

Approved: March 31, 1994  
Date

## MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson August Bogina at 2:45 p.m. on March 25, 1994 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Kathy Porter, Legislative Research Department  
Tim Colton, Legislative Research Department  
Julian Efird, Legislative Research Department  
Norm Furse, Revisor of Statutes  
Judy Bromich, Administrative Assistant  
Ronda Miller, Committee Secretary

Conferees appearing before the committee: Jolene Brauer, Appointee to State Civil Service Board  
Secretary Susan Seltsam, Department of Administration

Others attending: See attached list

The Chairman noted that the first order of business would be the confirmation hearing for the appointment of Ms. Jolene Brauer to the State Civil Service Board. Copies of Ms. Brauer's statement of substantial interest (Attachment 1) and Senate confirmation questionnaire (Attachment 2) were distributed to members. Ms. Brauer provided members with a copy of her personal and professional record (Attachment 3). In answer to questions, she stated that she has been a resident of Ellinwood since 1975, substitute teaches in elementary and secondary schools in Ellinwood, is married to a farmer who does city planning for the city of Ellinwood, and has served on the State Civil Service Board since March 21, 1994. Senator Morris offered a motion which was seconded by Senator Salisbury to recommend favorably the appointment of Jolene Brauer to the State Civil Service Board. The motion carried on a voice vote.

### **SB 652 -- LEASED BUILDING AND STORAGE SPACE OF STATE AGENCIES; DATABASE**

Secretary Seltsam, Department of Administration, testified in support of SB 652 and reviewed Attachment 4. In answer to questions, the Secretary stated that the proposal would require all state agencies to submit current data on space utilization to the Department which would in turn develop a database to be administered by the Division of Facilities Management. In answer to Senator Petty, she stated that she did not believe the Division would need to hire 22 new architects. Senator Petty expressed her opinion that job function should be a part of data collection and the focus of space utilization should be consolidation instead of expansion. Secretary Seltsam told members that the proposals contained in SB 652 were offered in response to an inventory and asset report which stated that there is not uniform utilization of space by state agencies.

Senator Karr moved, Senator Kerr seconded, that SB 652 be technically amended by deleting the words "except as provided for office and storage space reports" from line 17, page 1 of the bill. The motion carried on a voice vote.

Senator Vancrum requested that the Committee consider that the annual report of state-owned or leased building and storage space information be made available to a broader scope of people. It was moved by Senator Vancrum and seconded by Senator Kerr that SB 652 be conceptually amended to include that a notice of the availability of this report be sent to the Secretary of the Senate and the Clerk of the House of Representatives. The motion carried on a voice vote.

### **SB 842 -- STATE OFFICERS AND EMPLOYEES; PAYROLL PERIODS**

Secretary Seltsam testified as a proponent for SB 842 and reviewed Attachment 5 which contained a balloon of suggested amendments. She told members that currently all employees are paid a monthly salary, and, because the number of hours in a work period varies, the hourly wage varies, making computation of overtime

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 2:45 p.m. on March 25, 1994.

difficult. SB 842 would allow employees entitled to overtime to be paid on an hourly rather than a monthly basis and would give the Secretary of Administration the ability to pay employees more often than monthly if feasible. Senator Rock stated that he believed that converting to an hourly basis and paying any way other than weekly has significant risks and also noted that exemption is not dependent upon title but on job description. Senator Bogina questioned what the conversion to an hourly basis would do to the pay matrix. Sec. Seltsam stated that the Department currently publishes an hourly matrix which is the annual salary divided by 2,080. She said that the non-exempt personnel are eligible for overtime whether they're paid on a salary basis or an hourly basis.

Senator Salisbury moved, Senator Lawrence seconded, that SB 842 be amended by the balloon contained in Attachment 5. The motion carried on a voice vote.

Senator Vancrum offered a motion which was seconded by Senator Karr to recommend SB 652 as amended and SB 842 as amended favorable for passage. The motion carried on a roll call vote.

