

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairperson Carolyn McGinn at 11:04 a.m. on May 4, 2011, in Room 548-S of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
David Wiese, Office of the Revisor of Statutes
Alan Conroy, Director, Legislative Research Department
J. G. Scott, Chief Fiscal Analyst, Legislative Research Department
Aaron Klaassen, Senior Fiscal Analyst, Legislative Research Department
Dorothy Hughes, Fiscal Analyst, Legislative Research Department
Jan Lunn, Committee Assistant
Josh Lewis, Chief of Staff

Others attending:

See attached list.

Bill Introductions

Senator Emler discussed introduction of a bill (#rs1329) concerning the Kansas Bioscience Authority and its governance under an eleven-member board. Senator Emler moved to delete the provisions of **HB 2357** and to substitute the provisions of the bill discussed (#rs1329) (Attachment 1) and to pass out favorably **S. Sub for HB 2357**. Senator Kelly seconded the motion, which carried on a voice vote.

As a point of information, Senator Huntington noted that Dr. Ray Smilor is the current KTEC appointment to the KBA. He recently moved from California where he served as the former president of the Foundation for Enterprise Development. Dr. Smilor currently is the Vice President for the Kauffman Center for Entrepreneurial Leadership in Kansas City, Missouri.

Senator Kelly moved introduction of a bill (#rs1299) that decouples Kansas tax law from federal tax law. Senator Kultala seconded the motion, which carried on a voice vote.

HB 2336 – Kansas Employment First Initiative Act; Persons with Disabilities

Daniel Yoza, Office of the Revisor of Statutes, briefed committee members on **HB 2336** (Attachment 2). He noted **SB 205** was heard in Senate Ways and Means on March 14, 2011; there was no action taken. At the time of introduction, **SB 205** and **HB 2336** were identical. The House bill was amended to revise the mission statement and to clarify that the bill contains no hiring preferences for disabled persons. **HB 2336**, as amended, also deleted the portion of the bill providing for an Oversight Commission and replaced the commission with a lead cabinet agency.

Senator Vratil offered an amendment (Attachment 3) to **HB 2336** defining the terms, "competitive employment" and "integrated setting." In addition, Senator Vratil's proposed amendment restores the Oversight Commission into the bill. Senator Vratil elaborated that any Oversight Commission activities would be funded by existing grants and resources. Senator Vratil moved passage of the amendment discussed. Senator Kelly seconded the motion, which carried on a voice vote.

Considerable discussion followed concerning the Oversight Commission being assigned to a subcabinet agency (in the amended bill) instead of the Social and Rehabilitation Services agency (in the originally drafted bill).

Senator Vratil moved passage of **HB 2336** as amended. Senator Schodorf seconded the motion, which passed on a voice vote.

SB 240 – Abolishing the joint committee on information technology; creating the committee on technology oversight

Daniel Yoza, Office of the Revisor of Statutes, briefed committee members on **SB 240** (Attachment 4). This bill abolishes the Joint Committee on Information Technology (JCIT) and replaces it with a Committee on Technology Oversight. Mr. Yoza described the committee's membership, duties, and functions.

Committee members compared the proposed Committee on Technology Oversight contained in **SB 240** to the current JCIT process. While many functions and duties of the new committee mirror those of JCIT, the new committee would be unable to introduce legislation. In addition, the Committee on Technology Oversight would include three members from the information technology industry, who would be non-legislators. Members discussed the value of reconfiguring committee membership to include information technology (IT) experts. Senator Francisco expressed concern relating to the Oversight Committee's ability to integrate policy, project, and budget recommendations into the actual successful implementation of decisions and systems. Senator Umbarger suggested that expanding the reporting process of the chief information technology officer not only to the Oversight Committee but also to the Legislative Coordinating Council (LCC) would enhance communication. Senator Umbarger moved to add language in **SB 240** that the chief information technology officer includes the LCC in any reporting processes. Senator Kelly seconded the motion, which carried on a voice vote.

Senator Vratil moved to pass out **SB 240** as amended. Senator Teichman seconded the motion, which carried on a voice vote.

Appointment of Terry Matlack to the Kansas Public Employees' Retirement System Board of Trustees for a term of four years

Under the provisions in KSA 46-2201, the Joint committee on Pensions, Investments and Benefits is accountable to recommend to the standing Senate Ways and Means Committee any appointment of a member to the Public Employees Retirement System Board of Trustees. Representative Sharon Schwartz, Chairperson of the Joint Committee on Pensions, Investments and Benefits, notified Senator McGinn that the Joint Committee met at 12:30 p.m. on May 2, 2011, to consider the appointment of Terry Matlack (Attachment 5). The Joint Committee heard testimony from Mr. Matlack and voted to recommend Mr. Matlack's appointment to the Senate Ways and Means Committee.

Senators discussed Mr. Matlack's appointment and reviewed his Senate Confirmation Information Summary (Attachment 6), which was previously distributed to committee members on April 28, 2011. Senator Teichman moved to recommend confirmation to the Senate Committee of the Whole the appointment of Terry Matlack to the Kansas Public Employees' Retirement System Board of Trustees. Senator Masterson seconded the motion, which carried on a voice vote.

Minutes of the April 20, 2011, Senate Ways and Means Committee meeting

Senator Schodorf moved to approve the minutes of the April 20, 2011, meeting. Senator Emler seconded the motion, which carried on a voice vote.

Omnibus Bill

Senator McGinn distributed a spreadsheet for Senators' review that outlined differences between the House and Senate positions on Omnibus issues. It was noted the spreadsheet is up-to-date as of May 4 (Attachment 7). Chairperson McGinn encouraged review of the information.

Senator Huntington remarked that there appears to be no movement in the House to consider a fee increase for funding the Ethics Commission. Consequently, funding the Ethics Commission is possible for Omnibus action.

Senator McGinn adjourned the meeting at 12:04 p.m.

**SENATE WAYS AND MEANS
GUEST LIST
May 4, 2011**

NAME	AFFILIATION
Nathan Bainbridge	KDHE
Heidi Benham	PILR
Glenda Lickteig	PILR
Jerry Lynn Hodges	PILR
Jonathan Krueger	KBOR
Heather Morgan	UMY
Anna Marie Hughey	SKIL
Dan Owens	PILR
Martha Gabehart	KCDC
Leonard Lickteig	PILR
Elizabeth Daxon	PILR
Kevin Bacon	KCDC
Roger Frischehammer	PILR
Betty Hamm	PILR
Mignon Luckey	PILR
Chris Owens	PILR
Shannon Jones	SICK
Berend Koops	Hein Law Firm
Sean Miller	CAPITOL STRATEGIES
Steve Solomon	TEI
Leslie Kaufman	Ks Co-op Council
Mary Jane Stankiewicz	KGFA
Craig Runkel	STACK
Rick CAGAN	NAMI
Justin Sture	Post Audit
Mike Brassel	Sec of State
Mike Stewart	KSDS
Trevi Love	Little Four Relators
Cara Hunter	KAMU
Craig Kell	K4A
Kelly Lamm	KU
Kately LeBB	SECK

NICK WOOD

RS Wilson

Ben Cleeves

Bark Conant

DISABILITY RIGHTS CENTER

Kose

KDST

KABC

SENATE SUBSTITUTE FOR HOUSE BILL NO. 2357

By Committee on Ways and Means

AN ACT concerning to Kansas bioscience authority; relating to membership thereof; amending K.S.A. 2010 Supp. 74-99b04 and repealing the existing section.

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

Section 1. K.S.A. 2010 Supp. 74-99b04 is hereby amended to read as follows: 74-99b04. (a) There is hereby established a body politic and corporate, with corporate succession, to be known as the Kansas bioscience authority. The authority shall be an independent instrumentality of the state. Its exercise of the rights, powers and privileges conferred by this act shall be deemed and held to be the performance of an essential governmental function.

(b) In order to accelerate any and all synergy and opportunities for the growth of the authority, the authority shall be headquartered and establish its principal operation in the county in the state with the highest number of bioscience employees associated with bioscience companies as of the effective date of this act. The exact location of the authority's headquarters and principal operations in such county shall be at the discretion of the authority's board.

(c) The authority shall be governed by an eleven-member board. One member of the board shall be an agricultural expert who is recognized for outstanding knowledge and leadership in the field of bioscience. Eight of the members of the board shall be representatives of the general public who are recognized for outstanding knowledge and leadership in the fields of finance, business, bioscience research, plant biotechnology, basic research, health care, legal affairs, bioscience manufacturing or product commercialization, education or government. Of the nine voting members, five must be residents of the state. The other two members of the board shall be nonvoting members with research expertise representing state universities and shall be appointed by the Kansas board of regents. Nonvoting members shall serve at the pleasure of the

Senate Ways and Means

Date:

05/04/11

Attachment:

1

board of regents.

