

Approved: 3-15-93
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS.

The meeting was called to order by Chairperson Marvin Smith at 9:00 a.m. on March 11, 1993 in Room 521-S of the Capitol.

All members were present except: Representative Delbert Gross (Excused)
Representative Tom Bradley (Excused)

Committee staff present: Carolyn Rampey, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Arden Ensley, Revisor of Statutes
Nancy Kippes, Committee Secretary

Conferees appearing before the committee:

Carol Williams, Kansas Commission on Governmental Standards and Conduct
Senator Audrey Langworthy
Teri Lee Buek, American Red Cross
Gigi Felix, National Association of Social Workers
Warren Pugh

Others attending: See attached list

Hearing on:

SB 45 - elections; filing fees for candidates for certain offices.

Carol Williams, Kansas Commission on Governmental Standards and Conduct, testified in support of SB 45, which provides that the county election officers receiving fees shall remit such fees to the county treasurer who in turn shall remit the same to the state treasurer (Attachment 1). The State Treasurer's Office also recommends that county treasurers remit by issuing a county warrant.

Action on:

SB 5 - department of health and environment, director of division of health.

Representative Dawson moved to amend SB 5 as set forth in balloon (Attachment 2) which clarifies the term and appointment. Representative Wells seconded.

Upon discussion, Representative Dawson made a substitute motion to delete the sentence beginning on line 27 through the beginning of line 30. Representative Benlon seconded.

After some discussion, Representative Dawson made a second substitute motion to amend SB 5 by deleting "for the unexpired term" only. Representative Benlon seconded. Upon show of hands the motion carried.

Representative Wells moved to move SB 5 out of committee favorably as amended. Representative Scott seconded. Upon call for division, motion carried.

Hearing on:

SB 96 - leave by state employees who are disaster service volunteers.

Senator Audrey Langworthy testified in support of SB 96 (Attachment 3), stating this bill would allow a state employee who has had extensive Red Cross disaster training and been requested by Red Cross, to receive up

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 11, 1993.

to 20 days paid leave a year to help in major disasters in Kansas or the surrounding four states, , subject to supervisor's approval. She advised that Senator Brady had requested an amendment that would allow an individual only 15 days per year but also allow that person to assist throughout the country.

Teri Lee Buek, State Liaison for American Red Cross, provided testimony (Attachment 4) in support of SB 96, stating that at the present time there are only two individuals with the extensive Red Cross training who are employed by the state. She clarified that this assistance would be only for Level 2 and above disasters, and a Level 2 is a loss greater than \$50,000.

Gigi Felix, National Association of Social Workers, appeared in support of SB 96 (Attachment 5).

Warren Pugh gave testimony in support of SB 96 and also requesting that this bill be expanded to allow state employees to be paid for work missed because they were involved in an assist at the scene of fire, accident, etc, in which the person is a volunteer fireman, police officer, etc. (Attachment 6).

Action on:

SB 103 - county commissioners; vacancies in offices; assumption of office by successors, when.

Representative Bowden made a motion to amend SB 103 to include a bill from last year that passed the House but not the Senate, which would provide that school board members assume their duties at the next regular meeting after the election (Attachment 7). Representative Gilbert seconded. Motion carried.

Representative Hendrix moved to amend into SB 103, HB 2186 which requires county commission candidates be residing in the county in which they will run at the time of filing. Representative Wells seconded. Motion carried.

Representative Wells made a motion to pass SB 96 favorably as amended. Representative Haulmark seconded. Motion carried.

Representative Dillon moved approval of the minutes for March 10, 1993 as submitted. Representative Gilbert seconded. Motion carried.

Representative Wells announced there will be a subcommittee meeting on SB 44 tomorrow, March 12, at 9:00 a.m. in Room 521-S.

The meeting was adjourned at 10:40 a.m. The next meeting is scheduled for March 15, 1993.

GUEST LIST

COMMITTEE: House Governmental Organization & Elections DATE: 3-11-93

[illegible]

**KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT****Testimony before House Governmental Organizations and Elections****on Senate Bill 45****By Carol Williams, Kansas Commission on Governmental Standards & Conduct**

Senate Bill 45 amends a portion of K.S.A. 1992 Supp 25-4119f which is the section dealing with Commission fees. This recommendation was made by the Kansas Commission on Governmental Standards and Conduct in its 1992 Annual Report and Recommendations.

The Commission became a fee agency on July 1, 1991. Commission staff worked with the State Treasurer's office in setting up the procedure for collecting and remitting local candidate registration fees to the State Treasurer's office. Since the county election officers collect candidate filing fees and remit them to their county treasurer, it was felt that the candidate registration fees collected for the Commission's fee fund should also be remitted to county treasurers. In addition, it was felt that the county treasurer's offices could deposit the fees received and issue just one check to the State Treasurer quarterly. The county clerk's offices would not have a means to deposit the fees and would have been responsible for keeping and mailing the candidates fees, many of which come in cash. County treasurers throughout the state received remittance forms and instructions from the State Treasurer's office in early 1992 on how to process and when to remit the Commission's fees. County treasurers remitted fees to the State Treasurer quarterly throughout 1992.

Considering that this was the first election year that fees were collected from county candidates and remitted by county treasurers, the operation went smoothly. Only a couple of county treasurers argued that it was not their responsibility to collect and remit these fees.

Currently, subsection (b) of K.S.A. 1992 Supp. 25-4119f states "the

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officer receiving such fees shall remit the same to the state treasurer". Technically, the county election officer receives the candidate registration fees, not the county treasurer, therefore, the Commission recommends that this section be amended to read "county election officers receiving fees in accordance with this section shall remit such fees to the county treasurer of the county who shall quarterly remit the same to the state treasurer." This sets in statute the policy the Commission and State Treasurer's office has been operating under for the past year.

The State Treasurer's office recommends that this section also be amended to require that county treasurers remit by issuing a county warrant. A few county treasurers sent the actual checks received by candidates. When any of these checks are found to be insufficient, it becomes difficult for the State Treasurer's office to collect, therefore, the treasurer's office, debits the Commission's fee fund for those checks. The State Treasurer's office feels that it is easier for the county treasurers to deal with insufficient fund checks locally.

The Commission urges your favorable consideration and passage of Senate Bill 45.

