

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 10:30 a.m. on February 16, 2009, in Room 545-N of the Capitol.

All members were present.

Committee staff present:

J. G. Scott, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Estelle Montgomery, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Cody Gorges, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Gordon Self, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Melinda Gaul, Chief of Staff
Shirley Jepson, Committee Assistant

Conferees appearing before the committee:

Jerry Sloan, Budget and Fiscal Officer, Judicial Branch
Patricia Scalia, Executive Director, Board of Indigent Services (BIDS)
Steve Weatherford, President, Kansas Development Finance Authority (K DFA)
Duane Goossen, Secretary, Department of Administration
Glenn Deck, Executive Director, Kansas Public Employees Retirement System (K PERS)

Others attending:

See attached list.

Rules and Regulations

Senator Schmidt expressed a concern that agencies who have come before the Joint Committee on Administrative Rules and Regulations Committee are not responding to concerns or suggestions put forth by the Committee. A document prepared by Kansas Legislative Research Department notes the agencies who have come before the Rules and Regulations Committee, received input or comments from the Committee and then responded back to the Legislature if actions were considered and the outcome ([Attachment 1](#)).

Subcommittee reports on Judicial Council, Judicial Branch and Board of Indigents Defense Services (BIDS)

Senator Vratil, Chair of the Judicial Subcommittee, presented the Subcommittee report ([Attachment 2](#)).

Senator Vratil explained the following notations and adjustments to the agency budgets:

- Concurred with the Governor's recommendations for the Judicial Council, Judicial Branch and BIDS for FY 2010 except for notations and adjustments.
- Applied an 8 percent reduction to the Judicial Council and Judicial Branch budgets as that was the direction at the time of the Subcommittee hearings.
- Requests that the Judicial Council seek introduction of legislation to allow the use of fee funds for expenditures related to the Kansas Criminal Code Recodification Commission.
- Recommends that the Judicial Branch propose legislation to increase docket fees for FY 2010 to cover an additional reduction of \$1,876,875 to their budget, delay implementation of the Level of Services Inventory-Revised instrument and delay the expansion for a 14th Court of Appeals' judge.
- Did not reduce the BIDS' budget by 8 percent, noting that the agency may face a shortfall in FY 2010. However, took the BIDS' 8 percent reduction of \$1,876,875 in the Judicial Branch budget and proposes that an increase in docket fees for the Judicial Branch will cover the extra reduction to the Judicial Branch budget.
- Noted that the Judicial Branch should have flexibility regarding how they will implement reductions

CONTINUATION SHEET

Minutes of the Senate Ways And Means Committee at 10:30 a.m. on February 16, 2009, in Room 545-N of the Capitol.

in their agency budget, including possible furloughs as an option.

Responding to questions from the Committee, Jerry Sloan, Budget and Fiscal Officer, Judicial Branch, noted that the Judicial Branch currently has 1,861.3 full-time-equivalency (FTE) positions with 30 of those positions vacant as a result of a hiring freeze. Mr. Sloan acknowledged that any furloughs could cause a backlog in the court system.

Patricia Scalia, Executive Director, BIDS, responded to a question, noted that approximately 1/3 of the BIDS budget is spent on capital murder cases. The Committee noted that the Constitution requires the State to provide counsel for those charged with an criminal offense and not able to provide counsel for themselves.

Senator Vratil, Chair of the Judicial Subcommittee, presented the Subcommittee report on the Governor's budget recommendations for the Judicial Council, Judicial Branch and Board of Indigents' Defense Services (BIDS) for FY 2010 and moved for the adoption of the Subcommittee recommendations on the Judicial Council, Judicial Branch and Board of Indigents' Defense Services (BIDS) with notations and adjustments for FY 2010 (Attachment 2). The motion was seconded by Senator Teichman. Motion carried on a voice vote.

Action on Moratoriums

Senator Schmidt moved to allow Staff to make technical corrections to Subcommittee reports previously adopted by the Committee and incorporate the moratorium on employer contributions to the State Health Plan, moratorium on KPERS Death and Disability Group Insurance Fund contributions and carry the 1.25 percent reduction to FY 2009 budgets into FY 2010 as passed in **House Sub for Senate Sub for SB 23**. The motion was seconded by Senator Kelly. Motion carried on a voice vote.

The Committee requested that the Department of Administration and the Kansas Health Policy Authority consider preparing a letter of explanation to state employees regarding the moratorium to be placed on the State Health Plan, if **House Substitute for Senate Substitute for SB 23** is signed into law by the Governor.

Hearing on **SB 205** - Prohibiting the development finance authority from refunding any bonds for any state agency unless specifically approved by an act of the legislature.

Jill Wolters, Revisor, explained that **SB 205** related to the duties of the Kansas Development Finance Authority (KDFA) (Attachment 3). Currently, KDFA has the authority to issue bonds for the purpose of refunding, whether at maturity or in advance of maturity upon the request of the Secretary of the Department of Administration. The legislation would require the approval of the Legislature before issuing bonds for the purpose of refunding. Following such approval becoming law, upon request by the president of the Senate or the speaker of the House of Representatives pursuant to such specific approval, the authority may issue such bonds for the purpose of refunding.

Senator Vratil presented testimony in support of **SB 205** (Attachment 4). Senator Vratil noted that the intent of the legislation is to require the consent of the Legislature or the State Finance Council before refunding of bonds can take place. The Senator indicated that an amendment will be necessary to make clear the State Finance Council's authority to approve the refunding of bonds, noting that the amendment would appear on page 2, lines 13 and 14 of the bill.

Responding to a question from the Committee, Ms. Wolters stated that the current procedure has been in place since 1987. Senator Vratil indicated that he was not aware of any problems with the current procedure.

Steve Weatherford, President, Kansas Development Finance Authority, presented testimony in opposition to **SB 205** (Attachment 5). Mr. Weatherford stated that his main concern with the restructuring process as outlined in **SB 205**, concerns lost opportunities for the state to take advantage of market fluctuations. Mr. Weatherford noted that it is the goal of KDFA to monitor bonds and look for opportunities to achieve savings with refunding of bonds.

Duane Goossen, Secretary, Department of Administration, provided testimony to the Committee on **SB 205**.

