

Approved: April 21, 1994
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson August Bogina at 11:00 a.m. on March 31, 1994 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Leah Robinson, Legislative Research Department
Scott Rothe, Legislative Research Department
Norm Furse, Revisor of Statutes
Judy Bromich, Administrative Assistant
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

HB 2698 -- TRANSFER OF CERTAIN MONEYS TO CITY OF OXFORD

Senator Rock reviewed the supplemental note on HB 2698. He noted that a ruling by the Attorney General stated that the original bill did not give proper notice, and HB 2698 as amended the House Committee was written to comply with the Attorney General's opinion.

Senator Rock told members that a small community named Lane in Franklin County had lost records of the establishment of the Fire Department, and could not participate in the distribution of firefighters' relief funds. He stated that there is current legislation that provides an exception to the qualifications for participation for some counties and submitted a proposed amendment (Attachment 1) which would include Franklin County.

Senator Petty moved, Senator Karr seconded, that HB 2698 be amended by the balloon contained in Attachment 1. The motion carried on a voice vote.

It was moved by Senator Rock and seconded by Senator Karr that HB 2698 as amended be recommended favorable for passage. The motion carried on a roll call vote.

HB 2574 -- DISPUTE RESOLUTION ACT

The Chairman distributed copies of Attachment 2, a balloon containing amendments to HB 2574 as suggested by Judge Pierron. In answer to a question, Judge Pierron stated that the proposed amendments would allow the director of the office of dispute resolution to cooperate with the court systems in the establishment of alternative dispute resolution offices in the districts to avoid duplication of services. Senator Salisbury moved, Senator Lawrence seconded that HB 2574 be amended by the balloon (Attachment 2). The motion carried on a voice vote.

The Chairman mentioned concerns about using docket fees as a funding source for the program. Staff noted that the Judiciary Technology Fund had been created by the 1992 Legislature for the purpose of purchasing fax machines and other equipment within the Judicial Branch. The fax machines were purchased in FY 94 and the 1993 Legislature approved a multi year purchase of computer equipment for the Judicial Center which will be complete in FY 96. The Chairman suggested adjusting the docket fee to reduce receipts to the Judiciary Technology Fund and credit those receipts to the Dispute Resolution Fund. Senator Brady moved, Senator Salisbury seconded, that HB 2574 be amended on page 10, line 11 (Attachment 2-10) by changing 5.66% to 5.01% and by crediting .65% of the receipts to the Dispute Resolution Fund and by striking the bracketed words "during the period from July 1, 1994, through June 30, 1995" and "and after June 30, 1995, a sum equal to 1.30% of the remittances of docket fees". The motion carried on a voice vote.

A motion was offered by Senator Morris and seconded by Senator Salisbury to recommend HB 2574 as

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on March 31, 1994.

amended favorable for passage. The motion carried on a roll call vote.

SB 13 -- MEDICAL LABORATORY AND PHYSICIANS' ASSISTANTS STUDENTS SCHOLARSHIP PROGRAM

Senator Lawrence told members that SB 13 was introduced during the 1993 legislative session as a scholarship program. This year, the bill was assigned to a subcommittee who recommended changing the scholarship program to a loan guarantee program. Under this program, 60 loans will be made available; 42 of which will go to those who practice in rural areas (any county other than Johnson, Wyandotte, Douglas, Shawnee or Sedgwick); the balance would be made available to practitioners who would go into underserved areas which could be either rural or urban. She stated that the subcommittee deleted the advisory committee and the physicians' assistants from the original bill. Suggested amendments made by the subcommittee outlining these changes were submitted in a balloon (Attachment 3).

In answer to Senator Petty, the revisor stated that the use of "underserved" as a preference would need to be developed under rules and regulations by the State Board of Regents.

In answer to questions regarding the grant, the revisor noted that the proposed language on page 3 of Attachment 3 provides a reimbursement mechanism for a student who secures a loan. The loan would be repaid by the state after the practitioner complies with the agreement, and the reimbursement cannot exceed \$3500 annually. It was stated that medical laboratory students could be reimbursed for two years of the loan if they served two years, and that a student currently enrolled could apply next year for repayment of the second year of a loan.

Senator Lawrence noted that a technical amendment should be made to the proposed language in line 37, page 2 of the bill by deleting the word "rural" and inserting the word "underserved." The revisor indicated that this adjustment would allow the balance of 18 practitioners (opposed to those 42 who would serve in rural areas) to serve in underserved areas. Senator Lawrence moved, Senator Rock seconded, that the SB 13 be amended by the technical amendment in the balloon and by the balloon as a whole (Attachment 3). The motion carried on a voice vote.

It was moved by Senator Lawrence and seconded by Senator Morris that a substitute bill for SB 13 be introduced. The motion carried on a voice vote.

Senator Moran moved, Senator Lawrence seconded, that Sn. Sub. for SB 13 be recommended favorable for passage. The motion carried on a roll call vote.

Senator Karr offered a motion to approve the minutes of March 25 and 28. The motion was seconded by Senator Moran and passed on a voice vote.

The Chairman adjourned the meeting at 12:40 P.M.

The next meeting is scheduled for April 1, 1994.

GUEST LIST

COMMITTEE: SENATE WAYS AND MEANS

DATE: March 31, 1994

[illegible]

STATE OF KANSAS

SENATE CHAMBER

MR. PRESIDENT:

I move to amend House Bill No. 2698, As Amended by House Committee, on page 1, in line 30, before "Section" by inserting "New";

On page 2, following line 43, by inserting:

"Sec. 2. K.S.A. 1993 Supp. 80-1919 is hereby amended to read as follows: 80-1919. (a) The provisions of this act shall apply only to townships which are located in Barton, Crawford, Douglas, Franklin, Geary, Jackson, Labette, Leavenworth, Lyon, Montgomery, Neosho, Reno, Riley, Saline and Sumner counties, but, except as otherwise provided by subsection (b), the provisions of this act shall not apply to any such township unless and until a petition is presented to the township board, signed by not less than 51% of the qualified electors of the township as determined by the vote for secretary of state at the last preceding election. As used in this act, the phrase "township board" means the township trustee, township clerk, and the township treasurer acting as a board.