SENATE BILL No. 5

By Special Committee on Governmental Organization

Re Proposal No. 10

12-18

AN ACT concerning the department of health and environment;
relating to the director of the division of health; amending K.S.A.
75-5603 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 75-5603 is hereby amended to read as follows:
75-5603. There is hereby established within and as a part of the
department of health and environment a division of health, the head
of which shall be the director of the division of health. Under the
supervision of the secretary of health and environment, the director
of the division of health shall administer the division of health. The
director shall *be a physician, hold a valid license to practice medicine
and surgery, and have experience and of and educational training;
or both,* in the field of ~~community~~ public health. The secretary of
health and environment shall appoint the director of the division of
health ~~who~~ shall serve at the pleasure of the secretary, and he
or she for a term of four years. *In the case of a vacancy in the
office of the director of the division of health, the secretary of health
and environment shall appoint a successor to fill the vacancy for
the unexpired term. The director shall be in the unclassified service
and shall receive an annual salary fixed by the secretary and approved
by the state finance council governor. If a director was an em-
ployee of the state of Kansas in a permanent classified position
under the Kansas civil service act at the time of his or her
selection as director, he or she shall, upon the conclusion of
service as director, be returned to the permanent classified
position under the Kansas civil service act he or she held at
the time of appointment as director, and if such position be
filled at that time is appointed director of the division of health
and such employee is serving in a permanent classified position
under the Kansas civil service act at the time of appointment
as director, the employee shall be returned, upon conclusion
of service as director, to the permanent classified position*

. Each person when first appointed to such office

from and after the date of such appointment
and thereafter at the pleasure of the secretary

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1 *under the Kansas civil service act in which the employee was*
2 *serving at the time of appointment as director. If the per-*
3 *manent classified position in which the employee was serving*
4 *at the time of appointment as director is filled at the time of*
5 *conclusion of the employee's service as director, a temporary*
6 *additional position shall be created for him or her the employee*
7 *until such time as a vacancy exists in such the permanent*
8 *classified position is vacated. While serving in such temporary*
9 *additional position said former director, the employee shall con-*
10 *tinue to be a contributing member of the retirement system*
11 *under which he or she the employee was covered while serving*
12 *as director.*

13 Sec. 2. K.S.A. 75-5603 is hereby repealed.

14 Sec. 3. This act shall take effect and be in force from and after
15 its publication in the Kansas register.

AUDREY LANGWORTHY

SENATOR, 7TH DISTRICT

JOHNSON COUNTY

6324 ASH

PRAIRIE VILLAGE, KANSAS 66208-1369

(913) 362-4067

STATE CAPITOL BUILDING, ROOM 143-N

TOPEKA, KS 66612-1504

(913) 296-7369



TOPEKA

SENATE CHAMBER

March 11, 1993

COMMITTEE ASSIGNMENTS

CHAIRMAN: ASSESSMENT AND TAXATION
 VICE CHAIRMAN: PUBLIC HEALTH AND WELFARE
 VICE CHAIRMAN: COMMITTEE ON SCHOOL DISTRICT
 FINANCE AND QUALITY PERFORMANCE
 MEMBER: EDUCATION
 LOCAL GOVERNMENT
 JOINT COMMITTEE ON
 LEGISLATIVE EDUCATIONAL PLANNING
 MEMBER: CHILDREN AND YOUTH ADVOCACY COMMITTEE

Rep. Smith, members of the committee, my interest in Senate Bill 96 comes from being a long-time Red Cross volunteer; and I am currently a member of the National Board of Governors, American Red Cross, headquartered in Washington, D.C. One of my major responsibilities has been to work in the area of government relations, an area of increasing importance in the not-for-profit arena.

This bill passed the Senate 40-0 last year and then died on the House floor during the veto session. Illinois, Ohio, Connecticut, Tennessee and North Carolina have passed this legislation. California, Alaska, Delaware, Florida, Kentucky, Maryland, Nebraska, Pennsylvania, South Carolina, Texas, Virginia and West Virginia currently have bills before their respective legislatures.

Under KSA 48-925(c)(2), during a state of disaster emergency, the Governor may utilize all available resources of the state government and each political subdivision as reasonably necessary to cope with the disaster. Kansas has an extensive emergency management system; however, the state does not have statutory authority to establish a policy or personnel regulation to allow paid leave for state employees to perform Red Cross Volunteer disaster work. This bill would allow, subject to a supervisor's approval, a state employee who is a Red Cross disaster trained volunteer, and has been requested by the Red Cross, to receive up to 20 days paid leave to help in major disasters in Kansas or the surrounding four states. I might also add that the Red Cross works closely with the State and the National Guard in Kansas.

The Department of Personnel Services of the Governor's Office is in full support and cooperation on this issue, and they have sent a letter which will be distributed.

I would now like to introduce to you Terri Buek, the Executive Director for the Topeka Red Cross and the state-wide governmental relations coordinator.

Audrey Langworthy

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 Attachment 3



American Red Cross

March 11, 1993

Kansas Capital
Area Chapter
1221 SW 17th Street
Topeka, KS 66604-2899
(913) 234-0568
FAX (913) 233-3834

Dear Representative Marvin Smith and members of the Government Organization and Elections Committee:

We wish to express support of **SENATE BILL NO. 96**, the disaster service volunteer leave act.

The Red Cross takes great pride in its federal mandate to be the voluntary organization responsible for relief activities in the time of disaster. It also is proud of its statement of understanding with the State of Kansas to provide for cooperation and coordination in carrying out our assigned responsibilities in the event of natural or man-made disasters. Such coordination and cooperation carries to our involvement and leadership role with the Kansas VOAD (Voluntary Organizations Active in Disaster).

As the known leader in disaster response, our prime resource for providing relief to those suffering in times of disaster, is through trained volunteers. This bill would allow Red Cross trained state employees a release from their work in order to assist disaster victims. The state maintains the control of who they release for such a volunteer assignment - thus not jeopardizing the states employment needs. The Red Cross benefits by having a dedicated group of trained volunteers available.

Senate Bill 96 is modeled after the unanimously passed Illinois bill. That state is very enthusiastic about the law and is working diligently to assess interest and train state employees. Other states with similar laws are Connecticut, Ohio, Tennessee and North Carolina. Twelve other states are currently pending legislation.

Our bill suggests releasing state employees to serve on disaster operations in Kansas and the neighboring states. Many of our larger communities such as Kansas City, Topeka and Wichita are near enough to state borders, that a major disaster operation may encompass more than one state. A study of larger (Level II) disaster operations for the state of Kansas between 1980-1991, showed 22 operations. This is an average of about two per year.

Again, we encourage your strong consideration of this bill which would allow for Kansans to help Kansans in time of need.

Sincerely,

Teri Lee Buek
Teri Lee Buek
State Liaison

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Attachment 4



A United Way Agency

**We're There
When You
Need Us**

American Red Cross
Disaster Services

KANSAS CAPITAL AREA CHAPTER
1221 W. 17TH STREET
TOPEKA, KANSAS 66604
(913) 234-0568

American Red Cross



4-2 A

For over 100 years the American Red Cross has been assisting people affected by disasters. The successful work of the Red Cross is made possible by thousands of volunteers and the generous financial contributions of the American people.

