

Approved: 5-17-94
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 16, 1994 in Room 521-S of the Capitol.

All members were present except: Representative Walker Hendrix
Representative Elaine Wells (E)

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:

Senator Lana Oleen
Senator Audrey Langworthy
Bill Ervin, Chief of Municipal Accounting Section, Department of Administration
Senator Marge Petty
Bobbi Mariani, Division of Personnel Services, Department of Administration

Others attending: See attached list

Hearing on:

SB 509 - state boards and commissions subject to senate confirmation; terms of members; limitation on exercise of powers.

Senator Lana Oleen testified in support of SB 509, giving background on the history of the bill. SB 509 would prohibit appointees subject to Senate confirmation from functioning as members prior to being confirmed, would create a five-member Senate Confirmation Oversight Committee, and would establish either March 1 or December 31 as expiration dates for terms of office.

Senator Audrey Langworthy endorsed SB 509 stating the changes provided for in the bill would be helpful to any administration and give the Senate adequate time for confirmation hearings.

SB 533 - fees for debt setoff collection; fees for copies of open records.

Bill Ervin, Municipal Accounting Section of Department of Administration, provided written testimony in support of SB 533 in which approval by the Director for fees for copies of public records would be required only if the fee exceeded \$.25 per page and would allow the fee rate of 15% for collection assistance to be changed based upon "cost, as determined by generally accepted cost allocation techniques" (Attachment 1). He stated this applies to municipalities as well as state agencies. The General Fund has been subsidizing this fee by approximately \$30,000.

SB 734 - state agency recognition of academic degrees.

Senator Marge Petty testified in support of SB 734 which would permit acceptance of degrees from approved universities as well as from accredited universities in relation to job placement and advancement. She noted there is no fiscal note involved. She provided written testimony from three employees in support of SB 734: Patty Rodriguez (Attachment 2), Bill and Judy Smith (Attachment 3), and Margie Eklund (Attachment 4).

Bobbi Mariani, Division of Personnel Services, Department of Administration, gave testimony that she was uncertain as to the need of SB 734 inasmuch as they are already accepting degrees from schools not listed as

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION AND ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 16, 1994.

accredited in recognized publications of accredited institutions but are approved or accredited by the state in which the school is located. The division also requires the applicant to present an academic transcript (Attachment 5).

Action on:

SB 593 - elections; absentee voting for precinct committeemen and committeewomen.

Representative Wootten made a motion to pass SB 593 favorably with the amendment to provide blank lines for voting on precinct committeemen and committeewomen. Representative Gilbert seconded. The motion carried.

SB 672 - establishing the Kansas quality program, relating to state personnel.

Representative Farmer made a motion to pass SB 672 favorably. Representative Scott seconded. Motion carried.

SB 753 - public official or agency who discloses information protected from criminal liability under certain circumstances.

Representative Benlon made a motion to pass SB 753 favorably. Representative Cox seconded. The motion carried.

Representative O'Connor made a motion to approve the minutes for the March 15, 1994 meeting. Representative Gilbert seconded. The motion carried.

The meeting was adjourned at 10:00 a.m. The next meeting is scheduled for March 17, 1994.

GUEST LIST

COMMITTEE: House Governmental Organization & Elections DATE: 3-16-94

[illegible]



DEPARTMENT OF ADMINISTRATION
DIVISION OF ACCOUNTS AND REPORTS

JOAN FINNEY
Governor

JAMES R. COBLER
Director of Accounts and Reports

900 Jackson, Room 251
Landon State Office Building
Topeka, KS 66612-1220
(913) 296-2311
FAX (913) 296-6841

March 16, 1994

Honorable Marvin E. Smith, Chairperson
House Governmental Organization and Elections Committee
State Capitol - Room 521-S
Topeka, Kansas 66612

Dear Representative Smith:

Senate Bill (SB) 533 has two distinct and unrelated topical sections: (1) fees for copies of public records; and (2) collection assistance fees for the debt setoff program. My comments for testimony regarding the topics in SB 533 are as follows:

Section 1. -- Relating to Fees for Copies of Records

K.S.A. 45-219 provides rules for public agencies when copies of, or access to, public records is requested. The statute allows each public agency to "prescribe reasonable fees" for these services with the fees approved by the Director of Accounts and Reports.

