

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Marc Rhoades at 9:15 a.m. on March 9, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative McLeland - excused

Committee staff present:

Jim Wilson, Office of the Revisor of Statutes
Nobuko Folmsbee, Office of the Revisor of Statutes
Alan Conroy, Kansas Legislative Research Department
J.G. Scott, Kansas Legislative Research Department
Jarod Waltner, Kansas Legislative Research Department
Shirley Morrow, Kansas Legislative Research Department
Cindy O'Neal, Administrative Assistant, Appropriations Committee
Kathy Holscher, Committee Assistant, Appropriations Committee

Others attending:

See attached list.

- Attachment 1 KNI Testimonial
- Attachment 2 FY 2012 Budget Committee Report – Highway Patrol, Kansas Bureau of Investigation and State Fire Marshal
- Attachment 3 Testimony – Kansas Association of Chiefs of Police
- Attachment 4 Testimony – Kansas Board of Emergency Medical Services
- Attachment 5 Testimony – Kansas Sheriffs Association
- Attachment 6 Testimony – Local Law Enforcement Agencies

Chairman Rhoades welcomed committee members and reviewed the committee agenda. He stated that a testimonial regarding a resident of KNI has been distributed to members, (Attachment 1).

Representative Peck, Chair, House Transportation and Public Safety Budget Committee, presented the Highway Patrol FY 2012 Budget Committee Report, (Attachment 2). The Budget Committee concurred with the Governor's recommendation with the following adjustment and notations: add \$862,000 for State General Fund (SGF) for trooper trainee classes, noted that the agency will have 64 positions eligible for retirement, discussed bomb technicians with the Fire Marshal's Office assistance, and discussed reducing the longevity bonus from \$50 to \$40 per year of service.

Representative Peck made a motion to adopt the FY 2012 Highway Patrol Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding class sizes and fund transfers from SGF, and troopers providing services on the Kansas Turnpike. Background information was provided on the 800Mhz conversion by a committee member.

Representative Gatewood made a substitute motion to include the Senate Subcommittee Recommendation directing the agency to use up to \$1.75 million in state forfeiture and seizure monies to complete the 800 MHz communications interoperability project, as referred to in item one of the report. The motion was seconded by Representative Schwartz.

Discussion continued by members regarding the communities served, the distribution of seizure monies and emergency response issues in sparsely populated areas.

The substitute motion was renewed. Motion carried.

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Committee members continued discussion regarding additional savings and public safety issues.

Kim Flory, Physical Officer, Highway Patrol, responded to questions from committee members regarding ranking and related wages for troopers.

Representative Kleeb made a motion for a conceptual amendment that would require a report to the House Appropriations and Senate Ways and Means committees regarding: cooperative efforts, cost saving measures to the state, and alleviated duplication of services identified within all state law enforcement agencies, by the beginning of the 2012 Legislative Session. The motion was seconded by Representative Brown.

Discussion continued by committee members. It was noted that the motion would provide an outline the coordination of activities between sheriff, State Highway Patrol in order to save resources at the local county & state level.

The motion was renewed. Motion carried.

The motion to adopt the FY 2012 Highway Patrol Budget Committee Report as amended was renewed. Motion carried.

Representative Peck stated that written testimony from the Kansas Association of Chief of Police (Attachment 3), Kansas Board of Emergency Medical Services (Attachment 4), Kansas Sheriffs Association (Attachment 5) and local law enforcement agencies (Attachment 6) have been distributed to committee members.

Representative Peck, Chair, House Transportation and Public Safety Budget Committee, presented the Kansas Bureau of Investigation FY 2012 Budget Committee Report, (Attachment 2). The Budget Committee concurred with the Governor's recommendation with the following adjustment and notations: add \$450,000 for SGF for clean up of meth labs, add \$326,670 for SFG to replace federal stimulus dollars for the Edward Byrne Memorial Justice Assistance Grant funding, add \$167,000 all form SGF to restore funding for investigative polygraph and digital forensic examination positions, add 12 FTE positions, noted that the agency generally loses forensic scientists often to higher paying positions, and discussed longevity bonuses reduced from \$50 to \$40 per year of service.