(d) Of the nine voting members ~~who will be appointed to the authority's first board~~, two shall be appointed by the governor for a term of office of four years, two shall be appointed by the speaker of the house of representatives, one of which shall be the agricultural expert as authorized in subsection (c), for a term of office of three years, two shall be appointed by the president of the senate for a term of office of three years, one shall be appointed by the minority leader of the house of representatives for a term of office of two years, one shall be appointed by the minority leader of the senate for a term of office of two years, and one shall be ~~appointed by the Kansas technology enterprise corporation for a term of office of one year. Members of the first board shall be appointed by August 1, 2004~~ the secretary of commerce. No more than three voting members shall be appointed from any one congressional district. All voting members of the board shall be subject to senate confirmation as provided in K.S.A. 75-4315b and amendments thereto. Any member of the board whose nomination is subject to confirmation during a regular session of the legislature shall be deemed terminated when the senate rejects the nomination. No such termination shall affect the validity of any action taken by such member of the board before such termination.

(e) Terms of voting members appointed pursuant to this section shall expire on March 15.

(f) ~~After the expiration of the terms of the authority's first board, or~~ Whenever a vacancy occurs or is announced regarding a voting member or members of the board, such voting member or members shall be appointed as described in subsections (c) and (d), except that such members shall be appointed for terms of four years each. In the event of a vacancy the

appointment shall be for the remainder of the unexpired portion of the term. Each member of the board shall hold office for the term of appointment and until a successor has been confirmed. Any member of the board is eligible for reappointment, but members of the board shall not be eligible to serve more than three consecutive four-year terms.

(g) Except for appointments of nonvoting members, each appointment shall be forwarded to the senate for confirmation as provided in K.S.A. 75-4315b₂ and amendments thereto. Except as provided by K.S.A. 2010 Supp. 46-2601₂ and amendments thereto, no person appointed to the board shall exercise any power, duty or function as a member of the board until confirmed by the senate. In case of a vacancy when the senate is not in session, the appointing entity may make a temporary appointment to the board until the next meeting of the senate. Any person who is temporarily appointed by the appointing entity to the board shall have all of the powers, duties and functions as a member of the board during such temporary appointment.

(h) The board annually shall elect a voting member as chairperson and at least one other as vice-chairperson. The board also shall elect a secretary and treasurer for terms to be determined by the board. The board may elect the same person to serve as both secretary and treasurer. The board shall establish an executive committee, nominating committee and other standing or special committees, and prescribe their duties and powers. Any executive committee of the board may exercise all such powers and duties of the board as the board may delegate.

(i) Members of the board are entitled to compensation and expenses as provided in K.S.A. 75-3223, and amendments thereto. Members of the board attending board meetings or subcommittee meetings authorized by the board, shall be paid mileage and all other applicable expenses, provided such expenses are consistent with policies established from time-to-time by

the board and as required by subsection ~~(k)~~ (j).

(j) No part of the funds of the authority shall inure to the benefit of, or be distributed to, its employees, officers or members of the board, except that the authority may make reasonable payments for expenses incurred on its behalf relating to any of its lawful purposes and the authority shall be authorized and empowered to pay reasonable compensation for services rendered to or for its benefit relating to any of its lawful purposes, including to pay its employees reasonable compensation.

(k) Any member of the board other than a nonvoting member may be removed by an affirmative vote by six members of the board for malfeasance or misfeasance in office, regularly failing to attend meetings, or for any cause which renders the member incapable of or unfit to discharge the duties of director.

(l) The board shall meet at least four times per year and at such other times as it deems appropriate, or upon call by the president or the chairperson, or upon written request of a majority of the directors of the board. The board may adopt, repeal and amend such rules, procedures and bylaws, not contrary to law or inconsistent with this act, as it deems expedient for its own governance and for the governance and management of the authority. A majority of the total voting membership of the board shall constitute a quorum for meetings. The board may act by a majority of those at any meeting where a quorum is present, except upon such issues as the board may determine shall require a vote of six members of the board for approval. ~~The board shall meet for the initial meeting upon call by the member of the board appointed by the Kansas technology enterprise corporation, who shall act as temporary chairperson until officers of the board are elected pursuant to subsection (i).~~

(m) The board shall appoint a president who shall serve at the pleasure of the board. The president shall serve as the chief executive officer of the authority. The president's salary shall be set by the board. The board may negotiate and enter into an employment agreement with the individual selected as president of the authority, which may provide for compensation allowances, benefits and expenses as may be included in such agreement. The president shall direct and supervise administrative affairs and the general management of the authority.

(n) The board may provide supplemental benefits to the president and other authority employees designated by the board in addition to the benefits provided under this act.

(o) The authority shall continue until terminated by law, except that no such law shall take effect so long as the authority has debts or obligations outstanding, unless adequate provision has been made for the payment or retirement of such debts or obligations. Upon any such dissolution of the authority, all property, funds and assets thereof shall be vested in the state, bioscience research institutions or both as designated by the board, or any other public institute or private enterprise engaged in the business of bioscience, or any combination thereof, as designated by the board and approved by act of the legislature.

Sec. 2. K.S.A. 2010 Supp. 74-99b04 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Office of Revisor of Statutes
300 S.W. 10th Avenue
Suite 24-E, Statehouse
Topeka, Kansas 66612-1592
Telephone (785) 296-2416 FAX (785) 296-6668

MEMORANDUM

To: The Senate committee on Ways and Means
From: Daniel Yoza, Assistant Revisor
Date: May 4, 2011
Re: Senate bill 205 and House bill 2336

SB 205

The Senate committee on ways and means held a hearing for Senate bill 205 on March 14, 2011. This bill establishes the Kansas employment first initiative act. It declares the public policy of Kansas to be that competitive and integrated employment shall be the first option when serving people with disabilities. Section 2 directs state agencies to coordinate efforts, collaborate and share information in order to ensure that all state programs, policies, procedures and funding support competitive and integrated employment for people with disabilities. Section 3 establishes the Kansas employment first oversight commission. The commission consists of 5 members, each serving 2 year terms. Four members of the commission will be people with disabilities, who are not state employees. Of these 4 members, one will be appointed by the speaker of the house, one will be appointed by the minority leader of the house, one will be appointed by the president of the senate, and one will be appointed by the minority leader of the senate. The fifth member of the commission will be appointed by the governor.

The commission will meet at least 4 times per year. Each member of the commission will be paid mileage and expenses pursuant to K.S.A. 75-3212. The commission is charged with the duty of establishing measurable goals and objectives to implement the employment first initiative act and will track progress towards these goals. The commission will issue an annual report on the progress of the implementation of the act. The department of Social and Rehabilitation services is designated as the lead agency responsible for compiling data and preparing the report at the direction of the commission. The commission will sunset on July 1, 2014.

HB 2336

As introduced, SB 205 and SB 2336 were identical. The house committee on commerce and economic development amended the bill to change the mission statement from "support the employment" to "provide services and support to help obtain employment" of disabled persons. The mission statement was also amended to clarify that this bill does not provide preferences for disabled persons. The house committee also deleted the portion of the bill providing for the oversight commission, replacing the oversight commission with a lead cabinet agency, designated by the governor to implement the employment first initiative. The lead agency is charged with the duty of reporting to ways and means and appropriations regarding the implementation of the employment first act. There was one minor technical amendment on the floor, simply updating the title. It passed the house 124-0.

The effective date of both bills is July 1, 2011.

Senate Ways and Means

Date: 05/04/11

Attachment: 2

[As Amended by House Committee of the Whole]

As Amended by House Committee

As Proposed by disability community to be Amended by Senate Committee

Session of 2011

HOUSE BILL No. 2336

By Committee on Federal and State Affairs

2-14

AN ACT establishing the Kansas employment first initiative act ~~and creating the Kansas employment first oversight commission.~~ **and creating the Kansas employment first oversight commission.**

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

Section 1. (a) This act shall be known as and cited as the Kansas employment first initiative act. ***As used in this act:***

(1) ***Competitive employment means work: In the competitive labor market that is performed on a full-time or part-time basis in an integrated setting; and for which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled. 34 CFR 361.5(b)(11)***

(2) ***Integrated setting means: With respect to an employment outcome, means a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons. 34 CFR 361.5(b)(33)(ii)***

(b) It is hereby declared to be the policy of the state of Kansas that competitive and integrated employment shall be considered its first option when serving persons with disabilities who are of working age to obtain employment ~~for state employment and for those entities that contract with state agencies to provide employment for persons with a disability.~~ This policy applies to programs and services that ~~support the employment of~~ **provide services and support to help obtain employment** for persons with disabilities. All state agencies shall follow this policy and ensure that it is effectively implemented in their programs and services. **Nothing in this section shall be construed to require any employer to give preference to hiring people with a disability.**

Sec. 2. (a) All state agencies shall coordinate efforts and shall collaborate within and among such agencies to ensure that state programs, policies, procedures and funding support competitive and integrated

Senate Ways and Means

Date:

Attachment:

05/04/11

3

employment of individuals with disabilities. All state agencies shall, whenever feasible, share data and information across systems in order to track progress toward full implementation of the act.

