

## MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairperson Ty Masterson at 10:30 am on Thursday, March 19, 2015, 548-S of the Capitol.

All members were present

Committee staff present:

Jill Wolters, Office of Revisor of Statutes  
Daniel Yoza, Office of Revisor of Statutes  
David Wiese, Office of Revisor of Statutes  
J G Scott, Legislative Research  
Justin Carroll, Legislative Research  
Bobbi Mariani, Legislative Research  
Ben Wilhelm, Legislative Research  
Aaron Klaassen, Legislative Research  
Mark Savoy, Legislative Research  
David Fye, Legislative Research  
Sharon Wenger, Legislative Research  
Mark Skoglund, Legislative Research  
Andy Chiamopoulos, Legislative Research  
Mark Dapp, Legislative Research  
Dezeree Hodish, Legislative Research  
Amy Deckard, Legislative Research  
Shirley Morrow, Legislative Research  
Debbie Luper, Chief of Staff  
Dee Heideman, Committee Assistant

Conferees appearing before the Committee:

No conferees present

Others in attendance:

[See Attached List](#)

### **Bill introductions**

There were no bill introductions.

### **Hearing on: HB2353 — Eliminating an obsolete reference to nonproficient pupils in the virtual school act.**

The Chairperson opened the hearing on **HB2353**.

Jill Wolters, First Assistant Revisor, explained that this bill will make a technical change to the current school finance law that will eliminate the nonproficient pupils in determining the virtual school aid calculation.

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There were no Proponents, Opponents, or Neutral parties to appear before the committee.

The Chairperson closed the hearing on **HB2353**.

**Final action on: HB2005 - Judicial branch; relating to court fees, docket fees and court costs; relating to dispositive motions; judicial branch surcharge fund, electJudicial branch; relating to court fees, docket fees and court costs; relating to dispositive motions; judicial branch surcharge fund, electronic filing and management fund and judicial branch docket fee fund; making and concerning appropriations for the fiscal years ending June 30, 2016, and June 30, 2017, for the judicial branch.**

Senator Denning made a motion to place the contents of **SB15**, **SB44**, and **SB51** into **HB2005**, and add the non-severability clause. Senator Arpke seconded the motion. The motion passed on a voice vote ([Attachment 1](#)).

Senator Denning made a motion to pass **HB2005** as amended. Senator Arpke seconded the motion.

Senator Francisco stated her concern for elimination of the 27th payroll and the reduction in medical insurance for the Judicial Branch and said she could not support the bill for those reasons. Senator Masterson informed Senator Francisco if the bill passes the full chamber, those items can be dealt with in conference committee.

The Chairperson renewed the motion and the motion passed on a voice vote.

**Final action on: HB2135 — Claims against the state.**

The Chairperson opened the hearing on **HB2135**, which he said is now the Mega bill and includes claims against the state as well as capital improvements.

Senator Denning made a motion to sweep \$2 million from the Kansas Corporation Commission (KCC) conservation fee fund back into SGF, and appropriate from SGF \$500,000 for FY2016 and FY2017 for Osawatomie State Hospital. Senator Powell seconded the motion ([Attachment 2](#)).

Senator Francisco stated the KCC has responsibility to look at the mill levy that is levied upon each barrel of oil for each 1,000 cubic feet of gas. She said she agrees the funds are there but they should not be swept out to SGF.

Senator Masterson said we had conversations with the commission about their sustainable balances and feel comfortable with the sweep.

The motion was renewed and the motion was adopted on a voice vote.

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Senator Denning made a motion to restore the Governor's budget recommendation to the geological survey and appropriate \$100,000 in fiscal year FY2016 and another \$100,000 in FY2017 for the seismic studies. Senator Kerschen seconded the motion. The motion was adopted on a voice vote.

Senator Denning reported the Governor's budget recommendation changed the fee sweeps to 20% and he made a motion to take the House's position on fee sweeps and maintain them at 10%. The motion was seconded by Senator Kelly and the motion was adopted on a voice vote.

Senator Denning made a motion to adopt a proviso that extends the contract provisions that were in effect for the fiscal year ending June 30, 2015 for an additional 30 days and keeps renewing until the legislative session of 2016, for the National Alliance for Mental Illness (NAMI, Keys for Networking, and Kansas Families Partnerships to provide mental health education, outreach and advocacy services, and substance use treatment. Senator Arpke seconded the motion and the motion carried on a voice vote (Attachment 3).

Senator Masterson made a motion to add language for the digital imaging program fund per (Attachment 4). The motion was seconded by Senator Denning and the motion passed on a voice vote.

Senator Fitzgerald made a motion for a proviso that allows legislators to use money from their account for printing correspondence for their constituents (Attachment 5). Senator Denning seconded the motion and the motion carried on a voice vote.

Senator Arpke stated he offered an amendment to **SB273**, that had passed for the reading program instituted by the Governor last year. The Senator said **SB 273** was not passed out and he requested to add the same language to **HB2135** (Attachment 6).

Senator Arpke made a motion to add the money for the Governor's Kansas Success Reading Program and open up the remaining \$2.1 million with a Request for Proposal to other contractors. Senator Denning seconded the motion and the motion carried on a voice vote.

Senator Arpke made a motion to continue the 2015 fiscal year funding with the same amount for fiscal years 2016 and 2017. Senator O'Donnell seconded the motion (Attachment 7).

Senator Francisco said, in 2017 there are 27 paid weeks for employees and wanted to know how the extra payroll week would be addressed in the amendment. She asked if they would have to take this money from other areas of their budgets.

Senator Arpke said they would get the same amount as FY2015 and would have to figure out how those salaries would be paid.

Senator Denning stated he would not support the amendment because it was a massive change. Senator

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Fitzgerald echoed Senator Denning's statement.

Senator Kerschen asked if this is a block grant plan for all State agencies. Senator Arpke said he didn't think so.

*The motion was renewed and the motion failed on a voice vote.*

Senator Francisco explained her amendment to add language that would allow the University of Kansas spend \$19.7 million for mechanical and electrical improvements. She said the six projects are for Strong Hall, Bailey Hall, Lindley Hall, Summerfield Hall, the Art and Design Building, and a district chilled water plant ([Attachment 8](#)).

*Senator Francisco made a motion for the mechanical and electrical renovations at the University of Kansas. The motion was seconded by Senator Kelly.*

Senator Powell asked how this bonding authority would affect the other universities and Senator Francisco said it wouldn't affect the others.

Senator Fitzgerald asked if this creates a contractual obligation for the legislature to continue the payments for the next 20 years. Senator Francisco said it did not.

*The motion was recalled and it failed on a voice vote. Division was called and the vote tied.*

*Senator Kelly made a motion for a proviso for the Kansas Endowment for Youth, and no sweep could be made from the KEY fund unless the criteria in the proviso is met ([Attachment 9](#)). Senator Francisco seconded the motion and the motion failed on a voice vote.*

*Senator Denning made a motion to pass out **Senate Substitute for HB2135** as amended with the technical amendments to be made by the Revisor's Office. The bill was passed on a roll call vote.*

The next Ways and Means Committee meeting is scheduled for Tuesday, March 24, 2015, at 10:30 am, in Room 548-S at the Capitol.

Chairperson Masterson adjourned the meeting at 11:13 am.