

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS

The meeting was called to order by Chair Melvin Neufeld at 9:00 a.m. on April 2, 2003, in Room 514-S of the Capitol.

All members were present except: Representative Barbara Ballard - excused
Representative Larry Campbell - excused
Representative Rocky Nichols - excused

Committee staff present: J. G. Scott, Legislative Research Department
Amy Deckard, Legislative Research Department
Carolyn Rampey, Legislative Research Department
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Administrative Analyst
Shirley Jepson, Committee Secretary

Conferees appearing before the committee: Gary W. Rulon, Chief Judge, Kansas Court of Appeals

Others attending: See attached

- Attachment 1 SB 259 - Testimony by Chief Judge Gary W. Rulon

Representative Neufeld thanked the members of the Committee, particularly the members of the Conference Committee, for their hard work during the Conference Committee meetings of the past two days.

Representative Landwehr moved to introduce legislation for a conceptual bill concerning the hospital closure and Olmstead Advisory Committee. The motion was seconded by Representative Howell. Motion carried.

Hearing on SB 259--Delay of phased in increases of court of appeals to 14 judges.

Carolyn Rampey, Legislative Research Department, explained that the bill delays, because of the financial burden, the action of previous legislation that would have added one new judge each of the next three years for a total of 14 judges within the Court of Appeals. The bill would delay the addition of one new judge in January, 2004, to January, 2005,. Ms. Rampey stated that **HB 2418** is an identical bill and was amended by the House Judiciary Committee by directing that the budget of the Judicial Branch be submitted directly to the Legislature without recommendations from the Governor through the Division of the Budget.

The Chair recognized the Honorable Gary Rulon, Chief Judge, Kansas Court of Appeals, who testified in favor of **SB 259** (Attachment 1). Mr. Rulon responded to questions, indicating that the Court of Appeals actually favors the House bill as amended rather than the Senate bill.

Because the Senate Ways and Means Committee has scheduled a hearing on **HB 2418** for Thursday, April 3, it was the consensus of the Committee to delay action on **SB 259** until after the Senate Hearing.

The Hearing on **SB 259** was closed.

HB 2429--Limitation on expenditures by the Department of Wildlife and Parks for certain river access projects.

Representative Schwartz informed the Committee that the Agriculture and Natural Resources Budget Committee had held a public hearing on **HB 2429**, which limits expenditures by the Department of Wildlife and Parks for certain river access projects. The Budget Committee amended the bill by adding a balloon of amendments which state that no expenditure shall be made by the Department of Wildlife and Parks from State General Fund or any special revenue funds for construction of any new river access project on the Arkansas, Kansas or Missouri Rivers unless the Secretary of Wildlife and Parks has obtained prior written permission from adjacent property owners of parcels within 100' of the project.

Representative Schwartz moved to accept the Budget Committee's report, to amend the bill and to report a substitute bill for **HB 2429** incorporating the balloon of proposed amendments. The motion was seconded by Representative Osborne.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS at 9:00 a.m. on March 28, 2003, in Room 514-S of the Capitol.

Representative Gatewood presented a minority report indicating that it was felt this was an invasion of a private person's rights and did not support **HB 2429**.


Representative Gatewood made a substitute motion for acceptance of the minority report and not report the substitute bill for **HB 2429** favorably. The motion was seconded by Representative Feuerborn. The motion failed.

Representative Schwartz renewed her motion to accept the Budget Committee report for a substitute bill which would incorporate the balloon of amendments to **HB 2429**. The motion carried.

The Chair announced a Conference Committee on **SB 223** will meet upon second recess of the House today; room to be announced. Conferees are Representatives Neufeld, Shultz and Nichols. A Conference Committee on **SB 43** will meet at 1:00 p.m. today in Room 123-S. Conferees are Representatives Neufeld, Schwartz and Gatewood.

The next meeting of the Appropriations Committee is scheduled for 9:00 a.m., April 3, 2003. A hearing on **HB 2463** will be held.

The meeting was adjourned at 10:00 a.m..



Melvin Neufeld, Chair

APPROPRIATIONS COMMITTEE GUEST LIST

DATE: *April 2, 2003*

NAME	REPRESENTING
<i>Barbara Meyer</i>	<i>Intern Rep. Gatewood</i>
<i>Kim Fowler</i>	<i>Judicial Branch</i>
<i>Jerry Sloan</i>	<i>Judicial Branch</i>



KANSAS COURT OF APPEALS

GARY W. RULON
CHIEF JUDGE

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TESTIMONY OF
CHIEF JUDGE GARY W. RULON
OF THE
KANSAS COURT OF APPEALS

In light of the severe budget problems facing the State, our Court does not oppose SB 259, amending K.S.A. 2002 Supp. 20-3002(a) to postpone funding for three additional Court of Appeals judges.

FOR THE COURT

A handwritten signature in cursive script, reading "Gary W. Rulon", is written over a horizontal line.

GARY W. RULON
CHIEF JUDGE

HOUSE APPROPRIATIONS

DATE 4-02-2003
ATTACHMENT 1