

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Chairperson Al Ramirez at 1:30 p.m. on February 15, 1994 in Room 531-N of the Capitol.

All members were present except: Senator Reynolds - Excused

Committee staff present: Julian Efird, Legislative Research Department
Fred Carman, Revisor of Statutes
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Senator Kerr
Jerry Slaughter, Kansas Medical Society

Others attending: See attached list

Chairman Ramirez called the meeting to order and welcomed Senator Kerr, sponsor of **SB 632**, concerning legislative studies.

Senator Kerr stated that during the last legislative interim there was bi-partisan agreement that it was a disaster. He mentioned the number of hours that various legislators met; some were the equivalent of a full-time session. This trend could drive anyone but the retired person out of the Legislature if not brought under some degree of control. Too many meeting dates were only half of the problem with the interim structure. Senator Kerr commented that he took some time to think about what was impeding the success or productivity and stated some of his observations: 1) a lack of clear goals; and 2) too much glut. Wanting to reduce the number of meeting days and make the days more productive, Senator Kerr came up with the present bill. It would abolish the number of joint committees and would establish broad study area committees which are given specific legislative goals to achieve; that would deal with major issues, cut across committee lines and bring together some differing expertise-presumably from different committees. In terms of goals, the glut would be cut down. Goals would be much more likely to be accomplished if clearly stated and agreed to ahead of time.

Senator Kerr directed attention to page 2 of the bill which would abolish nine joint committees. Before the end of the Legislative session it calls for passage of a concurrent resolution which would specify up to four broad subject areas and three quick study areas. The LCC would be allocated one more of each type of study. This brings the total of possible meeting dates to sixty-six. Goals would be specified in the concurrent resolution as well so there would be a clear goal and a charge.

Senator Kerr stated that last year the amount spent on joint committees was \$252,000; Blue Highway Committees \$27,700; miscellaneous committees- \$28,000 and standing committees \$237,000. The Senator stated that passage of the bill would not solve the entire interim problem. Reducing the number of joint committees would be traumatic; chairmanships would be at stake, as well as other issues.

In conclusion, Senator Kerr urged the committee to take some kind of action; if not on this bill, on some other alternative. There has to be some kind of restraint to avoid the galloping trend towards a full-time legislature. A news clipping from the Wichita Eagle was distributed to the committee to show the bi-partisan acknowledgment of the problem and labeled (Attachment 1)

In response to a question, Senator Kerr stressed that this proposal is not just to reduce days, but is also intended to change the productivity pattern.

One of the committee members voiced the hope of returning to the joint committee concept.

Senator Kerr stated that we are not getting enough productivity out of our committees. Real studies with focused goals are needed.

The point was raised about the interim being harder on some members that are in the minority because of the large number of committees they had to serve on.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION, Room 531-N
Statehouse, at 1:30 p.m. on February 15, 1994.

The Chairman commented on the number of meetings and the makeup of the committees.

Another committee member commented on the expense of traveling to Blue Highway meetings.

The comment was made by Senator Kerr that power was given to the full elected bodies through concurrent resolution so as not to give quite so much authority to the seven people on the LCC.

After several other brief comments, the Chairman thanked Senator Kerr and called on the next conferee.

Jerry Slaughter, Kansas Medical Society, distributed copies of his testimony (Attachment 2)
Mr. Slaughter stated that there was no disagreement with the concept of the bill, but voiced concern about the proposed abolishment of the Health Care Stabilization Fund Oversight Committee. He gave background and information about the fund and committee. He stated that SB 474, which would transfer funding responsibility from the state general fund to the Health Care Stabilization Fund has passed the Senate and is awaiting action in the House. He asked if the bill was going to be worked, to strike the provisions that delete the Health Care Stabilization Fund.

The comment was made that the number of days of a session are not as important as the business accomplished.

The minutes of the February 8 and February 9 meetings were approved on a motion by Senator Feleciano, seconded by Senator Papay.

The next meeting is scheduled for February 16, 1994.

GUEST LIST

COMMITTEE : SENATE GOVERNMENTAL ORGANIZATION

DATE: Feb 15, 1994

[illegible]

Date: _____

Sat 12-18-93

☐ Topeka Capital Journal
☒ Wichita Eagle
☐ Kansas City Star
☐ Emporia Gazette
☐ Garden City Telegram
☐ Hays Daily News

☐ Hutchinson News
☐ Johnson County Sun
☐ Kansas City Kansan
☐ Lawrence Journal World
☐ Manhattan Mercury

☐ Olathe Daily News
☐ Parsons Sun
☐ Pittsburg Morning Sun
☐ Salina Journal
☐ Winfield Daily Courier

Democrats: Interim period a costly waste

Associated Press

TOPEKA — Calling the 1993 legislative interim period the most costly and inefficient in history, Democratic leaders called on their majority Republican counterparts Friday to scuttle the new system that the GOP initiated.

Senate Minority Leader Jerry Karr of Emporia said it was "a costly, dangerous step toward a full-time Legislature in Kansas."

House Minority Leader Tom Sawyer of Wichita noted that the new interim system resulted in 271 committee meetings at a cost of \$531,293 and said, "Kansans have not asked for more government; they have asked for a more efficient government."

