

## MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 a.m. on February 16, 2004 in Room 514-S of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Legislative Research  
J. G. Scott, Legislative Research  
Amy VanHouse, Legislative Research  
Nicoletta Buonasera, Legislative Research  
Susan Kannarr, Legislative Research  
Melissa Calderwood, Legislative Research  
Robert Waller, Legislative Research  
Amy Deckard, Legislative Research  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Administrative Analyst  
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Others attending:

See Attached List.

- Attachment 1 House Budget Committee report on Kansas Parole Board
- Attachment 2 House Budget Committee report on State Fire Marshal
- Attachment 3 House Budget Committee report on Adjutant General, Board of Emergency Medical Services, Highway Patrol, Sentencing Commission and Kansas Bureau of Investigation (KBI)
- Attachment 4 Information on KBI reclassification of FTE positions, prepared by Legislative Research Department
- Attachment 5 Draft copy of legislation introduced by House Public Safety Budget Committee
- Attachment 6 Governor's Budget Amendment No. 1

Representative Gatewood moved to introduce legislation concerning explosives for fireworks. The motion was seconded by Representative Campbell. Motion carried.

Representative Gatewood moved to introduce legislation allowing statutory authority for licensure, assessment of fees and background checks for explosive manufacturers. The motion was seconded by Representative Feuerborn. Motion carried.

Representative Sharp, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Parole Board for FY 2004 and moved for the adoption of the Budget Committee recommendation for FY 2004 (Attachment 1). Motion was seconded by Representative Minor. Motion carried.

Representative Sharp, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Parole Board for FY 2005 and moved for the adoption of the Budget Committee recommendation with notations for FY 2005 (Attachment 1). Motion was seconded by Representative Minor. Motion carried.

In response to questions from the Committee concerning Veteran Administration (VA) benefits as addressed in recommendation #1a, the Chair recognized Marilyn Scafe, Kansas Parole Board, who stated that the Parole Board is actively working with the VA to make veteran benefits available to veterans housed in the Department of Corrections system. Ms. Scafe indicated that no legislation pertaining to this process, is required at this time.

## CONTINUATION SHEET

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Representative Sharp, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Fire Marshal for FY 2004 and FY 2005 and moved for the adoption of the Budget Committee recommendations for FY 2004 and FY 2005 (Attachment 2). Motion was seconded by Representative Light. Motion carried.

Representative Merrick, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Adjutant General for FY 2004 and moved for the adoption of the Budget Committee recommendations with adjustments for FY 2004 (Attachment 3). Motion was seconded by Representative Minor. Motion carried.

Responding to a question from the Committee concerning the seven unclassified positions referred to in Item #1 of the Budget Committee recommendation, the Chair recognized Colonel Tod M. Bunting, Adjutant General, who indicated that the requested seven unclassified positions would not be associated with the emergency medical response team, but would be assigned as Homeland Security coordinators. The Colonel noted that this action would constitute an enhancement rather than a duplication of services.

Representative Merrick, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Adjutant General for FY 2005 and moved for the adoption of the Budget Committee recommendation with adjustments for FY 2005 (Attachment 3). Motion was seconded by Representative Light. Motion carried.

In response to a question from the Committee concerning a job description for the deputy adjutant general position, the Budget Committee stated that the position and qualifications are set by statute. The Committee asked for Staff to provide the number of this statute. The Budget Committee noted that this position should only be filled if federal dollars are available.

Representative Minor, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Sentencing Commission for FY 2004 and FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2004 and FY 2005 (Attachment 3). Motion was seconded by Representative Light. Motion carried.

The Committee requested that either the Appropriations Committee or the Legislative Budget Committee be updated on the status of the possible release of inmates who have been incarcerated for possession of meth labs and notified of any legislation concerning this possible release.

Representative Merrick, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Emergency Medical Services for FY 2004 and moved for the adoption of the Budget Committee recommendation with adjustments for FY 2004 (Attachment 3). Motion was seconded by Representative Minor. Motion carried.

Representative Merrick, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Emergency Medical Services for FY 2005 and moved for the adoption of the Budget Committee recommendation with notations for FY 2005 (Attachment 3). Motion was seconded by Representative Minor. Motion carried.

The Committee noted that there is a \$29 million fiscal note attached to the proposal to move from four regional councils to six regional councils.

Representative Minor, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Highway Patrol for FY 2004 and moved for the adoption of the Budget Committee recommendation with adjustments for FY 2004 (Attachment 3). Motion was seconded by Representative Light. Motion carried.

Representative Minor, member of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Highway Patrol for FY 2005 and moved for the adoption of the Budget Committee recommendation with adjustments for FY 2005 (Attachment 3). Motion was seconded by Representative Light. Motion carried.

## CONTINUATION SHEET

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE at 9:00 a.m. on February 16, 2004 in Room 514-S of the Capitol.

Representative Light, Chair of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Bureau of Investigation for FY 2004 and moved for the adoption of the Budget Committee recommendation with adjustment for FY 2004 (Attachment 3). Motion was seconded by Representative Minor. Motion carried.

Representative Light, Chair of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Bureau of Investigation for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 3). Motion was seconded by Representative Minor. Motion carried

The Committee voiced considerable concern that the Kansas Bureau of Investigation (KBI) was able to reassign FTE agents and scientist positions to non-FTE permanent positions in order to provide a salary increase to these positions from balances in the record fee fund, lab fee fund and State General Fund (SGF) moneys at the end of FY 2003 and after the end of the 2003 Legislative Session without notification to the Legislature. The Committee requested information on the balances in these fee funds. The Budget Committee stated that the action by the KBI was not illegal; however, felt that KBI should have informed the Legislature of the excess fee moneys and their intent to reclassify the positions. A handout from Legislative Research Department relating to the reclassification of FTE positions, was distributed to the Committee (Attachment 4). The Committee also voiced concern with regard to KBI's request for the increase in lab fees which put an additional burden on local government and resulted in the excess balance in the fee fund.

Robert Waller, Legislative Research Department, explained legislation, which is proposed by the Budget Committee, to address the procedure for agencies to use relating to certain state employee salary increases (Attachment 5).

The Chair recognized J. G. Scott, Legislative Research Department, who presented an explanation of the Governor's Budget Amendment No. 1 (Attachment 6).

Representative McLeland moved to approve as written, the minutes of the February 4, 2004, meeting. The motion was seconded by Representative Sharp. Motion carried.

The meeting was adjourned at 10:30 a.m. The next meeting will be held at 9:00 a.m. on February 17, 2004.