

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson David Adkins at 12:30 p.m. on March 23, 2000 in Room 514-S of the Capitol.

All members were present except: All present

Committee staff present: Alan Conroy, Kansas Legislative Research Department  
Stuart Little, Kansas Legislative Research Department  
Robert Waller, Kansas Legislative Research Department  
Deb Hollon, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Leah Robinson, Kansas Legislative Research Department  
Rae Anne Davis, Kansas Legislative Research Department  
Reed Holwenger, Kansas Legislative Research Department  
Carolyn Rampey, Kansas Legislative Research Department  
Tom Severn, Kansas Legislative Research Department  
Paul West, Kansas Legislative Research Department  
Kathie Sparks, Kansas Legislative Research Department  
Robert Chapman, Kansas Legislative Research Department  
Jim Wilson, Revisor of Statutes Office  
Mike Corrigan, Revisor of Statutes Office  
Mary Shaw, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list.

**HB 2993 - Appropriations for FY 2001, capital improvements for various state agencies**

Representative Kline made a motion, seconded by Representative Nichols, to reconsider action on HB 2993. Motion passed.

Representative Kline made a substitute motion, seconded by Representative Reardon, to move that HB 2993 on capital improvements into existing SB 323 which will be a House Substitute for SB 323. Motion carried.

**Bill Introductions**

Representative Adkins made a motion, seconded by Representative Peterson, to introduce a committee bill concerning courts; relating to court of appeals. Motion carried.

**HB 2994 - Appropriations for FY 2001 for state agencies**

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department, distributed the following updated information:

- Joint Committee on State Building Construction, Recommended Adjustments to the Governor's Recommendations on Capital Improvements (Attachment 1).
- House Adjustments to Amended Governor's Recommendations - Reflects House Committee Adjustments for FY 2001 (Attachment 2).
- Senate Adjustments to Amended Governor's Recommendations - Reflects Senate Committee Adjustments for FY 2001 (Attachment 3)

- Comparison of Senate and House Adjustments to the Governor's Recommendations for FY

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2001 - Reflects Committee Action as of March 22, 2000 (Attachment 4)

- Economic Development Initiatives Fund (Attachment 5)
- State Water Plan Fund, FY 2000 and FY 2001 (Attachment 6)

Chairman Adkins turned the Committee's attention to the FY 2001 Governor's Budget Amendments Not Considered by House Committee (Attachment 7)

Representative Neufeld made a motion, seconded by Representative Pottorff, to adopt the Governor's Budget Amendment Number 1 relating to FY 2001. Motion carried.

The Chairman suspended consideration of **HB 2994** and returned to the item of business, Bill Introductions. The Chairman recognized Representative Farmer.

### **Bill Introductions**

Representative Farmer made a motion, seconded by Representative Landwehr, to introduce a bill that would create a 16-member joint committee composed of legislators and charges that group to submit legislation for a new public school financing program to the 2002 Legislature and repeals the present School District Finance and Quality Performance Act on June 30, 2002. (Attachment 8). Committee questions and discussion followed. Motion carried.

The Chairman returned to the Committee consideration of **HB 2994**.

### **HB 2994 - Appropriations for FY 2001 for state agencies**

Representative Farmer made a motion, seconded by Representative Allen, to change the Education and Legislative Budget Committee report to recommend funding the base state aid per pupil for FY 2001 at \$50 from the State General Fund so that even if the intergovernmental transfer program did not happen, the \$50 base state aid per pupil would still be there. Committee questions and discussion followed. Representative Dean made a substitute motion that the Committee cast a unanimous vote for this motion. Representative Dean mentioned that he highly endorsed the motion by Representative Farmer. Motion carried. Motion was not by total unanimity.

Representative Feuerborn made a motion, seconded by Representative Reinhardt, to add \$35,000 to the Department of Education for Ag in the Classroom with the funding source State General Fund. Committee questions and discussion followed. Representative Feuerborn closed. A vote was taken and division was requested. Motion failed.

Representative Kline made a motion, seconded by Representative Weber, from the Public Safety Budget Committee, to amend the bill regarding the Sentencing Commission to delete one unclassified temporary position and replace it with one FTE position. Motion carried.

Representative Kline made a motion, seconded by Representative Neufeld, regarding the Kansas Highway Patrol that a trooper or a sworn officer of the Kansas Highway Patrol who resigns from the Kansas Patrol to accept employment with a local, state or federal law enforcement agency shall be authorized to purchase personal side arms with trigger locks upon resignation in the same manner as prescribed for retired troopers and sworn officers of the Kansas Highway Patrol except that no sale of personal side arms shall be made to any trooper or sworn officer of the Kansas Highway Patrol upon resignation unless the superintendent of the Kansas Highway Patrol determines that the employment record and performance evaluation from such trooper or sworn officer of the Kansas Highway Patrol is satisfactory. Motion carried.

Representative Pottorff made a motion, seconded by Representative Reardon, regarding Kansas, Inc, which money lapsed in FY 2000 to increase the expenditure in FY 2001 for \$10,000 for the Department

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of Commerce strategic planning. Committee questions and discussion followed. Motion carried.

Representative Feuerborn made a motion, seconded by Representative Mollenkamp, regarding the Abandoned Oil and Gas Well Fund and that it had been brought to the attention of the Agriculture and Natural Resources Budget Committee that it was needed to increase expenditure limits to the fund since there are carry-over dollars (Attachment 9). Motion carried.

Representative Adkins made a motion, seconded by Representative Shriver, to transfer \$1.9 million dollars from the State Emergency Fund to the State General Fund based on SB 100 which the Committee has passed and is currently on general orders to conform the budget with previous action. Motion carried.