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Mr. Goossen noted that most actions in refunding bonds results in savings for the state. The Governor's budget recommendations included the refunding of 3 bond issues - 1 bond issue in FY 2009 and 2 more bond issues in FY 2010, to extend the length of the bonds and delay payments from the State General Fund (SGF) during the economic downturn. The Secretary requested that the legislation target the three transactions proposed by the Governor rather than the whole procedure.

The hearing on **SB 205** was closed.

Hearing on SB 196 - KPERS employment after retirement restrictions to apply to retirants employed by a third-party entity.

Gordon Self, Revisor, explained that **SB 196** concerns the Kansas Public Employees Retirement System (KPERS) and relates to employment after retirement. The legislation applies to retirees who are employed directly by a participating employer or employed by a third-party entity who contracts services. The legislation would amend current statute pertaining to those retirees. The legislation is a result of discussions by the Legislative Educational Planning Committee (LEPC) and the Joint Committee on Pensions, Investments and Benefits.

The Committee requested clarification of language applying to those employees employed prior to July 1, 2009.

Responding to a question from the Committee concerning previously enacted legislation, Glenn Deck, Executive Director, KPERS, stated that approximately \$3.2 million has been contributed since July 1, 2006, as a result of legislation directed at retirees who go to work for a different employer. At the current time, there are approximately 619 employees under this program.

The hearing on **SB 196** will be continued on February 17, 2009.

The next meeting is scheduled for February 17, 2009.

The meeting was adjourned at 12:10 p.m.

**SENATE WAYS & MEANS COMMITTEE
GUEST LIST**

DATE: February 16, 2009

NAME	REPRESENTING
<i>[Signature]</i>	Budget
Julie Thomas	DOB
Randy Harrell	Judicial Council
Jerry Sloan	Judicial Branch
Kim Fowler	Judicial Branch
Bill Brady	Capitol Strategies
Sash Smith	Intern, Sen. Pyle
Colleen Chandler	KDOT
Terry Heidner	KDOT
<i>[Signature]</i>	Exec - Sen Kubala
Rob Mealy	MEANEY & ASSOC
TERRY FORSYTH	KNET
<i>[Signature]</i>	KSDI
Glenn Deck	KPERS
Sharon Wenger	Leg Research
Bernd Koops	Hein Law Firm
Tom Bruno	Bruno + Associates
Val DeFenu	Schools for Quality Ed
Mark Tallman	KASB
Debbie Rosacker	BIDS
PATRICIA A. SCALIA	BIDS
Steve Weatherford	KDFA
Marilyn Jacobsen	DOA

<i>Agency</i>	<i>Database entries since July 2006</i>	<i>In general, were there problems with agency response?</i>
Accountancy	3	no
Administration	1	no
Agriculture	11	no
Agriculture - Water Resources	3	no
Athletic Commission (Commerce)	1	no
Attorney General	1	no
Bank Commissioner	1	no
Barbering	1	no
Behavioral Sciences	8	no
Commerce	4	yes
Conservation Commission	3	no
Corrections	3	no
Cosmetology	1	no
Credit Unions	3	no
Dental Board	2	no
Education	4	no
Emergency Medical Services	1	no
Fire Marshal	1	yes
Governmental Ethics Commission	1	no
Healing Arts	12	with 1
Health Policy Authority	8	no
Hearing Aid Examiners	1	no
Historical Society	1	no
Indigents Defense	3	no
Insurance	9	yes
Juvenile Justice Authority	1	no
KBI	1	no
KCC	7	with 1
KDHE	17	no (a)
Labor	3	no
Labor - Workers Comp	1	no
Mortuary Arts	2	no
Nursing	3	with 1
Pharmacy Board	12	yes
Racing and Gaming	4	no
Real Estate Appraisal	3	with 1
Real Estate Commission	2	with 1
Regents	3	with 1
Revenue	8	yes
Revenue - Alcoholic Beverage Control	2	no
Secretary of State	4	with 1
Securities Commissioner	3	no
SRS	5	no
Tax Appeals	1	no
Technical Professions	4	no
Treasurer	3	yes
Veterans Affairs	2	no
Veterinary Medical Examination	1	yes
Wildlife and Parks	11	no
49	190	35, "no"
(a) Usually KDHE responded only in the hearing officer's report included with the final regulation.		

Senate Ways & Means Cmte
Date 2-16-2009
Attachment 1

JCARR meeting date	Agency	Committee comments?	Agency response letter in file?	Did agency address each Committee comment in its response?	Final rules have been published? (Register date) (a) (b)	Comments
1/4/2007	Accountancy	yes	yes	yes		
11/19/2007	Accountancy	yes	yes	yes	12/27/2007	
4/7/2008	Accountancy	yes	yes	yes	5/8/2008	
7/9/2007	Administration	yes	yes	yes		
11/20/2006	Agriculture	yes	yes	no		The response didn't address the Committee's request that comments on the regulations be received by email prior to the public hearing. minor problem
1/4/2007	Agriculture	yes	yes	no		The agency's response did not address the Committee's requests to include in its notice of publication a website where the public may access proposed regulations or to allow the public to comment on the proposed regulations through email. It fully addressed other suggestions, including withdrawing 2 of the 3 proposed regulations.
2/9/2007	Agriculture	yes	yes	yes		
11/19/2007	Agriculture	yes	yes	yes	1/3/08 and 1/24/2008	(Two separate replies were received, one for feed and seed and one for weights and measures.)
12/10/2007	Agriculture	yes	yes	yes	2/14/2008	(food safety)
4/7/2008	Agriculture	yes	yes	yes	withdrawn	from the response letter: "[I]t was decided to withdraw the proposed regulations as currently drafted. ... The department will redraft the proposed regulations and reinstate the regulation adoption process."
5/28/2008	Agriculture	no	yes	n/a	7/3/2008	
5/28/2008	Agriculture	no	yes	n/a	7/3/2008	(weights and measures)
9/22/2008	Agriculture	yes	yes	yes	11/20/2008	
11/6/2008	Agriculture	yes				(BGH labeling)
12/10/2007	Agriculture	yes	yes	yes	2/14/2008	(pesticides)
3/23/2007	Agriculture - Water Resources	yes	yes	yes		
5/28/2008	Agriculture - Water Resources	yes	no	no	10/16/2008	
7/7/2008	Agriculture - Water Resources	yes	yes	yes	9/18/2008	
12/10/2007	Athletic Commission (Commerce)	yes	yes	yes	3/20/2008	
9/6/2006	Attorney General	yes	yes	yes		
1/14/2008	Bank Commissioner	yes	yes	yes	3/20/2008	
10/2/2006	Barbering	yes	no	n/a	NTD	
9/6/2006	Behavioral Sciences	yes	yes	yes		
4/4/2007	Behavioral Sciences	yes	yes	yes		
8/14/2007	Behavioral Sciences	no	no	n/a		
12/10/2007	Behavioral Sciences	yes	yes	yes	3/27/2008	
5/28/2008	Behavioral Sciences	yes	yes	yes	7/24/08 for all but social workers, 12/4/08 for social workers	
8/12/2008	Behavioral Sciences	no	n/a	n/a	12/4/2008	
9/22/2008	Behavioral Sciences	yes			NTD	
11/6/2008	Behavioral Sciences	yes			NTD	
10/2/2006	Commerce	yes	no	n/a		The Committee questioned the agency's authority to divide the maximum amount of tax credits available to community-based organizations. problem
8/14/2007	Commerce	yes	no	n/a		The Committee's comment had to do with receiving comments via the internet.
10/8/2007	Commerce	yes	no	n/a	12/6/2007	The Committee had suggested that the agency consider a different phrase for "on a form provided by the department" so that the form could be provided electronically, and it suggested agency explore mechanisms using electronic verification other than solely using the mail.
5/28/2008	Commerce	yes	yes	yes	7/10/2008	
7/17/2006	Conservation Commission	yes	no	n/a		
7/9/2007	Conservation Commission	no	yes	n/a		
8/12/2008	Conservation Commission	yes	yes	yes	9/11/2008 and 10/30/08	(two replies because there were two sets of regulations and two public hearings)

