

MINUTES

LEGISLATIVE COORDINATING COUNCIL

September 27, 2005

Members present:

President Steve Morris, Chairperson
Speaker Doug Mays, Vice-Chairperson
Senator Derek Schmidt, Majority Leader
Senator Anthony Hensley, Minority Leader
Representative Clay Aurand, Majority Leader
Representative Ray Merrick, Speaker Pro Tem
Representative Dennis McKinney, Minority Leader

The meeting was called to order by President Morris at 2:45 p.m. in Room 123-S, State Capitol.

CONSENT AGENDA

Senator Hensley moved that the minutes of the July 18, 2005, meeting be approved. Representative Merrick seconded the motion and the motion carried.

REPORT OF SUBCOMMITTEE ON ADMINISTRATION

Speaker Mays reviewed with the Council recommendations of the Subcommittee on Administration. Speaker Mays reported the following recommendations: That the legislature's budget and the budgets of the legislative agencies be prepared as outlined in the memorandum from Mr. Alan Conroy to the Legislative Coordinating Council; that legislation be introduced to abolish the Aquaculture Advisory Council; that the year 2006 session employee pay schedule be approved as presented by Mr. Russell; that the amounts charged for the document mailing service for 2006 be approved as recommended in the memorandum by Mr. Russell; that the contracts with the Information Network of Kansas (INK) be placed on hold until the next meeting of the Council; that 260 sets of Senate and House Journals be printed, that the charge for each volume of the Senate and House Journals be fixed at \$40 plus tax and handling per volume and the charge per set for the Senate and House Journals be fixed at \$80 plus tax and handling per set; that the Director of Computer Services establish standards and solicit bids for the purchase of laptop computers for legislators, the bids are to be received and reviewed by the director with the results of the bidding process

distributed to Council members (the bid is to be based on 140 computers with an option to purchase more as needed, the computers are to have CD-ROM drives and the bids are to ask for two and three-year quotes) and if there are no objections from Council members to the recommended successful bidder, the chairperson of the Council be authorized to sign the purchase contract for the computers; that the chairperson of the Council be authorized to sign the printer lease with Xerox Corporation upon the agreement with Xerox Corporation of the contract provisions; Representative Merrick be appointed to the Legislative Budget Committee; that Senator Teichman be appointed to the Legislative Educational Planning Committee; that the Joint Committee on Health Policy Oversight be authorized four days of meetings; that the At-Risk Educational Council be authorized four days of meetings; that the 2010 Commission be authorized six days of meetings; that the Joint Committee on Children's Issues be authorized two additional meeting days; that the Joint Committee on Information Technology be authorized two additional meeting days; that two members from each house designated by the Speaker and the President, in consultation with minority leaders, be authorized to attend the National Black Caucus of State Legislatures Annual Legislative conference in Washington, D.C., December 7-10, 2005; that the chairperson and ranking minority member of the Committee on Education of the House of Representatives, the Committee on Education of the Senate, the Committee on Taxation of the House of Representatives, the Committee on Assessment and Taxation of the Senate, the Committee on Appropriations of the House of Representatives and the Committee on Ways and Means of the Senate be authorized to attend the NCSL Fiscal Leaders Seminar in Chicago, IL, December 7-8, 2005; that delegates or the alternates of the delegates unable to attend, be authorized to attend the NCSL Standing Committees Fall Forum in Chicago, IL, December 6-9, 2005; that the format for reports of meetings attended established pursuant to Policy 39 will be revised and simplified by Mr. Russell; that Policy 34 concerning travel reimbursement as amended by the Council at the July 18, 2005, meeting be approved as follows:

Policy 34. Travel reimbursement. (a) When requesting reimbursement for expenses in making an authorized out-of-state trip, legislators are required to supply receipts or invoices for the following: Airplane and other travel tickets, lodging, conference registration or dues, airport parking, individual meals above \$10, rental vehicles and taxi/limousine service, and the director of legislative administrative services shall not process vouchers for any such reimbursement in the absence of appropriate receipt or invoice. Receipts are not required for tips or for

meals of \$10 or less. If an individual meal is furnished, no expenses for the meal is eligible for reimbursement. If a legislator should lose or inadvertently destroy a receipt, the division of legislative administrative services shall help prepare a certificate of nonavailability. Invoices will not be processed without either a receipt or certificate.