(b) State agencies are authorized to adopt rules and regulations to implement this act.

~~Sec. 3.—(a) There is hereby established a Kansas employment first oversight commission consisting of five members. The commission shall consist of the following members who shall serve for a two year term:~~

~~(1) Four members who are persons with a disability or who are knowledgeable of disability issues and who are not state employees, of whom:~~

~~(A) One shall be appointed by the speaker of the house of representatives;~~

~~(B) one shall be appointed by the minority leader of the house of representatives;~~

~~(C) one shall be appointed by the president of the senate; and~~

~~(D) one shall be appointed by the minority leader of the senate;~~

~~(2) one member who is experienced with employment service programs and who is not a state employee shall be appointed by the governor.~~

~~(b) The governor shall designate one member to convene and organize the first meeting of the commission at which the commission shall elect a chairperson and a vice chairperson from among its members. The commission shall meet at least four times a year and, additionally, whenever called by the chairperson. A quorum shall consist of three members. All actions of the commission shall be taken by a majority of the members of the commission.~~

~~(c) Each member of the commission shall be paid mileage and other expenses as provided by K.S.A. 75-3212, and amendments thereto.~~

~~(d) The commission shall establish measurable goals and objectives for the state of Kansas to ensure implementation of this act. The commission shall track the measurable progress of public agencies in implementing this act. All state agencies shall fully cooperate with and provide data and information to assist the commission in carrying out its duties.~~

~~(e) The commission shall issue an annual report on or before January 1 each year which shall be presented to the governor and members of the state legislature. The report shall detail progress toward the goals and objectives and full implementation of this act. All state agencies shall cooperate with the commission on the creation and dissemination of the annual report. The report also shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the employment first initiative.~~

~~(f) The department of social and rehabilitation services shall be the lead agency responsible for compiling data and coordinating the preparation of the annual report at the direction of the commission.~~ *(a) There is hereby established a Kansas employment first oversight commission consisting of five members. The commission shall consist of the following members who shall serve for a ~~two~~ three-year term:*

(1) Four members who are persons with a disability or who are knowledgeable of disability issues and who are not state employees, of whom:

(A) One shall be appointed by the speaker of the house of representatives;

(B) one shall be appointed by the minority leader of the house of representatives;

(C) one shall be appointed by the president of the senate; and

(D) one shall be appointed by the minority leader of the senate;

(2) one member who is experienced with employment service programs and who is not a state employee shall be appointed by the governor.

(b) The governor shall designate one member to convene and organize the first meeting of the commission at which the commission shall elect a chairperson and a vice-chairperson from among its members. The commission shall meet at least four times a year and, additionally, whenever called by the chairperson. A quorum shall consist of three members. All actions of the commission shall be taken by a majority of the members of the commission.

(c) Each member of the commission shall be paid mileage and other expenses as provided by K.S.A. 75-3212, and amendments thereto.

(d) The commission shall establish measurable goals and objectives for the state of Kansas to ensure implementation of this act. The commission shall track the measurable progress of public agencies in implementing this act. All state agencies shall fully cooperate with and provide data and information to assist the commission in carrying out its duties.

(e) The commission shall issue an annual report on or before January 1 each year which shall be presented to the governor and members of the state legislature. The report shall detail progress toward the goals and objectives and full implementation of this act. All state agencies shall cooperate with the commission on the creation and dissemination of the annual report. The report also shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the employment first initiative.

(f) ~~The department of social and rehabilitation services shall be~~ governor shall select from the cabinet agencies the lead agency responsible for compiling data and coordinating the preparation of the annual report at the direction of the commission. The activities of the commission and lead agency pursuant to this section shall be done within existing grants and resources. ~~(a) The governor shall designate one cabinet agency as the lead agency member to establish measurable goals and objectives for the state of Kansas to ensure implementation of this act. Such lead agency shall track the measurable progress of public agencies in implementing this act. All state agencies shall fully cooperate with and provide data and information necessary to assist the lead agency in carrying out its duties.~~

~~(b) The lead agency designated by the governor shall issue an annual report on or before January 30 each year which shall be presented to the governor and to the chairperson of each of the senate committee on ways and means and the house committee on appropriations. The report shall detail progress toward the goals and objectives and full implementation of this act. The report also shall identify barriers to achieving the outcomes along with the effective strategies and policies that can help realize the employment first initiative. The lead agency shall be responsible for compiling data and coordinating the preparation of the annual report. All state agencies shall cooperate with the lead agency on the creation and dissemination of the annual report.~~

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

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Suite 24-E, Statehouse
Topeka, Kansas 66612-1592
Telephone (785) 296-2416 FAX (785) 296-6668

MEMORANDUM

To: The Senate committee on Ways and Means
From: Daniel Yoza, Assistant Revisor
Date: May 4, 2011
Re: Senate bill 240

Senate bill 240 abolishes the Joint committee on information technology (JCIT) and replaces it with a committee on technology oversight. The current JCIT has ten members while the committee on technology oversight would have only seven. The current JCIT has five members appointed from each house, while the committee on technology oversight would have two members appointed from each house and three non-legislator members who are leaders of the information technology industry. The legislator members will be appointed by the president of the senate, the minority leader of the senate, the speaker of the house and the minority leader of the house, respectively. The non-legislator members will be appointed by the speaker of the house, the president of the senate and the governor, respectively.

Most of the duties and functions of the committee on technology oversight are identical to the current JCIT. The committee on technology oversight would not have the ability to introduce bills, as the current JCIT does. However, the committee on technology oversight will still be required to make an annual report to the LCC and any appropriate legislative committees regarding their findings.

The committee on technology oversight will be charged with the duties of examining state agency acquisition of computers and information technologies, review government technology acquisition, make and review 3-year budget plans regarding technology expenditures and study information technology implementation. These duties are identical to duties of the current JCIT.

The amendatory sections of the bill simply clean up references to JCIT, changing them to the committee on technology oversight. This includes K.S.A. 75-7201, which provides that the committee on technology oversight may make a recommendation to the LCC for the position of legislative CITO.

The effective date of the bill is July 1, 2011.

Senate Ways and Means

Date: 05/04/11

Attachment: 4

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

SHARON J. SCHWARTZ
2051 20th Road
Washington, Kansas 66968
(785) 325-2568
sharon.schwartz@house.ks.gov



*State Representative
106th District
State Capitol, Room 149-S
Topeka, Kansas 66612
(785) 296-7637*

TO: Senator Carolyn McGinn
FROM: Representative Sharon Schwartz
DATE: May 3, 2011

Pursuant to KSA 46-2201, the Joint Committee on Pensions, Investments and Benefits met at 12:30 p.m. on May 2, 2011, to consider the appointment of Terry Matlack as a member of the Kansas Public Employees Retirement System (KPERS) Board of Trustees. The Joint Committee heard testimony from Mr. Matlack and voted to make a positive recommendation to the Senate Ways & Means Committee for Mr. Matlack's appointment to the KPERS Board of Trustees to serve a four-year term, expiring January 15, 2015.

Please give me a call if you need additional information. Thank you for your consideration.

CC: Senator Steve Morris

A handwritten signature in cursive script, reading "Sharon Schwartz", written diagonally across the page.

Senate Ways and Means

Date:

05/04/11

Attachment:

5

Terry Matlack
Brief Biography
5/2/2011

Terry was born in Clearwater, Kansas. Upon graduation from high school, he attended Kansas State University, receiving a degree in Business Administration. He then attended the University of Kansas, receiving both a Masters of Business Administration and a Juris Doctorate. After graduating, Terry worked for approximately 8 years as a Corporate Finance specialist in Investment Banking, first with George K. Baum & Company and then B.C. Christopher, (currently named Oppenheimer). During this period he advised corporations on debt and equity offerings, buyouts and mergers. He then, along with a long time investment banking client, took part in a series of entrepreneurial ventures in the communications sector, forming and financing a cellular company and a cable company, and the purchase and operation of a landline telephone company. Upon the sale of those companies in the mid to late 1990s, Terry became the President of Greenstreet Capital and its primary majority held investment, Ameritel, which became a large provider of telephone services for correctional facilities. After the sale of Ameritel and its merger with another company in the same business, Terry served as its CEO for a transitional period. He then began a career in the investment advisory business with which he has been involved for the last ten years. He became a Managing Partner at Kansas City Equity Partners, LC (KCEP) in 2001. Shortly thereafter and with the help of KCEP, he and four others co-founded Tortoise Capital Advisors, L.L.C. ("Tortoise Capital") where he presently remains employed on a full time basis. Tortoise Capital is an investment manager specializing in publicly traded energy infrastructure investments, such as pipeline and power companies. Tortoise Capital manages approximately \$6.6 billion in assets, including six publicly traded closed end funds which it formed. Tortoise Capital is a registered investment advisor under the Investment Advisers Act of 1940.