(b) The township board of any township located in any such county which has been levying a tax for the support of a township fire department for a period of not less than 15 years is hereby authorized to adopt a resolution designating such fire department as the regularly organized fire department of the township without the presentation of a petition. Such fire department shall be operated under the control of the township board in the manner prescribed by K.S.A. 80-1921, and amendments thereto, and the township board is hereby authorized to provide for the organization, operation, equipping and maintenance of such department pursuant to K.S.A. 80-1920 and 80-1921, and amendments

SWAM
March 31, 1994
Attachment 1

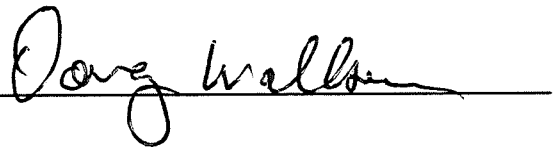
thereto, and to levy taxes for such purposes as therein authorized.

Sec. 3. K.S.A. 1993 Supp. 80-1919 is hereby repealed.";

On page 3, in line 1, by striking "Sec. 2." and inserting "Sec. 4.";

In the title, by striking all in lines 9 and 10 and inserting: "AN ACT concerning municipalities; relating to the powers and duties thereof; amending K.S.A. 1993 Supp. 80-1919 and repealing the existing section."

Senator

A handwritten signature in black ink, appearing to read "Doug Wallick", is written over a horizontal line.

HOUSE BILL No. 2574

By Committee on Appropriations

12-22

11 AN ACT concerning dispute resolution; establishing the office of
12 dispute resolution; providing for the establishment and adminis-
13 tration of dispute resolution centers; prescribing certain require-
14 ments and providing for certain grants; prescribing confidentiality
15 and immunity under certain circumstances; creating the dispute
16 resolution fund; amending K.S.A. 1993 Supp. 20-362, 20-367, 60-
17 2001, 61-2501 and 61-2704 and repealing the existing sections.

18
19 *Be it enacted by the Legislature of the State of Kansas:*

20 Section 1. (a) Sections 1 through 16, and amendments thereto,
21 shall be known and may be cited as the dispute resolution act.

22 (b) The dispute resolution act shall apply only to approved cen-
23 ters, including the governing board members and the mediators and
24 other personnel of approved centers, whether or not such persons
25 are compensated, and to the parties to disputes accepted for dispute
26 resolution at approved centers.

27 Sec. 2. As used in the dispute resolution act:

28 (a) "Approved center" means a center that has applied for and
29 received approval from the director under section 7, and amend-
30 ments thereto;

31 (b) "center" means a ~~not-for-profit organization under section~~
32 ~~501(c)(3) of the federal internal revenue code of 1986 or a court-~~
33 ~~established~~ any entity or program which makes dispute resolution
34 procedures available, other than a dispute resolution program op-
35 erated [within] the judicial branch;

36 (c) "council" means the advisory council on dispute resolution;

37 (d) "director" means the director of the office of dispute reso-
38 lution;

39 (e) "dispute resolution process" means a process by which the
40 parties involved in a dispute voluntarily agree or are referred by a
41 court to enter into informal discussion and negotiation with the
42 assistance of a mediator;

43 (f) "mediation" means the intervention into a dispute by a third

[Material within brackets would be deleted]

by

An entity or program which merely coordinates or
cooperates with the judicial branch shall not be
considered to be operated by the judicial branch.

SWAM
March 31, 1994
Attachment 2

1 party who has no decision making authority and is impartial to the
2 issues being discussed; and

3 (g) "mediator" means a person trained in the process of mediation
4 who assists parties in dispute to reach a mutually acceptable reso-
5 lution of their conflict.

6 Sec. 3. The office of dispute resolution is hereby established in
7 the office of the judicial administrator. The director of the office
8 shall be in the unclassified service under the Kansas civil service
9 act and shall be appointed by the ~~chief justice of the supreme~~
10 ~~court~~ judicial administrator. The director may be but is not required
11 to be an attorney and shall be selected for appointment on the basis
12 of the individual's training and experience in mediation. The director
13 shall administer the dispute resolution act and shall provide admin-
14 istrative and clerical assistance to the council. ~~If the~~ person appointed
15 as director is an attorney, such person shall devote full time to the
16 duties of the office of director and shall not engage in the private
17 practice of ~~law~~ during the period such person serves as director.

The

any profession

18 Sec. 4. (a) The advisory council on dispute resolution is hereby
19 created. The council shall be comprised of individuals from a variety
20 of disciplines who are trained and knowledgeable in mediation and
21 shall be selected to be representative of the geographical and cultural
22 diversity of the state and to reflect balanced gender representation.
23 The council shall consist of 11 voting members appointed by the
24 chief justice of the supreme court. The voting members shall include
25 ~~a representative from the Kansas district judges association; the~~
26 ~~Kansas district magistrate judges association and the Kansas bar~~
27 ~~association~~ not more than one district judge, not more than one
28 district magistrate judge, and not more than one other person who
29 is licensed to practice law in Kansas. The council shall be appointed
30 by the chief justice of the supreme court in accordance with this
31 section. The chief justice shall solicit nominations from the Kansas
32 ~~district judges association; Kansas district magistrate judges as-~~
33 ~~sociation; Kansas bar association; Kansas committee for com-~~
34 ~~munity mediation; Kansas children's service league; heartland~~
35 ~~mediators association; Kansas legal services, inc.; Kansas judges,~~
36 mediation organizations, legal and mental health professional or-
37 ganizations, social and legal services agencies, domestic violence
38 advocacy groups, state and local government agencies, business or-
39 ganizations, consumer organizations, court service officers, social
40 workers, mental health professionals, educators and other interested
41 groups or individuals. The chief justice is not restricted to the so-
42 licited lists of nominees in making such appointments. Two non-
43 voting, ex-officio members of the council shall be appointed by the

1 council from among representatives of the approved centers.

2 (b) The initial members of the council shall be appointed for
3 terms of one, two or three years so that the terms of not more than
4 four voting members shall expire during the same calendar year. All
5 successor appointments shall be made for terms of three years. Any
6 vacancy on the council shall be filled in the same manner in which
7 the original appointment was made and for the duration of the term
8 vacated. Appointments to the council shall be made within 90 days
9 after July 1, 1994.

10 (c) The council annually shall elect a chairperson, a vice-chair-
11 person and such other officers as deemed necessary by the council.

12 Sec. 5. (a) The council shall:

13 (1) Advise the director on the administration of the dispute res-
14 olution act and on policy development therefor;

15 (2) assist the director in providing technical assistance to centers
16 and other entities requesting the study and development of dispute
17 resolution programs;

18 (3) consult with appropriate and necessary state agencies and
19 offices to promote a cooperative and comprehensive implementation
20 of this act;

21 (4) advise the director with respect to the awarding of grants to
22 approved centers or any other financial assistance program which is
23 administered under this act;

24 (5) advise the director with respect to applications submitted by
25 centers and other entities for approval under section 7, and amend-
26 ments thereto, as approved centers;

27 (6) assist the director with the review, supervision and evaluation
28 of dispute resolution programs of approved centers; and

29 (7) make recommendations to the director pertaining to legisla-
30 tion affecting dispute resolution.