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2/9/2007	Corrections	yes	yes	yes		
4/24/2007	Corrections	yes	yes	yes		
5/28/2008	Corrections	yes	yes	yes	7/24/2008	
2/15/2008	Cosmetology	yes	yes	yes	NTD	
10/2/2006	Credit Unions	yes	no	n/a		The only comment was about including the agency's website address in the notice and indicating that comments on the regulation are accepted by email. minor problem
10/8/2007	Credit Unions	yes	no	n/a	12/13/07 and 7/17/2008	The Committee's question was about a definition. The regulation in question came back before the Committee at its May 28, 2008, meeting.
5/28/2008	Credit Unions	no	no	n/a	7/17/2008	
5/28/2008	Dental Board	no			withdrawn	A revised version of these proposed rules and regulations came before the JCARR on 22 Sept 08.
9/22/2008	Dental Board	yes	no	n/a	n/a for some; 12/25/08 for the remainder	The Board did not adopt the proposed sedative and general anaesthesia regulations, KAR 71-5-7 through 71-5-14; KLRD received a letter to this effect dated 11/17/08. The regulations on practice by a dental student and by a dental hygiene student have been published as final regulations.
1/4/2007	Education	yes	yes	n/a		The regulations were withdrawn.
5/22/2007	Education	yes	yes	yes		
10/8/2007	Education	yes	yes	yes	3/6/2008	
4/7/2008	Education	yes	yes	yes	7/3/2008	
8/12/2008	Emergency Medical Services	no	yes	n/a	10/16/2008	
9/22/2008	Fire Marshal	yes	no	no	12/11/2008	The Committee had concerns about cross references within regulations, ramifications to a regulated entity of a single violation, and the impact of a program not paying for itself.
4/7/2008	Governmental Ethics Commission	yes	yes	yes	7/3/2008	
9/6/2006	Healing Arts	yes	no	n/a		A comparison of the proposed regulations with the yellow copy of the permanent regulations in KLRD files showed no changes, except that the agency delayed adoption of proposed regulation 100-73-9 (to Register Vol. 26, p. 1044 [June 21, 2007]). problem
10/2/2006	Healing Arts	yes	no	n/a		The Committee had questions about only 1 of the 3 regulations. The questioned regulation went before the Committee again 5/22/07.
11/20/2006	Healing Arts	yes	no	n/a	NTD	
4/4/2007	Healing Arts	yes	no	n/a		Although there was no letter, the regulations were revised to address Committee comments.
5/22/2007	Healing Arts	yes	no	n/a		The Board did not address the Committee's concern regarding the size of the sign to be displayed. One of the three proposed regulations was not adopted. problem
7/9/2007	Healing Arts	yes	no	n/a		The Committee commented that the Board should consider the staggering of fees in order to relieve cash flow issues. problem
11/19/2007	Healing Arts	yes	yes	no	3/13/2008	The Committee requested a copy of any letter sent to the regulated community; no such copy was in the file.
1/14/2008	Healing Arts	yes	yes	yes	3/20/2008	
5/28/2008	Healing Arts	yes	yes	yes	100-69-1 and 100-69-2 on 11/6/08; 100-69-3 NTD	The Board tabled proposed KAR 100-69-3 "for further research and revision."
7/7/2008	Healing Arts	yes			NTD	
9/22/2008	Healing Arts	yes			NTD	
11/6/2008	Healing Arts	yes			NTD	comments were on fee regulations
7/17/2006	Health Policy Authority	no	yes	n/a		
9/6/2006	Health Policy Authority	no	n/a	n/a		
11/20/2006	Health Policy Authority	yes	yes	yes		
1/4/2007	Health Policy Authority	no	yes	n/a		
4/4/2007	Health Policy Authority	yes	yes	yes		
7/9/2007	Health Policy Authority	yes	yes	yes		