The Committee discussed deferring some issues to omnibus, and one particular issue regarding the Kansas Public Employees Retirement System (KPERs). The Chairman asked Alan Conroy, Chief Fiscal Analyst, to explain the effect of deferring action to omnibus. Questions and discussion followed.

Representative Hermes made a motion, seconded by Representative Pottorff, that the intent of the Committee is to defer action on all KPERs issues until the omnibus session and that the Committee will revisit all these issues based on substantive legislation that might pass in this session of the Legislature and all other KPERs issues before the Committee as they affect the budget. Motion carried.

Chairman Adkins mentioned that, in regard to some of the other deferred items, that most of them are encompassed in the capital improvements bill, but that they are making no recommendation in regard to prison construction within the Department of Corrections and as well they are making no recommendation with regards to the construction of a maximum security juvenile facility in Topeka nor any other Juvenile Justice Authority capital improvement requests, and that actions have specifically been deferred on those items to the omnibus session.

Representative Dean made a motion, seconded by Representative Farmer, for a proviso for the University of Kansas Medical Center for \$1 million dollars to be spent for the acquisition of magnetoencephalography (MEG) technology equipment and associated software for the Child Development Unit. Motion carried.

Representative McKechnie made a motion, seconded by Representative Feuerborn, to add an amendment to the Attorney General's budget which would be a proviso to add \$100,000 dollars for 1 FTE for an assistant attorney to enforce the Kansas Open Records Act, offer guidance to all units of governments to establish a toll-free open records hotline to be installed in the Attorney General's office and provide other informational material to inform government agencies of their responsibilities and Kansas citizens of their rights under the law. Committee questions and discussion followed.

Representative McKechnie restated his motion, seconded by Representative Feuerborn, to amend and authorize the additional one FTE and direct the Attorney General to establish a toll-free open records hotline and provide informational materials to local units of government and inform Kansas citizens of their rights under the law using existing resources. Motion carried.

Representative Spangler made a motion, seconded by Representative McKechnie, regarding the Kansas Highway Patrol, to adopt the proposed amendment to **HB 2994** (Attachment 10). Committee questions and discussion followed. A vote was taken and division was requested. Motion failed.

Representative Nichols made a motion, seconded by Representative Reardon, to amend by proviso the Governor's Budget Amendment so that the step increases that are granted under this budget actually go into the base for state employees. Committee questions and discussion followed. Representative Nichols withdrew his motion with no objection from Representative Reardon who was the second for the motion. The Chairman mentioned that this issue will be revisited at the omnibus session.

Representative Dean made a motion, seconded by Representative Reardon, regarding the Tobacco Litigation, for a proviso that if at any time in the next budget year proceeds were received which represent reimbursements or other amounts the state might receive relating to litigation expenses or fees then such

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funds are to be deposited into the Kansas Endowment for Youth. Motion carried.

Representative Spangler made a motion, and seconded by Representative Reardon, to restore the \$400,000 dollars for the heart-lung transfer procedure for the seven patients for this year that are currently on the waiting list for this year in the SRS budget. Committee questions and discussion followed. A vote was taken and division was requested. Motion failed.

The Committee recessed at 2:05 p.m. and will reconvene upon the next recess or adjournment of the House. The Committee reconvened at 5:50 p.m.

Chairman Adkins called the Committee's attention to further consideration of **HB 2994**.

**HB 2994 - Appropriations for FY 2001 for state agencies** (continued discussion)

Representative Adkins made a motion, seconded by Representative Neufeld, regarding some of the Governor's recommendations regarding the Children's Initiatives Fund to defer and remove to omnibus consideration the following: the \$3,000,000 for the Community Partnership Grants, the \$500,000 for the Smoking Cessation/Prevention Program Grants, the \$3,000,000 for the HCBS Services for the Mentally Retarded, the \$1,800,000 for the HCBS Services for the Physically Disabled, the \$250,000 for the Best Children's Programs Practices Research, the \$159,956 for the Statewide DARE Program, and the \$500,000 for the School Violence Prevention Programs so the Committee will have an opportunity to focus more closely before having these subject to conference committee review (Attachment 11). Committee questions and discussion followed. Motion failed.

Representative Adkins renewed his motion, seconded by Representative Reardon, to defer all agency/programs regarding the Children's Initiatives Fund for omnibus consideration. Motion carried.

Chairman Adkins distributed a thought piece titled "Kansas Prevention Initiative: Kansas Center for Prevention Leadership, Making a Difference with Leadership and Accountability" prepared by the Chairman (Attachment 12). The Chairman mentioned that it is an effort he is interested in and that he intends to have a bill introduced to this effect and will be working to come up with the specifics, but he would hope it will guide some of the ways in which the Children's Initiative Funds are appropriated. He asked the Committee to review the information and that he is interested in any feedback.

Representative McKechnie made a motion, seconded by Representative Dean, to appropriate funds credited to the fund created by **HB 3042**, Special Education Aid Services Fund. Motion carried.

Representative Farmer made a motion, seconded by Representative Neufeld, to have the provisions of **HB 2994** as amended into **SB 326**, to be reported as **House Substitute for SB 326**. Motion carried.

Representative Neufeld made a motion, seconded by Representative Stone, to report **H Sub for SB 326** favorable for passage. A vote was taken and division was requested. Motion carried. Representative Spangler requested to be recorded as voting "No".

The meeting was adjourned at 6:10 p.m. The next meeting is scheduled for March 29, 2000.