

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Steve Morris at 10:30 a.m. on February 16, 2001, in Room 123-S of the Capitol.

All members were present except: Senator Jim Barone - excused
Senator Christine Downey - excused
Senator Jean Schodorf - excused

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Amory Lovin, Kansas Legislative Research Department
Stuart Little, Kansas Legislative Research Department
Julian Efirid, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Rae Anne Davis, Kansas Legislative Research Department
Michael Corrigan, Assistant Revisor, Revisor of Statutes Office
Julie Weber, Administrative Assistant to the Chairman
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Leo Henning, on behalf of Gary Blackburn, Director, Bureau of Environmental Remediation,
Kansas Department of Health and Environment

Others attending: See attached guest list

Bill Introductions

Senator Adkins moved, with a second by Senator Jackson, to introduce a bill (1rs1066) commercial feeding stuffs; seizures. Motion carried by a voice vote.

Senator Adkins moved, with a second by Senator Jackson, to introduce a conceptual bill regarding establishing individual development account program and individual development account reserve fund. Motion carried by a voice vote.

The Chairman turned the Committee's attention to review of the minutes of the meetings of January 22, January 24 and January 25, 2001. Senator Adkins moved, with a second by Senator Jackson, to approve the minutes of January 22, January 24 and January 25, 2001. Motion carried by a voice vote.

Subcommittee budget reports:

Ombudsman of Corrections (Attachment 1)

Senator Huelskamp reported that the Subcommittee concurs with the Governor's recommendations for FY 2001 and FY 2002 with adjustments noted in the subcommittee report.

Senator Huelskamp moved, with a second by Senator Jordan, to approve the subcommittee budget report on the Ombudsman of Corrections. Motion carried by a voice vote.

Chairman Morris announced a special presentation and he welcomed Dale Dennis, Assistant Commissioner of Education, who presented an award to Col. Brownlee, Kansas Highway Patrol, regarding establishing the School Safety Hotline on behalf of the 470,000 children in Kansas. The Department of Education wanted to show their appreciation for all the work the Highway Patrol has done. Col. Brownlee graciously accepted the award.

Kansas Highway Patrol (Attachment 2)

Chairman Morris reported that the Subcommittee concurs with the Governor's recommendation for FY 2001.

Chairman Morris reported that the Subcommittee concurs with the Governor's recommendations for FY 2002 with adjustments and observations as listed in the subcommittee report.

Senator Feleciano moved, with a second by Senator Adkins, to approve the Subcommittee budget report on the Kansas Highway Patrol. Motion carried by a voice vote.

Adjutant General, Including Civil Air Patrol (Attachment 3)

Chairman Morris reported that the Subcommittee concurs with the Governor's recommendations for FY 2001 with adjustments and observations as listed in the subcommittee report.

Chairman Morris reported that the Subcommittee concurs with the Governor's recommendations for FY 2002 with adjustments and observations as listed in the subcommittee report.

Senator Feleciano moved, with a second by Senator Adkins, to approve the Subcommittee budget report on the Adjutant General, Including the Civil Air Patrol. Motion carried with a voice vote.

Parole Board (Attachment 4)

Senator Huelskamp reported that the Subcommittee concurs with the Governor's recommendation for FY 2001.

Senator Huelskamp reported that the Subcommittee concurs with the Governor's recommendations for FY 2002 with adjustments as listed in the subcommittee report.

Senator Feleciano moved, with a second by Senator Huelskamp, to amend the Subcommittee report to reflect upon passage of the legislation regarding reducing the number of FTE Parole Board Members from 4.0 to 3.0 FTE positions. Motion carried by a voice vote.

Senator Huelskamp moved, with a second by Senator Jordan, to approve the Subcommittee budget report as amended on the Parole Board. Motion carried by a voice vote.

State Fire Marshall (Attachment 5)

Chairman Morris reported that the Subcommittee concurs with the Governor's recommendation for FY 2001.

Chairman Morris reported that the Subcommittee concurs with the Governor's recommendations for FY 2002 with adjustments and observations as listed in the subcommittee report.

The Committee discussed Section 2 of the State Fire Marshall subcommittee recommendations in regard to the agency stating that the Governor's recommended salaries and wage reductions, in FY 2001, will prevent them from fully funding salaries and wage expenditures for the current year. The Subcommittee recommends this item be flagged for Omnibus consideration in the event that the additional funding is necessary to allow the agency to meet its current year obligation.

