

Approved: May 7, 2008
Date

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:30 A.M. on February 15, 2008, in Room 123-S of the Capitol.

All members were present except:

Senator Donald Betts, Jr. - excused
Senator Greta Goodwin - excused
Senator Steve Morris - excused
Senator Jean Schodorf - excused

Committee staff present:

Jill Wolters, Senior Assistant, Revisor of Statutes
Alan Conroy, Director, Kansas Legislative Research Department
Kristen Clarke Kellems, Assistant Revisor of Statutes
Audrey Dunkel, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research
Heather O'Hara, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Jarod Waltner, Kansas Legislative Research Department
Melinda Gaul, Chief of Staff, Senate Ways & Means
Mary Shaw, Committee Assistant

Conferees appearing before the committee:

Roger Werholtz, Secretary, Kansas Department of Corrections
Frank Henderson, Exec. Dir., Crime Victims Compensation Bd., Office of the Attorney General
Barb Hinton, Legislative Post Auditor, Legislative Division of Post Audit

Others attending:

See attached list.

Bill Introductions

Senator Teichman moved, with a second by Senator Emler, to introduce a conceptual bill concerning Kansas uninsurable health insurance plan act and high risk insurance pools. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Emler, to introduce a bill concerning creating an outfitter license (7rs2191). Motion carried on a voice vote.

Senator Umbarger moved, with a second by Senator Teichman, to introduce a bill conceptual regarding late filing of property tax returns by public utilities. Motion carried on a voice vote.

The Chairman opened the public hearing on:

SB 524—Secretary of corrections authorized to expend funds collected from inmates for crime victims assistance, inmate services and supervision and management of offenders

Staff briefed the committee on the bill.

Chairman Umbarger welcomed the following conferees:

Roger Werholtz, Secretary, Kansas Department of Corrections, testified in support of **SB 524 (Attachment 1)**. The amount of money available to the state through reductions in federal funds in grants has been significantly reduced. The question is, can the Crime Victims Fund in the Attorney General's Office absorb the cuts. They can take one year in cuts, but not in a long term cut and only a one year time and revisit in a year. The bill adds that inmate fees collected and a second source in inmate wages - their balloon would tap into that resource. The issue should be revisited next fiscal year so no damage is being done to Crime Victims Compensation Fund.

CONTINUATION SHEET

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Frank Henderson, Executive Director, Crime Victims Compensation Board, Office of the Attorney General, spoke in support of the bill (Attachment 2). Mr. Henderson explained that Attorney General Six has requested that this be reviewed next year and thereby supporting **SB 524** and the proposed amendment for one year.

Written testimony was submitted by Sandy Barnett, Executive Director, Kansas Coalition Against Sexual and Domestic Violence (Attachment 3)

Senator Emler discussed the wording on the bill and Jill Wolters, Revisor, will work on wording of the amendment. Language needs to be reflected that it would be only for one year and needs to be in the bill for future consideration.

The Chairman closed the hearing on **SB524**.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2008 and FY 2009 were available to the committee.

Subcommittee reports on:

Kansas Department of Agriculture (Attachment 4)

Subcommittee Chairman Mark Taddiken reported that the subcommittee on the Kansas Department of Agriculture concurs with the Governor's recommendation in FY 2008 and concurs with the Governor's FY 2009 recommendation with adjustments. Copies of a chart regarding FY 2008 Supplemental Requests, Department of Agriculture, were distributed by Staff (Attachment 5).

Senator Taddiken moved, with a second by Senator Steineger, to amend the subcommittee report on the Kansas Department of Agriculture in FY 2009 to remove \$160,000 from the State General Fund for a large scale truck and review at Omnibus. Motion carried on a voice vote.

Senator Taddiken moved, with a second by Senator Teichman, to adopt the subcommittee budget report on the Kansas Department of Agriculture in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

Animal Health Department

Subcommittee Chairman Mark Taddiken reported that the subcommittee on the Animal Health Department concurs with the Governor's recommendation in FY 2008 with a notation and concurs with the Governor's FY 2009 recommendation with an adjustment and notations. Copies of a chart regarding FY 2008 Supplemental Requests, Animal Health Department, were distributed by Staff (Attachment 6).