31 (b) The council shall meet at least four times per year and at
32 other times deemed necessary to perform its functions. Members of
33 the council attending meetings of the council or attending a sub-
34 committee meeting thereof authorized by the council shall receive
35 amounts provided for in subsection (e) of K.S.A. 75-3223 and amend-
36 ments thereto.

37 (c) The council may appoint subcommittees of the council to carry
38 out its work. Subcommittee members shall have knowledge of, re-
39 sponsibility for, or interest in an area related to the duties of the
40 council assigned to the subcommittee.

41 Sec. 6. (a) Consistent with provisions of the dispute resolution
42 act and the rules of the supreme court adopted pursuant to ~~section~~
~~16 and amendments thereto~~ the dispute resolution act, and in

, including courts,

1 consultation with the council, the director shall:

2 (1) Make information on the formation of centers available
3 throughout the state and encourage the formation of centers;

4 (2) approve centers which meet requirements and guidelines for
5 approval which are prescribed by this act or by rules of the supreme
6 court adopted pursuant to ~~section 16 and amendments thereto~~
7 the dispute resolution act;

8 (3) develop and administer a uniform system of reporting and
9 collecting statistical data from approved centers;

10 (4) develop and administer a uniform system of evaluating ap-
11 proved centers for compliance with the requirements of the dispute
12 resolution act and the rules of the supreme court adopted pursuant
13 to ~~section 16 and amendments thereto~~ the dispute resolution act;

14 (5) prepare an annual budget for the implementation and ad-
15 ministration of the dispute resolution act and disburse funds to ap-
16 proved centers;

17 (6) develop guidelines for a sliding scale of fees that may be
18 charged by approved centers;

19 (7) develop and approve curricula and initiate training sessions
20 for mediators and staff of approved centers and of courts, including
21 continuing education programs;

22 (8) establish and approve volunteer training and continuing ed-
23 ucation programs;

24 (9) promote public awareness of the dispute resolution process;

25 [and]
26 (10) apply for and receive funds from public and private sources
27 for carrying out the purposes and objectives of the dispute resolution
28 act.

; and

(11) provide technical assistance to centers
and other entities, including courts, requesting
the study and development of dispute resolution
programs.

29 (b) The director shall report annually to the supreme court, the
30 governor and the legislature on the implementation of the dispute
31 resolution act. The report shall include the number and types of
32 disputes received, the disposition of the disputes, any problems
33 encountered, any recommendations to address problems and a com-
34 parison of the cost of mediation and litigation.

35 Sec. 7. (a) A center or an entity proposing to establish a center
36 may apply to the director for approval to participate in the dispute
37 resolution process under the dispute resolution act by submitting an
38 application which includes:

39 (1) A plan for the operation of the center;

40 (2) the center's objectives;

41 (3) the areas of population to be served;

42 (4) the administrative organization of the center;

3 (5) recordkeeping procedures;

(6) the procedures for client intake and for scheduling, conducting and terminating dispute resolution sessions;

(7) qualifications for mediators for the center;

(8) an annual budget for the center; and

(9) ~~proof of not-for-profit status under section 501 (c)(3) of the federal internal revenue code of 1986 or proof of establishment by a court; and~~

~~(10) such additional criteria for approval or for grants which are prescribed by the director in accordance with the dispute resolution act or by rules of the supreme court pursuant to section 16 and amendments thereto adopted pursuant to the dispute resolution act.~~

(b) The director shall approve or disapprove each application submitted for approval under this section by the end of the second meeting of the advisory council occurring after the date the application was submitted.

(c) Each approved center shall submit an annual report to the director. The reports shall include the number and types of cases handled in the year and a showing of continued compliance with the dispute resolution act.

(d) Any entities providing mediation programs and existing on July 1, 1994, shall not be included as approved centers under the dispute resolution act unless such entities apply and are approved under this section.

Sec. 8. An approved center may use sources of funds, both public and private, in addition to funds appropriated by the legislature. An approved center may require each party to pay a fee to help defray costs based upon ability to pay. A person shall not be denied mediation services solely because of an inability to pay the applicable fee.

Sec. 9. (a) The following types of cases may be accepted for dispute resolution at an approved center:

(1) Civil claims and disputes, including, but not limited to, consumer and commercial complaints, disputes involving allegations of shoplifting, disputes between neighbors, disputes between business associates, disputes between landlords and tenants, disputes involving matters under the small claims procedure act, and disputes within communities;

(2) disputes concerning child custody and visitation rights and other areas of domestic relations;

(3) juvenile offenses and disputes involving juveniles;

(4) disputes between victims and offenders, in which the victims voluntarily agree to participate in mediation;

1 (5) disputes involving allegations of unlawful discrimination under
2 state or federal laws;

3 (6) disputes referred by county attorneys or district attorneys;
4 and

5 (7) disputes involving employer and employee relations under
6 K.S.A. 72-5413 through 72-5432, and amendments thereto, or K.S.A.
7 75-4321 through 75-4337, and amendments thereto; and

8 (8) disputes referred by a court, an attorney, a law enforcement
9 officer, a social service agency, a school or any other interested
10 person or agency, including the request of the parties involved.

11 (b) ~~An approved center may accept cases referred by a court,~~
12 ~~an attorney, a law enforcement officer, a social service agency,~~
13 ~~a school or any other interested person or agency or may accept~~
14 ~~cases upon the request of the parties involved. A case may be~~
15 ~~referred prior to the commencement of formal judicial proceedings~~
16 ~~or may be referred as a pending court case. If a court refers a case~~
17 ~~to an approved center, the center shall provide information to the~~
18 ~~court as to whether an agreement was reached and, if the court~~
19 ~~requests a copy of the agreement, the center shall provide such~~
20 ~~copy.~~

21 (c) Before the dispute resolution process begins, an approved
22 center shall provide the parties with a written statement setting forth
23 the procedures to be followed.