### **SB 841 -- CANCELED STATE WARRANTS; SPECIAL CLAIMS**

Secretary Seltsam presented testimony in support of SB 841 (Attachment 6). She told members that SB 841 takes away the ability to go to the Joint Committee on Claims Against the State with claims filed more than five years after the date the warrant was originally issued and would allow the Department to dispose of old records on warrants. It was noted that the Joint Committee could adopt this policy, but, without the bill, the Division of Accounts and Reports would have to maintain the records.

In answer to a question, Secretary Seltsam said that state warrants have not been considered unclaimed property since the inception of the act in 1979. It was moved by Senator Vancrum and seconded by Senator Rock that SB 841 be recommended favorable for passage. The motion carried on a roll call vote.

### **SB 840 -- STATE OFFICERS AND EMPLOYEES, APPLICANTS FOR STATE POSITIONS; MOVING EXPENSES**

Secretary Seltsam reviewed her written testimony in support of SB 840 found in Attachment 7. She told members that the majority of moving expenses are paid within the Department of Social and Rehabilitation Services, the Kansas Highway Patrol, the Department of Wildlife and Parks, and the Department of Transportation. In answer to questions, she stated that SB 840 is proposed to provide the Department of Administration with the ability to change rules and regulations governing the reimbursement of moving expenses in response to changes in Federal IRS regulations. She told members that the moving reimbursement is currently in statute and the reimbursements for meals, house-hunting trips, temporary lodging, and temporary storage are in rules and regulations. The Secretary stated that if moving expenses are paid which are not in compliance with the Federal regulations, the payment would be considered taxable income for any state employee. In answer to Senator Karr, she indicated that the Federal regulations are specific to include temporary lodging while an employee is in the process of moving and would not include temporary lodging for temporary employees, such as guest lecturers at one of the universities.

Senator Vancrum voiced his opposition to state reimbursement for moving expenses of persons other than security personnel.

It was moved by Senator Rock and seconded by Senator Moran that SB 840 be recommended favorable for passage. The motion carried on a roll call vote.

### **HB 2572 -- PROHIBITING CERTAIN PERSONS FROM BIDDING DATA PROCESSING AND TELECOMMUNICATIONS EQUIPMENT, PRODUCTS AND SERVICES**

Secretary Seltsam appeared before the Committee and reviewed Attachment 8 which contained a balloon addressing the Department's concerns regarding HB 2572. It was noted that HB 2572 addresses a proprietary concern of the Joint Committee on Computers and Telecommunications that an entity hired to write a needs analysis for data processing or telecommunications equipment could design the analysis so that only their products would meet bid specifications. It was moved by Senator Morris and seconded by Senator Brady that HB 2572 be amended by inclusion of the balloon contained in Attachment 8. The motion carried on a voice vote.

Senator Brady moved, Senator Lawrence seconded that HB 2572 as amended be recommended favorable for passage. The motion carried on a roll call vote.

The meeting was adjourned at 4:20 P.M.

The next meeting is scheduled for March 28, 1994.



## GUEST LIST

COMMITTEE: SENATE WAYS AND MEANS

DATE: March 25, 1994

[illegible]



# KANSAS COMMISSION ON GOVERNMENTAL STANDARDS AND CONDUCT

## STATEMENT OF SUBSTANTIAL INTERESTS FOR INDIVIDUALS WHOSE

### APPOINTMENT TO STATE OFFICE IS SUBJECT TO SENATE CONFIRMATION

**INSTRUCTIONS.** This statement (pages 1 through 4) must be completed by each person who appointment to a state position is subject to Senate confirmation (K.S.A. 46-247 and 46-248). Failure to complete and return this statement may result in a fine of \$10 per day for each day remains unfiled. Also, any individual who intentionally fails to file as required by law, intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 913-296-4219.

#### A. IDENTIFICATION:

PLEASE TYPE OR PRINT

BR AUER J O L E N E

Last Name

First Name

MI

M I C H A E L

Spouse's Name

R O U T E 1 B O X 1 5 4

Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

E L L I N W O O D K S 6 7 5 2 6

City, State, Zip Code

3 1 6 \* 5 6 4 \* 2 0 0 1 3 1 6 \* 5 6 4 \* 2 0 0 1

Home Phone Number

Business Phone Number

#### B. APPOINTED POSITION SUBJECT TO SENATE CONFIRMATION:

C I V I L S E R V I C E B O A R D

List Name of Agency, Commission or Board

M E M B E R

Position

\* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

8 0 9 1

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KCSAC 201-3, Rev. 2-92  
Attach 1

