

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:40 A.M. on March 9, 2007, in Room 123-S of the Capitol.

All members were present except:

Senator Jim Barone- excused  
Senator Donald Betts- excused  
Senator Carolyn McGinn- excused

Committee staff present:

Jill Wolters, Senior Assistant, Revisor of Statutes  
Alan Conroy, Director, Kansas Legislative Research Department  
Michele Alishahi, Kansas Legislative Research Department  
Reagan Cussimanio, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Audrey Dunkel, Kansas Legislative Research Department  
Aaron Klaassen, Kansas Legislative Research  
Heather O'Hara, Kansas Legislative Research Department  
Michael Steiner, Kansas Legislative Research Department  
Melinda Gaul, Chief of Staff, Senate Ways & Means  
Mary Shaw, Committee Assistant

Conferees appearing before the committee:

Representative Ann Mah  
Diane Duffy, Vice President Finance, Kansas Board of Regents  
Carole Summers, Wichita  
Representative Steven Brunk (written)  
Ken and Elizabeth Scott, Topeka (written)  
Robin Kempf, Interim General Counsel, Kansas Board of Regents  
Randy Mettner, Adjutant General's Department

Others attending:

See attached list.

Copies of the Kansas Legislative Research Department Budget Analysis report for FY 2007 and FY 2008 were available to the committee.

**Subcommittee reports on:**

**Kansas Guardianship Program ([Attachment 1](#))**

Subcommittee Chair Jean Schodorf reported that the subcommittee on the Kansas Guardianship Program concurs with the Governor's recommendation in FY 2007 and concurs with the Governor's FY 2008 recommendation with adjustment.

Senator Schodorf moved, with a second by Senator V. Schmidt, to adopt the subcommittee budget report on the Kansas Guardianship Program in FY 2007. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Teichman, to adopt the subcommittee budget report on the Kansas Guardianship Program in FY 2008. Motion carried on a voice vote.

**Kansas Department of Corrections  
El Dorado Correctional Facility  
Ellsworth Correctional Facility  
Hutchinson Correctional Facility  
Lansing Correctional Facility**

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:40 A.M. on March 9, 2007, in Room 123-S of the Capitol.

**Larned Correctional Mental Health Facility**  
**Norton Correctional Facility**  
**Topeka Correctional Facility**  
**Winfield Correctional Facility** (Attachment 2)

Subcommittee Chair Mark Taddiken reported that the subcommittee on the Kansas Department of Corrections, El Dorado Correctional Facility, Ellsworth Correctional Facility, Hutchinson Correctional Facility, Lansing Correctional Facility, Larned Correctional Mental Health Facility, Norton Correctional Facility, Topeka Correctional Facility and Winfield Correctional Facility concurs with the Governor's recommendation in FY 2007 and concurs with the Governor's FY 2008 recommendation with adjustments.

Senator Teichman moved, with a second by Senator V. Schmidt, to amend the subcommittee reports to reflect technical amendments in all Kansas Department of Corrections and Correctional Facilities subcommittee reports in FY 2007 and FY 2008. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Schodorf, to adopt the subcommittee budget report on the Kansas Department of Corrections in FY 2007 and FY 2008 as amended. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Kelly, to adopt the subcommittee budget report on the El Dorado Correctional Facility, Ellsworth Correctional Facility, Hutchinson Correctional Facility, Lansing Correctional Facility, Larned Correctional Mental Health Facility, Norton Correctional Facility, Topeka Correctional Facility and Winfield Correctional Facility in FY 2007 and FY 2008 as amended. Motion carried on a voice vote.

**Human Rights Commission** (Attachment 3)

Senator Jay Emler reported on behalf of Subcommittee Chair Carolyn McGinn that the subcommittee on the Human Rights Commission concurs with the Governor's recommendation in FY 2007 and concurs with the Governor's FY 2008 recommendation with adjustment.

Senator Kelly moved, with a second by Senator Wysong, to adopt the subcommittee budget report on the Human Rights Commission in FY 2007 and FY 2008. Motion carried on a voice vote.

Chairman Umbarger opened the public hearing on:

**HB 2185--Colleges and universities; in-state tuition and fees for persons who return to Kansas within five years**

Staff briefed the committee on the bill.

The Chairman welcomed Representative Ann Mah who testified in support of **HB 2185** (Attachment 4). Representative Mah explained that last session in House Economic Development Committee she heard that Kansas is in need of workers with degrees to fill jobs. She mentioned that they were told that over the next several years Kansas would need to import thousands of workers with degrees. Representative Mah noted that if the state cannot meet these demands, it faces losing the jobs. She mentioned that Kansans should encourage its own children to return to Kansas Regent institutions, complete their degrees and take these jobs. One way to do that is to allow them in-state (resident) tuition.

