

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Vice-Chairperson David Adkins at 10:30 a.m. on February 14, 2003, in Room 123-S of the Capitol.

All members were present except: Senator Stephen Morris - excused
Senator Jean Schodorf - excused

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department
Martha Dorsey, Kansas Legislative Research Department
Melissa Calderwood, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Nicoletta Buonasera, Kansas Legislative Research Department
Michael Corrigan, Assistant Revisor of Statutes
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2003 and FY 2004 were distributed to the committee.

Subcommittee reports on:

Ombudsman for Corrections (Attachment 1)

Subcommittee Chairman Jordan reported that the Subcommittee concurs with the recommendation of the Governor for FY 2003.

Subcommittee Chairman Jordan reported that the Subcommittee concurs with the recommendation of the Governor for FY 2004.

Senator Jordan moved, with a second by Senator Barone, to adopt the subcommittee budget report on the Ombudsman for Corrections for the FY 2003 and FY 2004 budget. Motion carried on a voice vote.

Kansas Parole Board (Attachment 2)

Subcommittee Chairman Jordan reported that the Subcommittee concurs with the recommendation of the

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Governor for FY 2003.

Subcommittee Chairman Jordan reported that the Subcommittee concurs with the recommendation of the Governor with observations for FY 2004.

Senator Jordan moved, with a second by Senator Jackson, to adopt the subcommittee budget report on the Kansas Parole Board for the FY 2003 and FY 2004 budget. Motion carried on a voice vote.

Kansas Bureau of Investigation (Attachment 3)

Subcommittee Chairman Jordan reported that the Subcommittee concurs with the recommendation of the Governor for FY 2003.

Subcommittee Chairman Jordan reported that the Subcommittee concurs with the recommendation of the Governor with notations for FY 2004.

Senator Jordan moved, with a second by Senator Barone, to adopt the subcommittee budget report on the Kansas Bureau of Investigation for the FY 2003 and FY 2004 budget. Motion carried on a voice vote.

Board of Emergency Medical Services (Attachment 4)

Subcommittee Chairman Jackson reported that the Subcommittee concurs with the recommendation of the Governor for FY 2003.

Subcommittee Chairman Jackson reported that the Subcommittee concurs with the recommendation of the Governor with adjustments for FY 2004.

Senator Jackson moved, with a second by Senator Downey, to adopt the subcommittee budget report on the Board of Emergency Medical Services for the FY 2003 and FY 2004 budget. Motion carried on a voice vote.

Kansas Sentencing Commission (Attachment 5)

Subcommittee Chairman Jackson reported that the Subcommittee concurs with the recommendation of the Governor for FY 2003.

Subcommittee Chairman Jackson reported that the Subcommittee concurs with the recommendation of the Governor with adjustments for FY 2004.

Committee questions and discussion followed regarding the Governor's report for elimination of the CJIS Program Director. Senator Feleciano moved, with a second by Senator Downey, to amend the subcommittee budget report on the Kansas Sentencing Commission to flag the item of elimination of the CJIS Program Director for consideration at Omnibus. Motion carried on a voice vote. Senator Feleciano suggested that the Director of CJIS to come back to the committee with a plan of action as to what is left to be done and that more answers are needed.

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Senator Jackson moved, with a second by Senator Downey, to adopt the subcommittee budget report on the Kansas Sentencing Commission for FY 2003 and FY 2004 budget as amended. Motion carried on a voice vote.

Kansas Highway Patrol (Attachment 6)

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor for FY 2003.

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor with adjustments for FY 2004.

Senator Bunten moved, with a second by Senator Downey, that the subcommittee budget report be amended to read that the subcommittee agrees with the Governor's recommendations to fund the Kansas Highway Patrol from the State Highway Fund in FY 2003 and FY 2004 but recommends that the decision be reviewed when considering appropriations for the agency for FY 2005 without a transfer to the State General Fund in these two fiscal years. Committee questions and discussion followed.

Senator Kerr made a substitute motion, with a second by Senator Jackson, to transfer the funds in FY 2004 from the State Highway Fund to the State General Fund and fund the agency operations as they have been done in the past. A voice vote was taken on the substitute motion and division was requested. The motion carried on a show of hands.

