

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chair Melvin Neufeld at 9:00 a.m. on March 19, 2003, in Room 514-S of the Capitol.

All members were present.

Committee staff present:

J. G. Scott, Legislative Research Department
 Melissa Calderwood, Legislative Research
 Julian Efird, Legislative Research
 Amy VanHouse, Legislative Research
 Robert Waller, Legislative Research
 Leah Robinson, Legislative Research
 Amy Deckard, Legislative Research
 Debra Hollon, Legislative Research
 Audrey Nogle, Legislative Research
 Paul West, Legislative Research
 Nicoletta Buonasera, Legislative Research
 Martha Dorsey, Legislative Research
 Becky Krahl, Legislative Research
 Carolyn Rampey, Legislative Research
 Jim Wilson, Revisor of Statutes
 Mike Corrigan, Revisor of Statutes
 Nikki Feuerborn, Administrative Assistant
 Shirley Jepson, Committee Secretary

Conferees appearing before the committee: Janet Schalansky, Secretary of Social and Rehabilitation Services

Others attending: See attached

- Attachment 1 Memo from Denise Everhart, Juvenile Justice Authority
- Attachment 2 FY 2004 Budget of Department of Social and Rehabilitation Services
- Attachment 3 Closure Commission Proviso
- Attachment 4 Support Information for **SB 242**
- Attachment 5 Dispense as Written Proviso
- Attachment 6 Comparison of FY2003 & FY 2004 Budget, Recommendations of Governor and House Committee; Recommendations of Governor and Senate Committee; Recommended Adjustments to State General Fund Receipts
- Attachment 7 FY 2003 & FY 2004 Economic Development Initiatives Fund
- Attachment 8 FY 2003 & FY 2004 Children's Initiatives Fund
- Attachment 9 FY 2003 & FY 2004 State Water Plan Fund
- Attachment 10 House Adjustments to the Governor's Recommendation; Items for Omnibus Consideration, referred by House Committee and Senate Committee; Items to be Resolved by House Committee; Items to be Resolved by Senate Committee

MORNING SESSION**9:00 A.M.**

Representative Schwartz moved for the introduction of legislation to help regulate zoning on underground storage units. The motion was seconded by Representative Osborne. Motion carried.

Representative Campbell moved for the introduction of legislation pertaining to child care facilities that exempts boy's and girl's clubs and other clubs who do after-school activities. The motion was seconded by Representative Feuerborn. Motion carried.

CONTINUATION SHEET

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A memo from Denise Everhart, Acting Commissioner of Juvenile Justice, was distributed to the Committee which provides follow-up information as requested, regarding the agency's process in managing prior fiscal year unexpended funds (carryover) distributed to counties (Attachment 1).

The Committee returned to unfinished business of the Department of Social and Rehabilitation Services FY 2004 Budget for further discussion and possible action (Attachment 2).

The Chair recognized Janet Schalansky, Secretary of Social and Rehabilitation Services, to respond to questions from the Committee concerning the CDDO system.

Representative Bethell moved to amend the report with the addition of language on Page 15, Item 12, to include "If there are savings in rent from the closing of SRS offices or savings from other areas of the budget, the \$475,000 funeral cost of indigent Kansans will be funded". The motion was seconded by Representative Ballard. Motion carried.

Representative Landwehr moved to amend the report and add a "Closure Commission" Proviso to Page 11, Item 10 (Attachment 3). The motion was seconded by Representative Bethell.

The Committee requested more time to read and examine the proviso before action is taken by the Committee. Representative Landwehr withdrew her motion with the permission of the second.

Information was distributed to the Committee regarding SB 242, which addresses the "Closure Commission" issue (Attachment 4).

Representative Landwehr moved to amend the report and strike the words "for an additional" and insert "up to" on Page 9, Item 5d. The motion was seconded by Representative Bethell. Motion carried.

Representative Landwehr moved to amend the report and strike the word "would" and insert "is anticipated to" on Page 8, Item 5 first paragraph and to add the sentence "The Committee is not ready to endorse support of SB 242 until further testimony is available." The motion was seconded by Representative Bethel. Motion carried.

Representative Landwehr moved to amend the report and add a proviso regarding "dispense as written" to the report (Attachment 5). The motion was seconded by Representative Bethel.

After Committee discussion, Representative Landwehr withdrew her motion with the permission of the second.

Representative Landwehr renewed her motion on the Governor's budget recommendations for the Department of Social and Rehabilitation Services' FY 2004 Budget and moved for the adoption of the Budget Committee recommendations as amended. The motion was seconded by Representative Bethel. Motion carried.

Representative Landwehr thanked the Committee and the members of Social Services Budget Committee for their attention and diligent work on the budget of the Department of Social and Rehabilitation Services.