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2/15/2008	Health Policy Authority	yes	yes	yes	5/8/08 and 7/3/08	
5/28/2008	Health Policy Authority	yes	yes	yes	9/4/2008	
4/4/2007	Hearing Aid Examiners	yes	no	n/a	NTD	The Committee suggested rearranging some words for clarity.
11/20/2006	Historical Society	yes	yes	yes		
7/17/2006	Indigents Defense	no	yes	n/a		
8/14/2007	Indigents Defense	no	no	n/a		
8/12/2008	Indigents Defense	no	yes	n/a	12/11/2008	
7/17/2006	Insurance	yes	no	n/a		The Committee requested the criteria used by the American Accreditation Health Commission and used by the Utilization Review Committee to develop certain standards. The Committee also requested the agency review its statutory authority for collecting and maintaining policies and procedures of utilization review organizations. problem
11/20/2006	Insurance	yes	no	n/a		A comparison of the proposed to the final regulations showed that none of the suggested changes were made. The JCARR questioned the economic impact statement, a 180-day timeframe, and whether new state law had been considered. Problem
2/9/2007	Insurance	yes	yes	yes		The regulation was withdrawn
3/16/2007	Insurance	yes	yes	yes		The regulation was withdrawn.
8/14/2007	Insurance	no	no	n/a		
11/19/2007	Insurance	yes	no	n/a	for 3 of 4 (1/3/08 and 1/31/08)	The Committee's only comment was to ask the agency to review the history sections of the proposed regulations and communicate the changes, if any, which the agency makes. (40-3-12 has not yet been adopted as of 1/8/09.)
1/14/2008	Insurance	yes	no	n/a	4/3/2008	The Committee was concerned that any changes in health utilization management standards will no longer be reviewed by any legislative entity, but rather, those changes will be made in a document adopted by reference. problem?
8/12/2008	Insurance	yes	yes	yes	40-1-48 published 11/13/08	One (40-1-37) of the two proposed regulations was withdrawn and will be redone to reflect the newest NAIC model regulation, per testimony from KID.
11/6/2008	Insurance	no			NTD	
10/2/2006	Juvenile Justice Authority	yes	yes	yes		
2/9/2007	KBI	yes	yes	yes		However, the Committee asked for a clarity on when a time period was to begin; the final regulations omit reference to any time period.
7/17/2006	KCC	no	no	n/a		
11/20/2006	KCC	yes	yes	yes		
4/4/2007	KCC	no	no	n/a		
7/9/2007	KCC	yes	no	n/a		No changes were made to the final regulations to address the Committee's concerns about the acceptance of an electronic signature under the Kansas Electronic Transactions Act. problem
10/8/2007	KCC	yes	yes	yes		
5/28/2008	KCC	yes	no	n/a	7/3/2008	The only comment requested correction of a spelling error; the error was corrected in the final regulation
5/28/2008	KCC	yes	yes	yes	10/9/2008	(oil and gas)
7/17/2006	KDHE	yes	in final reg packet	yes		KDHE responded completely to the comment, in the hearing officer's report but not in a separate letter to the Committee.
9/6/2006	KDHE	yes	no	n/a	3/1/2007	The Committee had concerns about uses of terms including "confined feeding facility" and "inspector" and whether certain standards had been adopted by reference.
11/20/2006	KDHE	yes	no	n/a		The Committee's comment was a commendation for including a website and receiving comments via email.

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3/16/2007	KDHE	yes	yes	yes		Two separate letters providing some of the requested information/responses were included in the file. Other responses were included in the Report of the Hearing Officer and not otherwise sent to KLRD.
4/24/2007	KDHE	yes	in final reg packet	yes		There was no separate letter to the Committee, but responses to each Committee concern were included in the Hearing Officer's report.
5/22/2007	KDHE	yes	in final reg packet	yes		At this meeting, KDHE presented three types of regulations: isolation and quarantine; cosmetology and tanning; and solid waste management. KDHE did not respond to the Committee's comment on the isolation and quarantine regulations, but it did make the suggested change. KDHE responded completely to each comment on the cosmetology and tanning regulations, in the hearing officer's report but not in a separate letter to the Committee. KDHE responded completely to each comment on the solid waste regulations, in the hearing officer's report but not in a separate letter to the Committee.
7/9/2007	KDHE	yes	in final reg packet	yes		KDHE responded completely to each comment, in the hearing officer's report but not in a separate letter to the Committee.
10/8/2007	KDHE	yes	no	yes	12/20/2007	KDHE responded in its Responsiveness Summary (attached to the final regulations packet) to both of the Committee's concerns, but not in a separate letter to the Committee.
11/19/2007	KDHE	yes	in final reg packet	yes	1/17/2008 (lodging)	
11/19/2007	KDHE	yes	in final reg packet	yes	3/13/08 (foster care)	
1/14/2008	KDHE	yes	yes	yes	2/28/2008	The Committee had questioned the agency's authority to require records retention. The response was from the Secretary.
2/15/2008	KDHE	yes	yes	no	5/22/2008	There was no separate letter to the Committee, but a response to one of the Committee's two concerns was included in the Hearing Officer's report. KDHE did not address the Committee's concern about ways to measure gains in knowledge from certain types of continuing education allowed, e.g., attendance at poster sessions.
4/7/2008	KDHE	no	yes	n/a	5/22/2008	(surface water register)
4/8/2008	KDHE	yes	no	yes	6/26/2008	(child care) There was no separate letter to the Committee, but responses to the Committee's concerns were included with the Hearing Officer's report in the final regulations received from the Secretary of State's Office.
9/22/2008	KDHE	yes	yes	no	11/20/2008	
11/6/2008	KDHE	yes			NTD	
11/6/2008	KDHE	yes			NTD	(charitable health care providers)
9/6/2006	Labor	no	n/a	n/a		
8/14/2007	Labor	yes	yes	yes		
8/12/2008	Labor	yes	yes	yes	9/25/2008	(boilers)
8/14/2007	Labor - Workers Comp	no	no	n/a		
11/20/2006	Mortuary Arts	yes	yes	yes		
8/14/2007	Mortuary Arts	yes	no	n/a		The Committee's only comment was a commendation on promulgating the regulations promptly.