The American Red Cross is committed to making a positive difference by—

- Improving the quality of human life.
- Enhancing self-reliance and concern for others.
- Helping people avoid, prepare for, and cope with emergencies.



As a voluntary organization, the American Red Cross depends on the generosity of people for both their time and money to provide disaster relief. The Red Cross is an independent organization, not a government agency. All disaster relief given by the Red Cross is given free of charge as a gift from the American people.

The Red Cross doesn't wait until disaster strikes. It is prepared to respond to hurricanes, floods, earthquakes, tornadoes, fires, hazardous materials incidents, and other disasters. In fact, the Red Cross responds to more than 50,000 disasters every year.

When a disaster strikes, the Red Cross responds immediately. It does not need a government request to move into action. It works in cooperation with the government and other organizations to provide assistance.

How can you prepare yourself and your family before a disaster occurs?

First, you should know that disasters can and do strike every day and that no community or family is immune to disaster. You should learn as much as you can about potential disasters in your community, so you can avoid them or reduce their effects. The more you know, the better you'll be able to prepare for a disaster and, if disaster strikes, the better you'll be able to cope.

Your local Red Cross chapter can provide you with more information on how to prepare for and stay safe during a disaster. Your chapter can train you in first aid and CPR and let you know more about the range of services offered in your community.



What does the American Red Cross actually do in disasters?

The most well-known disaster relief activities are sheltering, feeding, and giving first aid to those seeking refuge from a hurricane or flood or in the wake of a tornado, earthquake, or hazardous materials incident.

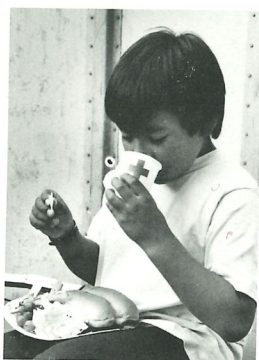
In addition to these services, the core of Red Cross disaster relief activities is the assistance given to individuals and families affected by disaster. This assistance is geared toward meeting immediate emergency needs. It is also where the majority of your financial contributions go.

The Red Cross enables victims of disaster to resume living independently by providing the means for them to pay for what they need most—from groceries, new clothing, and rent to emergency home repairs, transportation, household items, medicines, and tools. The Red Cross also helps those needing long-term recovery assistance when other resources are not available or are inadequate.

All assistance is given on a standardized basis, depending on the verified disaster-caused needs of the individual or family.

Red Cross disaster relief work also includes—

- Feeding emergency workers.
- Referring those affected by disaster to other available resources.
- Handling inquiries from concerned family members outside the disaster area.
- Providing blood and blood products to disaster victims.



Who provides the disaster services of the American Red Cross?

A cadre of trained Red Cross paid and volunteer staff continually work to be ready to respond when a disaster threatens or strikes. Red Cross workers come from all walks of life and all segments of the community. The only thing they have in common is the willingness to serve and the desire to help those in need. Trained Red Cross disaster workers might—



- Be part of a team that determines the level of damage to homes in a disaster area.
- Work in a shelter or on a mobile feeding van providing hot meals to a disaster-stricken community.
- Move urgently needed vehicles and supplies across the country.
- Interview individuals and families to determine how they were affected by the disaster and how the Red Cross can best meet their needs.
- Work with Disaster Health Services to give first aid and other health assistance to disaster victims.
- Help provide the media with the most current information on the disaster and how the Red Cross is responding.
- Provide computer, communications, or accounting support.
- Do community presentations to help people prepare for disaster.
- Train others how to provide disaster services.

How can you help after a disaster.

When a disaster strikes a family, a community, or a country, people want to help. Obviously, everyone does not have the time or ability to respond directly to the scene and give assistance. But almost everyone wants to do something to help those in need.

One way to help is to volunteer today with your local chapter. As a trained disaster volunteer, you may be called on to help others when they need you most.

Another very important way to help is to send a financial contribution to your local Red Cross chapter earmarking it for the

"Disaster Relief Fund." Your financial contribution—rather than donations of often-unneeded items—ensures that what is actually needed can be purchased in disaster-affected communities. It also enables disaster victims to pay for what they need to meet their emergency needs.

The Disaster Relief Fund assures that the Red Cross can provide assistance to individuals and families regardless of the type of disaster or where it occurs.



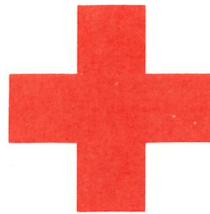
What does the American Red Cross stand for?

The American Red Cross is part of the International Red Cross Movement. More than 250 million paid and volunteer staff are involved in Red Cross programs in virtually every country in the world.

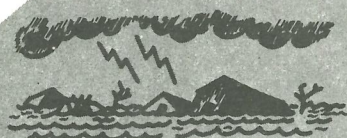
The basic principles of the Red Cross are—

- Humanity.
- Impartiality.
- Neutrality.
- Independence.
- Voluntary Service.
- Unity.
- Universality.

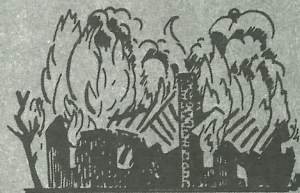




American
Red Cross



FLOODS



FIRES



TRANSPORTATION WRECKS



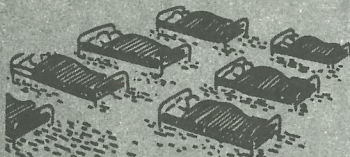
FOREST FIRES



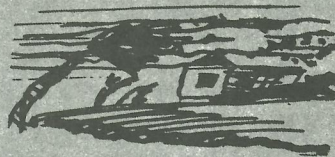
EXPLOSIONS



EARTHQUAKES



EPIDEMICS



HURRICANES



TORNADOES

YOUR
COMMUNITY
COULD
HAVE A
DISASTER

RESPONSIBILITIES IN NATURAL DISASTERS*

LOCAL GOVERNMENT AUTHORITY

DISASTER COORDINATOR

RESPONSIBILITIES OF GOVERNMENT

Protection of life and property, public health and welfare, repair or replacement of public property, and help to disaster victims (Financed by public agencies from tax funds)

GOVERNMENT

Issues official warnings and designates hazardous zones
Enforces evacuation from threatened areas
Provides means of rescue and evacuation and directs these means
Organizes and coordinates all government departments and agencies