The Chair recognized J. G. Scott, Legislative Research Department, who presented information on the Comparison of FY 2003-FY 2004 Recommended Expenditures with the Governor's Recommendation and the House Recommendation; the Senate Committee Recommendation as of March 18, 2003; and Recommended Adjustments to State General Fund Receipts (Attachment 6).

A typing error in the FY 2003 FTE positions was noted, which should read 39,490.4 and 39,486.4. To reflect the Governor's revenue estimates, on Page 1 under the "Receipts (November 2002 Consensus), the numbers were changed from \$4,152.0 to \$4,047.0 and from \$4,525.7 to \$4,400.7. The ending balances should be changed from \$0.4 to (\$104.6); Change the beginning balance on FY 2004 to (\$104.6); and the ending balance for FY 2004 from \$0.6 to (\$229).

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS at 9:00 a.m. on March 19, 2003, in Room 514-S of the Capitol.

The Chair recognized Deb Holman, Legislative Research Department, who presented information on the FY 2003 and FY 2004 EDIF Fund as of March 17, 2003 (Attachment 7).

The Chair recognized Audrey Nogle, Legislative Research Department, to present information on the FY 2003 and FY 2004 Children's Initiatives Fund (Attachment 8).

The Chair recognized Amy VanHouse, Legislative Research Department, to present information on the FY 2003 and FY 2004 State Water Plan Fund (Attachment 9).

The Chair recognized J. G. Scott to present the House Adjustments to the Governor's Recommendation for FY 2003 and FY 2004, Items for Omnibus Consideration as referred by House Committee and Senate Committee, Items to be Resolved by House Committee, and Items to be Resolved by Senate Committee (Attachment 10).

The meeting was recessed until 1:30 p.m.

AFTERNOON SESSION 1:30 P.M.

HB 2447 was referred to General Govt and Commerce Budget Committee.

The Chair announced there will be a Hearing on **HB 2412**, Friday, March 21, 2003.

Committee Meeting was recessed for Republican and Democrat Caucus until 1:50 p.m.

The Committee turned their attention to **HB 2444** and started at the beginning with the fee agencies. The Chair directed the Committee's attention to Page 18 to statutory change from **SB 429** of the 2002 Session.

Representative Howell moved to amend the Attorney General's budget (Page 24) by removing the unused square footage from the Attorney General's office and save the rent amount of \$32,906. The motion was seconded by Representative Pottorff. Motion carried.

Representative Shriver moved to amend the Department of Administration's section by removing the verbiage (Page 47, Line 34 through Page 48, Line 5) "And provided further, That, in addition to other expenditures authorized by law, notwithstanding the provisions of any other statute, the secretary of administration is hereby authorized to make expenditures for fiscal year 2004 from the state buildings operating fund to sell, exchange or otherwise dispose of the Hiram Price Dillon House, which sale, exchange or other disposition is hereby authorized and shall be in the best financial interest of the state, as determined by the secretary of administration: And provided further, That, in addition to other expenditures authorized by law, notwithstanding the provisions of any other statute, the secretary of administration is hereby authorized to make expenditures for fiscal year 2004 from the state buildings operating fund to raze the Hiram Price Dillon House and to convert the real estate to other use, which razing and conversion are hereby authorized and shall be in the best financial interest of the state, as determined by the secretary of administration." The motion was seconded by Representative Pottorff. Motion carried.

The Committee requested the Legislative Research Department to provide information on the amount of the Goodyear bond payment.

Representative McCreary moved to amend the Department of Health and Environment-Division of Environment section (Page 79) by adding a Proviso for FY 2003, FY 2004 and FY 2005, to prevent KDHE from spending funds to issue a permit to any person or entity for the purpose of operating a landfill within five miles of the Chilaskie River in Harper County. The motion was seconded by Representative Henry. Division was called for. The Motion failed.

Representative Klein moved to remove all language from the Department of Social and Rehabilitation Services section (Page 90), concerning the Hospital Closure issue and defer to Omnibus. The motion was seconded by Representative

CONTINUATION SHEET

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Gatewood. After Committee discussion, the motion was withdrawn with the permission of the second.

The Committee requested information from the Public Safety Budget Committee on a breakdown of expenditures for malpractice and FTE's in the \$31,050,868 designated for treatment and programs (Page 146, Line 33).

The Chair noted that Ombudsman for Corrections is not in the bill and will need to be revisited by the Committee.

The Committee requested an explanation of the \$90,890 from the state highway fund of the Department of Transportation to the water structures-state highway fund of the Kansas Department of Agriculture, referred to on Page 169, Line 31-34.

The Committee requested information on how many aircraft are owned by the State of Kansas.

The meeting was adjourned at 3:30 p.m.

Melvin Neufeld, Chair