

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on January 21, 2004 in Room 231-N of the Capitol.

All members were present except:
Senator John Vratil- excused

Committee staff present:
Russell Mills, Legislative Research
Dennis Hodgins, Legislative Research
Theresa Kiernan, Revisor of Statutes' Office
John Beverlin, Committee Secretary

Conferees appearing before the committee:
William Minner, Executive Director, Human Rights Commission
Mike Hollar, Assistant Director, Human Rights Commission
Wayne White, Kansas Legal Services, Inc.

Others attending:
See Attached List.

Chairperson Brungardt called the meeting to order and introduced William Minner, Executive Director, Human Rights Commission.

Mr. Minner presented an overview of the Human Rights Commission (Attachment 1).

Upon the completion of his testimony, Mr. Minner introduced Mike Hollar, Assistant Director of the Human Rights Commission, to finish the department overview (Attachment 2).

Mr. Hollar explained his charts. He showed the decrease in the number of open cases since 1995. He then showed the decrease in the amount of processing time, from 22 months in 1995, to little more than 6 months in 2003. Mr. Hollar continued by showing that the department now does more work with fewer personnel, going from 45 positions in 1995, to 36 in 2003. He then explained the decrease in the budget of the department compared to the increase in the amount of work it has done in the same time frame. Mr. Hollar then provided the reasons for the turn around and the future of the department.

Mr. Hollar referred to the Kansas Human Rights Commission Annual Report FY 2003, during his testimony (Attachment 3).

Mr. Hollar introduced Wayne White of Kansas Legal Services, Inc.

Mr. White provided an overview of the Kansas Legal Service's Voluntary Mediation Project (Attachment 4). He explained that the program was a cost effective and fair way of reaching settlement. He added to his testimony, that as a general rule, his goal is to achieve a 25 percent mediation rate each year. Mr. White stated that for this reason, 2003 was not a good year for the program. Mr. White explained the program has achieved, in the last couple years, a settlement rate of over 50 percent.

Mr. White explained that the creation of the mediation program mandated that the program receive private funding to supplement the state funding. He further explained that the program obtains one dollar of private funding for every three dollars of state funding. He explained the funding that the program receives from the Kansas Bar Foundation.

Mr. White wanted the committee to know that the mediation settlements resulted in substantial monetary settlements. He explained the difference between a formal and an informal settlement.

Chairperson Brungardt asked the committee for questions

Senator Teichman asked whether lawyers donate time to the program.

CONTINUATION SHEET

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Mr. White stated that some lawyers do donate time to the program. He further stated that it was administered through the Office of Judicial Administration.

Senator O' Connor had a question concerning page 13 of the Kansas Human Rights Commission Annual Report. She wanted to know whether allegations had decreased each year, similar to the way complaints had decreased.

Mr. White deferred the question to Mr. Hollar.

Mr. Hollar answered that each complaint is made up of more than one allegation. He stated that the average is 1.5 allegations per complaint.

Senator O' Connor asked whether the settlements had a teaching effect and led to the decrease in complaints.

Mr. Minner answered that the decrease in complaints were due to aggressive education, spread of word concerning settlements, and the reforming of attitude.

Chairperson Brungardt thanked Mr. Minner, Mr. Hollar and Mr. White. He welcomed Senator Clark to speak.

Senator Clark presented testimony on the President's Task Force on Medicaid Reform (Attachment 5).

Senator Clark provided charts for the committee (Attachment 6) (Attachment 7) (Attachment 8). On the second chart, he pointed out the increase in welfare and social services expenditure compared to the increase of all other expenditures. He also provided for the committee The President's Task Force on Medicaid Reform Final Report to the 2003 Legislature (Attachment 9), and the article on which his testimony was based (Attachment 10).

Chairperson Brungardt asked the committee for questions.

Senator O' Connor asked how many medicaid issues were in bill form before the House or the Senate.

Senator Clark answered that there was one bill that contained six provisions, Senate Bill 272, and that he would have to defer to other members of the committee concerning other bills.

Senator Barnett stated that there were two bills still in drafting stage. He said that one bill was about long-term care and tax exemptions. He stated that the other bill was directed at smoking cessation.

Senator Barnett asked how he could obtain the 18 million dollars needed to fund his bill pertaining to smoking cessation.

Senator Clark answered that the bill would have to be sold as an investment or possibly they could use the tobacco money each state received. He stated that there would be little or none SGF money available.

Senator Barnett stated that there were efforts underway to expand safety net care, obesity, and The Sunflower Foundation.

Chairperson Brungardt thanked Senator Clark and reminded the committee about the Medicaid luncheon that afternoon.

The meeting was adjourned at 11:30. The next meeting is scheduled for January 22, 2004, at 10:30 a.m. in room 231-N.