Chairman Umbarger welcomed Diane Duffy, Vice President of Finance, Kansas Board of Regents, who spoke in support of **HB 2185** (Attachment 5). Ms. Duffy explained that the bill would alter a provision of the current residency statute that allows residents who move away but return to Kansas within twelve months to be considered residents for tuition purposes. She mentioned that the Kansas Board of Regents would like more time to consider the implications of the policy change, but if there is interest in the Committee acting on the bill, their position would be to support the House Committee's position to "open the window" for only three academic years and remove the House Committee of the Whole amendment to include the current

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:40 A.M. on March 9, 2007, in Room 123-S of the Capitol.

academic year.

The Chairman welcomed Carole Summers, Wichita, Kansas, who testified in favor of **HB 2185** (Attachment 6). Ms. Summers explained the experiences that her daughter, Kelly, had regarding what happened to her in pursuing her education and career.

Written testimony was submitted by Kenneth and Elizabeth Scott, Topeka (Attachment 7) and Representative Steve Brunk (Attachment 8).

There being no further conferees to come before the committee, the Chairman closed the public hearing on **HB 2185**.

Senator Emler moved, with a second by Senator Kelly, to amend **HB 2185**, on page 1, line 33, and strike the language “2006 - 2007 school year.”

Senator Emler moved a substitute motion, with a second by Senator Kelly, to amend **HB 2185** to allow the Revisor to make the appropriate corrections to the bill in striking the language on page 1, line 33, “2006-2007 school year”. Motion carried on a voice vote.

Senator V. Schmidt moved, with a second by Senator Wysong, to amend **HB 2185** and remove the sunset provision. Motion carried on a voice vote.

Chairman Umbarger turned the Committee’s attention to discussion of:

**SB 25--Nurse educator service scholarship**

The Revisor explained a balloon amendment to **SB 25** regarding grants that would be matched on the basis of \$2 from the Nurse Educator Service Scholarship Program for \$1 from the institution receiving the grant (Attachment 9).

Senator Emler moved, with a second by Senator Teichman, to amend **SB 25** and adopt the balloon amendment. Motion carried on a voice vote.

**SB 24—Medical student loan program; monthly stipend, increase; inflation factor**

Senator Morris moved, with a second by Senator Emler, to amend **SB 24** to remove the Consumer Price Index (CPI) from the bill. Motion carried on a voice vote.

Senator Morris suggested the Legislative Budget Committee review the topic of getting physicians into the medically underserved areas in the state during the interim.

Senator Emler moved, with a second by Senator Morris, to amend the provisions of **SB 24** and **SB 25** into **HB 2185**. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Teichman, to recommend **HB 2185** favorably for passage as amended. Motion carried on a roll call vote.

Chairman Umbarger opened the public hearing on:

**HB 2425--Tuition and fees for members of Kansas army or air national guard**

Staff briefed the committee on the bill.

Chairman Umbarger welcomed Robin Kempf, Interim General Counsel, Kansas Board of Regents, who testified in support of **HB 2425** (Attachment 10). Ms. Kempf explained that the Board of Regents believes this change to remove the requirement of active service will have a relatively small impact as most current

## CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:40 A.M. on March 9, 2007, in Room 123-S of the Capitol.

Kansas National Guard members are long-term residents of Kansas who would be eligible for in-state tuition on other grounds; however, this change will ease the determination of residency and may improve access to higher education at state universities for individuals who are on-call to provide the state and country a valuable service.

The Chairman welcomed Randy Mettner, Executive Officer for the Adjutant General provided testimony on behalf of Major General Tod Bunting, The Adjutant General of Kansas on **HB 2425** (Attachment 11). Mr. Mettner explained that in the House hearing, the Kansas Board of Regents and the Adjutant General's Department agreed that the language in the amended bill would make clear that if you join and become a member of the Kansas Army or Air National Guard, the state will assist in your education by granting in-state or resident tuition.

There being no further conferees to appear before the committee, the Chairman closed the public hearing on **HB 2425**.

Senator Teichman moved, with a second by Senator Morris, to recommend **HB 2425** favorable for passage and be placed on the Consent Calendar. Motion carried on a roll call vote.

The meeting adjourned at 11:50 a.m. The next meeting is scheduled for March 12, 2007.