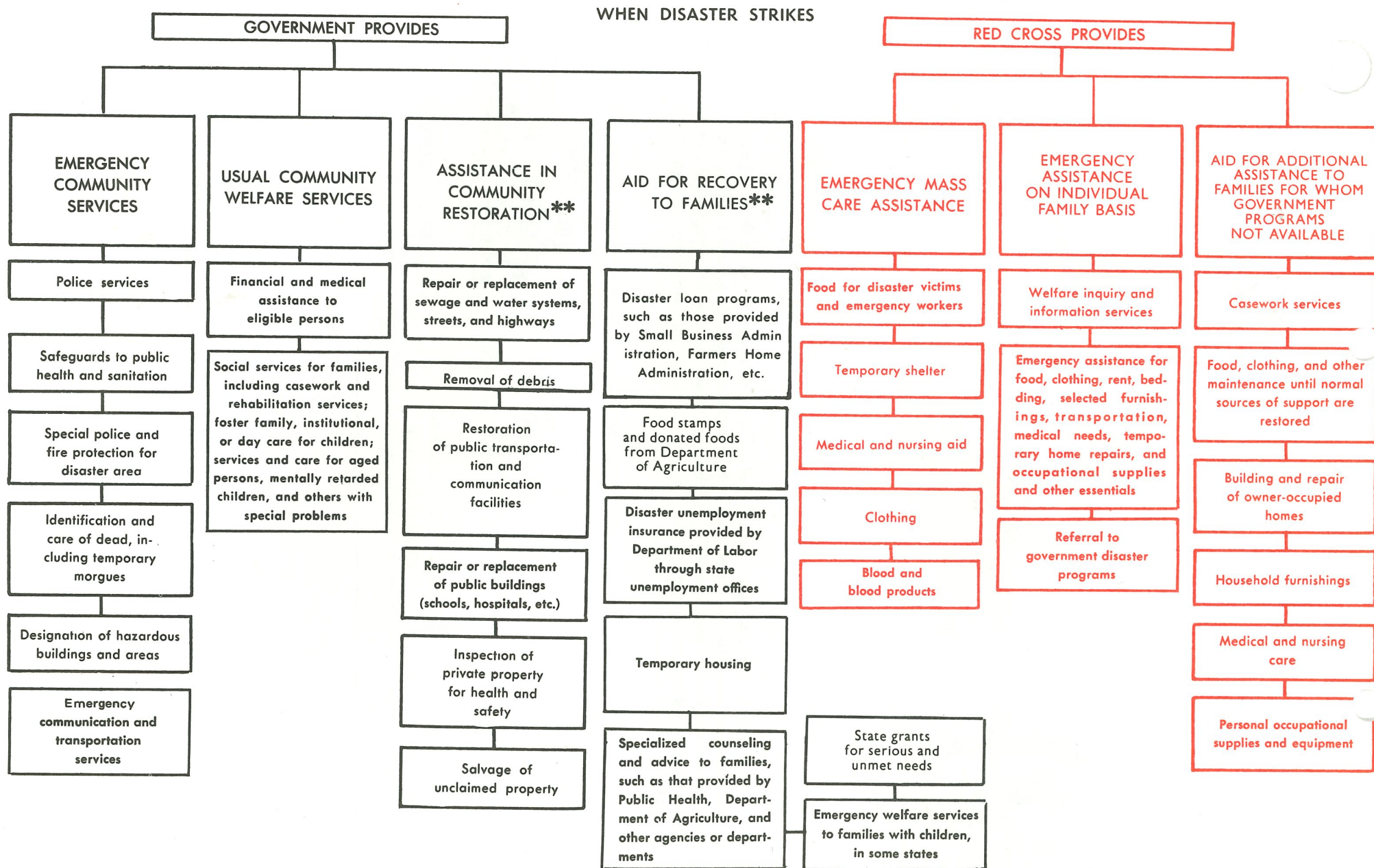
RESPONSIBILITIES OF RED CROSS

The relief of persons in need as a result of disaster
(Financed by Red Cross from voluntary contributions)

RED CROSS

Assists government agencies in disseminating official warnings
Coordinates Red Cross resources for voluntary evacuation
Mobilizes trained volunteers to assist in rescue
Transports and temporarily stores household goods
Assists in coordination of voluntary agencies' relief efforts

WHEN DISASTER THREATENS



* The chart shows how distinct and yet how closely related are the responsibilities of Red Cross and of government in natural disasters.

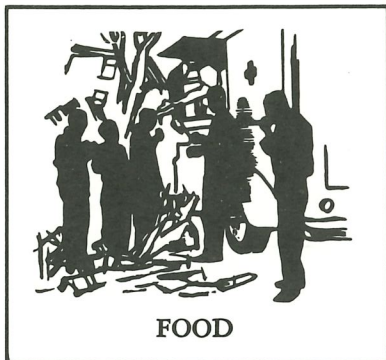
** Some of these programs are activated only after a Presidential Declaration of a major disaster. Federal disaster assistance is coordinated by the Federal Emergency Management Agency (FEMA).

Red Cross and government are both needed to perform disaster functions.

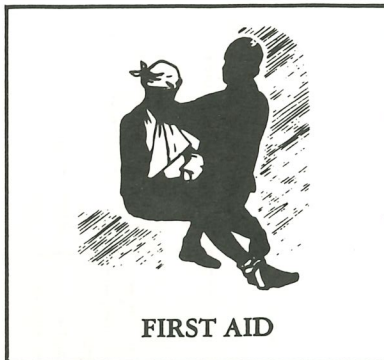
THE RED CROSS JOB DURING A DISASTER

When floods, hurricanes, or other natural disasters threaten, or immediately on their occurrence, the Red Cross provides food, clothing, shelter, blood and blood products, and medical and nursing or hospital care on the basis of evident need. Fre-

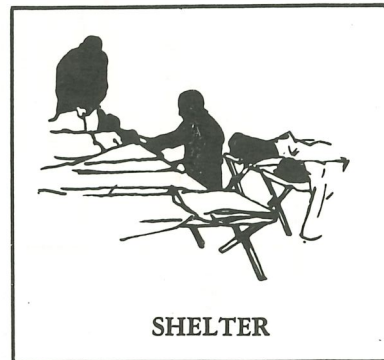
quently this assistance is given to large numbers of people on a mass care basis, but, whenever possible, the Red Cross deals directly with each family on an individual basis.



FOOD



FIRST AID



SHELTER

HOW RED CROSS GIVES IMMEDIATE ASSISTANCE TO FAMILIES

When disaster victims can resume living as family units, Red Cross will provide emergency assistance with food, clothing, rent, transportation, temporary home repairs, medical and health needs, selected furnishings, and personal occupational supplies and equipment, and other essentials. Red Cross refers

families to government disaster programs, provides additional assistance with major needs to families for whom such programs are not available. This aid may include building and repair, replacement of essential household furnishings, and other help.



FOOD, CLOTHING &
OTHER MAINTENANCE



MEDICAL, NURSING &
HOSPITAL CARE



BUILDING & REPAIR



HOUSEHOLD FURNISHINGS



PERSONAL OCCUPATIONAL
SUPPLIES & EQUIPMENT

RED CROSS
Assistance to disaster victims
is given—not loaned.