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C. OWNERSHIP INTERESTS: List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income in, which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here ☒.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	HELD BY NECA	PERCENT OF OWNERSHIP INTERESTS
1. MICHAEL BEAL	FARMING	LAND MACHINERY LIVESTOCK	<input checked="" type="checkbox"/>	You Spouse Jointly
2.			<input type="checkbox"/>	You Spouse Jointly
3.			<input type="checkbox"/>	You Spouse Jointly
4.			<input type="checkbox"/>	You Spouse Jointly
5.			<input type="checkbox"/>	You Spouse Jointly
6.			<input type="checkbox"/>	You Spouse Jointly
7.			<input type="checkbox"/>	You Spouse Jointly

D. GIFTS OR HONORARIA: List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here ☒.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1. <del>XXXXXXXXXXXXXXXXXXXX</del>	<del>XXXXXXXXXXXX</del>	<del>XXXXXX</del>
2.		
3.		

3

**E. RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and all other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE \_\_\_\_\_.  
If you have nothing to report in Section "E"1, check here \_\_\_\_\_.

NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1. Ellinwood School Dist USD 355 Ellinwood, KS		School District
2.		

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.  
If you have nothing to report in Section "E"2, check here ☒.

NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.		
2.		

**F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.  
If you have nothing to report in Section "F", check here ☒.

BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.		
2.		
3.		
4.		
5.		

4

- G. **RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commission to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of partnership, it is the partner's proportionate share of the business, and hence of the fee which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here   X  .

NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1. <u>Amur...</u>	<u>1010 Michigan</u>	<u>Mike / Jolene</u>
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		

H. **DECLARATION:**

I, Jolene Bauer, declare that this statement of substantial interest (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

3/6/94  
Date

Jolene Bauer  
Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES       

Return your completed statement to the Secretary of State, State House, Topeka, Kansas 66612.

SENATE CONFIRMATION QUESTIONNAIRE  
APPOINTMENTS BY GOVERNOR JOAN FINNEY

W-7m

Name: Jolene Lydia Brauer

Home Address: Rt 1 Box 154 Ellinwood, Ko 67526

City, State, Zip Code: \_\_\_\_\_

Home Phone: 316 / 564-2001

Business Address: Same

City, State, Zip Code: \_\_\_\_\_

Business Phone: / \_\_\_\_\_

Date of Birth: Feb 23, 1945 Place of Birth Great Bend, Ko 67530

Party Affiliation Republican

Appointed as: Civil Service Board

Effective 2/14/94 for the 4 year term

ending 1/31/97 Succeeding Lillian Papay

Salary n/a Statutory Authority 75-2929a

Statutory Requirements \_\_\_\_\_

1. EDUCATION:  
High School Ellinwood High School

Year Graduated 1963

Postsecondary	Degree, etc.	Dates
<u>Valparaiso University</u>	<u>Sociology</u>	<u>1967</u>
<u>Barton Co Community College</u>	<u>9 additional hrs</u>	<u>1980 -</u>
_____	_____	_____

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Attachment 2



6. EXPERIENCE OR INTERESTS WHICH QUALIFY YOU FOR THE OFFICE TO WHICH YOU HAVE BEEN APPOINTED:

I have a degree in Sociology with a minor  
in psychology & have always been interested  
in the relationships and motivations of people.  
I feel I can listen to all parties in cases presented

7. SUMMARY OF BUSINESS OR PROFESSIONAL EXPERIENCE: \_\_\_\_\_

Social worker in Michigan  
Substitute teach at present  
Mother of 3 grown children

8. HAVE YOU EVER BEEN A MEMBER OF THE ARMED FORCES OF THE UNITED STATES? No

If so, please list dates of service, branch of service and date and type of discharge:

9. HAVE YOU EVER BEEN ARRESTED, CHARGED OR HELD BY FEDERAL, STATE OR OTHER LAW ENFORCEMENT AUTHORITIES FOR VIOLATION OF ANY FEDERAL LAW, STATE LAW, COUNTY OR MUNICIPAL LAW, REGULATION OR ORDINANCE (EXCLUDING TRAFFIC VIOLATIONS FOR WHICH A FINE OF \$100 OR LESS WAS IMPOSED)? No