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2/9/2007	Nursing	yes	yes	no	NTD; most heard anew in Sept. '08	The Board didn't address the Committee's general comment that "The Committee is concerned about the establishment of different protocols for the mid-level practitioners, the physicians' assistants and the advanced registered nurse practitioners, that would be created by the adoption of these regulations." The Board also didn't address this Committee request: "Request. The Committee is concerned with the authority of the Board to establish 'protocol' as defined in this set of regulations. The Committee requests that the agency review its statutory authority and explain in detail where and how it believes that statutory authority exists beyond the written protocol for the prescription of drugs." Update: The JCARR heard again 22 Sept 08 many of the regulations presented 2/9/07.
9/22/2008	Nursing	yes			NTD	
8/12/2008	Nursing	yes	yes	no	10/23/2008 for all but 60-2-105 and 60-2-106	60-2-105 and 60-2-106 were sent back to the Board's education committee. The Board did not address the Committee's request for information about the Board's ability to license those who have been home-schooled or who otherwise received their secondary educations at schools not approved by the Kansas State Board of Education. The JCARR had requested the Board include information about whether legislative action is needed to allow those individuals to receive licensure. possible problem
7/17/2006	Pharmacy Board	yes	no	n/a		The Pharmacy Board showed that it discussed to each comment, in the hearing officer's report but not in a separate letter to the Committee.
10/2/2006	Pharmacy Board	yes	yes	yes		The Board thought that removing subsection letter references in definitions in KAR 68-16-1 would delay adoption; this may provide an opportunity for education on which changes are "major" and would require a restart to the process. The Board said it made no changes to the proposed regulations.
11/20/2006	Pharmacy Board	yes	no	n/a		The Committee's only comment was a request to include notice that public comments could be made by email prior to the hearing.
5/22/2007	Pharmacy Board	yes	no	n/a		
8/14/2007	Pharmacy Board	yes	no	n/a		The Committee heard a proposal for the regulation reviewed at the 8/14/07 meeting again 1/14/08.
10/8/2007	Pharmacy Board	yes	no		temporary regulation published 11/13/08	The Committee requested clarification regarding the basis upon which the 93-day supply of a controlled substance would be dispensed.
11/19/2007	Pharmacy Board	yes	yes	no	4/3/2008	The Board sent notice that the public hearing had been delayed because of the ice-storm-related emergency. No subsequent letter was in the file relating to the Committee's comment, and no changes were made to the regulation.
1/14/2008	Pharmacy Board	yes			not as of 12/4/08	
4/7/2008	Pharmacy Board	no	no	n/a	68-11-2 published 10/9/08	The public hearing for 1 of the 2 proposed regs was rescheduled to 9/24/08, with a request to the Committee that it need not re-hear the regulation as no changes had been made to it. (The 8/21/08 Kansas Register includes an announcement for a public meeting on 68-7-14 [one of the two regs heard] for 12/3/08.) The other reg, 68-11-2, came to the JCARR again 9/22/08.
8/12/2008	Pharmacy Board	yes	no	no	10/9/2008	The JCARR had requested the Board send Raney the number of the statute that allows the Board to regulate oxygen suppliers.
9/22/2008	Pharmacy Board	yes			NTD	

JCARR meeting date	Agency	Committee comments?	Agency response letter in file?	Did agency address each Committee comment in its response?	Final rules have been published? (Register date) (a) (b)	Comments
11/6/2008	Pharmacy Board	yes	no	n/a	12/18/08 for Utilization of unused medications	Comments were on unused medications: the Committee questioned a term and expressed concern that this donation program and the cancer drug donation program may be contrary to the Kansas Pharmacy Act; it has authorized the introduction of legislation to ensure that the two programs do not conflict with the Kansas Pharmacy Act.
10/8/2007	Racing and Gaming	yes	yes	yes		The response to the Committee's question at KAR 112-7-6 seems to miss the point.
7/7/2008	Racing and Gaming	yes	yes	yes	9/11/2008	(racing)
11/6/2008	Racing and Gaming	yes				(gaming)
11/6/2008	Racing and Gaming	yes				(gaming)
2/9/2007	Real Estate Appraisal	yes	no	n/a		The Committee requested clarifications, including clarification of which entity approves course design. The agency made no changes. problem
11/19/2007	Real Estate Appraisal	yes	yes	yes	1/3/2008	
2/15/2008	Real Estate Appraisal	no	n/a	n/a	3/20/2008	
8/14/2007	Real Estate Commission	yes	yes	yes		
8/12/2008	Real Estate Commission	yes	no	n/a	10/9/2008	The Committee had a concern regarding the Commission's restrictions on the use of the terms "realty" and "real estate" in the names of entities operating in that field. possible problem
11/20/2006	Regents	yes	yes	yes		
4/24/2007	Regents	yes	yes	yes		
5/22/2007	Regents	yes	no	no		The final regulation addressed one Committee concern ?? (that the student not be concurrently enrolled in high school), but there was no response to the Committee's question about whether the Board considered students who are not yet age 18.
10/2/2006	Revenue	yes	yes	yes		
11/20/2006	Revenue	yes	yes	no		Revenue changed only a date in two regulations, as suggested. The agency's letter didn't address other Committee concerns. minor problem
1/4/2007	Revenue	yes	yes	no		The response fully addressed all comments except that on including a website address for review of proposed regulations.
7/9/2007	Revenue	yes	yes	yes		
10/8/2007	Revenue	yes	no	n/a	12/13/2007	The agency revoked its regulation setting fines and penalties. The Committee was told that there would be agency guidelines, which do not have the force and effect of law, for the imposition of fines and penalties. The Committee requested that any fines and penalties within the discretion of the Secretary be established through rules and regulations. problem
4/7/2008	Revenue	yes	yes	yes	6/5/2008	The final version of 92-12-140 only partially addresses the Committee's concern about placing the value of a donation at the lesser of fair market value or value when purchased when the item's current fair market value far exceeds the original purchase price. The final says "an independent appraisal may be necessary in determining fair market value" and retains the "lesser of" language.
5/28/2008	Revenue	yes	no	n/a	8/14/2008	The Department did include the word "of," as requested by the JCARR, in the final regulation. (That was the only comment.)
9/22/2008	Revenue	yes	yes	yes	NTD	
10/8/2007	Revenue - Alcoholic Beverage Co	yes	yes	yes		
5/28/2008	Revenue - Alcoholic Beverage Co	yes			8/14/2008	
1/4/2007	Secretary of State	yes	no	n/a		The agency did make the requested change.
4/7/2008	Secretary of State	yes	no	n/a	6/19/2008	(UCC) The Committee questioned the authority of the agency to adopt these rules and regulations until after 2008 SB 449 went into effect (7/1/08). problem?
4/7/2008	Secretary of State	no	no	n/a	6/19/2008	(voting)
8/12/2008	Secretary of State	yes	yes	yes	10/16/2008	The Committee requested only a copy of a letter from the Governor, which was provided.
7/17/2006	Securities Commissioner	yes	yes	yes		
4/7/2008	Securities Commissioner	no	no	n/a	7/31/2008	
9/22/2008	Securities Commissioner	no	n/a	n/a	12/4/2008	