SB 533 eliminates the approval by the Director, for fees for copies of public records only, if the fees are equal to or less than \$.25 per page. The approval process will continue for fees for access to public records.

During fiscal year 1993, 17 copy cost rate applications were reviewed by the Division of Accounts and Reports. This amendment would eliminate the majority of the applications. Thus, the implementation of this amendment would have very little impact on the operations and responsibilities of the Division. The rate and revised procedure should be more efficient to both state agencies and to those who request copies of public records.

*House Gov't Org & Elections
March 16, 1994
Attachment 1*

Section 2. -- Relating to Fees for Debt Setoff Transactions

K.S.A. 1993 Supp. 75-6210 governs the collection assistance fee for debt setoff transactions including the rate, the method of collection of the fees from state agencies, foreign state agencies or municipalities, and the fund to which such fees are credited.

SB 533 replaces the statutorily-set collection assistance fee rate of 15% with language to allow the rate to be changed based upon "cost, as determined by generally accepted cost allocation techniques". This provides the flexibility for more timely rate changes, in accordance with changes in costs, rather than delaying changes until approval by subsequent Legislative Sessions.

The implementation of this legislation would allow the Division of Accounts and Reports to recover all costs, or a reasonable portion of the costs, related to the debt setoff program at the time the cost or volume variances occur. When costs are not fully recovered, the State General Fund or other funding sources must subsidize the program. Timely review and implementation of rate changes would insure minimal program subsidization.

Any change in the rate of collection assistance fee would directly impact the amount of revenues to the Accounting Services Recovery Fund. Correspondingly, any change in the rate will also directly impact the expenditures for collection assistance fees incurred by users of the program. The statute allows a "reasonable" collection assistance fee so the effect of a rate change on all parties must be considered prior to any action.

It is unknown at this time what rate of fee may be appropriate. However, based upon fiscal year 1993 actual revenues for setoff collection assistance fees to the Accounting Services Recovery Fund, setoff revenues and user expenditures would increase by \$59,800 at a rate of 16%, by \$119,500 at a rate of 17% and by \$179,300 at a rate of 18%. The rate will not necessarily increase. If transaction volumes increase significantly, the rate would be decreased. The present rate of 15% has not been changed since its creation by the 1981 Legislative Session.

In order to determine the rate of setoff collection assistance fees in accordance with the amendment, the Division plans to use the cost accounting firm of David M. Griffith and Associates, Ltd. (Griffith). The Division currently contracts with them for preparation of the annual Statewide Cost Allocation Plan. As a result of SB 130 passed in the 1993 Legislative Session, which allows municipalities to participate in the debt setoff program, Griffith established a format to determine the amount of

Representative Marvin Smith

March 16, 1994

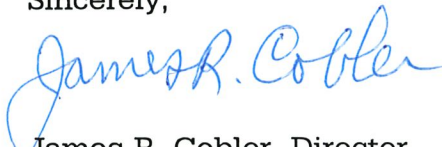
Page 3

collection assistance fees necessary to recover all costs. Since this format already exists, Griffith has agreed to provide annual updates of the rate calculation free of charge, as a part of our existing contract.

The programming costs to change the setoff collection assistance fee rate are expected to be immaterial.

If you need additional information, please contact me.

Sincerely,



James R. Cobler, Director
Division of Accounts and Reports

JRC:SLF:jw

PATTY RODRIQUEZ

March 14, 1994

TO WHOM IT MAY CONCERN:

I have been a state employee for many years. I graduated from high school and began working for the state. I was an unwed teenage mother and many of my friends who were in the same circumstances are now dependent upon welfare. However, I have a strong desire to be productive.

Over the past several years I have been successful in completing approximately two years of college toward a degree. It is extremely difficult to attend school in the evenings with my small children.

I support SB 734 because it would allow me to complete my degree in the non-traditional way through correspondence and I could have the freedom to study on my own time. With more and more working mothers many universities are now going into home study type programs and it is time for the state to accept this type of education. Advanced degrees through correspondence are presently only offered through "approved" universities.

Thank you for caring about state employees and giving us the opportunity to further our education.

