

SESSION OF 2009

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE SUBSTITUTE FOR HOUSE BILL NO. 2267**

As Agreed to May 1, 2009

Brief*

Senate Sub. for HB 2267, as amended, would require the Kansas Bureau of Investigation (KBI) to conduct a background investigation on all appointees to positions which are subject to confirmation by the Senate. Current law only requires the KBI to do a background check at the direction of the Governor. In addition, current law remains the same for judicial appointments at the direction of the Governor.

The substitute bill would allow information received from the KBI to be disclosed to the Governor's staff if the appointing authority is the Governor.

Under the substitute bill, no appointee may be appointed unless such appointee is current in payment of taxes and consents to the release of a tax certification by the Kansas Department of Revenue which states whether or not the appointee is current in the payment of taxes. Current law would prohibit an appointee from being appointed if such appointee does not consent to the release of tax information.

The substitute bill would authorize the Director of the Legislative Research Department or such Director's designee (Director) to notify the Chairperson and the Vice-Chairperson of the Confirmation Oversight Committee that the KBI background investigation and the tax certification are available for review. Current law requires notification of the Chairperson and

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Ranking Minority Member. In the case of the Confirmation Oversight Committee, the Ranking Minority Member is the Vice-Chairperson.

The substitute bill would revise and clarify statutory provisions relating to the Kansas Commission on Rural Policy. The bill would delete the requirement that persons appointed to the Commission would be subject to Senate confirmation. The bill would clarify the lengths of term for various members newly appointed, depending upon the official who makes the appointment. The three members appointed by the Governor would serve until June 30, 2012. The three members appointed by the Senate President and Minority Leader would serve until June 30, 2011, and the three members appointed by the House Speaker and Minority Leader would serve until June 30, 2010. All subsequent voting members would hold terms of four years and serve until a successor is appointed and qualified.

The bill would expand the Commission's review of the state's rural development programs to include programs that promote new homestead opportunities for individuals and that provide new incentives for business development. After completing its review, the Commission is required by statute to make recommendations to those agencies that administer the programs.

The bill would extend the deadline by which the Commission would be required to develop operational plans and partnerships from July 1, 2009, to July 1, 2010. The bill also would extend the Commission's sunset date from July 1, 2011, to July 1, 2012. Finally, the bill would make several technical corrections, making uniform use of the term "commission" rather than "board of directors." The bill would take effect upon publication in the statute book.

The substitute bill would extend the Governor's Task Force on Racial Profiling sunset date from July 1, 2009, until July 1, 2011.

In addition, the substitute bill would authorize the Governor to appoint membership of the Task Force on July 1, 2009. Members serving on the Task Force as of June 30, 2009, may be reappointed. Terms of members appointed or reappointed would expire on July 1, 2011.

Conference Committee Action

The House acceded to the amendments of the Senate. The Conference Committee added a provision dealing with the membership of the Governor's Task Force on Racial Profiling.

Background

The original provisions of HB 2267 were deleted and the provisions of SB 215 were inserted into HB 2267.

HB 2267 required confirmation by the Senate for all persons appointed to the Kansas Commission on Veterans' Affairs. Members would be required to have received an honorable discharge.

The provisions of HB 2267 were amended into HB 2171.

SB 215 dealt with the requirement for background investigation and tax status of appointees subject to Senate confirmation. Passage of SB 215 would have no fiscal effect.

The provisions of SB 324, as amended, dealing with the Kansas Commission on Rural Policy, were amended into HB 2267 by the Senate Committee of the Whole.

The Senate Committee of the Whole also amended the bill to extend the sunset date of the Governor's Task Force on Racial Profiling until July 1, 2011.

Senate confirmations; KBI background checks; governor's task force on racial profiling