24 Sec. 10. (a) ~~Mediators of approved centers shall have com-~~
25 ~~pleted at least 30 hours of training approved by the director~~
26 ~~in~~ After reviewing the recommendations of the advisory council on
27 dispute resolution, the supreme court shall adopt rules which es-
28 tablish standards for training and qualifications for mediators of
29 approved centers and which prescribe procedures for approval by
30 the director of training for mediators in accordance with such stan-
31 dards. Training for mediators shall include the study of conflict
32 resolution techniques, neutrality, agreement writing and ethics. For
33 disputes involving marital dissolution, mediators of approved
34 centers shall have an additional 30 hours in family mediation
35 training approved by the director. An initial apprenticeship
36 with an experienced mediator of at least three sessions shall
37 be required for all mediators without prior mediation experi-
38 ence. All mediators of approved centers shall satisfy the standards
39 for training and qualifications established by rules of the supreme
40 court.

41 (b) Mediators of approved centers shall comply with the ethics
42 requirements and standards and the annual continuing education
43 requirements which are prescribed by the director in accordance

1 with the dispute resolution act or by rules of the supreme court
2 adopted pursuant to ~~section 16 and amendments thereto~~ the dis-
3 pute resolution act.

4 (c) An approved center may provide dispute resolution by util-
5 izing mediators who are compensated by the approved center, by
6 utilizing the services of volunteer mediators, or by utilizing both
7 compensated and volunteer mediators.

8 Sec. 11. (a) Each mediator of an approved center shall assist the
9 parties in reaching a mutually acceptable resolution of their dispute
10 through discussion and negotiation. The mediator shall be impartial,
11 neutral and unbiased and shall make no decisions for the parties.
12 The mediator shall act in accordance with the ethics requirements
13 and standards prescribed by rules adopted by the supreme court
14 pursuant to ~~section 16 and amendments thereto~~ the dispute res-
15 olution act.

16 (b) The mediator shall officially terminate the process if the par-
17 ties are unable to agree. The termination shall be without prejudice
18 to either party in any other proceeding.

19 (c) The mediator has no authority to make or impose any ad-
20 judicatory sanction or penalty upon the parties.

21 (d) The mediator shall ~~be aware of and~~ recommend outside
22 resources to the parties whenever appropriate. The mediator shall
23 advise participants to obtain legal review of agreements as necessary.

24 Sec. 12. (a) All verbal or written information ~~relating to the~~
25 ~~subject matter of an agreement and~~ transmitted between any party
26 to a dispute and a mediator or the staff of an approved center shall
27 be confidential communications. Mediation proceedings shall be re-
28 garded as settlement negotiations, and no admission, representation
29 or statement made in mediation, ~~which is not otherwise discov-~~
30 ~~erable or obtainable~~, shall be admissible as evidence or subject to
31 discovery. A mediator shall not be subject to process requiring the
32 disclosure of any matter discussed during mediation proceedings
33 unless all the parties consent to a waiver.

34 (b) The confidentiality requirements of this section shall not apply
35 to:

36 (1) Information that is reasonably necessary to establish a defense
37 for the mediator or center in the case of an action against the
38 mediator or the center that is filed by a party to the mediation;

39 (2) any information that the mediator is required to report under
40 K.S.A. 38-1522, and amendments thereto;

41 (3) any information that is reasonably necessary to stop the com-
42 mission of an ongoing crime or fraud or to prevent the commission
of a crime or fraud in the future for which there was an expressed

1 intent to commit such crime or fraud; or

2 (4) any information that the mediator is required to report or
3 communicate under the specific provisions of any statute or in order
4 to comply with orders of a court.

5 Sec. 13. No mediator, staff member, or member of a governing
6 board of an approved center may be held liable for civil damages
7 for any statement or decision made in the process of dispute reso-
8 lution unless such person acts, or fails to act, in a manner constituting
9 gross negligence with malicious purpose or in a manner exhibiting
10 willful disregard of the rights, safety or property of any party to the
11 process of dispute resolution.

12 Sec. 14. If the parties involved in the dispute reach an agree-
13 ment, the agreement may be reduced to writing and signed by the
14 parties. The agreement shall set forth the settlement of the issues
15 and the future responsibilities of each party. If a court referred the
16 case, the agreement as signed and approved by the parties may be
17 presented to the court as a stipulation and, if approved by the court,
18 such agreement shall be enforceable as an order of the court.

19 Sec. 15. During the period of the dispute resolution process,
20 any applicable statute of limitations shall be tolled as to the parties.
21 The tolling shall commence on the date that the parties jointly agree
22 in writing to participate in mediation under the dispute resolution
23 act and shall end on the date mediation is officially terminated by
24 the mediator. This period shall be no longer than 60 days without
25 consent of all the parties.

26 Sec. 16. The supreme court, upon recommendation by the di-
27 rector in consultation with the council, shall adopt rules for the
28 administration of the dispute resolution act and to prescribe ethics
29 requirements and standards for mediators of approved centers.

30 New Sec. 17. There is hereby created the dispute resolution
31 fund in the state treasury which shall be administered by the judicial
32 administrator. All expenditures from the dispute resolution fund
33 shall be for the operating expenses of the office of dispute resolution
34 in the office of the judicial administrator, the advisory council on
35 dispute resolution, or other activities or grants authorized or pro-
36 vided for under the dispute resolution act. All expenditures from
37 the dispute resolution fund shall be made in accordance with ap-
38 propriation acts upon warrants of the director of accounts and
39 reports issued pursuant to vouchers approved by the judicial ad-
40 ministrator or by the judicial administrator's designee.

41 Sec. 18. K.S.A. 1993 Supp. 20-362 is hereby amended to read
42 as follows: 20-362. The clerk of the district court shall remit at least
43 monthly all revenues received from docket fees as follows:

1 (a) To the county treasurer, for deposit in the county treasury
2 and credit to the county general fund:

3 (1) A sum equal to \$10 for each docket fee paid pursuant to
4 K.S.A. 60-2001 and 60-3005, and amendments thereto, during the
5 preceding calendar month;

6 (2) a sum equal to \$10 for each ~~\$36.50~~ \$37 or ~~\$61.50~~ \$62 docket
7 fee paid [during the period from July 1, 1994, through June 30,
8 1995, and for each \$37.50 or \$62.50 docket fee paid after June 30,
9 1995,] pursuant to K.S.A. 61-2501, 61-2704 or 61-2709, and amend-
10 ments thereto; and

11 (3) a sum equal to \$5 for each ~~\$16.50~~ \$17 docket fee paid [during
12 the period from July 1, 1994, through June 30, 1995, and for each
13 \$17.50 docket fee paid after June 30, 1995,] pursuant to K.S.A.
14 61-2501 or 61-2704, and amendments thereto, during the preceding
15 calendar month.

