

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Kevin Yoder at 9:14 a.m. on February 26, 2009, in Room 143-N of the Capitol.

All members were present except:

Representative Jerry Henry- excused  
Representative Lee Tafanelli- excused

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes  
Jim Wilson, Office of the Revisor of Statutes  
Christina Butler, Kansas Legislative Research Department  
Audrey Dunkel, Kansas Legislative Research Department  
J.G. Scott, Kansas Legislative Research Department  
Kelly Cure, Chief of Staff  
Kathy Holscher, Committee Assistant

Conferees appearing before the committee:

None

- Attachment 1 Budget Committee Report on Behavior Sciences Regulatory Board and Board of Healing Arts Budget Committee Report
- Attachment 2 Budget Committee Report on Board of Nursing
- Attachment 3 Budget Committee Report on Abstracters Board of Examiners and Board of Technical Professions
- Attachment 4 Budget Committee Report on Board of Barbering, Board of Cosmetology, Kansas Dental Board, Kansas Board of Examiners in Fitting and Dispensing of Hearing Instruments, Board of Mortuary Arts, Board of Optometry, Board of Pharmacy, Real Estate Appraisal Board, and Real Estate Commission
- Attachment 5 Budget Committee Report on Board of Accountancy

Representative Watkins made a motion to introduce legislation that allows the Department of Education to cross-check with the Department of Labor regarding free lunch households as identified in the Post Audit Committee's Report. The motion was seconded by Representative Mast. Motion carried.

Representative McLeland, Chair of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Behavioral Sciences Regulatory Board FY 2010, and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Representative McLeland, Chair of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Behavioral Sciences Regulatory Board and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 1). The motion was seconded by Representative Lane.

Representative McLeland made a substitute motion to apply a global freeze for FY 2011 on all bi-annual agencies. Agency budgets would remain at the FY 2010 amount, until we have a better handle on the FY 2011 budget. The motion was seconded by Representative Lane.

Discussion followed by Committee members regarding: making deeper cuts to the FY 2009 budget as opposed to freezing the FY 2011 budget and prior to approving a FY 2010 budget. Concerns were expressed regarding micro-managing fee funded agencies and precautionary measures that the Committee reviews before working the FY 2011 budget, with the current economic factors a consideration.

Representative McLeland closed the motion. Motion carried.

Representative McLeland, Chair of the Education Budget Committee, presented the Budget Committee report

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:14 a.m. on February 26, 2009, in Room 143-N of the Capitol

on the Governor's budget recommendation for the Behavioral Sciences Regulatory Board and moved for the adoption of the Budget Committee recommendation for FY 2011 budget as amended.(Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Representative McLeland, Chair of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Healing Arts for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Representative McLeland, Chair of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Healing Arts for FY 2011 and moved for the adoption of the Budget Committee recommendation for FY 2011,(Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Representative Mast, Chair of the Social Services Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Nursing for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 2).The motion was seconded by Representative Ballard.

Discussion followed by Committee members regarding: fee funds and technology needs; and time frame for license renewals.

Representative McLeland made a substitute motion to stop the sweep and leave the money in the fee fund for FY 2010. Representative Kelly seconded the motion. Motion carried.

Representative Mast closed the motion to approve the FY 2010 Board of Nursing Budget Committee Report as amended Motion carried.

Representative Mast, Chair of the Social Services Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Nursing for FY 2011 and moved for the adoption of the Budget Committee recommendation for FY 2011, (Attachment 2). The motion was seconded by Representative Crum. Motion carried.

Chairman Yoder stated that budget information will be corrected to say that the Budget Committee concurred with the Governor's FY 2011 recommendations with the following adjustment: freeze expenditures at the FY 2010 Appropriations level.

Representative Mast renewed the motion to approve the FY 2011 Board of Nursing Budget Committee Report. Motion carried.

Representative Gatewood, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Abstracters Board of Examiners for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 3). The motion was seconded by Representative Feuerborn. Motion Carried.

Budget Committee members noted that the Committee determined not to sweep fees, which has not removed from these reports.

Representative Gatewood made a substitute motion to amend the report with the correction to include deletion of fee fund sweeps. The motion was seconded by Representative Lane. Motion carried.

Representative Gatewood, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Abstracters Board of Examiners for FY 2011 and moved for the adoption of the Budget Committee recommendation as amended, (Attachment 3). The motion was seconded by Representative Lane. Motion carried.

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:14 a.m. on February 26, 2009, in Room 143-N of the Capitol

Representative Gatewood, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Technical Professions for FY 2010 and moved for the adoption of the Budget Committee recommendation as amended, (Attachment 3). The motion was seconded by Representative Lane. Motion carried.

Budget Committee members responded to questions from Committee members regarding the flexibility within the budget for attorney contracting fees.

Representative Gatewood, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Technical Professions FY 2011 and moved for the adoption of the Budget Committee recommendation, (Attachment 3). The motion was seconded by Representative Lane. Motion carried.

