675; option two, a two-year subscription at a cost of \$156,750, payable at the beginning of the two-year term; and option three, a two-year subscription at a cost of \$81,675 per year, payable each year. Representative Siegfroid moved to renew the subscription under option three. Representative Vickrey seconded the motion. The motion carried.
3. There was discussion of appointment of a permanent Director of Legislative Research. Mary Torrence, Revisor of Statutes, summarized procedures used in the past to fill a vacancy in the head position in a legislative agency. It was the consensus that a subcommittee composed of President Morris, Representative Siegfroid and Representative Davis be appointed to define and recommend to the full Council the procedure for selecting the permanent director. The subcommittee is to report back to the Council by fall.
4. Speaker O'Neal discussed relocation of the capitol snack bar, stating that the current location has caused Don Wistuba, the operator, financial hardship and that Mr. Wistuba prefers a third floor location. Barry Greis, Statehouse Architect, presented two options for relocation of the snack bar when the north wing reopens in the fall. Under both options, the snack bar would be located in the northwest quadrant of the third floor. Option A would provide a food preparation area in the northeast quadrant of the third floor, with a cost estimate of \$241,000. Option B would provide a food preparation area on the ground floor, with an estimated cost of \$16,799. Representative Davis moved to approve option B. Representative Siegfroid seconded the motion. The motion carried.

5. There was discussion of the need to adopt an amendment to L.C.C. Policy 38 to extend use of legislators' postage allotments beyond *sine die* for 2012. The length of the session has restricted the Division of Printing's time to print *Legislative Highlights* and legislators' time to get them mailed. Ms. Torrence reviewed the following proposed amendment to the policy:

Policy 38. Correspondence and mailing. (a)(1) Only correspondence pertaining to constituent services shall be prepared or mailed at state expense.

(2) Except as otherwise provided by this subsection, on and after January 1, 2002, January 22, 2012: Each representative will be allowed a maximum of ~~\$860~~ \$1,044 postage allotment per calendar year; each senator will be allowed ~~\$2,580~~ a maximum \$3,136 postage allotment per calendar year, ~~except that the postage allotment shall not be used by any legislator after the day that the regular session of the legislature adjourns sine die in a calendar year during which a general election is to be held to elect the members of such legislator's house of the legislature. On and after January 1, 2002, ; and a committee chairperson will be allowed an additional \$266 in~~ \$322 postage allowance per calendar year in response to committee mail, ~~except that the postage allotment shall not be used after the day that the regular session of the legislature adjourns sine die in a calendar year during which a general election is to be held to elect the members of the chairperson's house of the legislature. The postage allotment allowed by this subsection shall not be used by any legislator after the day the regular session of the legislature adjourns sine die in a calendar year during which a general election is to be held to elect the members of such legislator's house of the legislature, except in 2012 such allotments may be used through Wednesday, June 13, 2012.~~ The maximum allotment amount established under this paragraph will change in relation to postage rate changes made by the U.S. Postal Service for letter-size, first-class mail.

(3) Allotments not used are not cumulative from calendar year to calendar year and shall not be used in any other calendar year.

(4) Mailings by legislators which exceed this allotment will be charged to the respective legislator at the same amount charged to the legislature by central mail. Failure to pay for any overage in a timely manner will result in loss of legislative mailing privileges.

(b) The use of state postage in the mailing of personal correspondence is a misdemeanor. K.S.A. 21-3911 states in part: It shall be unlawful for any person to use for such person's personal use, or to allow any unauthorized person to use, any form of postage paid for with state funds.

(c) Except as otherwise provided by law, questionnaires may be prepared, answered or mailed at state expense if:

(1) The questionnaire is limited to soliciting opinions or facts relating to legislative issues or studies;

(2) the questionnaire is specifically authorized by a legislator and the identity of the legislator sponsoring the questionnaire is disclosed on the questionnaire;

(3) the questionnaire does not expressly advocate the nomination, election or defeat of a clearly identifiable candidate to state or local office;

(4) the questionnaire has a return address other than an address at the state capitol; and

(5) the questionnaire, including preparation and mailing or other distribution, is in

compliance with all other applicable statutes, rules and policies, including postage allotments and other limitations prescribed by the LCC.

(d) Petitions should not be answered at state expense, other than to the individual who submitted it.

(e) The copy-making machines in the revisor's office are to be used primarily for reproduction of bills and other documents used in the legislative process. Copies of other items for individual legislators should be obtained from the division of legislative administrative services, except that the revisor's equipment may be used as backup when not required by such office for use in the legislative process.

