

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 9:00 A.M. on February 13, 2007, in Room 514-S of the Capitol.

All members were present except:

Representative Tom Burroughs - excused
 Representative Sydney Carlin - excused
 Representative Pat George - excused
 Representative Jerry Henry - excused
 Representative Larry Powell - excused

Committee staff present:

Alan Conroy, Legislative Research Department
 J. G. Scott, Legislative Research Department
 Becky Krahl, Legislative Research Department
 Amy Deckard, Legislative Research Department
 Aaron Klaassen, Legislative Research Department
 Matt Spurgin, Legislative Research Department
 Jim Wilson, Revisor of Statutes
 Shirley Jepson, Committee Assistant

Conferees appearing before the committee:

Others attending:

See attached list.

- Attachment 1 Budget Committee Report on Kansas Guardianship Program
- Attachment 2 Budget Committee Report on Kansas Human Rights Commission
- Attachment 3 Budget Committee Report on Citizens' Utility Ratepayer Board and Kansas Corporation Commission

Representative Bethell moved to introduce legislation regarding controls on wholesale prescription drugs. The motion was seconded by Representative Lane. Motion carried.

Representative Bethell, Chair of the Social Services Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Guardianship Program for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 1). The motion was seconded by Representative Kelsey. Motion carried.

Representative Bethell, Chair of the Social Services Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Guardianship Program for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Hearing on HB 2368 - Claims against the state.

Amy Deckard, Legislative Research Department, presented an overview of **HB 2368**. Ms. Deckard reviewed the various sections of the bill and stated that the majority of the claims awarded pertain to motor fuel tax used for off-highway usage including school buses and farming equipment.

Senator Journey, Chair of the Joint Committee on Special Claims Against the State, stated that the Committee reviewed 156 claims of which 135 or 86.5 percent of the claims were filed against the Department of Corrections. The Committee recommends payment of 21 claims in **HB 2368** for a total of \$338,996.34 of which \$217,558.17 is from the State General Fund (SGF). Senator Journey noted that the Committee denied 88.0 percent of the 156 claims.

Representative Steve Heubert, member of the Joint Committee on Special Claims Against the State, was also present to answer questions.

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Responses to Committee questions included:

- Section 6 - The special claims disbursement fund is set up in order to spread the award over a series of payments. Funds are to be transferred from the State General Fund to the special fund.
- Section 4 - The claimant is an individual who was in custody; should have had the sentence modified; however, spent considerable time in custody when it was not required.
- Section 6 (a) - A case that was won on appeal after the claimant spent a considerable length of time in prison. The Kansas Supreme Court stated that the State failed to meet its burden of proof. The award will be paid with periodical payments over a period of time.
- Section 8 - The Kansas State Fair insurance policy did not cover all medical expenses of the claimant for injuries sustained on the state fairgrounds.
- Section 10 - Claimant claimed they were not paid for materials used at Kansas State University. The University apparently paid to the wrong contractor.
- Section 11 - The claimants were foster parents and in the process of adopting a child. The Department of Social and Rehabilitation Services (SRS) felt that there was evidence of abuse which was later overturned by a hearing officer; however during this time, the child was adopted elsewhere. Representative Heubert noted that the Joint Committee recommended the payment from the State General Fund because they felt mistakes had been made; however, did not wish to unduly penalize SRS.

The hearing on HB 2368 was closed.

Representative Pottorff, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Human Rights Commission for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 2). The motion was seconded by Representative Lane. Motion carried.

Representative Pottorff, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Human Rights Commission for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 2). The motion was seconded by Representative Lane. Motion carried.

Representative Watkins, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Citizens' Utility Ratepayer Board (CURB) for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 3). The motion was seconded by Representative Gatewood. Motion carried.

Representative Watkins, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Citizens' Utility Ratepayer Board (CURB) for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 3). The motion was seconded by Representative Gatewood. Motion carried.

Representative Gatewood, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Corporation Commission for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 3). The motion was seconded by Representative Watkins. Motion carried.

Representative Gatewood, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Corporation Commission for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 3). The motion was seconded by Representative Watkins. Motion carried.

The meeting was adjourned at 9:40 a.m. The next meeting of the Committee will be held at 9:00 a.m. on February 14, 2007.

Sharon Schwartz, Chair

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