10. DISPOSITION OF ANY INTERESTS THAT MIGHT HAVE PRESENTED A POTENTIAL CONFLICT OF INTEREST FOR THIS POSITION.

NAI

Return to: Mary Holladay  
Appointment Secretary  
Office of the Governor  
2nd Floor, State Capitol  
Topeka, KS 66612

\_\_\_\_\_  
Signature

PERSONAL AND PROFESSIONAL RECORD

Jolene L. Brauer

SS# 514-48-8691

Home Address: Route 1 Box 154  
Ellinwood, Kansas 67526  
316-564-2001

Personal Information: Married; Three Children - Kimberly (24)  
Alan (21)  
Christene (17)  
U.S. Citizen - Born February 23, 1945,  
in Great Bend, Kansas

Professional Record: Ellinwood School District #355 - Substitute  
Teaching

Kalamazoo Container Co. - Billing Clerk

State of Michigan-Department of Social Welfare -  
Assumed responsibility in the Aid to Dependent  
Children Program

Case Load 60. Responsibilities ranged from  
providing guidance in financial matters for those  
families on welfare for a short time to those on  
assistance programs for as long as three (3)  
generations.

Developed case studies and made monthly visits at  
home or office

Worked with local agencies in helping to secure  
employment for those families on assistance

Initiated conferences with family members,  
professional staff and supervisory personnel

Education: Barton County Community College - Credit Hours in  
Introduction to Corrections and Criminal Justice- Interview  
and Interrogation

Valparaiso University - Graduated 1967 with B.A. Major in  
Sociology with Minors in Psychology and Home Economics

Ellinwood High School - Graduated 1963

Extra-Curricular Activities: Mother to Mothers - Member of Ad Hoc Comm.  
Beta Sigma Phi

SWAM  
March 25, 1994  
Attachment 3

SENATE WAYS AND MEANS COMMITTEE  
March 25, 1994

TESTIMONY PRESENTED BY SUSAN M. SELTSAM  
SECRETARY OF ADMINISTRATION

Mr. Chairman, Members of the Committee:

Senate Bill 652 would eliminate the statutory requirement for each state agency to prepare an office and storage report as a part of the agencies budget submitted by July 1 of each year.

The bill directs the Secretary of Administration to require a five year space utilization plan from each state agency and develop a database of all state-owned or leased building and storage space. The database would serve as the central repository of state-owned or leased building and storage space information.

Changes in the ownership or leasing status of all space must be reported to the Secretary of Administration for entry into the database. Additionally, the Secretary shall provide an annual report of state-owned and leased building and storage space information to the Joint Committee on State Building Construction.

This bill is an outgrowth of the Reinventing Kansas Government initiative. Two of the project teams made recommendations pertaining to this office and storage space report.

The Budget Team recommended that a bill be introduced to transform the office and storage space report (DA 419) into a database. The Inventory/Asset Team recommended that the state utilize the data on the DA 419 form to focus attention on areas that may not be fully utilizing their facilities.

This bill would provide both executive and legislative decision-makers better quality information with less paperwork and direct the information to those who most often use it.

The Bill would have no discernable fiscal impact on the Department of Administration. Operating expenses may increase slightly in the Division of Facilities Management, but efficiencies would be achieved in the Division of Budget.

I urge your support of Senate Bill 652.

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Attachment 4

SENATE WAYS AND MEANS COMMITTEE

March 25, 1994

TESTIMONY PRESENTED BY SUSAN M. SELTSAM  
SECRETARY OF ADMINISTRATION

Mr. Chairman, Members of the Committee:

Senate Bill 842 includes two changes to current law that would simplify the payroll and time keeping process for employees. These amendments are timely in that the Department of Administration is currently in the process of developing a new personnel/payroll system which would be facilitated by these changes. Additionally, they will aid the state in complying with federal employment laws and the federal Fair Labor Standards Act.

