

Approved April 7, 1986
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by Senator Merrill Werts, Vice-Chairman at
Chairperson

11:00 a.m./p.m./ on March 28, 1986 in room 123-S of the Capitol.

All members were present except:
Senator Harder

Committee staff present:

Research Department: Robin Hunn, Scott Rothe
Revisor's Office: Arden Ensley, Norman Furse
Committee Office: Judy Bromich, Doris Fager

Conferees appearing before the committee:

Representative Jim Braden
Jean Sagan, Attorney, State Board of Regents
Marlin Rein, University of Kansas Medical Center
Susan Irza, Director of Personnel Services, Department of Administration
Chris Graves, Associated Students of Kansas

HB 2758 - Appropriations FY 1987, Kansas Highway Patrol

Motion was made by Senator Doyen and seconded by Senator Johnston to reconsider committee action on HB 2758. The motion carried by voice vote.

Mr. Rothe explained that, in Senate subcommittee recommendation No. 6, there was an addition of \$100,000 from State Aid to Local Units to begin expansion of the EMS communications system. The department would like to delete "state aid to local units" in the separate line item in the appropriations bill, thus giving the state agency more control over the EMS system. Senator Doyen said he felt that was the intention of the subcommittee.

Motion was made by Senator Doyen and seconded by Senator Johnston to amend HB 2758 as suggested by staff. The motion carried by voice vote.

Motion was made by Senator Doyen and seconded by Senator Johnston to report HB 2758 as further amended favorably for passage. The motion carried by roll call vote.

INTRODUCTION OF BILLS

Representative Braden requested the Committee to introduce bills recommended by the newly formed Commission on Economic Development, as follows:

1. Bill Draft RS 2823, enacting the Kansas statewide risk capital system act.
2. Bill Draft RS 2705, establishing the Kansas venture capital company act.
3. Bill Draft RS 2673, establishing the Kansas technology enterprise corporation.
4. Bill Draft RS 2751, Granting certain income tax credits to corporations for investment in research and development activities.

Members of the committee had been made aware of these bills previously, and were familiar with the concept. Mr. Ensley explained that there will need to be technical changes in the bills, but they are basically written as intended.

Motion was made by Senator Gaines and seconded by Senator Talkington to introduce the above bills as requested. The motion carried by voice vote.

It was noted by staff that the Kansas Department of Economic Development appropriations had been removed from the bill in which it was originally placed, and a new bill has been prepared for introduction.

Motion was made by Senator Winter and seconded by Senator Werts to introduce the above bill. The motion carried by voice vote.

This record and individual remarks as reported herein have not been transcribed verbatim. Individual remarks have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p/m/on March 28, 1986

APPROVAL OF MINUTES

Senator Gannon requested that minutes for March 19 be corrected to stress that the Meat and Poultry Inspection division is expected to make some changes to correct inefficiencies. This must be done by the 1987 session of the Legislature, according to Senator Gannon and the other members of the subcommittee which studied the budget for that division.

Motion was made by Senator Talkington and seconded by Senator Doyen that minutes for March 18, March 19 (as corrected) and March 20 be adopted. The motion carried by voice vote.

SB 640 - Board of Regents: Health care professionals placed in unclassified service

Ms. Sagan commented that there is now some question about whether health care professionals fit within the definition of unclassified employees; consequently, the Board of Regents is requesting a change in the statute.

Mr. Rein indicated that, some years ago, this committee had asked KUMC to explore taking all hospital employees out of classified service. There seemed to be no merit for doing that. However, the limitations set by the Legislature for classified and unclassified employees has given flexibility to move classified employees into unclassified service. Mr. Rein then explained the problems involved in finding a Civil Service classification for some of the unique positions found in a Medical Center. He concluded by stating that the bill before the committee would allow the Medical Center to do what the Legislature has already set in motion. There were questions from committee members asking for clarification of the classified and unclassified positions at KUMC.

Ms. Irza distributed prepared testimony (Attachment A). Following her review of her testimony, she noted that the suggested amendment has been discussed with personnel of the Medical Center. Their concern is that the Department of Administration would be able to rapidly act upon requests to make the change from classified to unclassified. She indicated it could be done. Answering a question from Senator Gaines, Mr. Rein and Ms. Sagan agreed that it had not been their intention to include employees except at the Medical Center in the provisions of SB 640, and that they have no objection to the proposed amendment.

