

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:35 A.M. on March 20, 2007, in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Senior Assistant, Revisor of Statutes
Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Melinda Gaul, Chief of Staff, Senate Ways & Means
Mary Shaw, Committee Assistant

Conferees appearing before the committee:

Duane Goossen, Secretary of Administration/Budget Director
Representative Patrick George
Mary Beams-Shepherd, Kansas Association of Public Employees
Senator Julia Lynn
Barb Conant, Director of Public Affairs, Kansas Department on Aging
Eileen Levin, Advocacy Volunteer, AARP
John Meetz, Government Affairs Liaison, Kansas Insurance Department
Shannon Jones, Director, Statewide Independent Living Council of Kansas
Jennifer Schwartz, Exec. Director, Kansas Association of Centers for Independent Living (written)
Rocky Nichols, Disability Rights Center of Kansas (written)

Others attending:

See attached list.

Minutes

Senator Teichman moved, with a second by Senator Emler, to approve the minutes of the January 31, February 5 joint meeting, February 7, February 8, February 12, February 14, February 15, February 16 and February 21, 2007, meetings. Motion carried on a voice vote.

Chairman Umbarger opened the public hearing on:

SB 385--State officers and employees, salaries and compensation, increases for FY 2008, certain expense allowances

Staff briefed the committee on the bill.

The Chairman welcomed the following conferees:

Duane Goossen, Secretary of Administration and Director of the Budget, spoke as a proponent on **SB 385 (Attachment 1)**. Director Goossen explained that formulating a reasonable pay plan for FY 2008 is important, but there is a longer term goal to refashion the state employee pay system. He noted that the Legislature has commissioned a consultant study to provide recommendations for a new plan. Mr. Goossen provided information on the Governor's FY 2008 Pay Plan Recommendations.

Mary Shepherd, Vice President of Political Education, Kansas Association of Public Employees (KAPE) presented testimony in support of **SB 385 (Attachment 2)**. Ms. Shepherd mentioned that KAPE supports the Governor's Pay Plan as proposed by the Governor.

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Representative Pat George appeared before the committee in opposition to **SB 385** (Attachment 3). Representative George explained that if the Legislature wants to take the first step to move state employee pay plan, and the work force, on a path to become the envy of the nation, adopt the House Select Committee on State Employees Pay Plan recommendation and not recommend **SB 385**.

There being no further conferees to appear before the committee, the Chairman closed the public hearing on **SB 385**.

Senator Barone moved, with a second by Senator Emler, to amend SB 385 that the bill would go into effect with the first pay period, clarifications to the bill be made, authorize the Revisor for technical cleanup and recommend SB 385 favorable for passage as amended. Motion carried on a roll call vote.

Chairman Umbarger opened an informational briefing on:

SB 245--State long-term ombudsman, volunteer ombudsman recruitment and training, budget estimates

Staff briefed the committee on the bill.

The Chairman welcomed Senator Julia Lynn who provided information on **SB 245** (Attachment 4). Senator Lynn explained that **SB 245**, the Long-Term Care Ombudsman Program fills a vacuum for constituents who are living in facilities with no advocate, having no familial or other support to act as their advocate. The agencies goal is to recruit a total of 300 volunteers to cover one-half of long-term care facilities in the state weekly. She noted that the volunteers play a vital role in that they provide consistent weekly visits to the constituents they are representing.

The Chairman closed the information briefing on **SB 245**.

Chairman Umbarger opened a public hearing on:

SB 346--Creating the Kansas long-term care bill of rights

Staff briefed the committee on the bill.

The Chairman welcomed the following conferees:

Barb Conant, Director of Public Affairs, Kansas Department on Aging, testified in support of **SB 346** (Attachment 5). Ms. Conant explained that **SB 346** sets the philosophical direction for all partners within the aging network and is consistent with the Kansas Department on Aging's mission.

Eileen Levin, Advocacy Volunteer, AARP, Kansas, testified in support of **SB 346** (Attachment 6). Ms. Levin mentioned that a Long-Term Care Bill of Rights is often the first step toward shifting capacity and re-balancing the system from an institutional focus to a community focus. This gives freedom to choose.

John Meetz, Government Affairs Liaison, Kansas Insurance Department testified as a proponent of **SB 346** (Attachment 7). Mr. Meetz noted that he recommends that the Kansas Insurance Department be included on the list of agencies charged with implementing the Long Term Care Bill of Rights. He mentioned that Commissioner Sandy Praeger chairs the National Association of Insurance Commissioners Long Term Care Task Force. In closing, Mr. Meetz mentioned that the Kansas Insurance Department can act as a valuable resource as the regulatory agency for long term care insurance policies.

Shannon Jones, Director, Statewide Independent Living Council of Kansas (SILCK) spoke in support of **SB 346** (Attachment 8). Ms. Jones commended AARP in their support of giving seniors rights to choose. She explained that SILCK's primary purpose is to facilitate and promote independent living philosophy, freedom of choice and equal access to all facets of community life for people with disabilities through systems change activities.

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Written testimony was submitted by:

Jennifer Schwartz, Executive Director, Kansas Association of Centers for Independent Living (Attachment 9) and Rocky Nichols, Executive Director, Disability Rights Center of Kansas (Attachment 10).

There being no further conferees to appear before the committee, the Chairman closed the public hearing on **SB 346**.

Senator V. Schmidt moved, with a second by Senator Kelly, to make a technical amendment to SB 346 on page 2, paragraph (9), line 6, to strike the word “be” and insert the word “provide”. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Kelly, to amend SB 346 to add the Kansas Insurance Department to be included as an agency involved with the stakeholder meetings. Motion carried on a voice vote.

Senator Kelly moved, with a second by Senator Emler, to amend SB 346 on page 2, line 23, strike the words “an annual” and add the word “a” and authorize the Revisor to make additional technical corrections to the bill. Motion carried on a voice vote.

Senator Taddiken moved, with a second by Senator Emler, to amend SB 346 that the annual report to the Legislature be directed to the Chair of the House Appropriations Committee and the Chair of the Senate Ways and Means Committee. Motion carried on a voice vote.

Senator Wysong moved, with a second by Senator Teichman, to recommend SB 346 favorable for passage as amended. Motion carried on a roll call vote.

The meeting adjourned at 11:35 a.m. The next meeting was scheduled for March 21, 2007.