This bill would allow the state to pay certain employees under FLSA on an hourly basis instead of the current monthly salary method. Non-exempt state employees are paid a monthly salary, which must be converted to an hourly rate for overtime purposes. By converting to an hourly rate basis, calculation of the employees regular rate of pay becomes simpler and more straight forward as the basic hourly rate would form the basis for regular pay and overtime pay. The private sector traditionally pays employees who are eligible for overtime on an hourly basis. In fact, many private employers differentiate between exempt and non-exempt employees by simply referring to them as "salaried" and "hourly" employees.

The bill also amends current law to permit the Secretary of Administration to approve the establishment of bi-weekly payroll periods for any or all of the employees of a state agency. Under existing law, legislative approval is required to deviate from the standard monthly pay procedure. (A bi-weekly payroll period is currently in use only for the University of Kansas Medical Center.)

The flexibility to establish bi-weekly payroll periods in additional circumstances with the approval of the Secretary of Administration is desirable so that such changes could be evaluated and implemented during an interim or in conjunction with the new personnel/payroll system.

Advantages to bi-weekly payroll periods would include simplified time keeping payroll calculations and overtime calculations due to the stable number of hours in each payroll period. These

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Attachment 5

advantages must be weighed against additional effort and cost which may be incurred in implementing bi-weekly pay schedules.

This bill provides the flexibility for the state to explore and utilize a different schedule of paying employees if it is determined feasible.

Since the introduction of this bill, the Department has developed two balloon amendments which clarify that the provisions of this statute are intended to apply to and control agency-specific statutes relating to state employee pay.

I urge your support of Senate Bill 842 and I will be pleased to stand for questions.



## SENATE BILL No. 842

By Committee on Ways and Means

3-21

8 AN ACT concerning state officers and employees; relating to the  
9 designation of payroll periods; amending K.S.A. 75-1017, 75-5501a  
10 and 75-5515 and repealing the existing sections; also repealing  
11 K.S.A. 75-5502.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 75-1017 is hereby amended to read as follows:  
15 75-1017. The compensation to be paid employees of the division of  
16 printing shall be no greater than that paid by other printing and  
17 binding offices employing the same class of labor. For the purpose  
18 of paying compensation to officers and employees of the division of  
19 printing, unless biweekly payroll periods are established under  
20 K.S.A. 75-5501a, *and amendments thereto*, which apply to such of-  
21 ficers and employees, the director of printing shall file a semimonthly  
22 payroll with the director of accounts and reports which shall cover  
23 a work period from the first to the fifteenth *15th*, and the sixteenth  
24 *16th* to the close of the month. If biweekly payroll periods are so  
25 established which apply to such officers and employees, the director  
26 of printing shall file biweekly payrolls with the director of accounts  
27 and reports therefor. The compensation for semimonthly payrolls  
28 shall be paid to the officers and employees semimonthly on the fifth  
29 day following the end of the preceding semimonthly work period;  
30 and the biweekly earnings shall be paid to officers and em-  
31 ployees on the twelfth calendar day following the end of the  
32 biweekly work period.

33 Sec. 2. K.S.A. 75-5501a is hereby amended to read as follows:  
34 75-5501a. (a) The secretary of administration shall approve the es-  
35 tablishment of biweekly payroll periods for all officers and employees  
36 of the university of Kansas medical center. The secretary of admin-  
37 istration may approve the establishment of biweekly payroll periods  
38 for all *any* officers and employees of one or more other state agencies  
39 only after biweekly payroll periods have been specifically au-  
40 thorized by statute for such state agencies. As used in this act,  
41 the term "approval date" means the date on which such approval is  
42 given by the secretary of administration.

43 (b) Subject to the provisions of subsection (c), the director of

1 accounts and reports shall integrate biweekly payroll periods into  
2 the system of payroll accounting established under this act, for pur-  
3 poses of the officers and employees to whom the biweekly payroll  
4 periods established apply, on a date fixed by the secretary of ad-  
5 ministration. As used in this act, the term "implementation date"  
6 means the date fixed under this subsection by the secretary of ad-  
7 ministration.

8 (c) The period preceding an implementation date for biweekly  
9 payroll periods shall be a transition period during which the director  
10 of accounts and reports may vary the procedures and requirements  
11 of this act concerning biweekly payroll periods, in order to provide  
12 the orderly transition contemplated by this act.