Motion was made by Senator Talkington and seconded by Senator Doyen to amend SB 640 as suggested by Ms. Irza in Attachment A. The motion carried by voice vote.

Motion was made by Senator Talkington and seconded by Senator Gaines to report SB 640 as amended favorably for passage. The motion carried by roll call vote.

SB 641 - Residence Requirements for Fee Purposes, Regents' Institutions

Ms. Sagan distributed her prepared testimony, and reviewed it for the committee (Attachment B). Following her testimony, Senator Bogina noted that HB 2679, which deals with the same subject, has also been referred to this committee. Ms. Sagan said that the exemptions proposed in HB 2679 may be very difficult to apply.

There followed a discussion among committee members regarding the desirability of changing the residency requirements from 12 months to 6 months, as proposed in SB 641. Ms. Sagan concluded by stressing that the Regents' institutions would like for the residency requirements at those institutions to be consistent with community colleges and Washburn University.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p.m. on March 28, 1986

SB 641 - Continued

Ms. Graves presented her written testimony supporting SB 641. (Attachment C)
Committee members were given the opportunity to question her following her
testimony.

Mr. von Ende suggested SB 641 is related to economic development, since it is
difficult to attract firms with professionals if they must wait a year or more
for their children to attend universities as residents.

Senator Winter noted that the committee had discussed requesting an interim
study on the issue of higher education, and indicated the residency requirement
might be included in that study.

No action was taken on SB 641.
----- (See amendment below)
The meeting was adjourned by the Chairman

-----At the committee meeting on March 31, these minutes were amended
as follows:

Motion was made by Senator Gaines and seconded by Senator Talkington to
amend March 28 minutes to introduce requiring public bids for certain con-
tracts in cities (Bill Draft RS 2825). The motion carried by voice vote.

Testimony to
Senate Ways and Means
on Senate Bill 640

by
Susan Irza, Director of Personnel Services
March 28, 1986

Mr. Chairman and Members of the Committee, I appreciate the opportunity to appear before you to comment on Senate Bill 640.

The Department of Administration recognizes that the KU Medical Center has special and unique staffing needs which lead them to request this statutory change.

It is difficult to recruit some medical specialists. It is true that some titles in the classified service may not be appropriate for the function that specialist would serve in direct patient care at the Medical Center. Classified salary ranges in the local job market may not attract the specialist to State service.

The Department of Administration is keenly aware of the concern of the Legislature that personnel actions receive more rigorous oversight. While the suggested language in SB 640 is intended to deal only with the KU Medical Center, it is also applicable to all Regents Institutions. Because the language is broad and open to multiple interpretations, we suggest that it read as follows:

health care professionals as approved by the
Secretary of Administration.

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If the committee enacts this, the Division of Personnel Services would develop review criteria to restrict this to certified or licensed medical professionals or to medical technicians involved directly in patient care. Transfers into the unclassified service would have to be based on adverse market conditions and upon the unavailability of suitable job titles in the classified service.

Thank you for the opportunity to appear before you.

0046 and the legislative counsel;

0047 (f) chancellor, ~~president~~ *presidents*, deans, administrative
 0048 officers, ~~student health service~~ *physicians care professionals*,
 0049 teaching and research personnel, and student employees in the
 0050 institutions under the *control and supervision of the* state board
 0051 of regents, the executive officer of the *state* board of regents and
 0052 the executive officer's employees other than clerical employees,
 0053 and, at the discretion of the state board of regents, directors or
 0054 administrative officers of departments and divisions of ~~the~~ *any*
 0055 *such* institution, except that this subsection (1)(f) shall not be
 0056 construed to include the custodial, clerical or maintenance em-
 0057 ployees, or any employees performing duties in connection with
 0058 the business operations of any such institution, except adminis-
 0059 trative officers and directors;

0060 (g) operations, maintenance and security personnel em-
 0061 ployed to implement agreements entered into by the adjutant
 0062 general and the federal national guard bureau, and officers and
 0063 enlisted persons in the national guard and the naval militia;

0064 (h) persons engaged in public work for the state but em-
 0065 ployed by contractors when the performance of such contract is
 0066 authorized by the legislature or other competent authority;

0067 (i) persons temporarily employed or designated by the legis-
 0068 lature or by a legislative committee or commission or other
 0069 competent authority to make or conduct a special inquiry, in-
 0070 vestigation, examination or installation;