Terry currently serves on several Boards, including the KSU Business Council, the KSU Alumni Association, US Bank Kansas City Market Board, EPIQ Systems, Inc. (NASDAQ symbol: "EPIQ") and the Association for Corporate Growth - Kansas City Chapter (immediate past President). He has his Chartered Financial Analyst designation and is a member of the Kansas Bar Association. He has been involved in his local church and is a member of the choir (when not traveling). Terry has three grown children and three grandchildren. In his free time, he enjoys snow and water skiing, travel, bicycling and supporting the Wildcats and Jayhawks.

Phone: 913-981-1020 or 913-441-6467

Email: tmatlack@tortoiseadvisors.com

Senate Ways and Means

Date:

05/04/11

Attachment:

6

Senate Confirmation: Information Summary

Prepared and Submitted by the Office of Governor Sam Brownback

Appointee: Terry Matlack

Position: Member, Kansas Public Employees'
Retirement Board of Trustees

Expiration Date: January 15, 2015

Term Length: Four years

Statutory Authority: K.S.A. 74-4905

Party Affiliation: D

- Statutory geographic representation
Requirements (insert any that apply)

Congressional District: 3

County: Johnson

Size Requirement (*if any*): Nine members

Other, specify:

- Statutory party affiliation requirement: N/A
- Statutory industry or occupation requirements: The six members appointed pursuant to subsection (a)(1) shall have demonstrated experience in the financial affairs of a public or private organization or entity which employees 100 or more employees or had at least five years' experience in the field of investment management or analysis, actuarial analysis, or administration of an employee benefit plan.

Salary: N/A

Predecessor: Tamla Edwards

Board Composition Prior to Confirmation of New Appointee:

See attached board report.

Kansas Public Employees' Retirement System Board of Trustees

Gov Appts: 4
Total Appts: 9

Term Length: Four Years

Notes: Six appointed members, four appointed by the governor subject to confirmation by the senate two retirement system members elected by the members and retirants of the system; the State Treasurer. Jt. Cttee on Pensions also has option to review appointments to Board. Board elects chair; Minimum 5 years experience in investment management or analysis, or administration of employee benefit plans

Contact: Glenn Deck, Executive Secretary
611 S. Kansas Ave., Suite 100
Topeka, KS 66603
785-296-1019/785-296-6666

Statute: KSA 74-4905

Party Ratio: 2:2

Confirmation: ☒

Term Limit:

Reg Board

Gov Appt Counts Male/Female 1st-2nd-3rd-4th R/D/U
2:2 0:1:3:0 1:2:1

Board Active ☒

** Member fully assumed duties but awaits confirmation by the Full Senate

	County	Affiliation	CD	H	S	Appointment Date	Expiration Date	Reapt
Braude, Mr. Michael 5319 Mission Woods Terrace Shawnee Mission, KS 66205 lmbraude@aol.com	Johnson	D	3	25h	7s	5/1/2009	1/15/2013	<input type="checkbox"/>

Position: a member

Succeeds: himself -- reappointed

Appointed By: Governor

Nominations:

Statutory Remarks: Governor's Appointee

Seat #: 004

Edmonds, Representative John T.
1607 Tyler
Great Bend, KS 67530

Barton	R	1	112h	33s	9/28/2007	6/30/2011	<input type="checkbox"/>
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Position: member

Succeeds:

Appointed By: Speaker of the House

Nominations:

Statutory Remarks:

Seat #:

6-4

	<u>County</u>	<u>Affiliation</u>	<u>CD</u>	<u>H</u>	<u>S</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Reapt</u>
Edwards, Ms. Tamla 5848 Edgewater Dr Overland Park, KS 66223	Johnson	D	3	48h	37s	12/20/2007	1/15/2011	<input type="checkbox"/>

Position: member
Succeeds: Jarold Boettcher
Appointed By: Governor
Nominations:
Statutory Remarks: Governor's Appointee
Seat #:

Estes, Ron	R	0				1/10/2011	1/10/2015	<input type="checkbox"/>
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Position:
Succeeds: Dennis McKinney
Appointed By:
Nominations:
Statutory Remarks: State Treasurer
Seat #:

Hagen, Mr. Ronald D 6012 N. Monroe Hutchinson, KS 67502	Reno	3	19	11s		7/1/2009	6/30/2013	<input type="checkbox"/>
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Position: a member
Succeeds:
Appointed By: Elected by the Board
Nominations: Jody Boeding
Statutory Remarks: Non-School Elected Position
Seat #:

Pishny, Lon		1				6/30/2009	6/30/2013	<input type="checkbox"/>
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Position:
Succeeds: Don Steffes
Appointed By: Senate President
Nominations:
Statutory Remarks: Senate President appointee
Seat #:

5-5
6-9

	<u>County</u>	<u>Affiliation</u>	<u>CD</u>	<u>H</u>	<u>S</u>	<u>Appointment Date</u>	<u>Expiration Date</u>	<u>Reapt</u>
Pishny, Mr. Lon 201 E. Laurel Garden City, KS 67846	Finney	R	1	123h	39s	6/30/2009	6/30/2012	<input type="checkbox"/>

Position: a member

Succeeds: Don Steffes

Appointed By: Senate President

Nominations:

Statutory Remarks: Senate President appointee

Seat #: 005

Price, Dr. Gary E.
1714 E. 700 Rd
Lawrence, KS 66045
gprice@ku.edu

Douglas

D

2

45h

19s

7/1/2009

6/30/2013

☐

Position:

Succeeds: Duane Anstine

Appointed By: Elected by the Board

Nominations:

Statutory Remarks: School Elected Position

Seat #: 007

Reiber, Ms. Rachel Lipman
11032 S. Whitetail Lane
Olathe, KS 66061
rlreiber@martinpringle.com

Johnson

R

3

38h

9s

5/1/2009

1/15/2013

☐

Position: a member

Succeeds: herself - reappointed

Appointed By: Governor

Nominations:

Statutory Remarks: Governor's Appointee

Seat #: 003

Wolff, Mr. Douglas
1116 Waverly Drive
Lawrence, KS 66049
doug.wolff@securitybenefit.com

Douglas

U

2

45h

2s

1/8/2008

1/15/2011

☐

Position: a member

Succeeds: himself -- reappointed

Appointed By: Governor

Nominations:

Statutory Remarks: Governor's appointee

Seat #:

TERRY C. MATLACK, CFA

Office: 11550 Ash Street, Suite 300, Leawood, KS 66211
tmatlack@tortoiseadvisors.com www.tortoiseadvisors.com
Home: 7225 Brockway, Shawnee, KS 66227

EXPERIENCE

- 2002 – Present **TORTOISE CAPITAL ADVISORS, LLC** Leawood, KS
Managing Director
- Investment advisory firm dedicated to mid-stream energy sector and power sector.
 - One of five founding partners.
 - Firm has formed six publicly traded closed end mutual funds (NYSE: NTG, TYG, TYY, TYN, TTO and TPZ; serving NTG as CEO, others as CFO, and member of Investment Committee).
 - Firm currently manages approximately \$5.8 billion.
- 2001 – 2002 **KANSAS CITY EQUITY PARTNERS** Kansas City, MO
Partner
- Private venture capital firm.
 - Assist in fund investment decisions, sourcing investments, structuring, financing and closing due diligence.
 - Firm founded Tortoise Capital Advisors, LLC (above).
- 1998 – 2001 **GREENSTREET CAPITAL, INC.** Lenexa, KS
President
- Private investment firm.
 - Typically invested in control positions of private firms, actively managing each firm, with the objective of improving operations and creating value and investment return for a group of private investors (investor relationships carried over from companies listed below).
 - In this capacity, served as President of rural independent telephone company from purchase through sale (1998 – 2000); CEO of the inmate telephone company (2000 to early 2001); Chairman of delivery company from purchase through sale (1998).
- 1995 – 1998 **AMERITEL PAYPHONES, INC.** Lee's Summit, MO
President
- Led company through rapid internal growth and several acquisitions.
 - Company was a consolidator of regional inmate telephone companies.
 - Sold the company to Dallas based buyout firm.
 - Continued as CEO of combined, larger firm after its sale.
- 1990 – 1995 **W. K. COMMUNICATIONS, INC.** Lenexa, KS
Executive Vice-President, Board of Directors
- Assumed broad management responsibilities along with President of cable and cellular operator.
 - CFO, also Cable Operations and Management.
 - COO, Cellular Operations.
 - Responsible for management and start up of cellular company (also a shareholder). Created business plan for rural Indiana cellular company, arranged financing and build out, and ultimate sale of the company to Bell South.
- 1987 – 1990 **B.C. CHRISTOPHER SECURITIES, CO.** Kansas City, MO
Executive Vice-President and Head of Corporate Finance
- Member, Executive Committee, Capital Markets and Syndication
 - Directed all Corporate Finance activities, including IPO activities, leveraged buyouts and merger and acquisition advisory services.

