

Approved: April 5, 2001  
Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairman Kenny Wilk at 9:05 a.m. on March 16, 2001, in Room 514-S of the Capitol.

All members were present except: Representative Barbara Ballard  
Representative Phil Kline

Committee staff present: Alan Conroy, Legislative Research  
Rae Anne Davis, Legislative Research  
Amy Kramer, Legislative Research  
Audrey Nogle, Legislative Research  
Robert Chapman, Legislative Research  
Robert Waller, Legislative Research  
Tom Severn, Legislative Research  
Debra Hollon, Legislative Research  
Julian Efrid, Legislative Research  
Amory Lovin, Legislative Research  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee:

Others attending: See Attached

Representative Pottorff, Chairperson of the General Government and Human Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Board of Mortuary Arts for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 1). Motion seconded by Representative Stone. Motion carried.

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the State Board of Mortuary Arts for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 1). Motion seconded by Representative Stone. Motion carried

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the State Board of Mortuary Arts for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 1). Motion seconded by Representative Stone. Motion carried

Representative Shriver presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Examiners in Fitting and Dispensing of Hearing Aids for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 1). Motion seconded by Representative Pottorff. Motion carried

Representative Shriver presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Examiners in Fitting and Dispensing of Hearing Aids for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 1). Motion seconded by Representative Pottorff. Motion carried

Representative Shriver presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Examiners in Fitting and Dispensing of Hearing Aids for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 1). Motion seconded by Representative Pottorff. Motion carried

Representative Stone presented the Budget Committee report on the Governor's budget recommendations for the State Board of Pharmacy for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 with a notation (Attachment 1). Motion was seconded by Representative

Pottorff. Motion carried.

Representative Stone presented the Budget Committee report on the Governor's budget recommendations for the State Board of Pharmacy for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with a notation (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Stone presented the Budget Committee report on the Governor's budget recommendations for the State Board of Pharmacy for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with a notation (Attachment 1). Motion was seconded by Representative Pottorff.

Representative Stone moved to amend the report by changing FY 2002 to FY 2003 on the last line of the Budget Committee Recommendations on Page 3. Motion was seconded by Representative Pottorff. Motion carried.

Representative Stone moved for the adoption of the Budget Committee recommendations for the State Board of Pharmacy for FY 2003 as amended and with a notation (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Barbering for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 1). Motion was seconded by Representative Stone. Motion carried.

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Barbering for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 1). Motion was seconded by Representative Stone. Motion carried.

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Barbering for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with a noted observation (Attachment 1). Motion was seconded by Representative Stone. Motion carried.

Representative Shriver presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Cosmetology for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Shriver presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Cosmetology for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Shriver presented the Budget Committee report on the Governor's budget recommendations for the Kansas Board of Cosmetology for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with the noted observation (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Stone presented the Budget Committee report on the Governor's budget recommendations for the Kansas Dental Board for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Stone presented the Budget Committee report on the Governor's budget recommendations for the Kansas Dental Board for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with notations (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Stone presented the Budget Committee report on the Governor's budget recommendations

for the Kansas Dental Board for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the Board of Examiners in Optometry for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 1). Motion was seconded by Representative Stone. Motion carried.

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the Board of Examiners in Optometry for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with notations (Attachment 1). Motion was seconded by Representative Stone. Motion carried.

Representative Pottorff presented the Budget Committee report on the Governor's budget recommendations for the Board of Examiners in Optometry for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 1). Motion was seconded by Representative Stone. Motion carried.

Representative Schwartz, Chairperson of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Board of Nursing for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 with the noted adjustments (Attachment 1). Motion was seconded by Representative Kline. Motion carried.

Representative Schwartz presented the Budget Committee report on the Governor's budget recommendations for the Board of Nursing for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with the noted adjustments (Attachment 2). Motion was seconded by Representative Kline. Motion carried.

Representative Schwartz presented the Budget Committee report on the Governor's budget recommendations for the Board of Nursing for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 2). Motion was seconded by Representative Kline. Motion carried.

Representative Spangler presented the Budget Committee report on the Governor's budget recommendations for the Board of Accountancy for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 3). Motion was seconded by Representative Hermes. Motion carried.

Representative Spangler presented the Budget Committee report on the Governor's budget recommendations for the Board of Accountancy for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with a notation (Attachment 3). Motion was seconded by Representative Hermes. Motion carried.

Representative Spangler presented the Budget Committee report on the Governor's budget recommendations for the Board of Accountancy for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 3). Motion was seconded by Representative Hermes. Motion carried.

Representative Schultz, Chairperson of the Education and Legislative Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Behavioral Sciences Regulatory Board for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 with an adjustment (Attachment 4). Motion was seconded by Representative Light. Motion carried.

Representative Schultz presented the Budget Committee report on the Governor's budget recommendations for the Behavioral Sciences Regulatory Board for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with an observation (Attachment 4). Motion was seconded by Representative Light.