Senator Feleciano moved, with a second by Senator Jackson, to amend the Subcommittee budget report and insert Section 2 of the FY 2002 budget report in to the FY 2001 budget report for the State Fire Marshall. Motion carried on a voice vote.

Senator Jackson moved, with a second by Senator Jordan, to approve the Subcommittee budget report as amended on the State Fire Marshall. Motion carried on a voice vote.

Kansas Bureau of Investigation (Attachment 6)

Senator Jordan reported that the Subcommittee concurs with the Governor's recommendation for FY 2001.

Senator Jordan reported that the Subcommittee concurs with the Governor's recommendations with adjustments and observations for FY 2002 as listed in the subcommittee report.

Senator Adkins requested that Staff come up with some sort of rational basis that might allow concluding that the salary enhancements offered by the Governor for the Kansas Highway Patrol and the Department of Corrections officers are also appropriate for the Kansas Bureau of Investigation agents considering the methamphetamine proliferation. These agents find themselves in very dangerous circumstances when they work a crime scene and he does not want to send a message that they are not worthy of the same kind of consideration as highway patrol officers. Senator Adkins noted that he is interested in visiting the pay issue, being very aggressive in pursuing the laboratory science issue and he feels that more information is needed regarding whether or not it will be able to keep pace with DNA processing expenses at Omnibus.

Senator Feleciano echoed the remarks by Senator Adkins and that there is a need to be more aggressive in regard to agents walking into dangerous situations when they work a crime scene. Senator Feleciano also explained information regarding DNA testing and a national clearing house as it relates to crime in general. He is also concerned about what the actual cost and expenditure is with DNA testing and hopes it would be pursued at some point in time, perhaps in the wrap-up session.

Senator Adkins moved, with a second by Senator Feleciano, to amend the Subcommittee report to flag the issues of agent pay and DNA analysis for further consideration at Omnibus. Motion carried by a voice vote.

Senator Jordan moved, with a second by Senator Feleciano, to approve the Subcommittee budget report as amended on the Kansas Bureau of Investigation. Motion carried by a voice vote.

Sentencing Commission (Attachment 7)

Senator Salmans reported that the Subcommittee concurs with the Governor's recommendation for FY 2001 with adjustments as listed in the subcommittee report.

Senator Salmans reported that the Subcommittee concurs with the Governor's recommendations for FY 2002 with adjustments and observations as listed in the subcommittee report.

Senator Salmans moved, with a second by Senator Jackson, to approve the Subcommittee budget report on the Sentencing Commission. Motion carried by a voice vote.

Emergency Medical Services Board (Attachment 8)

Senator Salmans reported that the Subcommittee concurs with the Governor's recommendation for FY 2001.

Senator Salmans reported that the Subcommittee concurs with the Governor's recommendations for FY 2002 with adjustments and observations as listed in the subcommittee report.

Senator Jordan moved, with a second by Senator Salmans, to request a GBA regarding FY 2002, Item Number 2. Motion carried by a voice vote.

Senator Kerr moved, with a second by Senator Jordan, to drop Item Number 6 regarding FY 2002 from the Subcommittee report and consider the issue at Omnibus. Motion carried by a voice vote.

Senator Feleciano requested a memorandum from staff regarding what, where, how much and where the money is going.

Senator Feleciano moved, with a second by Senator Jordan, to amend the subcommittee report to consider transfer Item 8 at Omnibus. Motion carried by a voice vote.

Senator Salmans moved, with a second by Senator Kerr, to approve the Subcommittee budget report as

amended on the Emergency Medical Services Board. Motion carried on a voice vote.

Chairman Morris opened the public hearing on:

SB 184—Creating the natural resources damages trust fund, used to restore injured natural resources

Staff briefed the Committee on the bill.

Chairman Morris welcomed Leo Henning, on behalf of Gary Blackburn, Director, Bureau of Environmental Remediation, Kansas Department of Health and Environment, who spoke in favor of **SB 184**. Mr. Henning mentioned that after the bill had been introduced, it was pointed out to the agency that the current wording may create some unanticipated consequences. To eliminate those concerns, the agency proposed some language changes to (f) to narrow the scope of activities and funding sources (Attachment 9).

Committee questions and discussion followed.

There being no further conferees, Chairman Morris closed the public hearing on **SB 184**.

A letter was distributed to the Committee dated January 26, 2001, from Connie Hubbell, Secretary, Department on Aging, regarding her response to questions raised by Committee members regarding the Wage Pass Through Program during the agency overview on January 17, 2001 (Attachment 10).

The meeting was adjourned at 12:00 noon. The next meeting is scheduled for February 19, 2001.