Senator Taddiken moved, with a second by Senator Teichman, to amend the subcommittee report on the Animal Health Department and delete the enhancements in FY 2009 \$5,000 for pound and shelter relinquishment fees, delete \$5,000 for boarding and veterinary bills and delete \$17,000 for purchase of one agency vehicle, all from the State General Fund and review at Omnibus. Motion carried on a voice vote.

Senator Taddiken moved, with a second by Senator Teichman, to adopt the subcommittee budget report on the Animal Health Department in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

The Committee discussed Item No. 1, FY 2008, in the Animal Health Department subcommittee report regarding Federal Emergency Management Agency (FEMA) reimbursement for services provided by the agency after the Greensburg tornado. FEMA has not fully reimbursed the agency and is short of full reimbursement by \$36,541. The Committee charged with gathering information and bringing it back to the Committee regarding all extra disaster funding that is lacking by FEMA with all state agencies and review at Omnibus.

Kansas State Fair

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:30 A.M. on February 15, 2008, in Room 123-S of the Capitol.

Subcommittee Chairman Mark Taddiken reported that the subcommittee on the Kansas State Fair concurs with the Governor's recommendation in FY 2008 with notations and concurs with the Governor's FY 2009 recommendation with adjustments and notation. Copies of a chart regarding FY 2008 Supplemental Requests, Kansas State Fair, were distributed by Staff ([Attachment 7](#)).

Senator Taddiken moved, with a second by Senator Teichman, to adopt the subcommittee budget report on the Kansas State Fair in FY 2008 and FY 2009. Motion carried on a voice vote.

Kansas Department of Wildlife and Parks ([Attachment 8](#))

Subcommittee Chairwoman Carolyn McGinn reported that the subcommittee on the Kansas Department of Wildlife and Parks concurs with the Governor's recommendation in FY 2008 and concurs with the Governor's FY 2009 recommendation with exceptions.

The Committee discussed Item No. 6 in FY 2009 regarding Greenspace Grants and ELARF Financing and the recommendation for a bill introduction to modify current law and provide the criteria for making awards to areas impacted by natural disasters. The Chairman asked that the interested parties meet, discuss the criteria first and discuss what greenspace means.

Senator Kelly moved, with a second by Senator Teichman, to amend the subcommittee report on the Kansas Department of Wildlife and Parks, in FY 2009, Item No. 4, regarding Clinton State Park due to the large attendance at the park and fund the Natural Resource Officer 1. Following committee discussion, Senator Kelly explained that she feels that this is an agency that is certainly understaffed, and withdrew her motion with the agreement by Senator Teichman, the second to the motion.

Senator Steineger moved, with a second by Senator Kelly, to adopt the subcommittee budget report on the Kansas Department of Wildlife and Parks in FY 2008 and FY 2009. Motion carried on a voice vote.

State Fire Marshal ([Attachment 9](#))

Subcommittee Chairwoman Carolyn McGinn reported that the subcommittee on the State Fire Marshal concurs with the Governor's recommendation in FY 2008 with adjustment and concurs with the Governor's FY 2009 recommendation with adjustments. Senator McGinn suggested revisit the formula levied on fire insurance premiums in the state and the percentages no later than Omnibus.

Senator V. Schmidt moved, with a second by Senator Kelly, to amend the subcommittee report on the State Fire Marshal to request a legislative post audit on the language regarding the premium level, percentages and the formula levied on fire insurance premiums in the state and review any information regarding it at Omnibus. Motion carried on a voice vote.

Senator McGinn moved, with a second by Senator Teichman, to adopt the subcommittee budget report on the State Fire Marshal in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

The Chairman welcomed Barb Hinton, Legislative Post Auditor, Division of Legislative Post Audit, who provided an overview of current and upcoming reports of Legislative Post Audit ([Attachment 10](#)). Ms. Hinton primarily addressed the audits concerning issues related to virtual schools and cost of vocational education programs. These are detailed in the written testimony along with other legislative post audits currently underway or approved as of February 15, 2008.

The meeting adjourned at 12:05 p.m. The next meeting is scheduled for February 18, 2008.