Representative Peck made a motion to adopt the Kansas Bureau of Investigation FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members. It was noted that of the 12 positions recommended, 3 positions are filled and funded, and 9 are unfilled and unfunded positions. These positions were recommended in order to meet the needs of law enforcement state-wide.

Representative Brown made a motion for an amendment to reduce the request to 6 FTE positions. The motion was seconded by Representative Crum.

It was noted that this would not be a savings to the agency as these are not funded positions, and this motion would allow the agency flexibility to hire staff through shrinkage.

The motion was renewed. Motion failed.

Representative Brown made a motion for an amendment to reduce the request to 5 FTE positions. The motion was seconded by Representative DeGraaf. Motion failed.

The motion to adopt the Kansas Bureau of Investigation FY 2012 Budget Report was renewed. Motion failed.

It was suggested that committee members receive additional information from the executive branch.

A recount of votes was requested by committee members.

The motion to adopt the Kansas Bureau of Investigation FY 2012 Budget Report was renewed. Motion

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House Appropriations Committee at 9:15 a.m. on March 9, 2011, in Room 346-S of the Capitol. carried.

The Chairman stated that information will be forthcoming from the Legislative Research Department regarding budget recommendations to date. The committee will continue meeting upon the adjournment of the House today, he added.

Meeting adjourned: 10:55 a.m.

Chairman Rhoades called the meeting to order at 12:07 p.m.

Noboko Folmsbee, Office of the Revisor of Statutes, provided information committee members requested regarding the forfeiture fund. She stated this fund is only for law enforcement purposes, which mirrors the federal requirements which prohibits these funds for hiring purposes.

Representative Peck, Chair, House Transportation and Public Safety Budget Committee, presented the State Fire Marshal FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendation with the following adjustments and notations: Delete \$80,748 to reduced budgeted purchases for paper based supplies, the agency continues to provide trend data for safe cigarettes, recommends the suspension of 20% or up to a maximum of \$200,000 of the fee receipts to the State General Fund, discussed reducing the longevity bonus payments from \$50 to \$40 per year of service, encouraged the agency to pursue an agreement for assistance with the bomb technicians of Highway Patrol, it was noted that due to timing of the transfer and budget submission a request for replacement of equipment was not done but would have been requested, and review expenditures for possible reductions and savings for review next session.

Representative Peck made a motion to adopt the FY 2012 State Fire Marshal Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding regulations and safety issues for children and the elderly population.

The motion was renewed. Motion carried.

Representative Gordon, Chair, House Education Budget Committee, presented the Department of Education FY 2011 Budget Committee Report, (Attachment 7). The Budget Committee concurred with the Governor's recommendation with the following adjustment: delete \$26.5 million from SGF from KPERS-School in FY 2011 for Special Education maintenance of effort, and add \$26.5 million from SGF to Special Education for FY 2011.

Representative Gordon made a motion to adopt the Department of Education FY 2012 Budget Committee Report. The motion was seconded by Representative Schwartz.

Discussion followed by committee members. It was noted that the delay in KPERS payment until July would meet the Special Education maintenance of effort requirements. In regards to longevity bonus issues, it was noted that recommendation was not made globally and could be done so at Omnibus.

The motion was renewed. Motion carried.

Representative Gordon, Chair, House Education Budget Committee, presented the Department of Education FY 2012 Budget Committee Report, (Attachment 7). The Budget Committee concurred with the Governor's recommendation with the following adjustments: delete \$26.5 million for SGF in FY 2012 reducing the Base State Aid Per Pupil approximately \$40, add \$26.5 million from SGF to KPERS-School for the maintenance of effort reduction in FY 2011, and add \$52,287 for SGF for school food assistance.

Representative Gordon made a motion to adopt the Education FY 2012 Budget Committee Report. The motion was seconded by Representative Schwartz.

Discussion followed by committee members regarding the matching fund requirements for the school food assistance program and IDEA maintenance of effort requirements. The increased funding for the school food assistance program was based on increased reimbursement factors based in September, more at-risk students who will be qualified for free or reduced lunches, as well as the maintenance of effort

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The motion was renewed. Motion carried.

The meeting was adjourned at: 12:55 p.m.

Marc Rhoades, Chairman