Karr and Sawyer held a Statehouse news conference to challenge claims made Wednesday by Senate President Bud Burke and House Speaker Robert Miller, both Republicans, that the 1993 interim was one of the most productive in history and a bargain at the price.

Karr noted that, historically, the Legislature has formed joint committees of members from both houses to study issues during the interim between sessions.

**"These six bills cost
Kansas taxpayers
\$88,548 each."**

*Tom Sawyer,
House minority leader*

"Now, with standing committees of the House and Senate meeting separately during the interim, that important communication may have been lost," Karr said.

This year, under a Republican-promoted plan, standing committees of the Legislature were allowed to meet in addition to several joint committees.

"This interim-committee process has required an enormous amount of time by senators of both parties," Karr said. "And apparently little was accomplished unless a flood of bills will be recommended by Senate and House committees in the next two weeks."

Of 27 bills reported out of legislative committees this summer, just six will be debated on the House floor, Sawyer said.

*Senate Gov. Org.
Attachment 1
2/15/94*

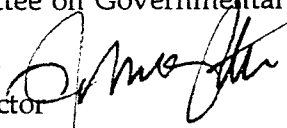


KANSAS MEDICAL SOCIETY

623 SW 10th Ave. • Topeka, Kansas 66612 • (913) 235-2383
WATS 800-332-0156 FAX 913-235-5114

February 15, 1994

TO: Senate Committee on Governmental Organization

FROM: Jerry Slaughter
Executive Director 

SUBJECT: SB 632; Relating to Abolishing Certain Committees
and Commissions

The Kansas Medical Society appreciates the opportunity to appear on SB 632, which among other things, would abolish the Health Care Stabilization Fund Oversight Committee. The relevant sections of this bill which concern us are found beginning with New Section 2 on page 2, through Section 4 on page 10. Our concern with this bill is its proposed abolishment of the Oversight Committee. We support the continuation of the Oversight Committee, and would urge that SB 632 be amended so that the Oversight Committee is continued. This can be accomplished by striking lines 17-19 on page 2, and by striking all of Sections 3 and 4, on pages 2 through 10.

By way of background, we would like to provide you a little more information about the Health Care Stabilization Fund and the Oversight Committee. The Health Care Provider Insurance Availability Act, K.S.A. 40-3401 *et seq.*, is the lengthy statute which governs the operation of the Health Care Stabilization Fund. The Health Care Stabilization Fund is the state administered fund established in 1976 to provide higher limits of medical malpractice insurance coverage to physicians, hospitals, and other health care providers. The Fund was created because the "excess" insurance market had dried up, making insurance coverage unavailable to health care providers during the prolonged medical malpractice insurance crisis in the mid-70's.

Kansas was one of about seven or eight states which established patient compensation funds such as our HCSF. These funds served the dual purpose of providing insurance to health care providers, and assuring payment of meritorious claims to injured plaintiffs. While there have been rocky times during our Fund's 18 year existence, it has basically operated as it was intended. Today it is actuarially sound, with assets which exceed \$180 million. It continues to provide insurance and pay claims, and it has, indeed, provided stability to the medical malpractice insurance system.

In 1989 the Legislature created the HCSF Oversight Committee in order to have an ongoing mechanism to study and advise the Legislature on the status and operations of the Fund and the market for professional liability insurance. The Oversight Committee consists of 11 members, including four legislators, four health care providers, one insurance industry representative, one member of the public, and the Commissioner of Insurance. The committee monitors the operation of the Fund, makes recommendations as to necessary changes in the Fund law, and

Senate Gov. Org.
Attachment 2
1/15/94

Testimony to Senate Committee on Governmental Organization
SB 632; Relating to Abolishing Certain Committees
and Commissions
February 15, 1994
Page Two

supervises an independent actuarial analysis of the Fund's financial condition, which is done on an annual basis.

I believe there is general agreement among most affected parties, including health care providers, that the Oversight Committee serves a valuable function and should be continued indefinitely. The independent actuarial analysis conducted for the Oversight Committee is important, and has been quite helpful. It should be pointed out that the independent actuarial analysis is paid for by the Fund, and no taxpayer dollars are involved.

This year the Oversight Committee believed that it was reasonable to ask the Fund - actually the health care providers who pay surcharge premiums into the Fund - to cover the costs of operating the Oversight Committee, which will probably run a little less than \$1,000 a year. Incidentally, SB 474, which would transfer the funding responsibility from the state general fund to the Health Care Stabilization Fund has passed the Senate and is currently awaiting action in the House. We support the policy in SB 474, and believe the Oversight Committee's expenses should be paid for by the Fund instead of the state general fund.

Consequently, we would oppose the abolishment of the Oversight Committee which is contained in SB 632. We believe the Oversight Committee serves a valuable function, and should be continued. Since legislation is pending which would continue the Fund at no cost to the taxpayer, we believe the provisions abolishing the Oversight Committee should be deleted from SB 632.

I would be happy to respond to any questions you have concerning our suggested amendments. We appreciate your consideration of our comments.

JS:ns

Attachment