Representative Burroughs, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Barbering for FY 2010 and moved for the adoption of the Budget Committee recommendations FY 2010, (Attachment 4). The motion was seconded by Representative Watkins. Motion carried.

Representative Burroughs, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Board of Barbering for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by Representative Watkins. Motion carried.

Representative Burroughs, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Board of Cosmetology for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010. The motion was seconded by Representative Watkins. Motion carried.

Representative Burroughs, member of the General Government Budget Committee, presented the Budget committee report on the Governor's budget recommendations for the Board of Cosmetology for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The committee concurred with the Governor's recommendation. The motion was seconded by Representative Watkins. Motion carried.

Representative Sawyer, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Dental Board for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010, (Attachment 4). The motion was seconded by Watkins.

Committee members discussed fee sweeps.

Representative Watkins made a motion to globally remove fee sweeps from all fee board FY 2010 budgets. The motion was seconded by Representative Kelley.

Discussion followed regarding global fee sweeps and the moratoriums.

Representative Watkins closed the motion to globally remove fee sweeps from all fee board FY 2010 budgets. Motion carried.

Representative Sawyer closed the motion to approve the Kansas Dental Board FY 2010 Budget Committee Report. Motion carried.

Representative Sawyer, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Dental Board for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by Representative Watkins. Motion carried.

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:14 a.m. on February 26, 2009, in Room 143-N of the Capitol

Representative DeGraaf, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Examiners for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010, (Attachment 4).. The motion was seconded by Representative Watkins. Motion carried.

Representative DeGraaf, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Examiners for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by representative Watkins. Motion carried.

Representative Whitham, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Mortuary Arts for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010, (Attachment 4). The motion was seconded by Representative Watkins. Motion carried.

Representative Whitham, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Mortuary Arts for FY 2011. and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by Representative Watkins. Motion carried.

Representative Sawyer, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Examiners in Optometry for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010. Representative Watkins seconded the motion. Motion carried.

Representative Sawyer, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Examiners in Optometry for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by Representative Sawyer.

Representative Watkins made a substitute motion, to allow an exception to the global rule for the FY2011 budget for this agency, due to training consideration for the new director. The motion was seconded by Representative Sawyer. Motion carried.

Representative Sawyer made a motion to approve the FY 2011 Board of Examiners in Optometry Budget Committee Report as amended. The motion was seconded by Representative Watkins. Motion carried.

Representative Whitham, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Pharmacy for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010, (Attachment 4). The motion was seconded by Representative Watkins.

Representative Whitham responded to questions from Committee members regarding: the replacement vehicle; and budget sub-committee's review of global positions.

Representative Whitham renewed the motion. Motion carried.

Representative Whitham, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Pharmacy for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by Representative DeGraaf. Motion carried.

Representative Kelley, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Real Estate Appraisal Board for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010, (Attachment 4).The motion was seconded by Representative DeGraaf. Motion carried.

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:14 a.m. on February 26, 2009, in Room 143-N of the Capitol

Representative Kelley, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Real Estate Appraisal Board for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by Representative Watkins. Motion carried.

Representative Kelley, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Real Estate Commission for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010, (Attachment 4). The motion was seconded by Representative Sawyer.

Discussion by Committee members followed regarding: the recovery fund and computer upgrade.

Representative Kelley renewed the motion. Motion carried.

Representative Kelley, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Real Estate Commission for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 4). The motion was seconded by Representative Watkins. Motion carried.

Representative Carlin, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Accountancy for FY 2010 and moved for the adoption of the Budget Committee recommendations for FY 2010, (Attachment 5). The motion was seconded by Representative Faber. Motion carried.

Representative Carlin, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Accountancy for FY 2011 and moved for the adoption of the Budget Committee recommendations for FY 2011, (Attachment 5). The motion was seconded by Representative Faber. Motion carried.

Representative Carlin, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Office of the State Bank Commissioner for FY 2010 and moved for the adoption of the Budget committee recommendations for FY 2010, (Attachment 5).. The motion was seconded by Representative Faber.

Budget Committee members responded to questions from Committee members regarding projected rental increase.

J. Thomas Thull, State Bank Commissioner, discussed the budgeted amount for leased space.

Representative Watkins made a substitute motion to remove \$80,000 for moving expenses from the budget.

Committee discussion followed.

Representative Watkins made an amendment to the motion to remove \$80,000 from the budget and review at Omnibus. Motion failed.

Representative Faber made a substitute motion to leave \$80,000 in the budget and review at Omnibus. The motion was seconded by Representative Light. Motion carried.

Representative Carlin renewed the motion to approve the FY 2010 Office of the State Bank Commissioner FY 2010 Budget Committee report as amended. Motion carried.

The next meeting is scheduled for February 27, 2009

The meeting was adjourned at 11:07 a.m.

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:14 a.m. on February 26, 2009, in Room 143-N of the Capitol

Kevin Yoder, Chairman