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JCARR meeting date	Agency	Committee comments?	Agency response letter in file?	Did agency address each Committee comment in its response?	Final rules have been published? (Register date) (a) (b)	Comments
7/17/2006	SRS	yes	yes	yes		
10/2/2006	SRS	yes	yes	yes		
10/8/2007	SRS	no	yes	n/a		
4/7/2008	SRS	yes	yes	yes	5/15/2008	
5/28/2008	SRS	n/a			9/4/2008	(These were revocations only, in conjunction with the KHPA regulations.)
8/12/2008	Tax Appeals	yes	yes	yes	10/9/2008	
11/20/2006	Technical Professions	yes	yes	yes		
4/24/2007	Technical Professions	no	yes	n/a		
1/14/2008	Technical Professions	yes	yes	yes	3/13/2008	
11/6/2008	Technical Professions	yes	no	n/a	1/8/2009	The agency has sent information on other states that allow continuing education credit for participation on boards, but that was not one of the JCARR's formal comments.
9/6/2006	Treasurer	yes	no	n/a		The Committee suggested the adoption of the referenced sections of the federal Internal Revenue Code and said "the current construction may be a potential unlawful delegation." There were no changes between proposed and permanent regulations. problem
4/24/2007	Treasurer	yes	no	n/a		The Committee's concerns had to do with statutory authority for provisions in three regulations. problem
8/12/2008	Treasurer	yes	no	n/a	10/9/2008	The Committee requested information on the Treasurer's authority regarding housing loans for building in a floodplain and a determination of whether the program should follow HUD guidelines. The housing loan program regulation the JCARR heard, 3-3-2, was further amended before it became final. possible problem
7/17/2006	Veterans Affairs	yes	no	n/a		The final regulation includes a new subsection that addresses the JCARR's concern.
2/9/2007	Veterans Affairs	yes	yes	yes		
4/4/2007	Veterinary Medical Examination	yes	yes	no		The Committee had only one comment, about making the proposed regulation available on the agency's website. The response (not received until November) did not address that concern. minor problem
10/2/2006	Wildlife and Parks	yes	yes	no (it addressed one of two)		KDWP's letter did list all changes to the proposed regulations. KDWP did not make a suggested wording change.
1/20/2006	Wildlife and Parks	yes	yes	yes		
2/9/2007	Wildlife and Parks	no	yes	n/a		
4/4/2007	Wildlife and Parks	no	yes	n/a		
5/22/2007	Wildlife and Parks	no	yes	n/a		
7/9/2007	Wildlife and Parks	yes	yes	no		In its response, KDWP listed the changes between the proposed and final regulations but didn't respond to the Committee's questions regarding the manner in which boaters will be informed of the new requirement of speed and the definition of "all departmental land and waters."
10/8/2007	Wildlife and Parks	no	yes	n/a		
2/15/2008	Wildlife and Parks	yes	yes	yes	3/27/2008	
4/7/2008	Wildlife and Parks	no	yes	n/a	5/1/2008	
5/28/2008	Wildlife and Parks	yes			8/28/08 for all but 115-20-2	(Proposed 115-20-2 did not pass on a Commission vote held August 14, 2008.)
9/22/2008	Wildlife and Parks	no	yes	n/a	11/13/2008	

i) The data has not been entered for most regulations presented to the JCARR before November 2007.

j) NTD = not as of January 8, 2009

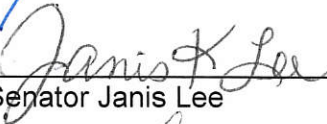
FY 2010

SENATE WAYS AND MEANS SUBCOMMITTEE

Judicial Council
Board of Indigents' Defense Services
Judicial Branch



Senator John Vratil, Chair



Senator Janis Lee



Senator Mark Taddiken

Senate Ways & Means Cmte
Date 2-16-2009
Attachment 2

Senate Subcommittee Report

Agency: Judicial Council

Bill No. SB --

Bill Sec. --

Analyst: Cussimano

Analysis Pg. No. Vol. -----

Budget Page No. 171

Expenditure Summary	Agency Request FY 10	Governor's Recommendation FY 10	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 150,000	\$ 0	\$ 0
Other Funds	1,301,746	1,432,064	0
Subtotal - Operating	<u>\$ 1,451,746</u>	<u>\$ 1,432,064</u>	<u>\$ 0</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 1,451,746</u></u>	<u><u>\$ 1,432,064</u></u>	<u><u>\$ 0</u></u>
FTE Positions	7.0	7.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u><u>8.0</u></u>	<u><u>8.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2010 operating expenditures of \$1,451,746, an increase of \$7,221, or 0.5 percent, above the FY 2009 estimate. This includes State General Fund expenditures of \$150,000, a decrease of \$11,210, or 7.0 percent, below the revised FY 2009 estimate. Also included is \$1,301,746 in all other funds, an increase of \$18,431, or 1.4 percent. The request would finance 7.0 FTE positions.

Governor's Recommendation

The **Governor** recommends expenditures of \$1,432,064, all from special revenue funds. The recommendation is an all funds decrease of \$19,682, or 1.4 percent, below the agency's FY 2010 request. The Governor recommends: lapsing \$3,000, all from the State General Fund, in the Recodification Commission account to reduce the agency's budget by 2.0 percent; replacing \$147,000 in agency expenditures from the State General Fund with \$83,028 from the Judicial Performance Fee fund, \$63,396 from the Publications Fee fund and \$576 from the Judicial Council Fee fund.

In addition to these adjustments, the Governor placed a state contribution moratorium on state employee health insurance payments for seven pay periods and a state contribution moratorium on KPERS death and disability payments for three-fourths of a year resulting in a

reduction of \$16,682, all from special revenue funds. The Governor recommends the savings be transferred to the State General Fund.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following notation and adjustment:

1. The Subcommittee requests that the Judicial Council seek introduction of legislation to allow the use of fee funds, specifically the judicial performance fee fund, for expenditures related to the Kansas Criminal Code Recodification Commission in the amount of \$90,000 in FY 2010. Currently, the fund is limited to expenditures related only to judicial performance evaluations and the costs associated with those evaluations.

