

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 A.M. on March 16, 2006 in Room 514-S of the Capitol.

All members were present.

Committee staff present:

J. G. Scott, Legislative Research Department
Becky Krahl, Legislative Research Department
Matt Spurgin, Legislative Research Department
Michele Alishahi, Legislative Research Department
Amy Deckard, Legislative Research Department
Amy VanHouse, Legislative Research Department
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Administrative Assistant
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Denny Stoecklein, Kansas State Fair
Karl McNorton, State Fire Marshal Office
Gary Hibbs, Facilities Planning Manager, Facilities Management, Department of Administration
Melissa Wangerman, Secretary of State's Office

Others attending:

See attached list.

- Attachment 1 Budget Committee report on **HB 2818**
- Attachment 2 Testimony on **HB 2818** from Roger Werholtz, Secretary, Department of Corrections
- Attachment 3 Budget Committee report on **HB 2967**
- Attachment 4 Testimony on **HB 2991** by Denny Stoecklein
- Attachment 5 Testimony on **HB 2991** by Karl McNorton
- Attachment 6 Testimony on **SB 394** by Melissa Wangermann

Representative Schwartz moved to introduce legislation regarding the swine industry. The motion was seconded by Representative Powell. Motion carried.

Discussion and Action on HB 2818 - Increasing the limit of settlement authority of the secretary of corrections from \$500 to \$2500.

Representative Light, Chair of the Public Safety Budget Committee, presented the Budget Committee report on **HB 2818** and moved for the adoption of the Budget Committee recommendation (Attachment 1). The motion was seconded by Representative Sharp. Motion carried.

A letter from Roger Werholtz, Secretary, Department of Corrections, in support of **HB 2818**, was distributed to the Committee (Attachment 2).

Responding to a question from the Committee with regard to the funding source, the Budget Committee stated that the Department of Corrections will make the determination on which account or special revenue fund they deem appropriate.

Discussion and Action on HB 2967 - Reimbursement of political subdivisions for health insurance of employees on state active duty in the national guard.

Representative Light, Chair of the Public Safety Budget Committee, presented the Budget

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Committee report on **HB 2967** and moved for the adoption of the Budget Committee recommendation (Attachment 3). The motion was seconded by Representative Tafanelli. Motion carried.

Representative Tafanelli moved to recommend **HB 2967** favorable for passage. The motion was seconded by Representative Bethell. Motion carried.

Hearing on **HB 2991** - Exempting certain buildings from certain fire protection code provisions.

Michele Alishshi, Legislative Research Department, explained that **HB 2991** would exempt certain buildings on the grounds of the Kansas State Fair from any statute, rule or regulation adopted by the State Fire Marshal's office that would require the installation of a sprinkler system when a fire alarm system, exit and emergency lighting are installed in compliance with the Kansas Fire Prevention code. The exception would apply to any canopy, open-air exhibition or agricultural building of non-combustible construction which is less than 70,000 square feet located on the grounds of the Kansas State Fair.

Chairman Neufeld recognized Denny Stoecklein, Kansas State Fair, who presented testimony in support of **HB 2991** (Attachment 4).

Responding to questions from the Committee, Mr. Stoecklein stated that the facility in question is an addition of approximately 5,000 square feet to the existing sheep barn, of steel construction with sidewalls on the east/west, open on the north/south with a roof. The Division of Facility Management considers this project a remodeling of the existing facility requiring fire walls and sprinkler system. An alternate plan would be to relocate the building to the swine barn area; however, this would put two exhibition buildings adjacent to each other and cause problems when there were shows in each arena at the same time.

The Chair recognized Karl McNorton, Fire Marshal's Office, who presented testimony on **HB 2991** (Attachment 5). Mr. McNorton stated that passage of this legislation may set a precedent for other types of facilities to request exemption from life safety provisions.

Responding to a question from the Committee, Mr. McNorton noted that when they inspected and reviewed the plans for the structure, they found no issue with the construction and felt there was adequate ventilation. Mr. McNorton indicated that the Kansas Fire Prevention Code includes the 1991 Life Safety Code and several editions of documents from the National Fire Protection Association. If the addition was placed under the State Fire Marshal's fire prevention code, it would require only fire alarm and emergency lighting.

Chairman Neufeld recognized Gary Hibbs, Manager, Division of Facilities Management, Department of Administration, who presented testimony in opposition to **HB 2991**. Mr. Hibbs stated that his department follows the International Building Code and is responsible for code compliance and safety of the citizens. Because the sheep structure at the Kansas State Fair is a state-owned facility, designed to hold 553 attendees, as well as being tied to another structure, the Division of Facilities Management does not support the exempting of the building from the State's fire safety code.

The Committee noted that the language in the bill may need to be amended.

The hearing on **HB 2991** was closed.

Chairman Neufeld appointed a Subcommittee to review issues and possible revisions to **HB 2991**:
Representative Light, Chairman; Representative Feuerborn; Representative Tafanelli;
Representative Sawyer; Representative Bethell

Hearing on **SB 394** - Rules and regulations - approval of publication by State Rules and Regulations Board.

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J. G. Scott, Legislative Research Department, explained that **SB 394** would change the State Rules and Regulation Board meeting date from December 15, to after January 1 of each year to determine which rules and regulations filed during the calendar year are to be published in the KAR volumes or supplements.

The Chair recognized Melissa Wangerman, Legal Counsel, Secretary of State, who presented testimony in support of **SB 394** (Attachment 6).

The hearing on SB 394 was closed.

Representative Feuerborn moved to recommend **SB 394** favorable for passage and because the Committee is of the opinion that the bill is of a noncontroversial nature, be placed on the consent calendar. The motion was seconded by Representative Pottorff. Motion carried.

SB 490 was referred to the Social Services Budget Committee.

The meeting was adjourned at 10:00 a.m. The next meeting of the Committee will be held at 9:00 a.m. on March 17, 2006.

Melvin Neufeld, Chairman