16 (b) To the board of trustees of the county law library fund, for
17 deposit in the fund, a sum equal to the library fees paid during
18 the preceding calendar month for cases filed in the county.

19 (c) To the county treasurer, for deposit in the county treasury
20 and credit to the prosecuting attorneys' training fund, a sum equal
21 to \$1 for each docket fee paid pursuant to K.S.A. 28-172a, and
22 amendments thereto, during the preceding calendar month for cases
23 filed in the county and for each fee paid pursuant to subsection (c)
24 of K.S.A. 28-170, and amendments thereto, during the preceding
25 calendar month for cases filed in the county.

26 (d) To the state treasurer, for deposit in the state treasury and
27 credit to the indigents' defense services fund, a sum equal to \$.50
28 for each docket fee paid pursuant to K.S.A. 28-172a and subsection
29 (d) of K.S.A. 28-170, and amendments thereto, during the preceding
30 calendar month.

31 (e) To the state treasurer, for deposit in the state treasury and
32 credit to the law enforcement training center fund, a sum equal
33 to \$5 for each docket fee paid pursuant to K.S.A. 28-172a, and
34 amendments thereto, during the preceding calendar month.

35 (f) To the state treasurer, for deposit in the state treasury and
36 distribution according to K.S.A. 1993 Supp. 20-367, *and amendments*
37 *thereto*, a sum equal to the balance which remains from all docket
38 fees paid during the preceding calendar month after deduction of
39 the amounts specified in subsections (a), (b), (c), (d) and (e).

40 Sec. 19. K.S.A. 1993 Supp. 20-367 is hereby amended to read
41 as follows: 20-367. (a) Of the remittance of the balance of docket
42 fees received monthly by the state treasurer from clerks of the
43 district court pursuant to subsection (f) of K.S.A. 20-362, and

1. amendments thereto, the state treasurer shall deposit and credit:

2 (1) To the juvenile detention facilities fund, a sum equal to
3 5.12% of the remittances of docket fees;

4 (2) to the judicial branch education fund, the state treasurer
5 shall deposit and credit a sum equal to 3.93% of the remittances
6 of docket fees;

7 (3) to the emergency medical services operating fund, the state
8 treasurer shall deposit and credit a sum equal to 2.95% of the
9 remittances of docket fees; and

10 (4) to the judiciary technology fund, the state treasurer shall
11 deposit and credit a sum equal to 5.66% of the remittances of
12 docket fees; and

, during the period from July 1, 1994, through
June 30, 1995

13 (5) to the dispute resolution fund, a sum equal to .65% of the
14 remittances of docket fees.

, and after June 30, 1995, a sum equal to 1.30%
of the remittances of docket fees.

15 (b) The balance remaining of the remittances of docket fees
16 shall be deposited and credited to the state general fund.

17 Sec. 20. K.S.A. 1993 Supp. 60-2001 is hereby amended to read
18 as follows: 60-2001. (a) *Docket fee*. Except as otherwise provided
19 by law, no case shall be filed or docketed in the district court,
20 whether original or appealed, without payment of a docket fee [to
21 the clerk of the district court] in the amount of \$61.50 \$62 to the
22 clerk of the district court [for each case filed or docketed during
23 the period from July 1, 1994, through June 30, 1995, and in the
24 amount of \$62.50 for each case filed or docketed after June 30,
25 1995].

26 (b) *Poverty affidavit in lieu of docket fee*. (1) *Effect*. In any case
27 where a plaintiff by reason of poverty is unable to pay a docket
28 fee, and an affidavit so stating is filed, no fee will be required.

29 (2) *Form of affidavit*. The affidavit provided for in this subsec-
30 tion shall be in the following form and attached to the petition:

31 State of Kansas, _____ County.

32 In the district court of the county: I do solemnly swear that the claim set forth
33 in the petition herein is just, and I do further swear that, by reason of my poverty,
34 I am unable to pay a docket fee.

35 (c) *Disposition of docket fee*. The docket fee shall be the only
36 costs assessed in each case for services of the clerk of the district
37 court and the sheriff. The docket fee shall be disbursed in accor-
38 dance with K.S.A. 20-362, and amendments thereto.

39 (d) *Additional court costs*. Other fees and expenses to be as-
40 sessed as additional court costs shall be approved by the court,
41 unless specifically fixed by statute. Other fees shall include, but
42 not be limited to, witness fees, appraisers' fees, fees for service of
43 process outside the state, fees for depositions, alternative dispute

1 resolution fees, transcripts and publication, attorneys' fees, court
2 costs from other courts and any other fees and expenses required
3 by statute. All additional court costs shall be taxed and billed against
4 the parties as directed by the court. No sheriff in this state shall
5 charge any district court in this state a fee or mileage for serving
6 any paper or process.

7 Sec. 21. K.S.A. 1993 Supp. 61-2501 is hereby amended to read
8 as follows: 61-2501. (a) *Docket fee*. No case shall be filed or docketed
9 pursuant to this chapter without the payment of a docket fee in
10 the amount of ~~\$16.50~~ [(1)] \$17 [for each such case filed or docketed
11 during the period from July 1, 1994, through June 30, 1995, and
12 \$17.50 for each such case filed or docketed after June 30, 1995],
13 if the amount in controversy or claimed does not exceed \$500, or
14 ~~\$36.50~~ [(2)] \$37 [for each such case filed or docketed during the
15 period from July 1, 1994, through June 30, 1995, and \$37.50 for
16 each such case filed or docketed after June 30, 1995], if the amount
17 in controversy or claimed exceeds \$500 but does not exceed \$5,000,
18 or ~~\$61.50~~ [(3)] \$62 [for each such case filed or docketed during the
19 period from July 1, 1994, through June 30, 1995, and \$62.50 for
20 each such case filed or docketed after June 30, 1995], if the amount
21 in controversy or claimed exceeds \$5,000. If judgment is rendered
22 for the plaintiff, the court also may enter judgment for the plaintiff
23 for the amount of the docket fee paid by the plaintiff.

24 (b) *Poverty affidavit; additional court costs*. The provisions of
25 subsections (b), (c) and (d) of K.S.A. 60-2001[,] and amendments
26 thereto shall be applicable to actions pursuant to this chapter.

27 Sec. 22. K.S.A. 1993 Supp. 61-2704 is hereby amended to read
28 as follows: 61-2704. (a) An action seeking the recovery of a small
29 claim shall be considered to have been commenced at the time a
30 person files a written statement of the person's small claim with
31 the clerk of the court if, within 90 days after the small claim is
32 filed, service of process is obtained or the first publication is made
33 for service by publication. Otherwise, the action is deemed com-
34 menced at the time of service of process or first publication. An
35 entry of appearance shall have the same effect as service.