Senate Subcommittee Report

Agency: Judicial Branch

Bill No. SB --

Bill Sec. --

Analyst: Cussimano

Analysis Pg. No. Vol. -----

Budget Page No. 163

Expenditure Summary	Agency Request FY 2010	Governor's Recommendation FY 2010	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 119,407,971	\$ 110,551,616	\$ (10,825,841)
Other Funds	14,287,330	13,828,160	0
Subtotal - Operating	<u>\$ 133,695,301</u>	<u>\$ 124,379,776</u>	<u>\$ (10,825,841)</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 133,695,301</u></u>	<u><u>\$ 124,379,776</u></u>	<u><u>\$ (10,825,841)</u></u>
FTE Positions	1,902.3	1,861.3	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>1,902.3</u></u>	<u><u>1,861.3</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests an FY 2010 operating budget of \$133,695,301, an increase of \$7,368,331, or 5.8 percent, above the revised FY 2009 estimate. This includes State General Fund expenditures of \$119,407,971, an increase of \$7,545,773 or 6.7 percent. Also included is \$14,287,330 in all other funds, a decrease of \$177,442, or 1.2 percent, below the revised FY 2009 estimate. The request would finance 1,902.3 FTE positions, an increase of 47.0 positions from the revised current year estimate.

Governor's Recommendation

The **Governor** recommends expenditures of \$124,379,776, including \$110,551,616 from the State General Fund. The recommendation is an all funds decrease of \$1,947,194, or 1.5 percent, and a State General Fund decrease of \$1,310,582, or 1.2 percent, below the FY 2009 recommendation. The recommendation is an all funds decrease of \$9,315,525, or 7.0 percent, and a State General Fund decrease of \$8,856,355, or 7.4 percent, below the agency request. The Governor did not recommend any of the agency's enhancement requests. The Governor did recommend \$155,955, all from the State General Fund, and 3.0 FTE positions for the 14th Court of Appeals Judge and staff for a half year of funding and \$343,026, all from the State General Fund, for the LSI-R and 3.0 FTE positions.

2-4

In addition to these adjustments, the Governor placed a moratorium on health insurance payments for seven pay periods and a moratorium on death and disability payments for three-fourths of a year resulting in a reduction of \$3,639,032, including \$3,328,272 from the State General Fund. The Governor recommends the savings be transferred to the State General Fund.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following notations and adjustments:

1. Delete \$8,948,976, all from the State General Fund, to reflect an 8.0 percent reduction in the agency's FY 2009 estimate.
2. Delete \$1,876,865, all from the State General Fund, in FY 2010. This reduction reflects an 8.0 percent reduction in the Board of Indigents' Defense FY 2009 estimate. The subcommittee noted that the Board of Indigents' Defense has done well over the past several years at keeping costs low, and also noted that the agency's budget may face a shortfall in FY 2010. The subcommittee further noted that the Judicial Branch has the ability to raise docket fees in order to cover costs whereas the Board of Indigents' Defense does not. As a result, the subcommittee recommends the Judicial Branch absorb the 8.0 percent reduction that would be applied to the Board of Indigents' Defense.
3. The Subcommittee strongly suggests the Judicial Branch propose legislation to issue an increase in docket fees for FY 2010. The Subcommittee further notes that each \$5 increase in docket fees results in approximately \$3 million in revenue for the agency. For the agency to use docket fees to adjust for the budget reduction, a surcharge of, approximately, \$18 would have to be issued.
4. The Subcommittee notes that the Judicial Branch should have flexibility regarding how they will implement for the reductions in their agency budget and received testimony from the agency which identified a furlough as an option. The Subcommittee further notes that, according to the agency, this would result in approximately \$275,000 in savings per day for non-judicial employees and \$433,000 per day, including judicial employees. To adjust for the reduction in the agency's budget, a furlough of 39 days (3.25 days per month) for non-judicial employees or 25 days (2.1 days per month) for non-judicial and judicial employees would be required.
5. The Subcommittee recommends that legislation be introduced to delay the implementation of the Level of Services Inventory-Revised (LSI-R) instrument. This instrument is statutorily mandated and is scheduled to be implemented in June 2010. The Subcommittee suggests delaying the implementation of the program to January 2011.
6. The Subcommittee recommends that legislation be introduced to delay the 14th Court of Appeals judge. Legislation enacted in 2001 expanded the Court of Appeals from 10 to 14 members. Legislation enacted in 2006 delayed the creation of the 14th judge position and subsequent legislation in 2008 delayed the position until January 2010. The Subcommittee suggests further delaying the position until January 2011.

Senate Subcommittee Report

Agency: Board of Indigents' Defense Services **Bill No.** SB

Bill Sec.

Analyst: Gorges

Analysis Pg. No. Vol.-

Budget Page No. 29

Expenditure Summary	Agency Request FY 10	Governor's Recommendation FY 10	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 24,142,065	\$ 22,189,068	\$ 1,271,865
Other Funds	865,000	865,000	0
Subtotal - Operating	\$ 25,007,065	\$ 23,054,068	\$ 1,271,865
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 25,007,065	 \$ 23,054,068	 \$ 1,271,865
 FTE Positions	 195.0	 195.0	 195.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	195.0	195.0	195.0

Agency Request

The **agency** requests FY 2010 operating expenditures of \$25,007,065, an increase of \$681,132, or 2.8 percent, above the revised current year estimate. The **agency** requests FY 2010 State General Fund operating expenditures of \$24,142,065, an increase of \$681,132, or 2.9 percent, above the current year revised estimate. The request includes 195.0 FTE positions.

Governor's Recommendation

The **Governor** recommends FY 2010 operating expenditures of \$23,054,068, a decrease of \$275,200, all from the State General Fund, or 1.2 percent, below the Governor's FY 2009 recommendation. All other funds remain the same. When compared to the agency's FY 2010 request, the Governor's recommendation for all other funds remains the same, but is a reduction of \$1,952,997, or 8.1 percent, from the State General Fund. The Governor does not concur with any of the agency's enhancement requests and would fund 195.0 FTE positions.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation with the following adjustments and notations:

1. Add \$1,271,865, all from the State General Fund, to adopt the agency's FY 2009 request for FY 2010.
2. The subcommittee considered reducing the agency's FY 2010 budget by \$1,876,875 which reflects 8.0 percent of the FY 2009 request. The subcommittee noted that the agency has done well over the past several years at keeping costs low, and also noted that the agency's budget may face a shortfall in FY 2010. As a result, the subcommittee recommends not reducing the agency's FY 2010 budget, and reducing the budget of the Judicial Branch by \$1,876,875, all from the State General Fund, in addition to any other reductions for the Judicial Branch.

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Topeka, Kansas 66612-1592
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MEMORANDUM

To: Chairman Emler and members of the Senate Ways and Means Committee
From: Jill Ann Wolters, Senior Assistant Revisor
Date: February 16, 2009
Subject: SB 205, refunding of bonds

Senate Bill No. 205, relates to the duties of the Kansas development finance authority. Currently, the authority may issue bonds for the purpose of refunding, whether at maturity or in advance of maturity, any outstanding bonded indebtedness of any state agency, upon the request of the secretary of administration.