Senator Bunten moved, with a second by Senator Jackson, to adopt the subcommittee budget report on the Kansas Highway Patrol for the FY 2003 and FY 2004 budget as amended. Motion carried on a voice vote. Senator Downey and Senator Feleciano requested to be recorded as voting "No" on the motion.

State Fire Marshal (Attachment 7)

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor for FY 2003.

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor with adjustments for FY 2004.

Senator Bunten moved, with a second by Senator Downey, to adopt the subcommittee budget report on the State Fire Marshal for the FY 2003 and FY 2004 budget. Motion carried on a voice vote.

Adjutant General (Attachment 8)

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor with adjustments for FY 2003.

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Senator Downey reported the Minority Report for the FY 2003 Adjutant General subcommittee budget report (attached to the Adjutant General budget report). Staff distributed copies of the following information:

- Letter to Senator Christine Downey from the Adjutant General, dated February 12, 2003 (Attachment 9)
- List of Maintenance Projects and cost provided by the Adjutant General (Attachment 10)

Senator Downey moved, with a second by Senator Feleciano, to amend the subcommittee report to add \$115,000 (from the State General Fund) to be added to the agency's FY 2003 budget to cover insurance costs so that the agency does not have to take the money out of their maintenance dollars. Committee questions and discussion followed regarding insurance, blanket coverage on the armories by the State, concern regarding insurance premium refunds regarding bonds, insurance companies attempting to recoup big losses after September 11, 2001, and bond-holders concern with the ability to re-pay. Motion failed on a voice vote.

Senator Kerr moved, with a second by Senator Salmans, to flag the item to be considered at Omnibus and put in the subcommittee report regarding where the Adjutant General is on their efforts regarding blanket insurance coverage with the State of Kansas and an update on the progress for the FY 2003 budget. Motion carried on a voice vote.

Senator Downey moved, with a second by Senator Feleciano, to note in the subcommittee report that the subcommittee should be mindful that the deferral of maintenance funds to pay for insurance premiums will result in maintenance being suspended for some armories, in some cases deferred or cancelled, and with the deferred maintenance will come increased costs for the FY 2003 budget. Motion carried on a voice vote.

Senator Bunten moved, with a second by Senator Feleciano, to recommend the establishment of an inaugural expense fund within the Adjutant General's department which was inadvertently omitted from the agency in the FY 2003 supplemental request to be used to pay for expenses associated with State duty activities in support of the inaugural ceremony. Motion carried on a voice vote.

Senator Bunten moved, with a second by Senator Feleciano, to adopt the subcommittee budget report on the Adjutant General for the FY 2003 budget as amended. Motion carried on a voice vote. Senator Downey requested to be recorded as voting "No" on the motion.

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor with adjustments for FY 2004.

Senator Bunten moved, with a second by Senator Feleciano, to adopt the subcommittee budget report on the Adjutant General for the and FY 2004 budget as presented. Motion carried on a voice vote.

Ombudsman for Corrections (Reconsideration):

Senator Jordan moved, with a second by Senator Jackson, to reconsider the Ombudsman for Corrections budget. Motion carried on a voice vote.

Senator Jordan moved, with a second by Senator Jackson, to amend the Ombudsman for Corrections budget in

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FY 2004 to expand the funds to be considered to include the Work Release Program Fund. Motion carried on a voice vote.

Senator Jordan moved, with a second by Senator Jackson, to consider the subcommittee budget report for the Ombudsman for Corrections budget as amended. Motion carried on a voice vote.

Bill Introductions

Senator Kerr moved, with a second by Senator Jackson, to introduce a bill enacting the efficiency in local government act (3rs0662). Motion carried on a voice vote.

Senator Jordan moved, with a second by Senator Barone, to introduce a bill relating to the redevelopment of property located within a federal enclave in Johnson and Labette counties; authorizing certain powers, including tax increment financing and sales tax revenue bonds; relating to projects of the Kansas Development Finance Authority (3rs0816). Motion carried on a voice vote.

The meeting adjourned at 12:00 p.m. The next meeting is scheduled for February 17, 2003.