

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 4, 2009, in Room 545-N of the Capitol.

All members were present except:

Senator David Wysong- excused

Committee staff present:

Estelle Montgomery, Kansas Legislative Research Department

Amy Deckard, Kansas Legislative Research Department

Jill Wolters, 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:

Don Jordan, Secretary, Department of Social and Rehabilitation Services (SRS)

Irv Hoffmann, President, Kansas Silver Haired Legislature

Kim Strunk, Grandparent & Interested Citizen

Don Youts, Coordinator, Male Focus Coalition, Wichita

Peter Spokes, President & Chief Operating Officer, National Center for Fathering

Others attending:

See attached list.

Introduction of Legislation

Senator Huelskamp appeared before the Committee to request introduction of legislation concerning expansion of the taxpayer transparency act.

Senator Taddiken moved to introduce legislation concerning expansion of the taxpayer transparency act (9rs0574). The motion was seconded by Senator Schodorf. Motion carried on a voice vote.

Senator Vratil moved to introduce legislation concerning the refunding of bonds issued by the state of Kansas (9rs0687). The motion was seconded by Senator Schodorf. Motion carried on a voice vote.

Senator Umbarger moved to introduce legislation concerning cities and municipalities with regard to planning and zoning. The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Senator Umbarger moved to introduce legislation concerning counties with regard to planning and zoning. The motion was seconded by Senator Teichman. Motion carried on a voice vote.

Senator McGinn moved to introduce legislation to abolish the death penalty (9rs0148). The motion was seconded by Senator Kelly. Motion carried.

Hearing on SB 109 - Amending the grandparents as caregivers act.

Hearing on SB 125 - Grandparents as caregivers act; eligibility, legal guardianship not required.

Amy Deckard, Legislative Research Department, briefed the Committee on **SB 109** and **SB 125**. Ms. Deckard noted that although the bills are similar in topic, there are a number of differences between the bills. Ms. Deckard stated that **SB 125** would change current law eliminating the requirement that the grandparent have legal guardianship or legal custody and only requires that the child reside with the grandparent. The fiscal note on **SB 125** estimates an increase of \$1.6 million to the State General Fund (SGF). Because **SB 109** would shift funding for the Grandparents program from the SGF to the Temporary Assistance for Needy Families (TANF) Block Grant, the legislation would decrease expenditures from the SGF by \$1.16 million and all funds by \$352,584.

Ms. Deckard stated that **SB 109** would make amendments to current law including eliminating reference to Temporary Assistance for Families (TAF) Program thus reducing expenditures from the SGF and increasing

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expenditures from the Temporary Assistance to Needy Families (TANF) Block Grant. It was noted that **SB 109** fulfills recommendations as proposed by the Governor for FY 2009.

Senator Dick Kelsey appeared before the Committee in support of **SB 109**. Senator Kelsey stated that the current statute did not accomplish the goal as the Legislature intended, noting that many grandparents provide a home for their grandchildren because they have no other place to go.

Don Jordan, Secretary, Department of Social and Rehabilitation Services (SRS), provided testimony on **SB 109** and **SB 125** (Attachment 1). The Secretary noted that the grandparent program began on January 1, 2007, as an entirely state funded program. **SB 109** would bring the program under the qualifications of the federal Temporary Assistance for Families (TAF) requirements and could be funded with federal TANF funds rather than SGF.

Responding to a question from the Committee, Secretary Jordan stated that the balance in the TANF fund as the end of last year was \$17 million. The Secretary noted that there are federal legal requirements for how the TANF funds can be used. Secretary Jordan stated that the language in **SB 109** on Lines 32-35 are federal requirements for receiving TANF funds. Because some of the programs funded through TANF also require matching state funds, Secretary Jordan indicated that additional state funding could result in additional TANF funds for the state.

Senator Oletha Faust-Goudeau presented testimony on **SB 109** and **SB 125** (Attachment 2). The Senator noted that the biggest obstacle in the current program has been the requirement that the grandparent had to have legal guardianship of the grandchild, a process that can be costly and time-consuming for the grandparent. Senator Faust-Goudeau stated that she primarily supports **SB 125**.

Irv Hoffmann, President, Kansas Silver Haired Legislature, presented testimony in support of **SB 125** and opposition to **SB 109** (Attachment 3). Mr. Hoffmann noted that the cost of caring for a child in foster care is \$26,000 yearly, compared to the cost of the grandparent program capped at \$200 a month per child, translating to \$2,400 annually. Mr. Hoffmann indicated that he felt the current program lacks proper outreach to grandparents across the state.

Responding to a question from the Committee, Mr. Hoffmann stated that the Silver Haired Legislature would not support legislation to move the Grandparents program to TANF funding. Mr. Hoffmann also stated that the Silver Haired Legislature is concerned with the amount of money allocated for the program and how the funds are being spent.

Kim Strunk, Grandparent and interested party, provided testimony in opposition to **SB 109** (Attachment 4) and in support of **SB 125** (Attachment 5). Ms. Strunk noted that she is a grandparent raising her grandchildren. She requested that verbiage in **SB 125** referring to "custody" be changed to read "resides with".

Written testimony from Ernest Kutzley, Advocacy Director, AARP Kansas, was distributed to the Committee (Attachment 5).

- The Committee requested information to clarify what constitutes a child's unearned income and a child's income; information on federal requirements for use of TANF funds; flexibility in the federal requirements; information on the programs that require state matching funds for receiving federal funding; and the current balance in the TANF Block Grant.

The hearing on SB 109 and SB 125 was closed.

Hearing on SB 128 - Fatherhood initiative program; implemented by the department of social and rehabilitative services.

Don Youts, Coordinator, Male Focus Coalition, Wichita, presented testimony in support of **SB 128** (Attachment 6). Mr. Youts stated that research proves that a father's involvement in their child's live has a huge impact on the child's success in school and throughout life. Mr. Youts noted that **SB 128** could provide

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the resources to build a statewide service delivery system for encouraging and strengthening fathers as they build the lives of children.

Peter Spokes, President and Chief Operating Officer, National Center for Fathering in Merriam, Kansas, presented testimony in support of **SB 128** (Attachment 7). Mr. Spokes emphasized the importance of a father in the upbringing of a child. Mr. Spokes noted that **SB 128** is an important step in addressing the crisis by formally establishing a statewide fathering initiative. Mr. Spokes indicated that the program could affect approximately 165,000 children across Kansas who are living without fathers in their lives.

Responding to a question from the Committee, Mr. Spokes stated that the initiative could have a broad range of programming options.

The hearing on **SB 128** will be continued on Tuesday, February 10, 2009.

Adjournment

The next meeting of the Committee will be held on February 5, 2009.

The meeting was adjourned at 12:15 p.m.