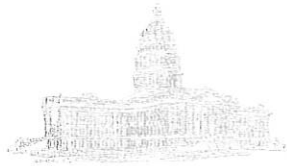
On and after the effective date of this act, the authority may issue bonds for the purpose of refunding only upon specific approval for the proposed refunding enacted by an act of the legislature. Following such approval becoming law, upon request by the president of the senate or the speaker of the house of representatives pursuant to such specific approval, the authority may issue such bonds for the purpose of refunding.

The act would take effect upon publication in the Kansas register.

Senate Ways & Means Cmte
Date 2-16-2009
Attachment 3

State of Kansas

JOHN VRATIL
SENATOR, ELEVENTH DISTRICT
JOHNSON COUNTY
LEGISLATIVE HOTLINE
1-800-432-3924



Vice President Kansas Senate

COMMITTEE ASSIGNMENTS
VICE CHAIR: EDUCATION
WAYS AND MEANS
MEMBER: JUDICIARY
ORGANIZATION, CALENDAR
AND RULES
INTERSTATE COOPERATION
KANSAS CRIMINAL
CODE RECODIFICATION
COMMISSION

Testimony Presented to
Senate Ways and Means Committee
By Senator John Vratil
February 16, 2009
Concerning Senate Bill 205

Good morning! Thank you for the opportunity to appear before the Senate Ways and Means Committee in support of Senate Bill (SB) 205. Senate Bill 205 seeks to limit who within state government has the authority to request the Kansas Development Finance Authority (K DFA) to issue bonds for the purpose of refunding outstanding bonds.

Under current law, the Governor acting through the Secretary of Administration may make this request. Existing bonds may be refunded to reduce financing costs, eliminate covenants, and alter maturities. Senate Bill 205 would limit the Governor's broad ranging authority to refinance such state bonds and require that requests be made by the Legislature or the State Finance Council should the Legislature not be in session.

Please note that an amendment will be necessary to SB 205 to make clear the State Finance Council's authority to approve the refunding of bonds. The amendment would appear on page 2, lines 13 and 14 of the bill.

Please support Senate Bill 205. It is good public policy. The Legislature levies taxes and fees to create revenues to the state and it authorizes how such revenues are to be expended; therefore, it should authorize how money will be borrowed on the state's behalf.



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Senate Ways & Means Cmte
Date 2-16-2009
Attachment 4

4-2

1 ities of state educational institutions shall be subject to the provisions of
2 this subsection (b). No bonds may be issued pursuant to this act for any
3 activity or project of a state agency unless the activity or project either
4 has been approved by an ~~appropriation or other~~ act of the legislature or
5 has been approved by the state finance council acting on this matter which
6 is hereby characterized as a matter of legislative delegation and subject
7 to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c, and
8 amendments thereto. ~~When requested to do so by the secretary of ad-~~
9 ~~ministration,~~ The authority may issue bonds for the purpose of refunding,
10 whether at maturity or in advance of maturity, any outstanding bonded
11 indebtedness of any state agency, *on and after the effective date of this*
12 *act, only upon specific approval for the proposed refunding enacted by*
13 *an act of the legislature. Upon request by the president of the senate, or*
14 *the speaker of the house of representatives pursuant to such specific ap-*
15 *proval, the authority may issue such bonds for the purpose of refunding.*
16 The revenues of any state agency which are pledged as security for any
17 bonds of such state agency which are refunded by refunding bonds of the
18 authority may be pledged to the authority as security for the refunding
19 bonds.

, or the state finance council

20 (c) The authority may issue bonds for the purpose of financing in-
21 dustrial enterprises, transportation facilities, agricultural business enter-
22 prises, educational facilities, health care facilities, housing developments,
23 research facilities or any combination of such facilities, or any interest in
24 facilities, including without limitation leasehold interests in and mort-
25 gages on such facilities, whether located within or outside of Kansas. The
26 authority may additionally issue bonds for the purpose of financing a hall
27 of fame, museum or tourist destination of national significance, as deter-
28 mined by the secretary of commerce. Such authority to issue bonds for a
29 hall of fame, museum or tourist destination of national significance shall
30 expire on December 31, 2007. No less than 30 days prior to the issuance
31 of any bonds authorized under this act with respect to any project or
32 activity within Kansas which is to be undertaken for the direct benefit of
33 any person or entity which is not a state agency or a political subdivision,
34 written notice of the intention of the authority to provide financing and
35 issue bonds therefor shall be given by the president of the authority to
36 the governing body of the city in which the project or activity is to be
37 located. If the project or activity is not proposed to be located within a
38 city, such notice shall be given to the governing body of the county. No
39 bonds for the financing of the project or activity shall be issued by the
40 authority for a one-year period if, within 15 days after the giving of such
41 notice, the governing body of the political subdivision in which the project
42 or activity within Kansas is proposed to be located shall have adopted an
43 ordinance or resolution stating express disapproval of the project or ac-

Fiscal Note SB 205 - DETAIL					
State Agency Refundings - 2004 to 2008					
Bond Series	Refunding Par	Title	Obligor	NPV Savings	Reason
2006B	\$ 2,030,000	KU Park & Ride	KU Parking System	\$ (779,654)	Structuring for parity debt
2005H	\$ 20,530,000	State of Kansas Projects	SGF	\$ 652,228	Economic Savings
2005CW	\$ 58,540,000	Clean Water SRF	KDHE CW SRF	\$ 3,165,543	Economic Savings
2005E	\$ 3,065,000	Templin Hall Refunding	KU Housing System	\$ 264,273	Economic Savings
2004DW	\$ 79,525,000	Drinking Water SRF	KDHE DW SRF	\$ 3,851,813	Economic Savings
2004G-2	\$ 1,545,000	Capitol Restoration Refunding	SGF	\$ 95,085	Economic Savings
2004F	\$ 43,805,000	KBOR Crumbling Classroom	Educational Bldg Fund	\$ 1,101,371	Economic Savings
2004CW	\$ 2,190,000	Clean Water SRF	KDHE CW SRF	\$ 41,004	Economic Savings
				\$ 8,391,663	total

Senate Ways & Means Cmte
 Date 2-16-2009
 Attachment 5