36 (b) Upon the filing of a plaintiff's small claim, the clerk of the
37 court shall require from the plaintiff a docket fee of ~~\$16.50~~ [(1)]
38 \$17 [for each filing of a small claim during the period from July
39 1, 1994, through June 30, 1995, and \$17.50 for each filing of a
40 small claim after June 30, 1995], if the claim does not exceed \$500,
41 or ~~\$36.50~~ [(2)] \$37 [for each filing of a small claim during the
42 period from July 1, 1994, through June 30, 1995, and \$37.50 for
43 each filing of a small claim after June 30, 1995], if the claim exceeds

1 \$500, unless for good cause shown the judge waives the fee. The
2 docket fee shall be the only costs required in an action seeking
3 recovery of a small claim. No person may file more than 10 small
4 claims under this act in the same court during any calendar year.

5 Sec. 23. K.S.A. 1993 Supp. 20-362, 20-367, 60-2001, 61-2501
6 and 61-2704 are hereby repealed.

7 Sec. ~~17~~ 24. This act shall take effect and be in force from and
8 after its publication in the statute book.

2-12

SENATE BILL No. 13

By Joint Committee on Health Care Decisions for the 1990's

1-11

8 AN ACT establishing the medical laboratory ~~and physicians' assistants~~
 9 student scholarship program; authorizing the awarding of ~~schol-~~
 10 arships and establishing eligibility, terms, conditions and require-
 11 ments therefor; providing for administration of the act; establishing
 12 the medical laboratory ~~and physicians' assistants~~ student schol-
 13 arship program fund; establishing a scholarship review committee
 14 and providing the duties and functions thereof.

[practice incentive grant

[practice incentive grants

[practice incentive grant

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

17 Section 1. This act shall be known and may be cited as the
 18 medical laboratory ~~and physicians' assistants~~ student scholarship
 19 program.

20 Sec. 2. As used in this act:

21 (a) ["Committee" means the scholarship review committee estab-
 22 lished under section 9 and amendments thereto.]

"Eligible student loan program" means any federal
 student loan program provided for under title IV
 of the higher education act of 1965, as amended.

23 (b) "Executive officer" means the executive officer of the state
 24 board of regents appointed under K.S.A. 74-3203 and amendments
 25 thereto.

26 (c) ["Family exigency" means an unforeseen occurrence or con-
 27 dition which has caused a change in the circumstances of the im-
 28 mediate family of a scholarship recipient and which change in
 29 circumstances places an undue burden upon the scholarship recipient
 30 in fulfilling the terms of an agreement with an original sponsor.

other than Johnson, Wyandotte, Douglas, Shawnee or
 Sedgwick

31 (d) "Immediate family" means the parents, brothers and sisters,
 32 spouse and children of the scholarship recipient.

33 (e) "Rural area" means any county in this state [which has a
 34 population of not more than 20,000 people at the time of application.]

(g) "Practice incentive grants" means
 reimbursement payments made under this act by this
 state to a medical laboratory practitioner for
 repayments made by the practitioner of amounts due
 on a student loan.

(h) "Medical laboratory practitioner" means a
 person engaged in the practice of medical
 technology or medical laboratory technology.

(i) "Student loan" means a loan of money
 obtained under an eligible student loan program by
 a medical laboratory student for the purpose of
 enrollment and attendance in a medical laboratory
 educational program.

35 (f) "Medical laboratory educational program" means a program
 36 offered by a school within the state of Kansas which is accredited
 37 by the committee on allied health education and accreditation of the
 38 American medical association to provide medical technologist or med-
 39 ical laboratory technician education and grant a certificate, associate
 40 degree or baccalaureate degree with a major emphasis of study in
 41 medical technology or clinical laboratory science.

42 (g) "Physicians' assistants educational program" means a course
 43 of education and training offered by a school within the state of

[Material within brackets would be deleted]

Subcommittee Recommendations

Recommends a Substitute Bill to read as follows:

SWAM
 March 31, 1994
 Attachment 3

1 [Kansas which is approved by the state board of healing arts for the
2 education and training of physicians' assistants.]

3 [(h) "Physician" means a person licensed to practice medicine and
4 surgery.]

5 [(i) "Sponsor" means any medical care facility licensed under
6 K.S.A. 65-425 *et seq.* and amendments thereto, any physician's office
7 laboratory or medical laboratory, any physician, any consortium or
8 association of health care providers and any state agency which em-
9 ploys medical technologists, medical laboratory technicians or phy-
10 sicians' assistants.]

11 Sec. 3. (a) There is hereby established the medical laboratory
12 [and physicians' assistants student scholarship] program. A [scholarship]
13 may be awarded under this program to any [qualified student] enrolled
14 in [or admitted to] a medical laboratory educational program leading
15 to graduation as a medical technologist or medical laboratory tech-
16 nician [or to any qualified student enrolled in a physicians' assistants
17 educational program leading to graduation as a physician's assistant].

18 The number of [scholarships] awarded under this [scholarship] program
19 in any year shall not exceed [100]. Of this number, 80 scholarships
20 shall be awarded to medical laboratory students as follows: 40 schol-
21 arships shall be awarded to medical laboratory students whose spon-
22 sors are located in rural areas and who are enrolled in a medical
23 laboratory educational program; and the remaining 40 scholarships
24 shall be awarded to any medical laboratory students who have a
25 sponsor and are enrolled in or admitted to a medical laboratory
26 educational program. Of the total number of scholarships, 20 schol-
27 arships shall be awarded as follows: 10 scholarships shall be awarded
28 to physician assistant students whose sponsors are located in rural
29 areas and who are enrolled in a physicians' assistants educational
30 program; and the remaining 10 scholarships shall be awarded to any
31 physician assistant students who have a sponsor and are enrolled in
32 or admitted to a physicians' assistants educational program.]

33 (b) The determination of the individuals qualified for such [schol-
34 arships] shall be made by the executive officer [after seeking advice
35 from the committee. Within each scholarship category prescribed by
36 this subsection, scholarships] shall be awarded on a priority basis to
37 qualified applicants who [have the greatest financial need for such
38 scholarships]. To the extent practicable and consistent with the other
39 provisions of this section, consideration shall be given to minority
40 applicants.