No repayment of any kind is asked or expected.



National Association of Social Workers

KANSAS CHAPTER

TO: House Committee on Governmental Organisations and Elections
FROM: Gigi Felix, LMSW *Gigi*
Executive Director, K-NASW
DATE: March 11, 1993

TESTIMONY IN SUPPORT OF SB96

Good afternoon Representative Smith and members of the House Committee on Governmental Organisations and Elections. I am Gigi Felix, LMSW, the executive director of the Kansas Chapter of the National Association of Social Workers (K-NASW). I appear before you today in strong support of SB96. The National Association of Social Workers (NASW) joined the American Red Cross at the national level in a cooperative agreement to work with them in recruiting social workers for disaster relief services (please see attached copy of the agreement). The Kansas chapter has spearheaded the national cooperative agreement at the state level by enlisting volunteers through the unit structure of our professional association for the disaster relief efforts of the red cross. We currently have a roster of professional social workers trained in disaster services in Topeka, Kansas City, Lawrence, and Wichita.

The legislation before you is responsive to the needs of the American Red Cross, the designated disaster relief organization, the victims of a disaster, and the needs of the state. The legislation reflects careful structure in its requirements; namely:

- * personnel can only be released for Level II+ disasters. Teri Buek of the Red Cross will explain what this means to you;
- * the state agency must approve the leave prior to the worker's release. This takes into account the needs of the agency, the constituent needs being provided by the agency, and the work load in effect at the time; and,
- * the number of days the employee may be released for duty is capped at 20 working days in any calendar year.

This legislation has received the support from the State's Division of Personnel, who has reviewed it and determined that this will not create a hardship on the state agencies if employees are released. It allows Kansans to help our fellow Kansans, and those of our Mid Western neighbors.

In summary, the 1700+ members of the Kansas Chapter of NASW whole heartedly support this bill, and sincerely hope you all will too.

Thank you for your time today, I will be glad to stand for questions if you have any.

*3-11-93
House Gov't Org + Elec.
Attachment 5*

**Statement of Understanding
between the
National Association of Social Workers
and the
American National Red Cross**

I. Purpose

This Statement of Understanding establishes a mutually beneficial basis of cooperation between the American National Red Cross and the National Association of Social Workers, joining together in areas of common interest to better serve the American people.

II. Organization of the American Red Cross

By an act of Congress on January 5, 1905, the American Red Cross was granted a charter under which it is designated the nationwide agency through which the American people voluntarily extend assistance to individuals and families in need. It is a multipurpose, voluntary health and social welfare organization providing human services through chapters and Blood Services regions, and worldwide through field stations on U.S. military installations.

The national headquarters of the American Red Cross is located in Washington, D.C. National headquarters is responsible for implementing policies and procedures that govern Red Cross activities, for giving administrative and technical supervision, and guidance to chapters and other national sector units in specified geographical jurisdictions.

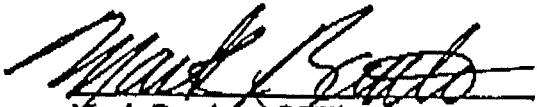
The chapter, the local unit of the Red Cross, is responsible for all Red Cross activities within its territory, subject to the policies and procedures of the corporation. There are approximately 2800 chapters across the United States.

III. Organization of the National Association of Social Workers

The National Association of Social Workers (NASW) was established in 1955 when seven social work professional organizations joined to form one national association to represent the profession. Since that time, NASW has grown to be the world's largest organization of professional social workers with a membership of over 135,000 social workers in 55 chapters in 50 states. NASW members are professional social workers who work in a variety of settings — military bases, child welfare agencies, hospitals, schools, community health and mental health centers, nursing, job training centers, international development agencies, and others.

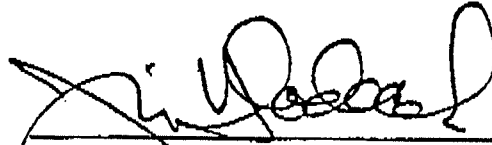
NASW's purpose, broadly stated, is to strengthen the social fabric through the pursuit of sound social policies and high quality human services. NASW has a special concern about ensuring the provision of appropriate, quality services to individuals and families and improving the quality of life in the broader community.

Not exclusive to the above, the American National Red Cross and the National Association of Social Workers will continue to pursue ways in which we can advance our common interests in addressing local community needs.



Mark Battle, ACSW
Executive Director
National Association of Social
Workers

Date:



James J. Hladecek
Acting Senior Vice President
Operations Management
American Red Cross

Date:

NASW is governed by a National Board of Directors which meets quarterly, and a Delegate Assembly, which is convened every three years to determine the Association's broad goals and priorities. However, many of the association's important initiatives occur at the chapter level. Members of NASW reside not only in the United States and its North American neighbor, Canada, but also around the globe.

Organization-wide activities such as the nation-wide Public Service Campaign are designed to raise public consciousness about pressing social issues. The current two-year (1989-1991) campaign is "Family Ties," focusing on strengthening families.

IV. Means of Cooperation

1. Mark Battle, Executive Director of NASW, and James Hladecek, Acting Senior Vice President, Operations Management, ANRC, will co-sign a letter to be published in the *NASW News*, the monthly newspaper of NASW and *Red Cross News*. This letter will announce the signing of this agreement and will encourage social workers to contact their local Red Cross for information on volunteering to lead support groups for military families in their areas.
2. Newsletters of both organizations will provide highlights of current activities to increase awareness and opportunities for continued partnerships at both the national and local levels.
3. Both organizations understand that each organization is an independent entity and is not related to or considered the agent for the other organization. In the spirit of cooperation, each organization agrees to obtain the approval of the other for any and all written material developed for marketing, educational, or other purposes which includes the name, emblem, or logo of the other organization.

V. Recommended Opportunities for Involvement

American Red Cross chapters and NASW chapters are encouraged to work collaboratively at national and local levels and to share their expertise, especially in the areas of service to military families and veterans, disaster preparedness, education, response, international social work, and other community and social services. Specifically:

1. Establish procedures for encouraging NASW members to volunteer to lead support groups for military families.
2. Make available to each social worker volunteering with Red Cross, the book entitled *Guide to Developing and Conducting Reunion Programs*, developed by the U.S. Army Community and Family Support Center.
3. Assist in international social work services, acculturation and resettlement for newly arrived immigrants and refugees.
4. Encourage increased involvement in American Red Cross disaster relief especially in the area of mental health preparedness.
5. Arrange for periodic meetings for the purpose of considering other ways of working together, such as sharing information to enhance problem solving, coping, and developmental capacities of people.

SENATE BILL No. 96

AN ACT concerning volunteer work by certain state employees; authorizing disaster service volunteer leave.