1982 – 1987 **GEORGE K. BAUM & COMPANY** Kansas City, MO
Vice President, Corporate Finance
• Corporate Finance advisory services: worked primarily in leveraged buyouts, fairness opinions and merger and acquisition advisory services.

EDUCATION

1982 **UNIVERSITY OF KANSAS SCHOOL OF LAW** Lawrence, KS
Juris Doctorate
Clerked in Corporate Division of Kansas City metro area law firm Schneider, Shamberg and May, during law school.

1982 **UNIVERSITY OF KANSAS SCHOOL OF BUSINESS** Lawrence, KS
Master of Business Administration

1978 **KANSAS STATE UNIVERSITY** Manhattan, KS
Bachelor of Science, Business Administration
Served as KSU Student Body President, National Mortar Board Honorary Society and numerous other student activities.

CERTIFICATIONS

Awarded Chartered Financial Analyst designation

Member, Kansas Bar Association

Kansas Bar License (currently inactive)

OTHER

Board of Directors, Kansas State University Alumni Association

President and Director, Association for Corporate Growth, Kansas City Chapter

Honored as KSU Business College Alumni Fellow, 2010

Member, US Bank Corp., Kansas City Market Board of Directors

Kansas State University College of Business Council

PERSONAL

Married, Cathy McCosh Matlack
3 grown children, Amy (husband Ryan), Angie (husband Ben) and Jay
Interests include snow and water skiing, biking, hiking, reading anything
Member, St. Paul's United Methodist Church

Kansas Senate

CONFIRMATION OVERSIGHT COMMITTEE

APPOINTMENT QUESTIONNAIRE

Full Name: Terry Clyde Matlack
(please include title and middle name along with any names previously used)

Home Address: 7225 Brookway, Shawnee, Ks 66227
(Street Address) (City, State, Zip)

Driver's License Number: [REDACTED] Social Security Number: [REDACTED]

Position to which Appointed: KPERS Board of Trustees

Appointing Authority: Governor

* Information on this page will not be made public but is used by the KBI and Department of Revenue.

(for Committee use only)

KBI Check: N/A ___ In-Process ___ Complete ___

DOR Check: N/A ___ In-Process ___ Complete ___

This Questionnaire is to be fully completed by each appointee appearing before the Senate Confirmation Oversight Committee (Committee) and returned to the Committee Chairman's Office. A meeting of the Committee to consider an appointee will not be scheduled until a completed questionnaire and other forms are received by the Chairman. Please answer each question completely to the best of your knowledge. Should a question not be applicable, please so state. Hand-written responses are strongly discouraged. If filling out this form electronically, "□" should be replaced with "X" by the appropriate response on the form. Please contact your appointing authority if you have questions when completing the form.

Full Name: Terry Clyde Matlack
(please include title and middle name along with any names previously used)

Position to which Appointed: KPER Board of Trustees

Appointing Authority: Governor

Home Address: 7225 Broadway, Shawnee, KS 66227
(Street Address) (City, State, Zip)

Business Name: Tortoise Capital Advisors, LLC

Business Address: 11550 Ash Street, Leawood, KS 66210
(Street Address) (City, State, Zip)

Position Title: Managing Director, Co-Founder

Home Phone: (913) 441-6467 Business Phone: (913) 981-1020 Cell Phone: (913) 231-5543

Fax Number: (913) 422-1725 E-Mail Address: tmatlack@mindspring.com

Kansas resident? ☒ Yes / ☐ No Date of Birth: 2/25/56 Place of Birth: Topeka, KS

Registered Voter? Yes Party Affiliation: Democratic

Congressional District: 3 Kansas Senate District: 10 Kansas Representative District: 38

Do you have the legal right to live and work in the United States? ☒ Yes / ☐ No

Please answer the following questions numbered 1 – 43. Each question **MUST BE ANSWERED ON THIS ORIGINAL FORM**. If the answers the question are provided on your resume, please state "See Resume" or if you supply additional attachment(s) with answers, please state "See Attachment(s)" on this form.

1. What is your educational background? See Resume Attached As "A"
2. Describe your employment experience. Include any expertise related to the position to which you were appointed. See Resume "A"

6-9

3. List any professional licenses that you have obtained and include the number for each license.
KS BAR: 11404; AMERICAN BAR 1127037; CFA 8785
4. Why do you feel you are a good candidate for the position to which you have been appointed?
Investment Experience, Board Experience, Management experience
5. What do you see as the purpose or mission of the role to which you have been appointed?
SEE ATTACHMENT A
6. Military Service: List rank, date and type of discharge from active service.
☒ None
7. Government Experience: List any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, appointed or other part-time service or positions) and include dates of service.
☒ None
8. Elective Public Office: List all elective public offices sought and/or held with dates of service.
☒ None
9. Campaigns: Have you ever played a role or held a position in a political campaign? If so, please identify the candidate(s), the dates of the campaign and describe your involvement.
☐ No ☒ Yes *Treasurer, Judge Steve Heben, Appellate Ct Judge (Never recieved funds but complied with filing requirements)*
10. Honors and Awards: List all scholarships, fellowships, honorary degrees, honorary society memberships and any other special recognition for outstanding service or achievements.
☐ None *See Resume*
11. Organization Affiliations: List all civic, cultural, educational, charitable, or work-related organizations that you have been associated with in the past ten years. Include any position held in the organization and the dates of service.
☐ None *See Resume*
12. Organization Restrictions: To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status or veteran status? If so, please describe.
☒ No ☐ Yes
13. Issues: Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe.
☒ No ☐ Yes
14. Submission of Views: Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particularly controversial issue other than in an official governmental capacity? If so, please describe.
☒ No ☐ Yes
15. Associations: Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If so, please describe.
☒ No ☐ Yes

6-10

16. **Opposition:** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If so, please identify and explain the basis for the potential attack.
☒No ☐Yes
17. **Miscellaneous:** List any factors, other than the information provided above, which particularly qualifies you or is relevant to the position to which you are seeking appointment? Include any special skills.
☐None *Board Experience in many organizations.*
18. **Relationship to Governmental Employees:** Are you or your spouse or other close family members related to any state governmental official or employee? If so, please provide details.
☒No ☐Yes
19. **Compensation:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If so, please explain.
☐No ☒Yes *Wife, Cathy, hired occasionally by University of Kansas Medical Center as social worker.*
20. **Business Relationships:** Describe any business relationship, dealing or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state.
☒None
21. **Transactions with Officials:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If so, please explain.
☒No ☐Yes
22. **Spouse or Other Family Members:** If the nature of employment for your spouse or other close family member is related in any way to the position to which you have been appointed, please indicate the employer, the position and the length of time it has been held. If not, please so state.
☒No ☐Yes
23. **Lobbying Activities:** Describe any lobbying activity during the past ten years in which you and/or your spouse have engaged for the purpose of influencing the passage, defeat or modification of any legislative or administrative action. Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government or any official of the legislative branch. If none, please so state.
☒None *other than an occasional email or letter*
24. **Regulated Activities:** Describe any interest that you, your spouse or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state.
☒None

6-11

25. **Other:** Please describe any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you have been appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state.
☒None
26. **Conflict of Interest:** How would you resolve any potential conflicts of interest that, while maybe unforeseen at this point in time, could arise? *First, disclose to fellow Board members and counsel to discuss, then if necessary ~~recuse~~ recuse myself from discussing or voting on such issue.*
27. **Citations:** Have you ever been cited for a breach of ethics for unprofessional conduct, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please provide details.
☒No ☐Yes
28. **Convictions:** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a traffic infraction? (Please include any offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If so, please explain.
☒No ☐Yes
29. **U.S. Military Convictions:** Have you ever been convicted by any military court? If so, please provide details.
☒No ☐Yes
30. **Imprisonment:** Have you ever been imprisoned, been on probation or been on parole? If so, please provide details.
☒No ☐Yes
31. **Agency Proceedings/Civil Litigation:** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
☒No ☐Yes
32. **Agency Proceedings and Civil Litigation of Affiliates and Family:** a.) Is your spouse or other close family member currently, or ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
☒No ☐Yes
- b.) Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If so, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)
☒No ☐Yes