After Committee discussion regarding the issue of the use of credit cards by the fee boards and that even those who pay by check are charged the transaction fee, Representative Landwehr moved to amend the Budget

Committee report by adding that the credit card issue concerning the Behavioral Sciences Regulatory Board be reviewed at Omnibus. Motion died for lack of a second.

Representative Landwehr moved to amend the report by requesting that the issue of fee agencies taking credit cards and charging all clients who pay licensure fees a transaction fee be reviewed at the time of Omnibus. Motion was seconded by Representative Shultz. Motion carried.

Representative Landwehr moved to conceptually amend the report by adding language noting the improvement in the Board office both technologically and morale-wise under the leadership of Phyllis Gilmore. The motion was seconded by Representative Spangler. Motion carried.

Representative Shultz moved for the adoption of the Budget Committee recommendations for the Behavioral Sciences Regulatory Board FY 2002 as amended and with the noted observation (Attachment 4). Motion was seconded by Representative Hermes. Motion carried.

Representative Shultz moved for the adoption of the Budget Committee recommendations for the Behavioral Sciences Regulatory Board FY 2003 as amended and with the noted observation (Attachment 4). Motion was seconded by Representative Hermes. Motion carried.

Representative Campbell presented the Budget Committee report on the Governor's budget recommendations for the State Board of Technical Professions for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 5). Motion seconded by Representative Feuerborn. Motion carried.

Representative Campbell presented the Budget Committee report on the Governor's budget recommendations for the State Board of Technical Professions for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with the noted technical correction (Attachment 5). Motion seconded by Representative Minor. Motion carried.

Representative Campbell presented the Budget Committee report on the Governor's budget recommendations for the State Board of Technical Professions for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 5). Motion seconded by Representative Feuerborn. Motion carried.

Betty Rose, Administrator of the State Board of Technical Professions, explained that they collect fees from the technical professions i.e. engineers, in case of a major disaster such as the Hyatt Regency disaster in 1984. It cost \$400,000 for expert witnesses to give 28 days of testimony during the investigation. The Legislature of Missouri refused to pay for this investigation so the licensees (engineers) were each assessed for the costs. The fee fund is considered an insurance policy in case of such a disaster in Kansas.

Representative Minor presented the Budget Committee report on the Governor's budget recommendations for the Abstractors' Board of Examiners for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 with the noted comment (Attachment 5). Motion seconded by Representative Feuerborn. Motion carried.

Representative Minor presented the Budget Committee report on the Governor's budget recommendations for the Abstractors' Board of Examiners for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with the noted comment (Attachment 5). Motion seconded by Representative Feuerborn. Motion carried.

Representative Minor presented the Budget Committee report on the Governor's budget recommendations for the Abstractors' Board of Examiners for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with the noted comment (Attachment 5). Motion seconded by Representative Feuerborn. Motion carried.

Representative McCreary presented the Budget Committee report on the Governor's budget recommendations for the State Bank Commissioner FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Representative McCreary presented the Budget Committee report on the Governor's budget

recommendations for the State Bank Commissioner FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with the noted observations (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Representative McCreary presented the Budget Committee report on the Governor's budget recommendations for the State Bank Commissioner FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with the noted comment (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Representative Schwartz presented the Budget Committee report on the Governor's budget recommendations for the Securities Commissioner of Kansas for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 6). Motion seconded by Representative Klein. Motion carried.

Representative Schwartz presented the Budget Committee report on the Governor's budget recommendations for the Securities Commissioner of Kansas for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 6). Motion seconded by Representative Klein. Motion carried.

Representative Schwartz presented the Budget Committee report on the Governor's budget recommendations for the Securities Commissioner of Kansas for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 6). Motion seconded by Representative Klein. Motion carried.

Representative McCreary presented the Budget Committee report on the Governor's budget recommendations for the State Department of Credit Unions for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Representative McCreary presented the Budget Committee report on the Governor's budget recommendations for the State Department of Credit Unions for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Representative McCreary presented the Budget Committee report on the Governor's budget recommendations for the State Department of Credit Unions for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Representative Klein presented the Budget Committee report on the Governor's budget recommendations for the State Board of Veterinary Examiners for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Representative Klein presented the Budget Committee report on the Governor's budget recommendations for the State Board of Veterinary Examiners for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with adjustments and notations (Attachment 6). Motion seconded by Representative Schwartz.

Representative Nichols moved to conceptually amend the Budget Committee report by adding language to discuss Item 3, the Federal Byrne Grant, at Omnibus. Motion was seconded by Representative Minor. Motion carried.

Representative Klein moved for the adoption of the Budget Committee report on the Governor's budget recommendations for the State Board of Veterinary Examiners for FY 2002 as amended and with adjustments and notations (Attachment 6). Motion was seconded by Representative Schwartz. Motion carried.