Be it enacted by the Legislature of the State of Kansas:

Section 1. This act shall be known and may be cited as the disaster service volunteer leave act.

Sec. 2. As used in this act:

(a) "State agency" means any state office or officer, department, board, commission, institution, bureau or any agency, division or unit within any office, department, board, commission or other state authority or any person requesting a state appropriation;

(b) "disaster" includes disasters designated at level III and above in the American national red cross regulations and procedures *or an emergency designated by a Fire department, Law enforcement agency or Emergency preparedness director.*

Sec. 3. An employee of a state agency who is a certified disaster service volunteer of the American red cross *or Trained personnel of a Volunteer Fire Department, Sheriff or Police Reserve unit, including Emergency Medical Technicians, Emergency Medical Dispatchers, First Responders, Firefighters and Reserve Law Enforcement officers* may be granted leave from work with pay for not more than 20 working days in any twelve-month period to participate in specialized disaster relief services for the American red cross, *Fire, Law Enforcement or other Volunteer duty which involves the immediate safety and well being of the public,* upon the request of the ~~American red cross~~ entity involved for the services of that employee and upon the approval of that employee's state agency, without loss of seniority, pay, vacation leave, compensatory time personal vacation days, sick leave or earned overtime accumulation. The state agency shall compensate an employee granted leave under this section at the employee's regular rate of pay for those regular work hours during which the employee is absent from work. An employee deemed to be on leave under this section shall not be deemed to be an employee of the state for purposes of workers compensation. An employee deemed to be on leave under this section shall not be deemed to be an employee of the state for purposes of the Kansas tort claims act. Leave under this act shall be granted only for services related to a disaster occurring within the state of Kansas and states contiguous to Kansas.

Sec. 4 This act shall take effect and be in force from and after its publication in the statute book.

Amendments Proposed by

Warren M. Pugh
Captain Jackson County Sheriff's Reserves
Sec/Treasure Mayetta Fire Association
Sec/Treasure Jackson County Firefighters Assoc.
RR#2, Box 170
10198 158th Road
Mayetta, Kansas 66509

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Helen Gout Org + Elections
Attachment 6

SENATE BILL No. 96

By Senators Langworthy, Bogina, Bond, Burke, Corbin, Downey, Emert, Feleciano, Frahm, Gooch, Hardenburger, Harris, Hensley, Jones, Karr, Kerr, Lawrence, Lee, Martin, Moran, Morris, Oleen, Parkinson, Papay, Petty, Praeger, Ramirez, Ranson, Reynolds, Rock, Salisbury, Sallee, Steffes, Tiaht, Tillotson, Vancrum, Vidricksen, Walker and Wisdom

1-26

14 AN ACT concerning volunteer work by certain state employees;
15 authorizing disaster service volunteer leave.

16

17 *Be it enacted by the Legislature of the State of Kansas:*

18 Section 1. This act shall be known and may be cited as the
19 disaster service volunteer leave act.

20 Sec. 2. As used in this act:

21 (a) "State agency" means any state office or officer, department,
22 board, commission, institution, bureau or any agency, division or
23 unit within any office, department, board, commission or other state
24 authority or any person requesting a state appropriation;

25 (b) "disaster" includes disasters designated at level II and above
26 in the American national red cross regulations and procedures.

27 Sec. 3. An employee of a state agency who is a certified disaster
28 service volunteer of the American red cross may be granted leave
29 from work with pay for not more than 20 working days in any twelve-
30 month period to participate in specialized disaster relief services for
31 the American red cross, upon the request of the American red cross
32 for the services of that employee and upon the approval of that
33 employee's state agency, without loss of seniority, pay, vacation
34 leave, compensatory time, personal vacation days, sick leave or
35 earned overtime accumulation. The state agency shall compensate
36 an employee granted leave under this section at the employee's
37 regular rate of pay for those regular work hours during which the
38 employee is absent from work. *An employee deemed to be on leave*
39 *under this section shall not be deemed to be an employee of the*
40 *state for purposes of workers compensation. An employee deemed*
41 *to be on leave under this section shall not be deemed to be an*
42 *employee of the state for purposes of the Kansas tort claims act.*
43 Leave under this act shall be granted only for services related to a

SB 96—Am.

2

- 1 disaster occurring within the state of Kansas and states contiguous
- 2 to Kansas.
- 3 Sec. 4. This act shall take effect and be in force from and after
- 4 its publication in the statute book.

SESSION OF 1993

SUPPLEMENTAL NOTE ON SENATE BILL NO. 96

As Amended by Senate Committee on
Governmental Organization

Brief*

S.B. 96, as amended, would establish the Disaster Service Volunteer Leave Act. The bill would permit state workers who are certified as disaster service volunteers by the American Red Cross to be granted up to 20 days of paid leave per year to assist with level three or greater disasters in Kansas and states contiguous to Kansas. The Senate Committee amended the bill to include a "hold harmless" provision for workers' compensation should a state employee be injured while doing relief work.

Background

The bill was supported by its principal sponsor, the American Red Cross, the National Association of Social Workers, and the American Federation of Labor -- Congress of Industrial Organizations (AFL-CIO). The Division of Personnel Services was asked by the Committee to prepare a "hold harmless" amendment concerning workers' compensation.

* Supplemental Notes are prepared by the Legislative Research Department and do not express legislative intent.

Proposed Amendment
to Senate Bill No. 103

On page 2, following line 4, by inserting 14 new sections as follows:

"Sec. 2. K.S.A. 25-2003 is hereby amended to read as follows: 25-2003. (a) "Board" means the board of education of any unified school district.

(b) "Board member" ~~and~~ or "member" ~~mean~~ means a member of ~~a~~ the board of education of any unified school district.

(c) ~~"Holdover--member"--means--a--member,--or--an--appointed successor--to--such--member,--whose--term--extends--for--any--period before--and--two--years--after--the--July--1--following--a--change--in method--of--election--under--this--act.~~

(d) "Member position" means one of the seven positions of members of ~~the~~ a board of education when a district method is used~~7~~. Each member position, except the at-large member position, is numbered.

Sec. 3. K.S.A. 25-2004 is hereby amended to read as follows: 25-2004. (a) "Member district" means one of the subdistricts into which a school district is or may be divided for the purpose of a district method of election of board members.

(b) "District method" means ~~either~~ a six district method, a three district method, or a two district method.

(c) "Election at large method" means the method of election of board members ~~without~~ of a school district which is not divided into member districts.

(d) "Election at large" means an election of board members at which all electors of a school district vote on all candidates.