13 ~~Sec. 3. K.S.A. 75-5515 is hereby amended to read as follows:~~  
14 ~~75-5515. (a) Except as may be otherwise fixed under the Kansas civil~~  
15 ~~service act or other applicable laws, salaries and wages shall be fixed~~  
16 ~~on an annual basis prior to the beginning of each fiscal year by any~~  
17 ~~state agency for all officers and employees under its control or~~  
18 ~~jurisdiction.~~

19 (b) When salaries or wages have been so fixed, the director  
20 of accounts and reports shall be advised in writing and the  
21 director shall be guided by such advice in passing payrolls for  
22 payment. Changes in such salaries or wages made during the fiscal  
23 year shall be reported to the director of accounts and reports, in  
24 writing, for the director's guidance *secretary of administration.*

25 (e) Except as otherwise provided by law, and unless bi-  
26 weekly payroll periods applying thereto are established under  
27 K.S.A. 75-5501a, each officer and employee of a state agency  
28 shall be paid for the proportion of the annual salary earned by  
29 such officer or employee for the period commencing on the  
30 eighteenth day of one month and ending on the seventeenth  
31 day of the following month, both such days inclusive, and as  
32 soon as practicable after the end of each month. If biweekly  
33 payroll periods are established under K.S.A. 75-5501a, each  
34 officer and employee to whom such biweekly payroll periods  
35 apply shall be paid subsequent to the implementation date for  
36 the proportion of the annual salary earned by such officer or  
37 employee during successive biweekly periods. Salary payments  
38 shall be made on alternate Fridays, except where such payday  
39 is on a holiday, in which case the pay date shall be desig-  
40 nated by the director of accounts and reports.

41 (c) The payroll period for monthly paid employees shall com-  
42 mence on the 18th day of one month through the 17th day of the  
43 following month and shall be paid as soon as practicable following

(d) The provisions of this section shall be controlling over  
any statute making reference to monthly payment of  
salaries or compensation of state officers and employees.

1 the end of the month. The secretary of administration shall specify  
2 the payroll period beginning and ending dates and the payment dates  
3 for any bi-weekly payroll periods hereafter established.

4 (d) For budget and accounting purposes each payment of annual  
5 salary salaries and wages shall be charged to appropriations for the  
6 fiscal period or year in which the last day of the payroll period  
7 occurs.

8 (e) (1) The wages for any officers and employees in positions  
9 which are not exempt under the fair labor standards act, 29 U.S.C.  
10 201 et seq., may be paid on an hourly basis, when authorized by  
11 the secretary of administration. The wages for employees who are  
12 paid hourly shall be determined by dividing the annual wages for  
13 the employee's job position by the number of hours required for the  
14 position on an annual basis as specified in paragraph (2) of this  
15 subsection. The annual wages for each position shall be as fixed  
16 pursuant to the Kansas civil service act for classified positions and  
17 as fixed by other applicable law for unclassified positions.

18 (2) In determining hourly wage rates, the number of hours re-  
19 quired for the position shall be:

20 (A) 2080 hours for employees working the standard work week  
21 specified by K.S.A. 75-5505 and amendments thereto; or

22 (B) for those classes of positions for which a deviation has been  
23 established pursuant to K.S.A. 75-5505 and amendments thereto,  
24 the number of hours required for the position on an annual basis,  
25 as determined by the director of personnel services, subject to ap-  
26 proval by the secretary of administration.

27 Sec. 4. K.S.A. 75-1017, 75-5501a, 75-5502 and 75-5515 are  
28 hereby repealed.

29 Sec. 5. This act shall take effect and be in force from and after  
30 its publication in the statute book.

The provisions of this section shall be controlling over  
any statute making reference to monthly payment of  
salaries or compensation of state officers and employees.



SENATE COMMITTEE ON WAYS & MEANS

March 25, 1994

PRESENTED BY SUSAN M. SELTSAM  
SECRETARY OF ADMINISTRATION

Mr. Chairman, Members of the Committee:

K.S.A. 10-811 currently allows the Director of Accounts and Reports to cancel state warrants that have not been cashed within one year. Canceled warrants are credited to the canceled warrants payment fund. On July 1 of each year, the unencumbered balance in excess of \$100,000 is transferred to the general fund.