6-12

33. **Other Litigation:** a.) Other than the litigation described in question 32, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If so, please describe.
☐ No ☒ Yes *Some minor litigation while CEO/President of some large corporations. Nothing personal to me.*
b.) Are you aware of any pending or anticipated litigation against you or any business in which you are an officer, director, or partner? If so, please describe.
☒ No ☐ Yes
34. **Drivers License:** Has your driver's license ever been suspended or revoked? If so, please describe.
☒ No ☐ Yes
35. **Parking Tickets:** Do you have outstanding parking tickets from any jurisdiction that have remained unpaid for more than 60 days? If so, please explain.
☒ No ☐ Yes
36. **Security Clearance Denial:** Have you ever been denied a military or other governmental clearance? If so, please explain.
☒ No ☐ Yes
37. **Firings:** a.) During the past ten years, have you been fired from a job for any reason? If so, please explain.
☒ No ☐ Yes
b.) During the past ten years, have you quit a job after being told that you would be fired? If so, please explain.
☒ No ☐ Yes
c.) During the past ten years, did you leave a job by mutual agreement because of specific problems? If so, please explain.
☒ No ☐ Yes
38. **Alimony and Child Support:** Are you now, or have you ever been, delinquent in the payment of alimony or child support? If so, please explain
☒ No ☐ Yes
39. **Consumption of Alcohol:** Have you ever or are you currently abusing alcohol? If so, please explain.
☒ No ☐ Yes
40. **Controlled Substances:** Have you ever or are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If so, please explain.
☒ No ☐ Yes
41. **Physical Examination:** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test?
☐ No ☒ Yes

6-13

42. **Governmental Delinquencies:** Are you delinquent in the payment of any obligation owed to the federal or state government or any political or taxing subdivision or any instrumentality thereof? (Include delinquencies in the payment of: Income, property, or other taxes; exactions, fees or special assessments; loans, including any defaults, on or under loans which are or were made by, guaranteed, insured or subsidized by any unit of government or instrumentality thereof; overpayment of benefits; required payments into or under governmental programs; payments under a diversion arrangement or other repayment schedule.) If applicable, please state whether such delinquency is under formal appeal.

☒ No ☐ Yes

43. **Other:** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment. If none, please so state.

☒ None

Please include resume and completed Statement of Substantial Interest not more than twelve months old.

REFERENCES

Name: Judge Steve Leben Knows you how?: Law School, Long time friend
Address: 6047 Howe Drive, Fairway, Ks 66205
(City, State, Zip)
Home Phone: (913) 432-7192 Business Phone: (913) 485-7192 (mobile)

Name: Kevin Birzer Knows you how?: Partner in business
Address: 11550 Ash Street, Leawood, Ks 66211
(City, State, Zip)
Home Phone: (913) 205-2148 (cell) Business Phone: (913) 981-1020

Name: Paul Edgerley Knows you how?: Long time Acquaintance, business Partner
Address: 119 Huslop Road, Brookline, Mass 02445
(City, State, Zip)
Home Phone: (617) 413-7295 (cell) Business Phone: (617) 516-2222

Name: David Schulte Knows you how?: Partner in business, long time friend
Address: 11550 Ash Street Leawood Ks 66211
(City, State, Zip)
Home Phone: (913) 530-0724 (cell) Business Phone: (913) 981-1020

AUTHORIZATION AND CERTIFICATION:

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature



Date

2/20/2011

6-15

ATTACHMENTS

A: My primary purpose and mission is to assist in the establishment and implementation of appropriate investment policies for KPERS, and to monitor the performance of the internal staff and external parties that provide services to KPERS.

**Kansas
Senate**

CONFIRMATION OVERSIGHT COMMITTEE

Acknowledgment of Release of Tax and Criminal Records Information Form

I, Terry Matlack acknowledge that as part of the
(print name)

Senate Confirmation Oversight Committee process I will:

- be subject to a criminal records background investigation by the Kansas Bureau of Investigation; and
- have my tax records released by the Kansas Department of Revenue.

Such information will not be released to the general public, but will be made available for review at the appropriate time by:

- Myself;
- My appointing authority;
- Chairperson of the Senate Confirmation Oversight Committee; and
- The Vice Chair of the Senate Confirmations Oversight Committee.

By signing the "Authorization and Certification" section (on page 8) of the Senate Confirmation Oversight Committee questionnaire, the Kansas Department of Revenue will be authorized to release my tax information and the Kansas Bureau of Investigation will be authorized to conduct a criminal background investigation on me and provide that information to the appropriate individuals.

Signature

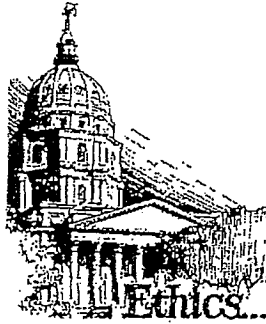
Terry Matlack

Date

2/20/2011

Form 08/08

6-17



K.S.A. 46-247 and 46-248 and amendments thereto, requires the following individuals to file a written Statement of Substantial Interests within 15 days of appointment and annually thereafter between April 15th and April 30th, inclusive, so long as the act applies to the individual:

- (a) Legislators.
- (b) Individuals holding an elected office.
- (c) All state employees listed as designees by their agency head.
- (d) All board members listed as designees by their agency head.
- (e) All general counsels for state agencies.
- (f) Any individual whose appointment to office is subject to confirmation by the senate.
- (g) Private consultants under contract with any agency of the state.
- (h) Any faculty member who receives an annual salary of \$50,000 or more, who is employed by a state education institution as defined by K.S.A. 76-711.

Also, K.S.A. 46-248 requires candidates for nomination or election to a state office to file a written Statement of Substantial Interests on June 10, 2006 or within 10 days thereafter, unless within that period the candidacy is officially declined or rejected.

Please print and read the **Guide** before completing your Statement of Substantial Interests.

You may complete this form (next 4 pages) using your computer, print it and mail it in or you can complete and file your Statement of Substantial Interests form electronically through and with the Kansas Secretary of State's Election Division at: http://www.kssos.org/elections/ssi_online.asp

GO TO NEXT PAGE(s) for FORM

6-18

STATE OF KANSAS



Sec. of St. bar code

KANSAS GOVERNMENTAL ETHICS COMMISSION

STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or 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 785-296-4219.

A. **IDENTIFICATION:** PLEASE TYPE OR PRINT

Matlack Terry C
Last Name First Name MI

Catherine
Spouse's Name

7225 Brookway
Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

Shawnee, Kansas 66227
City, State, Zip Code

(913) 441-6467
Home Phone Number (include area code) Business Phone Number (include area code)

B. **THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:**

(check one or more of the following)

- ☐ 1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education, or District Attorney);
- ☒ 2. Appointed Member of a State Board, Council, Commission or Authority;
- ☒ 3. Appointed State Position is Subject to Senate Confirmation;
- ☐ 4. Employee of a State Agency or University;
- ☐ 5. General Counsel for State Office;
- ☐ 6. Candidate for State Office;
- ☐ 7. Other (Contractor / Member of Compact).

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Kansas Public Employees Retirement System Board of Trustees
Agency Division if applicable (May use acronyms) 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.



Rev. 3/2006

6-19

2

SSI of:

- C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts 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	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Mitchell Capital Management KC, Mo	Fixed Income Fund	Primarily Tax Ex Rols	N/A	Trust *
2.	Plains Area Partnership, LLC KC, Mo	Investment Partnership	Limited Partner	N/A	Trust
3.	Toledo Holdings, LLC Leawood, Kansas	Investment Management	Member Interest	Approx. 5%	Trust
4.	PCM Diversified Strategies, Fund KC, Mo	Investment Fund	Fund Interest	N/A	Trust
5.	Mariner Wealth Advisors Leawood, Kansas	Value Strategist I-Sharing Int. Smt. Funds	Fund Inv.	N/A	Trust
6.	Oppenheimer & Co., Inc. N.Y., N.Y. (Guttmacher)	Small Cap Mgmt. Managed by K.C. Gg.	Small Cap Stocks	N/A	Trust
7.	Oppenheimer & Co. N.Y., N.Y. (Hassenzien)	Corporate Bond Account	Corp Bonds	N/A	Trust
8.	" "	Distressed Op. L.P.	Non invest. Grade Bonds	N/A	Trust
9.	" "	Xanthus Value Advantage Fund	Fund Shares	N/A	Trust
10.	Charles Schwab & Co	Diversified Inv. Accounts	Equities & Bonds	N/A	Trust

Continued on

* Matlack Living Trust U/A 12/30/04 in each case

- 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 of \$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.			
2.			
3.			

