

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairperson Ron Ryckman at 9:00 am on Thursday, April 30, 2015, 112-N of the Capitol.

All members were present

Other members present:

Representative Tom Sawyer, appointed substitute member to the committee

Committee staff present:

Andy Chiamopoulos, Legislative Research Department

J.G. Scott, Legislative Research Department

Dylan Dear, Legislative Research Department

Nobuko Folmsbee, Office of Revisor of Statutes

Kathy Holscher, Kansas Legislative Committee Assistant

Jill Wolters, Office of Revisor of Statutes

Melinda Gaul, Administrative Assistant

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

Opening Remarks - Chairman Ryckman

Chairman Ryckman called the meeting to order. Representative Sawyer is temporarily replacing Representative Ballard for today's committee meeting. He stated that Dr. Thompkins submitted information, as requested by committee members regarding the development of a degree prospectus ([Attachment 1](#)) . **SB 193** -Requiring a degree prospectus for postsecondary degree programs has been referred to the Education Committee, he noted. Committee members also received a copy of the Annual Report from the Midwest Stem Cell Therapy Center ([Attachment 2](#)) .

Discussion & possible action on: HB2365 — Making appropriations for FY 16 and FY 17 for the judicial branch.

Dylan Dear, Legislative Research Department, provided an overview of the bill. He reviewed the FY 2015 - FY 2017 Judicial Branch Changes from the Governor's Recommendation ([Attachment 3](#)) . The FY 2015 budget was addressed in **House Sub for SB 4**. The committee gave authority to the Judicial Branch to transfer funds from the e-filing management fund to the docket fee fund, in order to back fill the budget shortfall. He noted that there is approximately \$3.1 million in the e-filing fund. A review of the primary adjustments for FY 2016 and FY 2017, as recommended by the committee, followed. FY 2016 adjustments included the DUI Reinstatement shortfall; docket fee shortfall; Kansas Public Employees Retirement System (KPERs) fringe increases; judicial retirement; other fringe increases; and contractual services. He stated that **SB 228** reduced employer retirement contributions by \$1.1 million for FY 2016 and \$2.1 million in FY 2017. These adjustments were not included in the original budget committee recommendations. For FY 2017, the adjustments are similar to the FY 2016

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adjustments, with the addition of the 27th payroll expenditure of \$4.1 million. The Governor's Budget Recommendations held the SGF funding flat and adjusted for the Governor's health insurance reduction. Several enhancements were included in the primary budget, he noted.

Chairman Ryckman opened discussion on **HB 2365**. He reminded committee members that the budget for the Judicial Branch was added into **HB 2370**.

Representative Barker made a motion for an amendment to insert the contents of **SB 51** into **HB 2365**, which extends the surcharge for docket fees for two years. Representative Schwartz seconded the motion.

Jill Wolters, Office of the Revisor of Statutes, provided a briefing on **SB 51**. This bill was originally introduced and requested by the Judicial Branch. The bill would extended the surcharge for docket fees for two years. Filing fee amounts can vary on certain items, but cannot exceed \$26.50. The Senate and House Judiciary Committees have passed this bill, but it was stricken from General Orders, she noted.

Discussion followed by committee members. The docket fees are declining and without the surcharge the shortfall would have been greater. Currently \$9.5 million is built into the budget. The House Committee approved \$4.4 million to address the docket fee shortfall. If the extension is not approved, it will sunset on July 1, 2015, it was noted.

The motion was renewed. Motion carried.

Representative Kahrs made a motion for an amendment to insert the contents of **SB 44** into **HB 2365**. Representative Schwartz seconded the motion.

Jill Wolters provided a briefing on **SB 44**. Currently the Chief Justice of the Supreme Court manages the electronic filing and management fund of the Judicial Branch. The policy adopted by the legislatures states that for three years 3.1 percent of the monies collected from fees would go into the fund to bring a statewide system up and running. For FY 2015, **House Sub for SB 4** allowed the money to be transferred to the Judicial Branch docket fee fund for use for other purposes. The amendment would expand the timeframe to cover an additional year - FY 2018 , and \$1 million would remain in the fund for maintenance for FY 2019 and each year thereafter, she stated. This bill passed in the Senate is in the House Judiciary Committee. A hearing on the bill was held on March 10 and the contents of the bill were placed into **SB 51**, she added.

The motion was renewed. Motion carried.

Representative Macheers made a motion to insert the contents of **SB 15** into **HB 2365**. Representative Schwartz seconded the motion.

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Jill Wolters, Office of the Revisor of Statutes, provided a briefing on **SB 15**. This bill broadens the definition of summary judgement or depository motions, and the fee is the same. The bill was passed out of the Senate Judiciary Committee and remains below the line on General Orders, she added.

The motion was renewed. Motion carried.

Representative Peck made a motion for an amendment that would reduce \$882,275 SGF approved increased funding for the Judicial Branch in FY 2016 and \$1.8 million in FY 2017. Representative Waymaster seconded the motion.

In response to questions from committee members, Dylan Dear, Legislative Research Department, stated that this would reduce the funding of \$5.8 million increase approved by the committee by \$882,275 in FY 2016, and the funding of \$9.5 million increase would be reduced by \$1.8 million for FY 2017, he stated. In **SB 15** deductions were already taken at Omnibus, this recognizes an action already taken, he stated. The \$574,000 assumed revenue in the fiscal note would reduce the docket fee shortfall from \$3.4 million in FY 2016 to \$2.8 million, and the \$4.5 million shortfall in FY 2017 to \$3.879 million. The KPERS adjustments have already been made, it was noted. After today's actions, the increase from the Governor's recommendation would be \$5,215,000 for FY 2016 and \$8,978,413 for FY 2017, Chairman Ryckman stated.

The motion was renewed. Motion carried.

Representative Peck made a motion for proviso regarding a merger agreement to combine the Washburn University Law Library and the Judicial Law Library. which would include a plans for implementation and cost analysis. Representative Kahrs seconded the motion.

Discussion followed by committee members regarding the motion.

Representative Peck reviewed the proposed amendment ([Attachment 4](#)) . The proviso would be for the development of an agreement between the Washburn and Judicial Law Libraries that would be provided to the 2016 Legislature session for consideration.

The motion was renewed. Motion carried.

*Representative Schwartz made a motion for favorable passage of **HB 2365** as amended. Representative Hutton seconded the motion. Motion carried.*

Meeting adjourned at: 12:37 p.m.