(f) Exceptions to the above should be referred to the chairperson or vice-chairperson of the LCC for determination.

(g) Commencing with mailings posted on or after January 1, 2004, and subject to the provisions of this subsection, a legislator may be reimbursed for the postage expense of correspondence and other mailings authorized under this section which are mailed other than through central mail services. The claim for reimbursement shall be submitted to the director of legislative administrative services and shall be accompanied by the receipt or receipts for the postage expense incurred and paid and by a sample of each item included in each mailing for which the claim is being submitted, which shall be kept on file by the director. A claim for reimbursement under this subsection may be submitted for more than one mailing. No claim for reimbursement shall be paid unless the aggregate claim is for reimbursement of the postage expense of mailing 500 pieces or more. No expenses incurred for any handling, sorting, processing or other miscellaneous service or expense shall be reimbursed for any mailing which is mailed other than through central mail services. The amount reimbursed for any such claim for postage expense reimbursement shall not exceed the outstanding balance in the postage allotment of the legislator for the calendar year in which the postage expense was incurred and shall be credited against such balance. A postage expense reimbursement for postage expense incurred during a calendar year, on or before the last day the postage allotment may be used during such calendar year under this section, may be submitted within 30 days after the last day the postage allotment may be used in such calendar year, but shall be credited against the outstanding balance in the postage allotment of the legislator for such calendar year. The provisions of this subsection are intended to facilitate the use of metered postage by legislators at local postal facilities or through mailing service businesses in lieu of using central mail services to mail correspondence pertaining to constituent services or to mail questionnaires or correspondence pertaining to questionnaires in compliance with all applicable provisions of this or other policies or rules of the Council and applicable statutes and rules and regulations. Reimbursement for the purchase of postage stamps under this section is prohibited. (Adopted June 11, 1976; amended Oct. 3, 1980; amended January 10, 1986; amended Nov. 4, 1991; amended July 24, 2001; amended November 16, 2001; amended November 20, 2003; amended June 1, 2012.)

Senator Hensley moved to approve the proposed amendments to Policy 38. Senator Morris seconded the motion. The motion carried.

6. Jeff Russell, Director of Legislative Administrative Services, discussed the need for approval of Uniform Law Commissioners' attendance at the annual meeting of the Uniform Law Commission, July 13-19, 2012, at Nashville, Tennessee. He stated that those attending would be Representative Jan Pauls and the chairpersons of the Senate

and House Standing Committees on Judiciary. In addition he noted that the committee vice chairperson would not be authorized to attend in place of the chairperson. Senator Morris moved to approve the travel as explained. Representative Siegfried seconded the motion. The motion carried.

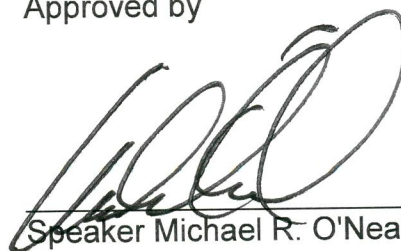
7. Mr. Russell presented a *2012 Session Document Service Report* showing income and number of packets prepared. He recommended that there be no change in the document packet price or free distribution levels for the 2013 legislative session. Senator Emler moved to adopt the recommendation. Representative Davis seconded the motion. The motion carried.
8. Jason Long, Senior Assistant Revisor, presented an update on *Gannon v. State*, the current school finance litigation. He reported that pretrial was completed and the trial is scheduled to start Monday, June 4.
9. President Morris asked Mr. Greis for an update on the Capitol Visitor Center. Mr. Greis said the north wing interior space is expected to be completed September 28, 2012, and completion of the dome and roof is scheduled for January 2014. It is estimated that all contingency funds will be used for the dome and roof and the Capitol exterior, grounds, visitor center and security and storage areas will remain essentially as they are now. Mr. Greis said he will report back to the Council on possible sources of funding, stating that there needs to be a more thorough analysis of options for completing this part of the building.
10. Mr. Russell reviewed legislators' requests for authorization to receive expenses and compensation for attendance at the Kansas Geological Survey Field Conference, June 6 - 8, 2012. President Morris moved that each legislator attending receive one en route day if the legislator's home is more than 100 miles from the conference starting point, three days' salary and round trip mileage from home to the starting point, but no other expenses or subsistence allowance. Representative Davis seconded the motion. The motion carried.

On motion, the meeting was adjourned.

Prepared by

Mary Ann Torrence,
Revisor of Statutes,
as Secretary

Approved by



Speaker Michael R. O'Neal, Chairperson