Sec. 4. K.S.A. 25-2022 is hereby amended to read as follows: 25-2022. Any board shall have power to fill by appointment any vacancy which occurs thereon~~7--and--such--appointee--shall--serve--for the--unexpired--term.~~ When a vacancy occurs, the board shall publish a notice ~~one--time--in--a--newspaper--having--general circulation--in--the--school--district~~ stating that the vacancy has occurred and that it will be filled by appointment by the board

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Attachment 7

not sooner than ~~fifteen-(15)~~ 15 days after such publication. The notice shall be published one time in a newspaper having general circulation in the school district. If the vacancy occurs on or after January 1 of an odd-numbered year, the appointee shall serve for the unexpired term. If such the vacancy occurs before January 1 of an odd-numbered year leaving-an-unexpired-term-of more-than-two-years-such, the appointee shall serve until the July--1--after--the first regular meeting of the board following certification of the results of the general school election as provided--in--K.S.A.--25-2023--or--any--amendments--thereto next succeeding the occurrence of the vacancy. In the latter event, the unexpired term of two years commencing July-1-after-the with and including the first regular meeting of the board following certification of the results of such general school election shall be filled at such the election and the ballots or ballot labels and returns of election with respect to such office shall be designated as follows: "To fill the unexpired term."

Sec. 5. K.S.A. 25-2023 is hereby amended to read as follows: 25-2023. (a) Each board member, before entering upon the duties of such office, shall qualify by filing an oath of office with the election officer not-later-than-ten-(10)-days-following-the date-of-the-election, or not--later--than--five--(5)--days--after issuance--of--such-member's-certificate-of-election, whichever-is the-later-date.

(b) Except as otherwise provided in subsection (c), the term of office of each board member shall take-office-on-the-July 1 commence with and include the first regular meeting of the board following certification of the results of the general school election. Each member elected to a board of education shall hold office until a successor is elected or appointed and qualified and, except as otherwise provided in subsection (c), shall serve for a term of four (4) years.

(c) Each board member serving a term of office on the effective date of this act shall continue to serve until the conclusion of such term, and until a successor is elected or appointed and qualified. The immediate successor to each such

board member shall take office on the July 1 following the general school election at which such successor is elected and shall hold office until the first regular meeting of the board following certification of the results of the general school election held in a fourth year thereafter, and until a successor is elected or appointed and qualified.

Sec. 6. K.S.A. 72-7901 is hereby amended to read as follows: 72-7901. (a) The governing body of a unified school district is and shall be a board of education composed of seven ~~(7)~~ members, except as is specifically otherwise provided in K.S.A. 72-5333b, and amendments thereto. The members may be elected by any combination of method of election and voting plan authorized by law, ~~and~~. Except as otherwise provided in subsection (b), members shall serve for a term of four ~~(4)~~ years.

(b) Each member of a board of education serving a term of office on the effective date of this act shall continue to serve until the conclusion of such term, and until a successor is elected or appointed and qualified. The immediate successor to each such member shall take office on the July 1 following the general school election at which such successor is elected and shall hold office until the first regular meeting of the board of education following certification of the results of the general school election held in a fourth year thereafter, and until a successor is elected or appointed and qualified.

Sec. 7. K.S.A. 72-7902 is hereby amended to read as follows: 72-7902. The provisions of law relating to the term of office of members of boards of education, including method and time of qualification and of taking office shall apply to every school district in this state. In the event no candidate is elected to a position on the board of education of a school district in a regular election, or if ~~an-elected-member~~ a member-elect to a position on the board of education moves out of the school district after ~~such-member-is-elected~~ the election and before ~~such--member-takes~~ taking office ~~the-following-July-1~~, or if such ~~member~~ member-elect becomes ineligible to serve for any other reason during that period of time, the ~~holdover~~ member holding

office at the time of the election shall hold over after expiration of the term for which elected and shall continue to sit as a voting member of the board of education of such school district until an eligible successor is appointed by the board of education to fill the position. Such successor shall be appointed not later than November July 15 next following the regular election of-board-members.

Sec. 8. K.S.A. 72-7903 is hereby amended to read as follows:
72-7903. It is hereby found, determined and required that:

(a) the combination of method of election and voting plan
which every unified school district which-now-has-the-"six-member
election"--which--was-provided-for-in-former-K.S.A.-72-6745-shall
be-governed-by-voting-plan-C--and--the--six--district--method--of
election-until-changed-in-accordance-with-law.

(b)--Every---unified---school--district--which--now--has--the
"three-district-election"--which-was-provided-for-in-former-K.S.A.
72-6745-shall-be-governed-by-voting-plan-B-and-the-three-district
method-of-election-until-changed-in-accordance-with-law.

(c)--Every--unified--school--district--which--now---has---the
"two-district"--method--of--election--which--was--provided-for-in
former-K.S.A.-1967-Supp.-72-6752b-shall--be--governed--by--voting
plan-B--and--the-two-district-method-of-election-until-changed-in
accordance-with-law.

(d)--Every-unified-school-district-which-now-has-"election-at
large"-method-of-election-which-was-provided-for-in-former-K.S.A.
72-6745-shall-be-governed-by-voting-plan-A-and--the--election--at
large-method-of-election-until-changed-in-accordance-with-law.

(e)--Every---unified---school--district--which--now--has--the
"five-member-election"--provided-for-in-K.S.A.--72-8123--shall--be
governed--by--voting--plan-C--and--the--five--district--method-of
election-after--the--effective--date--hereof,--until--changed--in
accordance-with-law.

(f)--Every-unified-school-district-which-now-has-"election-at
large--for-member-positions"-method-of-election-which-is-provided
for-in-K.S.A.-72-8118a-shall-be-governed-by-voting-plan-A-and-the
election-at-large-by-member-positions-method-of-election has in

effect on the effective date of this act shall continue in effect after the effective date of this act until changed in accordance with law.

Sec. 9. K.S.A. 72-7904 is hereby amended to read as follows: 72-7904. ~~{a}-Every-holdover~~ Each member of a board of education having a member position number on the effective date of this act shall~~7--after--the--effective--date--of--this--act7--have~~ retain such member position number ~~assigned-to-his-member-district7~~.

~~{b}--In-every-unified-school--district--which--on~~ after the effective date of this act ~~had-the-"three-district-election" provided-in-K.S.A.-72-6745-(which-is-repealed-by-this--act)7--the "1-4-member-district"--shall-become-member-district-one7-and-every "2-5--member-district"--shall-become-member-district-two-and-every "3-6-member-district"--shall-become-member--district--three~~ until changed in accordance with law.

Sec. 10. K.S.A. 72-7905 is hereby amended to read as follows: 72-7905. ~~{a}~~ Each member district in every a unified school district ~~which-on-the-effective-date-of-this-act-had-the "six-member-election"--provided-for-in-K.S.A.--72-6745--(which--is repealed--by--this--act)~~ having a district method of election in effect7--each-member-district on the effective date of this act shall retain the same number after the effective date of this act until changed in accordance with law.