(b) Any legislator receiving reimbursement for subsistence allowances or travel expenses for travel out-of-state during any regular session of the legislature shall receive expenses actually incurred for transportation and lodging but shall not receive reimbursement for food for any day on which such member is receiving statutory allowances for such purpose.

(c) When expenses are incurred by legislators for meals while making authorized out-of-state trips, legislators shall be reimbursed in an amount equal to either the actual expenses for such meals or the amount equal to the maximum reimbursement allowable for meals at the same locations under the most current federal law, regulations and policies applicable to employees of the executive branch of the federal government, whichever is less. (Adopted June 11, 1976; amended Nov. 4, 1991; amended June 16, 1999; amended July 18, 2005.);

that the chairperson and ranking minority members of the Committee on Insurance of the House of Representatives and the Committee on Insurance of the Senate be authorized to attend the annual meeting of the National Council of Insurance Legislators, in San Diego, CA, November 17-20, 2005; that the Joint Committee on Economic Development be authorized to send a letter to the Kansas Congressional Delegation on federal support for exempting military housing allowances from income tax, which letter is to be jointly signed by the chairperson of the committee and the ranking minority member of the Committee.

Speaker Mays moved that the recommendations of the Subcommittee on Administration be approved. Senator Hensley seconded the motion and the motion carried.

LEGISLATIVE COUNSEL SELECTION PROCESS

President Morris called upon Mr. Furse to present a list of policy options prepared for consideration by the Council. In addition, Mr. Furse reviewed recent Council requests for proposals and the statute enacted during the 2005 special session [section 9 of SB 3] authorizing the Council to appoint an attorney to serve as Legislative Counsel.

After discussion, the Council decided by consensus that a request for proposals (RFP) process would be utilized; that the Legislative Counsel position would be a contract position; that a special subcommittee of the Council would evaluate proposals submitted; that each respondent's proposal and any inquiries regarding the RFP would be submitted to the Revisor of Statutes; that all communications with respondents would be limited to communications with the Revisor of Statutes; that the initial RFP would be prepared for final approval by the Council at the next meeting and that it would require responses to be submitted within 30 days after being posted; that the RFP would be posted on the state internet web site, in the Kansas Register, at the University of Kansas School of Law, the Washburn University School of Law and with the Kansas Bar Association.

The Council also decided by consensus that the following provisions would be included in the RFP for the Legislative Counsel position: That answers to written questions from a respondent would be distributed to all known respondents; that the cost of submitting any proposal would be borne by the respondent; that the Council may request additional information from the respondent; that the respondent is to be current on payment of taxes; that the format of the response would include a description of the respondent's law practice, qualifications, use of subcontractors, if any, and compliance with the statutory requirements for the position of Legislative Counsel; how proposals will be evaluated; that the Council may reject any or all proposals; that all responses become the property of the Council; and basic contract provisions like dispute resolution, termination and grounds for default.

OTHER MATTERS

Prior to the meeting members of the Council received a letter from Representative DeCastro concerning the Joint Committee on Children's Issues, a memorandum from President Morris concerning an appointment to the Legislative Educational Planning Committee, Policy 1 travel authorizations from President Morris and Speaker Mays, a Policy 20 travel authorization from President Morris, a memorandum from Mr. Conroy on directions to staff for budget preparations, a memorandum from Mr. Russell on the 2006 session employee pay schedule, a memorandum from Mr. Russell for travel approval, a memorandum from Mrs. Janet Jones, Chief Clerk of the House of Representatives, and Mrs. Pat Saville, Secretary of the Senate, concerning the permanent journals, a Policy 34 redraft to reflect the changes approved by the Council on July 18, 2005, a

memorandum from Mr. Russell on the legislative document service, a memorandum from Mr. Russell on 2005 postage use, a list of 2005 interim committee meetings, a document on the status of selected Kansas cases from the Revisor's Office, Policy 4 staff out-of-state travel reports from Mr. Russell, Mr. Conroy and Mr. Furse and Policy 42 staff outside employment reports from Mr. Conroy and Ms. Hinton.

The next meetings of the Council are scheduled for October 27, 2005, November 30, 2005, and December 19, 2005.

On motion the meeting was adjourned.

Prepared by

Norman J. Furse,
Revisor of Statutes,
as Secretary

Approved by

President Steve Morris, Chairperson