

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2582

As Further Amended by House Committee on
Appropriations

Brief*

HB 2582, as amended, would authorize expenditures of \$124,248, including \$11,604 from the State General Fund (SGF), for FY 2018 to pay various claims against the State.

For FY 2018, the bill would authorize the following payments:

- \$10,237, from the Department of Corrections or correctional facilities;
- \$11,604, all from SGF, to reimburse Ellis and Johnson counties for legal expenses incurred relating to sexually violent predator proceedings pursuant to KSA 59-29a04;
- \$51,862 in motor fuel tax refund claims. Refunds are allowed for taxes paid on fuel used for school buses and off-highway uses including farming, but go through the claims process if not filed in a timely manner;
- \$8,780, from Fort Hays State University, to reimburse Kristi Cash for personal injuries and a semester's worth of tuition due to injuries sustained in a fall;
- \$18,107 from Kansas Department of Health and Environment, to reimburse Elwood Shoemaker for

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

costs incurred in compliance with a regulation that was later suspended by the agency;

- \$1,962 from the Kansas Adjutant General's Department, to Alan Weis Contracting for damages sustained to the claimant's auger when run over by a bulldozer operated by the Adjutant General's Department;
- \$8,605 from the Kansas Adjutant General, to Snodgrass and Sons Construction Company for damages sustained to the claimant's truck;
- \$1,257 from Emporia State University, to Martin Griffey for damages sustained to the claimant's vehicle when struck by unsecured bleachers; and
- \$11,834 from the Kansas Highway Patrol (KHP), to Barbara Reese for property seized during a traffic stop in August 1995. This expenditure would be funded by a transfer from the State Highway Fund.

The bill would be in effect upon publication in the *Kansas Register*.

Background

During the 2017 Interim, the Joint Committee on Claims Against the State met twice and, excluding motor vehicle fuel tax refunds, heard 81 claims, of which 70 claims, or 86.4 percent, were filed against the Department of Corrections or the correctional facilities. The Committee recommended the payment of 11 claims, excluding motor fuel tax refunds.

The House Committee on Appropriations amended the bill to make technical corrections, add a claim recommended to be paid by Emporia State University but received after the claims filing deadline, and add \$3,040 for Barbara Reese from the seizure of property in 1995. The House Committee reached the amount of \$3,040 for Ms. Reese as 20.0 percent

of the amount originally recommended to be paid by Wyandotte County District Court (a recommendation later rescinded).

The bill was rereferred by the House Committee of the Whole to the House Committee on Appropriations to revisit the Barbara Reese claim. Additional information received by the Legislature indicated the KHP received \$11,833.60 of the \$14,936 that was forfeited by Ms. Reese. The Committee amended the bill to pay \$11,833.60 to Ms. Reese from the KHP and fund that expenditure from a transfer from the State Highway Fund.

No opponent or neutral testimony was provided.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, enactment of the bill would authorize expenditures totaling \$111,078.19, including \$11,761.19 from the SGF, for FY 2019. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.