

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. Smiler 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.