41 (c) [Scholarships] awarded under this [scholarship] program shall be
42 awarded [for the length of the course of instruction required for]
43 graduation as a medical technologist or medical laboratory technician

practice incentive grant

medical laboratory practitioner who was

, entered into an agreement with the state board
of regents in accordance with rules and
regulations adopted under section 7 and
amendments thereto

practice incentive grants

60. Of this number at least 42 practice
incentive grants shall be awarded to medical
laboratory practitioners who agree to practice in
rural areas who were enrolled in and have
graduated from a medical laboratory educational
program

practice incentive grants

. Practice incentive grants

are willing to serve in rural areas and who

practice incentive grants

Practice incentive grants

for repayment of student loans obtained by a
practitioner while enrolled in a medical
laboratory educational program leading to

or as a physician's assistant unless terminated before such period of time. Such scholarships shall provide to the student receiving the scholarship the payment of tuition, fees, books, room and board in an amount not to exceed the total of \$3,500 annually. The amount of each scholarship shall be established annually by the executive officer and shall be financed equally by the sponsor of the student and by the state of Kansas, except that if the sponsor is located in a rural area or is a medical care facility which has less than 100 beds, the total amount of the scholarship financed by such sponsor shall not exceed \$1,000 and the balance of such amount shall be paid by the state of Kansas.

(d) If all scholarships authorized to be awarded under this section to medical laboratory students whose sponsors are located in rural areas have not been awarded by a date established by the state board of regents, the scholarships which have not been awarded by that date may be awarded to medical laboratory students who have a sponsor and who are otherwise qualified to be awarded a scholarship under this act. If all scholarships authorized to be awarded under this section to physician assistant students whose sponsors are located in rural areas have not been awarded by a date established by the state board of regents, the scholarships which have not been awarded by that date may be awarded to physician assistant students who have a sponsor and who are otherwise qualified to be awarded a scholarship under this act.

Sec. 4. (a) An applicant for a scholarship under this scholarship program shall provide to the executive officer, on forms supplied by the executive officer, the following information:

- (1) The name and address of the applicant;
- (2) the name and address of the educational program which the applicant is enrolled in or to which the applicant has been admitted;
- (3) the name and address of the sponsor of the applicant and a verified copy of the agreement entered into by the applicant and the sponsor in accordance with the provisions of this act; and
- (4) any additional information which may be required by the executive officer.

(b) As a condition to awarding a scholarship under this act, the executive officer and the applicant for a scholarship shall enter into an agreement which shall require that the scholarship recipient:

- (1) Complete the required course of instruction;
- (2) engage in the full-time practice, or the equivalent to full-time practice as specified by rules and regulations of the state board of regents adopted in accordance with the provisions of section 7 and amendments thereto; in the employment of the sponsor in accor-

. A practice incentive grant shall provide for payment to the medical laboratory practitioner for reimbursement of repayments made by the practitioner of amounts due on a student loan in accordance with the agreement entered into under this act by the practitioner and the state board of regents and in accordance with rules and regulations adopted by the state board of regents under section 7 and amendments thereto. A practice incentive grant shall not exceed

practice incentive grant shall be established annually by the executive officer

practice incentive grants

practitioners practicing

practice incentive grants

practitioners

practice incentive grant

in

medical laboratory

was

and

graduated

and from

practice incentive grant

and remain engaged

1 [dance with the agreement entered into by the scholarship recipient
 2 and the sponsor and comply with such other terms and conditions
 3 as may be specified by such agreement];

, for one year for each year a practice incentive
 grant is awarded

4 (2) commence full-time practice, or the equivalent to full-time
 5 practice as specified by rules and regulations of the state board of
 6 regents adopted in accordance with the provisions of section 7 and
 7 amendments thereto, within six months after graduation from the
 8 accredited educational program [in accordance with the agreement
 9 entered into by the scholarship recipient and the sponsor and con-
 10 tinue such full-time practice for the total amount of time required
 11 under the agreement, which shall be for a period of not less than
 12 the length of the course of instruction for which the scholarship
 13 assistance was provided];

2

medical laboratory

and

3

14 (4) maintain records and make reports to the executive officer as
 15 may be required by the executive officer to document the satisfaction
 16 of the obligation under this act and under agreements entered into
 17 with the sponsor; and

state board of regents

18 (5) upon failure to satisfy an agreement to engage in full-time
 19 practice, or the equivalent to full-time practice as specified by rules
 20 and regulations of the state board of regents adopted in accordance
 21 with the provisions of section 7 and amendments thereto, for the
 22 required period of time under any such agreement, repay to the
 23 state and to the sponsor amounts as provided in section 5 and amend-
 24 ments thereto.

25 (c) Upon the awarding of a scholarship under this act, the sponsor
 26 shall pay to the executive officer 50% of the amount of such schol-
 27 arship. Each such amount shall be deposited in the medical labo-
 28 ratory and physicians' assistants student scholarship program fund in
 29 accordance with section 8 and amendments thereto.

30 (d) The sponsorship by a scholarship recipient may be transferred
 31 from one sponsor to another upon the agreement of the original
 32 sponsor, the scholarship recipient and the sponsor to which the
 33 sponsorship is to be transferred. The terms, conditions and obliga-
 34 tions of the transferred agreement shall be substantially similar to
 35 the terms, conditions and obligations of the original agreement. Ex-
 36 cept for sponsorships transferred because of a family exigency, no
 37 sponsorship shall be transferred unless the agreement transferring
 38 such sponsorship provides for service in a rural area. An agreement
 39 transferring a sponsorship shall not be effective until the agreement
 40 is approved by the executive officer as consistent with the provisions
 41 of this act and as consistent with any rules and regulations relating
 42 thereto adopted by the state board of regents in accordance with
 43 the provisions of section 7 and amendments thereto.

(c) Payments to a medical laboratory
 practitioner provided for under this act shall be
 made upon vouchers approved by the state board of
 regents, or by its executive officer, and upon
 warrants of the director of accounts and reports.
 Upon receiving any such voucher, the director of
 accounts and reports shall issue a warrant to the
 medical laboratory practitioner entitled thereto
 and shall cause the warrant to be delivered to the
 medical laboratory practitioner.

