

Approved:

February 23, 2000

Date

## MINUTES OF THE SENATE WAYS & MEANS COMMITTEE.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on February 21, 2000 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Alan Conroy, Chief Fiscal Analyst, KLRD  
Rae Anne Davis, KS Legislative Research Department  
Debra Hollon, KS Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Asst. Revisor of Statutes  
Judy Bromich, Administrative Assistant to the Chairman  
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Bobbi Mariani, Division of Personnel Services, Department of Administration  
Andy Sanchez, Kansas Association of Public Employees  
Major General Greg Gardner  
Roger Aeschliman, National Guard Association of Kansas

Others attending: See attached list

Senator Salisbury moved, Senator Jordan seconded, that bill draft 9rs 1501 be introduced as requested by the Workers' Compensation Advisory Council. The motion carried on a voice vote.

Senator Morris reviewed the FY 2001 subcommittee report on the **Kansas Guardianship Program**. (Attachment 1) It was moved by Senator Morris and seconded by Senator Gilstrap that the subcommittee report be adopted. The motion carried on a voice vote.

### **SB 138: State employees; disciplinary actions**

Paul West, Kansas Legislative Research Department, explained that **SB 138** clarifies that the State Civil Service Board has the authority to modify a disciplinary action taken by a state agency and states that a notice of an appeal from an agency 's action must be **received** by the Division of Personnel Services within 30 days as opposed to **mailed** within that time frame.

The Chairman reminded members that **SB 138** had received a public hearing on February 9, 1999 and today's hearing would be modified.

Bobbi Mariani, Assistant Director, Division of Personnel Services, Department of Administration, testified before the Committee in support of **SB 138** (Attachment 2) with the amendments proposed by the revisor in 1999. (Attachment 3) A representative from the Revisors' Office stated that the proposed amendment would more clearly reflect the intent of the Humphreys decision and would bring the statute in line with the Supreme Court's decision.

Andy Sanchez, Executive Assistant to the President of the Kansas Association of Public Employees, appeared before the Committee and reviewed his written testimony in support of **SB 138**. (Attachment 4) He noted that his testimony included a syllabus of the Kansas Department of Transportation v. Humphreys case.

Senator Salisbury offered a motion which was seconded by Senator Morris to amend **SB 138** with the balloon(Attachment 3) and recommend the bill as amended favorably for passage. The motion carried on a roll call vote.

## CONTINUATION SHEET

### SENATE WAYS & MEANS COMMITTEE MINUTES

#### **SB 592: Armory repair and reconstruction**

Robert Waller, Kansas Legislative Research Department, explained that **SB 592** authorizes the Adjutant General to issue up to \$22 million in bonds through the Kansas Development Finance authority for capital improvements to renovate, repair, and reconstruct 58 armories in 51 counties. He stated that the agency plans to issue bonds in five phases beginning in FY 2001 and bond payments would begin in FY 2002.

Major General Gregory Gardner, Adjutant General, appeared before the Committee and provided a power point presentation over the written testimony he distributed to members. (Attachment 5) The General introduced representatives of organizations that have an interest in the passage of **SB 592**. He told members how different communities use the armories and how the National Guard provides assistance to communities during disasters. He reported on the deterioration of the armories and reviewed the agency's capital improvement plan.

In answer to questions, General Gardner told members that the agency would use federal matching funds in the amount of \$3 to \$5 million to compensate for inflation, unforeseen contingencies, and to supplement new construction costs instead of renovation costs. He stated that the bonds would be paid off in FY 2019 and that the average SGF payment from FY 2004-FY2019 would be \$2.1 million annually. Chairman Kerr inquired whether there were any specific arrangements made with the entities associated with the joint projects. (Attachment 5-9) General Gardner stated that when the agency does a joint project on new construction, the federal government will match 75% of the requirement for space based on what National Guards needs are, but there are no firm arrangements with any of the other entities listed. In answer to a question, General Gardner stated that local monies would pay only for the square footage for that entity; this plan fixes the armories with state and federal matching monies. Concern was expressed that the bill does not specify the funding source or the details for the capital improvements projects.

Roger Aeschliman, Captain of the Kansas Army National Guard, appeared before the Committee on behalf of the National Guard Association of Kansas, and reviewed his written testimony in support of **SB 592**. There were no questions.

The Chairman stated that before the Committee could recommend the bill favorably for passage, several issues need to be addressed either in the bill or in a trailer bill:

- details and restrictions on the Guard that are in the plan presented to the Committee
- funding source and time frame for the issuance of bonds as listed in the agency's proposed plan (It was noted that the bond holders will look to the state to get a good bond rate so there needs to be some kind of side agreement that would spell out the payment plan.)

The Chairman asked that the General review some of the concerns addressed by the Committee and respond with a letter.

The Chairman adjourned the meeting at 12:00 noon. The next meeting will be February 22, 2000.