~~{b}--In--every-unified-school-district-which-on-the-effective date-of-this-act-had-the-"two-district"--method-of-election--which was-provided-for-in-K.S.A.-1967-Supp.-72-6752b-(which-is-repealed by-this-act)7--member-district-A-shall-become-member-district-one7 and-every-member-district-B-shall-become-member-district-two-~~

Sec. 11. K.S.A. 72-8004 is hereby amended to read as follows: 72-8004. The following conditions shall apply to every plan of change in which the proposed method of election is a district method:

(a) The proposed member districts shall (1) each be comprised of one contiguous compact area, (2) have equal population as nearly as is practicable, and (3) exclude no territory of the school district in the proposed change, and (4)

include no territory ~~shall-be-included~~ in more than one member district.

(b) The proposed member districts shall be so planned that no ~~holdover~~ member holding office at the time the change is made will be displaced by establishment, renumbering or rearrangement of member districts or by inclusion of more ~~holdover~~ members in a single proposed member district than is authorized by ~~this--act~~ law.

Sec. 12. K.S.A. 72-8124 is hereby amended to read as follows: 72-8124. ~~In-the--year--1969--the--primary--election--of members--of--the--board--of--education--of--any--school--district established--under--this--act--shall--be--on-the-first-Tuesday-in April--In-the-year-1969--the-general-election-of-members--of--the board--of--education-of-any-such-school-district-shall-be-held-on the-fourth-Tuesday-in-April--The-county-election-officer--of--the home--county--of--any--such-unified-school-district-shall-publish notice-of-election-of-board-members-not-later-than-March-17-1969- The-filing-deadline-for-candidates-for-member-of-any--such--board of--education--shall-be-four-weeks-preceding-the-first-Tuesday-in April-in-the-year-1969-~~ Except as otherwise provided in this act, provisions of law relating to school elections shall apply to elections of members of any the board of education of any unified school district established hereunder.

Sec. 13. K.S.A. 72-8125 is hereby amended to read as follows: 72-8125. (a) Except as otherwise provided in subsection (b), members of the board of education elected under authority of this act ~~in--the--year-1969-who-are-elected-to-member-positions having-odd-numbers-shall-be-elected-for-terms-of-two--years--and such--members--having--member--position--numbers--which--are-even numbers--shall--have--four-year--terms--In--the--year--1971--and thereafter-all-members-elected~~ shall have terms of four years and until their successors are elected or appointed and qualified.

(b) Each member of the board of education serving a term of office on the effective date of this act shall continue to serve until the conclusion of such term, and until a successor is elected or appointed and qualified. The immediate successor to

each such member shall take office on the July 1 following the general school election at which such successor is elected and shall hold office until the first regular meeting of the board of education following certification of the results of the general school election held in a fourth year thereafter, and until a successor is elected or appointed and qualified.

Sec. 14. K.S.A. 72-8202a is hereby amended to read as follows: 72-8202a. (a) At the first regular meeting of the board of education following certification of the results of the general school election held in ~~July~~ April of each odd-numbered year, the board shall elect a president and vice-president, both of whom shall be members of the board. The president and vice-president so elected shall each serve ~~for a term of one-~~1~~~~ year-and until ~~his~~ the first meeting of the board of education in May of the succeeding even-numbered year at which meeting a successor is elected and qualified to each such officer shall be elected. The president and vice-president elected in May of each even-numbered year shall serve until a successor to each such officer is elected in the succeeding odd-numbered year. The provisions of this subsection are subject to the provisions of subsection (b).

(b) Each president and vice-president of a board of education serving a term of office as such on the effective date of this act shall continue to serve until the conclusion of such term or until the conclusion of such officer's term as a member of the board of education, whichever occurs first. The immediate successor to each such president and vice-president shall hold office until the first meeting of the board of education in May of the even-numbered year next succeeding the year in which such successor is elected.

~~(b)~~ (c) The president shall preside at meetings of the board and perform such other duties as are provided by law.

~~(c)~~ (d) In the absence or inability to act of the president, the vice-president shall perform the duties of the president. In the absence or inability to act of both the president and vice-president, the remaining members shall select a member to

act in the capacity of president.

Sec. 15. K.S.A. 72-8706 is hereby amended to read as follows: 72-8706. If the proposition to consolidate is approved as provided in K.S.A. 72-8704, and amendments thereto, the election of board members at the next following school election shall be by the method of election and voting plan provided in the agreement for the consolidated unified school district, and at such election seven ~~(7)~~ new board members shall be elected. When an agreement has provided for an election at large method, the four ~~(4)~~ candidates receiving the highest number of votes at the general school election shall serve as board members for four-year terms commencing ~~on-the-July-1~~ with and including the first regular meeting of the board following certification of the results of such election and the three ~~(3)~~ candidates receiving the next highest number of votes shall serve for two-year terms commencing ~~on--the--July--1~~ with and including the first regular meeting of the board following certification of the results of such election, ~~except where.~~ When an agreement has provided for a member-district district method of election is--in--effect--in which---case, persons elected to even-numbered board member positions shall serve for two-year terms commencing ~~on-the-July-1~~ with and including the first regular meeting of the board following certification of the results of such election and. Persons elected to odd-numbered member positions and the person elected to the at-large member position shall serve for four-year terms commencing ~~on--the--July--1~~ with and including the first regular meeting of the board following certification of the results of such election. Thereafter at school elections in odd-numbered years board members shall be elected to serve for four-year terms.";

By renumbering sections 2 and 3 as sections 16 and 17, respectively;

Also on page 2, in line 5, after "K.S.A.", by inserting "25-2003, 25-2004, 25-2022, 25-2023, 72-7901, 72-7902, 72-7903, 72-7904, 72-7905, 72-8004, 72-8110, 72-8111, 72-8112, 72-8114, 72-8116, 72-8118a, 72-8124, 72-8125, 72-8129, 72-8130, 72-8135,

72-8142, 72-8202a and 72-8706 and K.S.A."; also in line 5, by striking "is" and inserting "are";

In the title, in line 9, by striking "county commissioners" and inserting "governing boards of certain political subdivisions of the state"; in line 10, by striking "thereof" and inserting "of members of boards of county commissioners"; also in line 10, after the semicolon, by inserting "affecting the time of commencement of terms of office of members of boards of education;"; also in line 10, after "K.S.A.", by inserting "25-2003, 25-2004, 25-2022, 25-2023, 72-7901, 72-7902, 72-7903, 72-7904, 72-7905, 72-8004, 72-8124, 72-8125, 72-8202a and 72-8706 and K.S.A."; in line 11, by striking "section" and inserting "sections; also repealing K.S.A. 72-8110, 72-8111, 72-8112, 72-8114, 72-8116, 72-8118a, 72-8129, 72-8130, 72-8135 and 72-8142"