Sec. 5. Except as provided in section 6 and amendments thereto,
 upon the failure of any person to satisfy the obligation under any
 agreement entered into pursuant to this act, such person shall pay
 to the executive officer an amount equal to the total amount of money
 received by such person pursuant to such agreement which is fi-
 nanced by the state of Kansas plus annual interest at a rate of 15%
 and shall pay to the sponsor an amount equal to 15% of the total
 amount of money received by such person pursuant to such agree-
 ment which was financed by the sponsor plus annual interest at a
 rate of 15%. Installment payments of such amounts may be made
 in accordance with the provisions of agreements entered into by the
 scholarship recipient and the sponsor or if no such provisions exist
 in such agreements, in accordance with rules and regulations of the
 state board of regents, except that such installment payments shall
 commence six months after the date of the action or circumstances
 that cause the failure of the person to satisfy the obligations of such
 agreements, as determined by the executive officer based upon the
 circumstances of each individual case. Amounts paid under this sec-
 tion to the executive officer shall be deposited in the medical lab-
 oratory and physicians' assistants student scholarship program fund
 in accordance with section 8 and amendments thereto.

under the practice incentive grant program

practice incentive grant

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practice incentive grant

Sec. 6. (a) Except as otherwise specified in the agreement with
 the sponsor, an obligation under any agreement entered into with
 the medical laboratory and physicians' assistants student scholarship
 program shall be postponed: (1) During any required period of
 active military service; (2) during any period of service in the peace
 corps; (3) during any period of service as a part of volunteers in
 service to America (VISTA); (4) during any period of service com-
 mitment to the United States public health service; (5) during any
 period of religious missionary work conducted by an organization
 exempt from tax under subsection (c) of section 501 of the internal
 revenue code of 1986 as in effect on January 1, 1993; (6) during any
 period of temporary medical disability during which the person ob-
 ligated is unable because of such medical disability to practice clinical
 laboratory science; or (7) during any period of time the person ob-
 ligated is enrolled and actively engaged on a full-time basis in a
 course of study leading to a graduate degree in a field in which such
 person was awarded a scholarship under this act which is higher
 than that attained formerly by the person obligated. Except for clause
 (6) of this subsection (a), an obligation under any agreement entered
 into under this act shall not be postponed unless the postponement
 is approved by the sponsor or is otherwise provided for in the
 agreement with the sponsor.

as a medical laboratory practitioner

the

enrolled prior to engaging in practice,

degree

(b) An obligation under any agreement under the medical laboratory [and physicians' assistants student scholarship] program shall be satisfied: (1) If the obligation in accordance with an agreement under the [scholarship] program has been completed; (2) if the person obligated dies; (3) if, because of permanent physical disability, the person obligated is unable to satisfy the obligation; (4) if the person obligated fails to satisfy the requirements for completion of the [educational program] after making the best effort possible to do so; or (5) if, because of bankruptcy, loss of licensure or certification or other failure in the operations of the sponsor, the sponsor cannot or will not employ the person obligated.

[practice incentive grant]

[or]

[practice obligation]

Sec. 7. The state board of regents after consultation with the committee may adopt rules and regulations establishing minimum terms, conditions and obligations which shall be incorporated into the provisions of any agreement entered into between a sponsor and the recipient of a scholarship under the medical laboratory and physicians' assistants student scholarship program. The terms, conditions and obligations shall be consistent with the provisions of law relating to the medical laboratory [and physicians' assistants student scholarship] program. The terms, conditions and obligations so established shall include, but not be limited to, the terms of eligibility for financial assistance under the medical laboratory and physicians' assistants student scholarship program, the amount of financial assistance to be offered, the length of employment with the sponsor required as a condition to the receipt of such financial assistance to be offered, the circumstances under which such [employment] may be discharged or forgiven, the amount of money required to be repaid because of failure to satisfy the obligations under an agreement and the method of repayment and such other additional provisions as may be necessary to carry out the provisions of the medical laboratory [and physicians' assistant student scholarship] program. The state board of regents after consultation with the committee shall adopt rules and regulations establishing criteria for evaluating the financial need of applicants for [scholarships] and may adopt such other rules and regulations as may be necessary to administer the medical laboratory [and physicians' assistants student scholarship] program.

[the state board of regents and the recipient of a practice incentive grant under the medical laboratory practice incentive grant]

[practice incentive grant]

[practice incentive grants under the medical laboratory practice incentive grant]

[the practice incentive grants]

[terms, conditions and obligations]

[practice incentive grant]

[practice incentive grants]

[practice incentive grant]

Sec. 8. There is hereby created in the state treasury the medical laboratory [and physicians' assistants student scholarship] program fund. The executive officer shall remit all moneys received under this act to the state treasurer at least monthly. Upon receipt of each such remittance the state treasurer shall deposit the entire amount thereof in the state treasury, and such amount shall be credited to the medical laboratory [and physicians' assistants student scholarship]

program fund. All expenditures from the medical laboratory and physicians' assistants student scholarship program fund shall be for [scholarships] awarded under this act and shall be made in accordance with appropriation acts of the director of accounts and reports issued pursuant to vouchers approved by the executive officer or by a person designated by the executive officer.

[practice incentive grant

[practice incentive grants

[Sec. 9. (a) There is hereby created the scholarship review committee which shall consist of the following members appointed by the governor: One member representing Kansas hospitals, one member representing Kansas medical technologists, one member representing Kansas medical laboratory technicians, one member representing Kansas physicians' assistants, one member who is a "responsible physician" as defined under K.S.A. 65-2897a and amendments thereto, the chief executive officer of a college or university under the control and supervision of the state board of regents which college or university has an accredited medical technology educational program and the chief executive officer of a college or university under the control and supervision of the state board of regents which college or university has an approved physicians' assistants educational program.

(b) The members of the review committee appointed by the governor shall be appointed for three-year terms and until their successors are appointed and qualified. Upon the vacancy of a position on the committee appointed by the governor, the governor shall appoint a person of like qualifications to fill such position. If a vacancy occurs prior to the expiration of a term, the governor shall appoint a person of like qualifications to fill such position for the unexpired term.

(c) The committee shall elect annually from among its members a chairperson. The committee shall meet on the call of the chairperson or upon the request of a majority of the committee. A majority of the members shall constitute a quorum.

(d) The committee shall provide oversight of the medical laboratory and physicians' assistants student scholarship program and shall be advisory to the executive officer and the state board of regents in the administration of such program. The committee shall exercise such other powers and duties as may be specified by law.

(e) The members of the committee who are not state officers or employees and who are attending meetings of such committee, or attending a subcommittee meeting thereof authorized by such committee, shall be paid amounts provided in subsection (e) of K.S.A. 75-3223 and amendments thereto. Amounts paid under this subsection shall be from appropriations to the state board of regents upon

2 [warrants of the director of accounts and reports issued pursuant to
3 vouchers approved by the executive officer or a person designated
4 by the executive officer]

[9]

5 Sec. [10] This act shall take effect and be in force from and after
its publication in the statute book.