The Committee discussed the \$16,000 which is in the agency's fee fund for professional litigation. The Committee was under the impression the State Board of Veterinary Examiners and the Kansas Animal Health Department were going to share an attorney. It was explained that the Attorney General's office is good at enforcement but there is a need in these two departments for civil action such as collecting fines and writing letters regarding infractions of the law.

Representative Klein presented the Budget Committee report on the Governor's budget recommendations for the State Board of Veterinary Examiners for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments and notations (Attachment 6). Motion seconded by Representative Schwartz. Motion carried.

Chairman Wilk presented the Budget Committee report on the Governor's budget recommendations for the State Board of Healing Arts for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 (Attachment 7). Motion was seconded by Representative Campbell. Motion carried.

Chairman Wilk presented the Budget Committee report on the Governor's budget recommendations for the State Board of Healing Arts for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 7). Motion was seconded by Representative Campbell. Motion carried.

Chairman Wilk presented the Budget Committee report on the Governor's budget recommendations for the State Board of Healing Arts for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with a notation (Attachment 7). Motion was seconded by Representative Campbell. Motion carried.

Representative Hermes presented the Budget Committee report on the Governor's budget recommendations for the Kansas Real Estate Commission for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 with the noted comment (Attachment 8). Motion was seconded by Representative Peterson. Motion carried.

Representative Hermes presented the Budget Committee report on the Governor's budget recommendations for the Kansas Real Estate Commission for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with the noted comment (Attachment 8). Motion was seconded by Representative Peterson. Motion carried

Representative Hermes presented the Budget Committee report on the Governor's budget recommendations for the Kansas Real Estate Commission for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with the noted comment (Attachment 8). Motion was seconded by Representative Spangler. Motion carried

Representative Hermes presented the Budget Committee report on the Governor's budget recommendations for the Real Estate Appraisal Board for FY 2001 and moved for the adoption of the Budget Committee recommendations for FY 2001 with the noted comment (Attachment 8). Motion was seconded by Representative Spangler. Motion carried.

Representative Hermes presented the Budget Committee report on the Governor's budget recommendations for the Real Estate Appraisal Board for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with the noted comment (Attachment 8). Motion was seconded by Representative Peterson. Motion carried.

Representative Hermes presented the Budget Committee report on the Governor's budget recommendations for the Real Estate Appraisal Board for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with the noted comment (Attachment 8). Motion was seconded by Representative Campbell. Representative Campbell withdrew his second. Motion was then seconded by Representative Spangler. Motion carried.

**Action on HB 2507 - Election for 8% deferred compensation plan for legislative staff agency employees**  
Representative Stone moved to report the bill favorably. Motion was seconded by Representative Pottorff. Motion carried.

**Action on HB 2523– Purchase of service credit for certain members of the Kansas police and firemen's retirement system**

This bill would allow the purchase of service credit through an actuarial payment system rather than only by lump sum.

Representative Spangler moved to amend the bill by inserting the language found in **HB 2233**—Normal retirement date for Kansas police and firemen’s retirement system, into **HB 2523**. Motion was seconded by Representative Shriver. Motion failed.

The Committee discussed the impact on the KPERS system by allowing early retirement for persons who have attained 30 years of service but have not reached retirement age. The element of physical danger and the likelihood for disability for such employees who are still required to work as firemen or patrolmen was also discussed. Chairman Wilk announced he is making a written request to the LCC for an interim study on such issues in KPERS and requesting that this report be returned to the Legislature prior to the 2002 session.

Representative Stone moved for the favorable passage of **HB 2523**. Motion was seconded by Representative Pottorff. Motion carried.

**Action on HB 2550—Director of division of purchases; duties**

Representative Neufeld moved to amend the bill by restoring the language in Lines 34, 35, and 36 in the bill. Motion was seconded by Representative Minor. Motion carried.

Representative Neufeld moved that the bill be reported favorably as amended. Motion was seconded by Representative Henry. Motion carried.

**Action on HB 2551--State officers and employees; reimbursement rates for mileage and travel subsistence**

Representative Neufeld moved to amend the bill by removing the new language found in Section 4 of the bill. Motion was seconded by Representative Campbell. Representative Neufeld withdrew his motion.

Representative Neufeld moved to conceptually amend the bill by inserting language that exemptions by Rules and Regulations do not apply to the limitation regarding a 30 mile radius of the state employee’s home. Motion was seconded by Representative Campbell. Motion carried.

Representative Campbell moved to conceptually amend the bill by inserting language that exemptions by Rules and Regulations do not apply within a 60 mile radius of the state employee’s home. Motion was seconded by Representative Bethell. Motion failed.

Representative Nichols moved to report the bill favorably as amended. Motion was seconded by Representative Stone. Motion carried.

**Action on HB 2552 – State institutions; canteen and key deposit funds**

Representative Shriver moved to report the bill favorably and place it on the Consent Calendar. Motion was seconded by Representative Neufeld. Motion carried.

The Committee adjourned and will meet again on Monday, March 19, 2001.