Under the current two-step claim process, the Director of Accounts and Reports is authorized by K.S.A. 46-921 to pay claims submitted against the canceled warrant fund within four years after the warrant was canceled. Additionally, K.S.A. 46-924 allows claimants to proceed to the joint claims committee to receive payment for warrants that have been canceled for more than four years.

This bill would continue to allow the Director of Accounts and Reports to honor claims made within five years after the warrant was issued. However, the claims committee would no longer be authorized to grant claims for canceled warrants which are more than five years old. Since 1990, just 14 claims totaling \$3,900 have been paid from this fund by the claims committee.

It is our goal to reduce the record keeping burden and information search time for claims and eliminate the current two-step process required to handle relatively few claims. This change would allow the Department to dispose of records on canceled warrants that are more than five years old.

The proposed five year limitation in which claims could ultimately be made on canceled warrants matches the five year statute of limitations for suits regarding written contracts found in K.S.A. 60-511. This would bring consistency to:

- a claimant's ability to submit a warrant for payment, with
- the claimant's ability to bring an action to enforce the underlying obligation which the warrant was intended to satisfy.

Senate Bill 841 also amends K.S.A. 10-811(c) to clarify statutory language that canceled warrants are not considered "unclaimed property" under the provisions of K.S.A. 58-3901 et seq.

Thank you for the opportunity to appear in regard to Senate Bill 841. I would stand for any questions the committee may have.

SWAM  
March 25, 1994  
Attachment 6

SENATE WAYS AND MEANS COMMITTEE  
March 25, 1994

PRESENTED BY SUSAN M. SELTSAM  
SECRETARY OF ADMINISTRATION

Mr. Chairman, Members of the Committee:

Senate Bill 840 amends the statutes governing moving expense reimbursements to state officers and employees. The amendments in the bill are an effort to provide simpler and more efficient reimbursement procedures, to provide consistency with federal law and to reduce statewide expenditures while keeping the primary employee benefit intact. The amendments accomplish these objectives as follows:

- Removal of the remaining technical moving expense reimbursement requirements from the statutes for inclusion in rule and regulation will allow future changes in federal law to be incorporated as they occur. Specialized procedures implemented to comply with such changes in the interim between Legislative sessions will no longer be necessary.
- Disallowance of those moving expense reimbursements not defined as "qualified moving expense reimbursements" by the federal Internal Revenue Code will streamline and simplify reporting and record keeping requirements and reduce statewide expenditures. Changes in the federal code effective January 1, 1994, discontinue non-taxable treatment for certain payments currently authorized by the State. Thus, state and federal taxes must now be withheld and employer payroll contributions must be assessed on all reimbursements outside the federal definition. Given current rates, the employee would receive a net reimbursement of just greater than 59% and the State would pay 110% for each reimbursement.

The specific reimbursements that would no longer be paid to state officers and employees are as follows:

- Expenses for moves of less than 50 miles.
- Meals while en route to the new location.
- Expenses for house-hunting trips.
- Expenses for temporary lodging at the new work site.
- Expenses for temporary storage beyond 30 days.

Thank you for the opportunity to appear in regard to Senate Bill 840. I would stand for any questions the Committee may have.

SWAM  
March 25, 1994  
Attachment 7



SENATE WAYS AND MEANS COMMITTEE  
March 25, 1994

TESTIMONY PRESENTED BY SUSAN M. SELTSAM  
SECRETARY OF ADMINISTRATION

Mr. Chairman and Members of the Committee:

House Bill 2572 is an act relating to the acquisition of data processing and telecommunications equipment, products and services; prohibiting certain persons from bidding thereon. Section 1 (b) states that "No person who conducts a needs analysis for any state agency shall submit a bid to provide any data processing or telecommunications equipment, products or services or a bid to provide the whole or any part of a data processing or telecommunications system development project which equipment, products, services or project was recommended by the needs analysis conducted by such person, unless the director of purchases determines that such person is the only available source in the marketplace for the equipment, products, services or project."