0071 (j) officers and employees in the office of the attorney general
 0072 and special counsel to state departments appointed by the attor-
 0073 ney general, except that officers and employees of the division of
 0074 the Kansas bureau of investigation shall be in the classified or
 0075 unclassified service as provided in K.S.A. 75-711 *and amend-*
 0076 *ments thereto*;

0077 (k) all employees of courts;

0078 (l) patient and inmate help in state charitable, penal and
 0079 correctional institutions;

0080 (m) all attorneys for boards, commissions and departments;

0081 (n) the secretary of the Kansas state historical society;

0082 (o) physician specialists employed by the commissioner of

→ as approved by the secretary of administration

BEFORE THE SENATE WAYS AND MEANS COMMITTEE
TESTIMONY OF JEAN S. SAGAN, ASSOCIATE GENERAL COUNSEL,
KANSAS BOARD OF REGENTS
IN SUPPORT OF SENATE BILL 641
March 28, 1986

Mr. Chairman and members of the committee, I am Jean Sagan, Associate General Counsel of the Kansas Board of Regents. I appear before you today in support of Senate Bill 641 -- a measure, which if enacted, would reduce the durational residency requirement for persons enrolling at the Regents institutions from 12 months to 6 months.

On at least five occasions since 1979 the Kansas Legislature has been asked by the Kansas Board of Regents to reduce the durational residency requirement for fee purposes at the Regents institutions from 12 months to 6 months. These requests have been made for two primary reasons. The first is to bring the residency requirement for the Regents institutions into line with the six month durational residency requirement for Kansas community colleges (K.S.A. 71-401) and Washburn University of Topeka (K.S.A. 72-6504), and thereby provide consistency among state-owned and state-aided institutions. Secondly, and most importantly, our objective has been to accommodate the interests of many individuals who moved to the state of Kansas for the purpose of accepting full-time employment and who, while residents of the state for practically every other purpose, are required to pay non-resident fees for at least one year. While our previous efforts to secure such a reduction have been unsuccessful, the Board of Regents remains convinced of the

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merits of reducing the durational residency requirements from 12 months to 6 months and has formally acted to again request the 1986 Legislature to make such an amendment.

The measure before you today would provide for such a reduction. On behalf of the Board of Regents and the Regents institutions, I urge this committee's favorable action on Senate Bill 641.



ASSOCIATED STUDENTS OF KANSAS

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STATEMENT BY
CHRISTINE GRAVES
ASSOCIATED STUDENTS OF KANSAS
(ASK)

BEFORE THE
SENATE WAYS AND MEANS COMMITTEE

ON

SB 641

An act concerning state educational institutions under the control and supervision of the state board of regents; relating to residency requirements for fee purposes

MARCH 28, 1986

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Representing the Students of:

Emporia State • Fort Hays State • Kansas State • Pittsburg State • University of Kansas • Washburn University • Wichita State

Good morning Mr. Chairman and members of the Committee. My name is Chris Graves and I am the Executive Director of the Associated Students of Kansas, representing the student government associations at the seven public universities. I am here today to express our support for SB 641, which has the effect of lowering the residency requirements for the payment of in-state tuition at Regents' universities from one year to six months.

This issue has frequently come before your Committee, and just as frequently, ASK has testified in support of the measure. As you know, the residency requirement at the community colleges and Washburn University is six months. Having a one year residency requirement at the state universities puts them at a competitive disadvantage. It also implies to the public a two-tier system of higher education in the state, a policy that I'm not sure the legislature intends to present.

A six months residency requirement already amounts to a one-year requirement as academic years and calendar years differ. Under a six months requirement, to qualify for in-state tuition for a semester beginning January 15, a student would have to establish residency in the state by July 15; yet, most out-of-state students do not begin living in the state until late August, when the fall semester begins. Thus little is gained by the one year requirement if the goal is to make it difficult for a student to gain in-state tuition rates after one semester.

The current one year policy also presents a barrier to out-of-state scholars at a time when the state's goals for economic development call for the importation of more and better people from other areas. If we are to have the kind of skilled minds necessary to be our managers and planners, then we must

create the climate in which they are likely to choose Kansas as the place to utilize those skills. Our universities are the first step.

A provision in the House version of a residency requirement bill, HB 2679, which just a few days ago passed the full House, awards persons who are recruited or transferred to the state by an employer resident tuition rates. ASK supports this provision and urges your consideration of amending SB 641 to include it. We would suggest however that dependents of these new residents in the state be afforded this same opportunity as well.

Thank you for this chance to appear before you today. I will be happy to answer any questions.