Sincerely,

Patty Rodriguez
Patty Rodriguez

House Gov't Org & Elections
March 16, 1994
Attachment 2

BILL AND JUDY SMITH

**4320 SW Marlboro Road
Topeka, Kansas 66610**

March 14, 1994

DEAR COMMITTEE MEMBERS:

I am very sorry I cannot attend the committee meeting today. Hopefully you will accept my testimony in lieu of my appearance. Several years ago I decided to work on my Master's Degree. I was a single mother at the time and found it impossible to spend the time necessary to go on campus and leave my son in the evenings.

I investigated several universities and found that those that were accredited only offered Bachelor's Degrees through correspondence courses. I found a few that were "approved" by the state in which they resided and were excellent quality universities that offered higher degrees through correspondence. I checked out the university carefully and decided to work on a correspondence course through Kensington University in California.

I have never worked so hard as I did for that two years. I finally completed my degree and excitedly informed our personnel director only to learn that the state did not accept a degree from anything but an "accredited" university. After all that work, my degree was not even recognized.

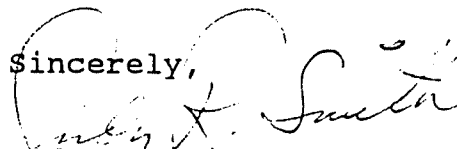
I have since found that the only difference between an "accredited university" and an "approved" one is that accredited universities require on campus attendance. In fact, I found that some universities accredit themselves. They are not required to meet any specific guidelines.

I ask you to PLEASE SUPPORT SB734!! This bill will simply move us into the 90's with what is available in the educational arena now particularly for working mothers and others who cannot afford the time or money to attend school on campus.

Our state personnel department has helped to draft this bill and it meets all their requirements. Please do the employees of the state of Kansas a favor that will not cost the taxpayers and will afford us the opportunity to further our education.

Thank you.

Sincerely,


Judy R. Smith

*House Gov't Org. + Elections
March 16, 1994
Attachment 3*

March 9, 1994

TO WHOM IT MAY CONCERN:

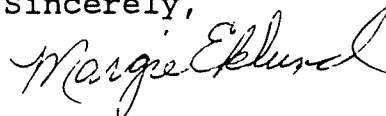
I have been a state employee for the past 34 years. I began working for the state upon graduating from high school.

Because of time and financial constraints, I have never had the opportunity to further my education. This has made it impossible for me to advance in my career. I have applied for many positions over the years, only to be refused because I did not have a college degree.

I strongly support SB 734 because this would allow me the opportunity to attend school through correspondence courses and possibly some day I would be able to complete my college education.

Thank you for your support of this bill.

Sincerely,



Margie Eklund

House Gov't Org + Elections
March 16, 1994
Attachment 4

Testimony To The
House Governmental Organization and Elections Committee

By
Bobbi Mariani
Division of Personnel Services
Department of Administration

Wednesday, March 16, 1994
RE: Senate Bill 734

Mr. Chairperson, members of the committee, I am here to testify on SB 734 which relates to qualifications for employment or promotion to any state office or employment.

If the intent of the bill is to allow acceptance of degrees from schools not listed as accredited in recognized publications of accredited institutions, but are approved or accredited by the state in which the school is located, then I believe the Division of Personnel Services is already complying with this intent. The Senate amendment requires the applicant to present an academic transcript to comply with this act. We concur with this provision because the Division generally requires authorized transcripts from applicants to verify specific classes or number of completed hours in certain fields of study.

We believe we have already addressed the problem associated with accreditation or non-accreditation status of educational institutions. Last fall, the Division of Personnel Services received inquiries from applicants and agencies inquiring as to the accreditation or non-accreditation status of educational institutions as it applies for meeting minimum qualifications for a class. In researching this issue, we found that there is no standard interpretation for the term "accredited" and no publication with an all-inclusive, comprehensive list of institutions which are "accredited."

A memorandum was sent by the Division to all agencies with examination authority on December 9, 1993, instructing agencies not to use the term "accredited" when evaluating minimum qualifications which require graduation from any type of accredited post secondary educational institution. An applicant's qualifications should be determined based on a valid transcript. Although all of the class specifications which include the term "accredited" in the minimum qualifications cannot be revised at this time to reflect this change in policy, they will be revised to include this change as class specifications are updated or developed.

Thank you for allowing me this time. I would be happy to answer any questions you may have.

*House Gov't Org. & Elections
March 16, 1994
Attachment 5*