To not allow a vendor that has been awarded the needs analysis contract the opportunity to bid on any part of the recommendations from the needs analysis may place the state at risk. I believe qualified vendors may not bid on the needs analysis portion awaiting the implementation and design phase. This will limit competition and may lead to a lower quality work product which may have to be revisited during the implementation and design phase at an additional cost to the state. I have no knowledge of any instance where a vendor performed a needs analysis who subsequently bid the design and implementation phase separately caused a problem.

If there is concern that a needs analysis could be negotiated into an implementation and design contract, perhaps a change in the bills language to require that the needs analysis contract and the implementation and design contract utilize separate requests for proposal and bid submission would be prudent. Certainly requiring separate proposals and bids would enhance competition, provide the best work product possible to the state and provide for less risk.

In closing, thank you for the opportunity to appear and voice my concerns regarding HB 2572.

*SWAM*  
*March 25, 1994*  
*Attachment 8*

As Amended by House Committee

Session of 1994

HOUSE BILL No. 2572

By Joint Committee on Computers and Telecommunications

12-21

9 AN ACT relating to the acquisition of data processing and telecom-  
10 munications equipment, products and services; prohibiting certain  
11 persons from bidding thereon.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. (a) As used in this section:

15 (1) "Acquisition" includes any leasing, causing to be leased, pur-  
16 chasing, contracting for, issuing a letter of intent to contract for, or  
17 causing to be installed;

18 (2) "data processing or telecommunications system development  
19 project" means any project undertaken to establish, develop, replace  
20 or modify any data processing or telecommunications system for one  
21 or more state agencies which includes the acquisition, development,  
22 replacement, modification, installation, programming or reprogram-  
23 ming of any data processing or telecommunications equipment, prod-  
24 ucts or services, or any combination of such activities for such pur-  
25 pose;

26 (3) "equipment" includes all computers and other data processing  
27 units and auxiliary equipment and all telecommunications equipment;

28 (4) "needs analysis" means a written report reviewing a proposed  
29 acquisition of data processing or telecommunications equipment,  
30 products or services or a proposed data processing or telecommu-  
31 nications system development project;

32 (5) ~~"person" means any individual, corporation, partnership, as-~~  
33 ~~sociation or other entity;~~

34 ~~(6)~~ "products" includes all computer, data processing and tele-  
35 communications programs and systems and does not include any  
36 operations or maintenance supplies;

37 ~~(7)~~ "services" includes all services that may be required for a  
38 data processing or telecommunications system development project,  
39 including operating, maintaining, programming, planning, analyzing  
40 and consulting services, and includes any of such services that may  
41 be required for the data processing or telecommunications operations  
42 of a state agency;

43 ~~(8)~~ "state agency" has the meaning ascribed thereto by K.S.A.

6

7

1 75-3701 and amendments thereto; and

2 (9) "telecommunications" has the meaning ascribed to telecom-  
3 munications services by K.S.A. 75-4710 and amendments thereto.

8

4 (b) ~~No person who conducts a needs analysis for any state agency~~  
5 ~~shall submit a bid to provide any data processing or telecommuni-~~  
6 ~~cations equipment, products or services or a bid to provide the whole~~  
7 ~~or any part of a data processing or telecommunications system de-~~  
8 ~~velopment project which equipment, products, services or project~~  
9 ~~was recommended by the needs analysis conducted by such person,~~  
10 ~~unless the director of purchases determines that such person is the~~  
11 ~~only available source in the marketplace for the equipment, products,~~  
12 ~~services or project.]~~

13 (c) The provisions of this section shall not apply to the acquisition  
14 of any data processing or telecommunications equipment, products  
15 or services or the acquisition of all or any part of a data processing  
16 or telecommunications system development project for a state  
17 agency if the estimated costs of the acquisition and all related costs  
18 associated therewith do not in the aggregate exceed \$50,000 for any  
19 fiscal year or \$250,000 for the entire acquisition.

20 Sec. 2. This act shall take effect and be in force from and after  
21 its publication in the statute book.

Each contract with a state agency for a data processing or telecommunications system development project, or the acquisition of data processing or telecommunications equipment, products and services, shall be based on a request for proposal and competitive bidding which is separate from any request for proposal and competitive bidding for needs analysis services for that project or for such equipment, products or services.