6-20

2

SSI of:

(Continued)

- C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts 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	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Bluemont Group, LLC Nashville, Tenn.	Franchise Dunkin' Donuts	Member LLC Int	10%	Trust
2.	Pharos East Ks Oil Dev., LP Dolewara LP operated in Ks.	Oil Lease working	Partnership interest	working Interest 3.5%	Trust
3.	Kansas Venture Capital, Inc. Leawood, Ks	Investment Company	Common Shares	less than 1%	Trust
4.	Fco Fit Lighting via Mid America Angel Investments LLC, LP, Ks	Lighting Mfg.	Series Units	N/A	Trust
5.	TVAX Biomedical, LLC K.C., Mo.	Develop Immunotherapy Treatment	Series C Units	N/A	Trust
6.	Milestone Tower Limited PShip - III Reston, Va.	Cell tower ownership	Limited Partnership	N/A	Trust
7.	DCTP Holdings Corp. Tulsa, OK	Oil Field Services	Common Shares	less than 1%	Trust
8.	Aslin Opportunity Fund Bk., LP Leawood, Ks.	Bk. Holding Co Investment Fund	Limited Partnership	N/A	Trust
9.	Consumer Growth Partners K.C., Mo.	Invest in Retail Early Stage	Limited Partner	N/A	Trust
10.	Stibel Nicolas & Co St. Louis MO	Investment Account	Equities And MLPs	N/A	Trust

- 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 of \$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.			
2.			
3.			

6-21

2

SSI of: [REDACTED]

(Continued)

- C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts 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	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Merrill Lynch Managed Account Douglas Group - Allentown, Pa.	Domestic Equity Inv.	Common Equities	N/A	Trust
2.	United Missouri Bank Trust Accounts, KC, Mo	Investment Accounts (3 accounts)	Diversified Securities	N/A	Trust
	Note: The above include 2 IRA Accounts and 1 Non IRA Account.			N/A	IRAs Owned Personally
4.	Tortoise Energy the Funds, Symbols: TYG, TYU, TYN, TTD, TPZ,	Investment	Primarily MLPs	N/A	Trust
3.	And NTG Leawood, Kansas	Funds	Also Power Equity Bonds	N/A	Trust
6.	Real Estate Rental: 22009 West 71st, Shawnee, KS		Land;	100%	Trust
7.	22007 West 71st, Shawnee, KS 306 E, 63 Broken Lance Dr, Breckenridge, CO		Building Condo.	100% 100%	Trust Trust
8.	Charles Schwab IRA Account - Terry	Investment Funds	Securities	N/A	Terry Matthews
9.	IRA Account - Cathy 401K Retirement Account	Investment Funds	Securities	N/A	Cathy Matthews
10.	Mariner Wealth Planner	Investment Fund	Securities	N/A	Terry Matthews

- 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 of \$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.			
2.			
3.			

6-22

3

SSI of:

- E. RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any 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.	Tortoise Capital Advisors	11550 Ash, Leawood, KS	Investment Advisors
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.	All Investment Funds managed by Tortoise Capital Advisors (NYSE: TYG, TY4, TYN, TTO, TPZ, NTG, Leawood)	Managing Director, CEO of All except NTG, CEO of NTG.	Terry Matlack
2.	Don EPIQ Systems, Inc. (NASDAQ EPIQ) Kansas City, Kansas	Director	Terry Matlack
3.	Coral Home Owners Assoc. Breckenridge, CO	Director	Terry Matlack
4.	Blumenthal Group, LLC Nashville, TN	Director	"
5.	Tortoise Capital Advisors, LLC Leawood, Kansas	Managing Director	"
6.	Kansas State Univ. Alumni Assoc.	Director	"

6-23

- G. RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions 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 a 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 ☒.

	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. DECLARATION:

I, Terry Matlach, declare that this statement of substantial interests (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.

4/15/11

Date

Terry Matlach

Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES

Return your completed statement to the Secretary of State, Elections Division, Memorial Hall, First Floor, 120 SW 10th, Topeka, Kansas 66612-1594.

Print Form

Reset Form

6-24

List of House and Senate Omnibus Positions as of April 20, 2011

House Positions	SGF	All Funds	FTEs	Senate Positions	SGF	All Funds	FTEs
FY 2011							
<u>University of Kansas</u>				<u>University of Kansas</u>			
1 Add language transferring \$300,000 from the Water Data Repository Fund to the State Water Plan Fund and abolish the Water Data Repository Fund in FY 2011.	\$0	\$0	0.0	1 No Action	\$0	\$0	0.0
<u>Department on Aging</u>				<u>Department on Aging</u>			
1 No Action	0	0	0.0	1 Delete \$146,760, including \$47,301 from the State General Fund, for the Target Case Management program due to revised human consensus caseload estimates in FY 2011.	(47,301)	(146,760)	0.0
2 No Action	0	0	0.0	2 Add \$1.2 million dollars from the State General Fund and delete \$17.4 million dollars from all funds for the Nursing Facility program due to revised human consensus caseload estimates in FY 2011.	1,216,779	(17,416,156)	0.0
<u>Health Policy Authority</u>				<u>Health Policy Authority</u>			
1 No Action	0	0	0.0	1 Add \$27.8 million, and delete \$1.4 million from the State General Fund, for Human Services Consensus Caseloads in FY 2011.	(1,363,439)	27,810,000	0.0
<u>Social and Rehabilitation Services</u>				<u>Social and Rehabilitation Services</u>			
1 No Action	0	0	0.0	1 Delete \$9.0 million, including \$1.9 million from the State General Fund, for Human Services Consensus Caseloads in FY 2011.	(1,926,493)	(9,010,968)	0.0
<u>Juvenile Justice Authority</u>				<u>Juvenile Justice Authority</u>			
1 No Action	0	0	0.0	1 Add \$1,010,670, including \$874,396 from the State General Fund, for Human Services Consensus Caseloads in FY 2011.	874,396	1,010,670	0.0
FY 2011 Total Adjustments	\$0	\$0	0.0	FY 2011 Total Adjustments	(\$1,246,058)	\$2,246,786	0.0
FY 2012							
<u>Governmental Ethics Commission</u>				<u>Governmental Ethics Commission</u>			
1 No Action	\$0	\$0	0.0	1 Add \$230,000, all from the State General Fund, and deleted the same amount for the agency's fee fund if action is not taken for Senate Sub for HB 2080 for FY 2012.	\$230,000	\$0	0.0
<u>Attorney General</u>				<u>Attorney General</u>			
1 Add \$400,000, all from the Crime Victims Assistance Fund, for domestic violence prevention grants for FY 2012. This would bring the total recommended in the agency's budget for domestic violence and sexual assault prevention grants for FY 2012 to \$750,00, including \$200,000 from the State General Fund.	0	400,000	0.0	1 No Action	0	0	0.0
2 Add language directing the agency to carry out the responsibilities included in 2011 HB 2035 from existing resources for FY 2012. The bill concerns late-term abortions and authorizes the Attorney General to prosecute any criminal offense related to the late-term abortion restrictions contained in the bill.	0	0	0.0	2 Add language directing the agency to carry out the responsibilities included in 2011 HB 2035 from existing resources for FY 2012. The bill concerns late-term abortions and authorizes the Attorney General to prosecute any criminal offense related to the late-term abortion restrictions contained in the bill.	0	0	0.0
3 Add language directing the agency to carry out the responsibilities included in 2011 SB 93, should it be enacted, from existing resources for FY 2012. The bill concerns racial profiling and requires the Attorney General to investigate allegations of racial profiling.	0	0	0.0	3 Add language directing the agency to carry out the responsibilities included in 2011 SB 93, should it be enacted, from existing resources for FY 2012. The bill concerns racial profiling and requires the Attorney General to investigate allegations of racial profiling.			
<u>Secretary of State</u>				<u>Secretary of State</u>			
1 No Action	0	0	0.0	1 Appropriate the no-limit Cemetery Maintenance and Merchandise Fee Fund for FY 2012. The fund was created	0	0	0.0
<u>Board of Indigents' Defense Services</u>				<u>Board of Indigents' Defense Services</u>			
1 Add \$30,000 and a 0.5 FTE position for FY 2012, to service the increased caseload resulting from implementation of 2011 HB 2023, which amends the Schedule of Controlled Substances. The agency estimates that the amendment will increase the indigent defense caseload by approximately 126 cases per year.	30,000	30,000	0.5	1 No Action	0	0	0.0
<u>Citizens' Utility Ratepayer Board</u>				<u>Citizens' Utility Ratepayer Board</u>			
1 Add language for FY 2012 to prohibit the use of funds from the Utility Regulatory Fee Fund for expenditures related to the Citizens' Regulatory Review Board.	0	0	0.0	1 No Action	0	0	0.0

Senate Ways and Means
Date:
Attachment:

7-2

House Positions	SGF	All Funds	FTEs
<u>Dept. of Health and Environment - Health</u>			
1 Add language directing the agency to carry out the responsibilities included in 2011 HB 2035 from existing resources for FY 2012. The bill concerns late-term abortions and requires the Department to add information to its current abortion reporting process. Law enforcement officials would also be granted access to the Department's reports.	0	0	0.0
2 Add language directing the agency to carry out the responsibilities included in 2011 SB 36 from existing resources for FY 2012. The bill requires the Department to license any facility that performs any second or third trimester abortion, or that performs five or more first trimester abortions within a one month period.	0	0	0.0
<u>Department of Health and Environment - Health Care Finance</u>			
1 Appropriate the Quality Based Community Fee Fund created in 2011 SB 210, concerning the Developmental Disabilities Provider Assessment, as a no limit fund for FY 2012.	0	0	0.0
2 No Action	0	0	0.0
<u>Department on Aging</u>			
1 No Action	0	0	0.0
2 No Action	0	0	0.0
<u>Social and Rehabilitation Services</u>			
1 No Action	0	0	0.0
<u>Kansas Guardianship Program</u>			
1 No Action	0	0	0.0
<u>Board of Regents</u>			
1 No Action	0	0	0.0
<u>State Historical Society</u>			
1 No Action	0	0	0.0
<u>Juvenile Justice Authority</u>			
1 No Action	0	0	0.0
2 No Action	0	0	0.0
<u>Kansas Bureau of Investigation</u>			
1 No Action	0	0	0.0
<u>Sentencing Commission</u>			
1 Add \$46,672, all from the State General Fund, for FY 2012 to treat additional offenders sentenced to 2003 SB 123 drug treatment based on the provisions of 2011 HB 2023, which has been signed by the Governor. HB 2023 amends the drug schedule to bring the statute into agreement with the federal schedule.	46,672	46,672	0.0
<u>Kansas Commission on Peace Officers' Standards and Training (KCPOST)</u>			
1 Add \$95,237, all from the KCPOST Fund, for duties and responsibilities contained in SB 93 and racial profiling for FY 2012.	0	95,237	0.0
2 Add language for FY 2012 appropriating the Local Law Enforcement Training Reimbursement Fund as a no limit fund for FY 2012. This fund is added as the result of 2011 HB 2001, which transfers the oversight of the fund from the Kansas Law Enforcement Training Center to KCPOST.	0	0	0.0

Senate Positions	SGF	All Funds	FTEs
<u>Dept. of Health and Environment - Health</u>			
1 Add language directing the agency to carry out the responsibilities included in 2011 HB 2035 from existing resources for FY 2012. The bill concerns late-term abortions and requires the Department to add information to its current abortion reporting process. Law enforcement officials would also be granted access to the Department's reports.	0	0	0.0
2 Add language directing the agency to carry out the responsibilities included in 2011 SB 36 from existing resources for FY 2012. The bill requires the Department to license any facility that performs any second or third trimester abortion, or that performs five or more first trimester abortions within a one month period.	0	0	0.0
<u>Department of Health and Environment - Health Care Finance</u>			
1 Appropriate the Quality Based Community Fee Fund created in 2011 SB 210, concerning the Developmental Disabilities Provider Assessment, as a no limit fund for FY 2012.	0	0	0.0
2 Add \$52.9 million, including \$13.8 million from the State General Fund for human services consensus caseloads for FY 2012.	13,807,868	52,900,000	0.0
<u>Department on Aging</u>			
1 Delete \$132,629, including \$56,447 from the State General Fund, for the Target Case Management program due to revised human consensus caseload estimates for FY 2012.	(56,447)	(132,629)	0.0
2 Delete \$1.9 million dollars from the State General Fund and add \$1.2 million dollars from all funds for the Nursing Facility program due to revised human consensus caseload estimates for FY 2012.	(1,970,645)	1,207,575	0.0
<u>Social and Rehabilitation Services</u>			
1 Delete \$9.7 million, including \$0.7 million from the State General Fund, for Human Services Consensus	(721,070)	(9,711,845)	0.0
<u>Kansas Guardianship Program</u>			
1 Add \$44,418, all from the State General Fund, to restore FY 2012 funding to the FY 2011 level.	44,418	44,418	0.0
<u>Board of Regents</u>			
1 Delete \$128.3 million, all from the State General Fund, to eliminate the Community College Operating Grant, Technical College Aid for Technical Education and Other Institutions Aid for Technical Education, and appropriate the same amount to the new Postsecondary Tiered Technical Education State Aid fund (\$47.5 million) and the new Non-Tiered Course Credit Hour Grant fund (\$80.8 million) for FY 2012, contingent upon the passage of SB 143.	0	0	0.0
<u>State Historical Society</u>			
1 Add \$50,000, all from the State General Fund, for repair and replacement of lighting fixtures for FY 2012. Facility lighting fixtures that have been catching on fire would be replaced with low UV, energy efficient indirect lighting.	50,000	50,000	0.0
<u>Juvenile Justice Authority</u>			
1 Transfer \$500,000, all from the agency's FY 2012 expenditure limitation, to the prevention block grant program.	0	0	0.0
2 Add \$362,579, including \$285,445 from the State General Fund, for Human Services Consensus Caseloads in FY 2012.	285,445	362,579	0.0
<u>Kansas Bureau of Investigation</u>			
1 Add \$41,640, all from the State General Fund, to retain a trained part-time DNA scientist for FY 2012.	41,640	41,640	0.0
<u>Sentencing Commission</u>			
1 No Action	0	0	0.0
<u>Kansas Commission on Peace Officers' Standards and Training (KCPOST)</u>			
1 No Action	0	0	0.0
2 Add language for FY 2012 appropriating the Local Law Enforcement Training Reimbursement Fund as a no limit fund for FY 2012. This fund is added as the result of 2011 HB 2001, which transfers the oversight of the fund from the Kansas Law Enforcement Training Center to KCPOST.	0	0	0.0

	House Positions	SGF	All Funds	FTEs
<u>Department of Agriculture</u>				
1	Add \$40,000, all from the Animal Disease Control Fund, to partially fund a veterinarian position for the Animal Disease Control Program for FY 2012.	0	40,000	0.0
2	Add language to allow the Department of Agriculture laboratory to accept samples for testing from other states and to be able to charge a fee for those tests for FY 2012.	0	0	0.0
<u>Kansas Department of Transportation</u>				
1	Add \$15,560, all from the State Highway Fund, for FY 2012, to allow for the expenditure of donations received for signage marking memorial highways and bridges designated in the following 2011 bills: HB 2003, and HB 2172.	0	15,560	0.0
2	No Action	0	0	0.0
3	No Action	0	0	0.0
<u>Vehicle Purchases</u>				
1	Add language for FY 2012 approving expenditures, all from special revenue funds, for vehicle replacement provided that the vehicle being replaced exceeds 150,000 miles and requires repairs exceeding \$5,000 to maintain safe operation.	0	0	0.0
FY 2012 Total		\$76,672	\$627,469	0.5
2013				
<u>Governmental Ethics Commission</u>				
1	No Action	\$0	\$0	0.0
FY 2013 Total		\$0	\$0	0.0

	Senate Positions	SGF	All Funds	FTEs
<u>Department of Agriculture</u>				
1	No Action	0	0	0.0
2	No Action	0	0	0.0
<u>Kansas Department of Transportation</u>				
1	Add \$15,560, all from the State Highway Fund, for FY 2012, to allow for the expenditure of donations received for signage marking memorial highways and bridges designated in the following 2011 bills: HB 2003, and HB 2172.	0	15,560	0.0
2	Add \$24,750, all from the State Highway Fund, for FY 2012, to modify certain highway signs indicating a 75 miles per hour speed limit as set out by 2011 House Bill 2172.	0	24,750	0.0
3	Add \$1,750,000, all from the State Highway Fund, to provide the State's portion to match homeland security funds being offered by the Kansas regions to provide a total of \$3.5 million to complete the remaining 14 towers for the Interoperable Communications System Project for FY 2012. This increased expenditure authority is comprised of \$875,000, from the State Highway Fund, and \$875,000, that will be transferred into the State Highway Fund from the Kansas Highway Patrol's Federal Forfeiture Fund.	0	1,750,000	0.0
<u>Vehicle Purchases</u>				
1	No Action	0	0	0.0
FY 2012 Total				
		\$11,711,209	\$46,552,048	0.0
<u>Governmental Ethics Commission</u>				
1	Add \$220,000, all from the State General Fund, and deleted the same amount for the agency's fee fund if action is not taken for Senate Sub for HB 2080 for FY 2013.	\$220,000	\$0	0.0
FY 2013 Total				
		\$220,000	\$0	0.0