

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chair Melvin Neufeld at 9:00 a.m. on February 11, 2003, in Room 514-S of the Capitol.

All members were present except:

Committee staff present:

- Alan Conroy, Legislative Research Department
- J. G. Scott, Legislative Research Department
- Becky Krahl, Legislative Research Department
- Amy VanHouse, Legislative Research Department
- Julian Efird, Legislative Research Department
- Jim Wilson, Revisor of Statutes
- Mike Corrigan, Revisor of Statutes
- Nikki Feuerborn, Administrative Analyst
- Sue Fowler, Committee Secretary

Conferees appearing before the committee: Deb Duncan, Kansas Animal Health Department

Others Attending: See Attached

Representative Pottorff moved for the introduction of legislation regarding capital improvement inspections as requested by the Department of Administration. Motion was seconded by Representative Minor. Motion carried.

Representative Shultz moved for the introduction of legislation regarding higher education funding to continue the county portion of out-of-district tuition in FY 2004. The motion was seconded by Representative Shriver. Motion carried.

Representative Nichols moved for the introduction of legislation to amend the state employees suggestion program. Motion was seconded by Representative Minor. Motion carried.

Jim Garner, Acting Secretary of Human Resources, appeared before the Committee and requested introduction of legislation for an Economic Security Advisory Council (Attachment 1).

Representative Feuerborn moved for the introduction of legislation regarding the Economic Security Advisory Council. Motion was seconded by Representative Pottorff. Motion carried.

Representative Landwehr moved the minutes of January 22, 23 and 29, 2003, be approved as presented. Motion was seconded by Representative Huebert. Motion carried.

Alan Conroy, Director of Legislative Research Department, presented a report on the State General Fund (SGF) Receipts, July through January, FY 2003 (Attachment 2).

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Wildlife and Parks for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with an adjustment (Attachment 3). Motion was seconded by Representative Gatewood. Motion carried.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Wildlife and Parks for FY 2004 and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustments (Attachment 3). Motion was seconded by Representative Gatewood.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS at 9:00 a.m. on February 11, 2003, in Room 514-S of the Capitol.

The Committee discussed the wisdom of using a proviso to control the use of water storage by the Department of Wildlife and Parks or if it should be channeled through the agencies that control water. It was explained that the Cedar Bluff Reservoir and the storage conservation pool could not support human consumption and would be lowered to a level that the reservoir could not sustain recreational activity, as it is not rechargeable at the rate of consumption (Attachment 4). The evaporation rate is six feet per year and the recharge rate is approximately 18 inches, so it is not a renewable source except under flood conditions. The problem and on-going negotiations of homeowners around the reservoir being denied access to consumable water was acknowledged.

Representative Shriver moved for the removal of Item 3 in the budget recommendations for the Department of Wildlife and Parks for FY 2004. Motion was seconded by Representative Feuerborn. Motion failed

Representative Schwartz renewed her motion for the adoption of the Budget Committee recommendations for the Department of Wildlife and Parks FY 2004 (Attachment 3). Motion was seconded by Representative Gatewood.

Representative Nichols made a substitute motion to amend the report by adding a request that a copy of this section of the Budget Report be sent to Department of Transportation. Motion was seconded by Representative Gatewood. Motion carried.

Representative Schwartz renewed her motion and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustments as amended (Attachment 3). Motion was seconded by Representative Gatewood. The motion carried. Representative Shriver asked to be recorded as voting "no".

The Committee requested the Budget Committee for the Department of Wildlife and Parks review the proviso of past years which stated that persons entering parks at night without paying entrance fees were given the option of being ticketed or purchasing a yearly permit. This option was due to sunset and the Secretary of Wildlife and Parks requested an additional year before a permanent ruling was made.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Department of Agriculture for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with an adjustment (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

Representative Schwartz, Chairperson of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Department of Agriculture for FY 2004 and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustment and notations (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

The Committee discussed Wholesale Meter Testing, Item 4. Representative Schwartz clarified if the meters that measure the fuel being delivered are not in compliance, then the person receiving the fuel is billed for fuel they never received. In bringing the meters into compliance by testing, this over billing is being reduced.

Representative Gatewood, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Animal Health Department for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 3). Motion was seconded by Representative Schwartz. Motion carried.

Representative Gatewood, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Animal Health Department for FY 2004 and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustments and notations (Attachment 3). Motion was seconded by Representative Osborne.

The Committee discussed Item 3 and questioned why the fees were raised on individual per animal through required

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS at 9:00 a.m. on February 11, 2003, in Room 514-S of the Capitol.

vaccinations, but reduced the pound fee for municipalities. The committee challenged the Budget Committee's recommendation that a reduction of pound fees in municipalities from \$200 to \$150 would be an incentive for the city to provide a pound.

Representative Gatewood deferred to Deb Duncan, Kansas Animal Health Department. She reported that for three years there was no required state-wide rabies vaccinations, leaving the requirement and enforcement up to the local communities. Ms. Duncan recommended either a one-year or a two-year vaccination requirement leaving that decision to the communities. She suggested that the state follow the rabies compendium which is a three-year vaccination program.

Representative Landwehr moved to remove the Budget Committee's recommendation found in Item 3 to introduce a bill relating to vaccination of cats, dogs and ferrets. Motion was seconded by Representative Light. Motion failed.

Representative Gatewood renewed his motion to adopt the Budget Committee recommendations for FY 2004 with adjustments and notations as amended (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

Representative Osborne, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Fair Board for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 3). Motion was seconded by Representative Gatewood. Motion carried.

Representative Osborne, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas State Fair for FY 2004 and moved for the adoption of the Budget Committee recommendations with notations for FY 2004 (Attachment 3). Motion was seconded by Representative Gatewood. Motion carried.

The committee discussed the State Fairgrounds grandstand seating plan which the U.S. District Court in Shawnee County and the State ADA coordinator agreed met with the ADA requirement, however the United States District Court in Wichita held the plan does not comply with the ADA. The US District Court's ruling has been appealed by the State to the Tenth Circuit Court of Appeals in Denver.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Conservation Commission for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Conservation Commission for FY 2004 and moved for the adoption of the Budget Committee recommendations with adjustments and notations for FY 2004 (Attachment 3). Motion was seconded by Representative Osborne.

Representative Nichols made a substitute motion to amend the report by inserting proviso language that any unencumbered balance in the specified State Water Plan Fund line item in excess of \$100 be reappropriated, (Item 1, last sentence). Motion was seconded by Representative Howell. Motion carried.

Representative Schwartz renewed her motion to adopt the Budget Committee recommendations with adjustments and notations for FY 2004 as amended (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

The meeting was adjourned at 10:55 a.m. The next meeting is scheduled for February 12, 2003.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS at 9:00 a.m. on February 11, 2003, in
Room 514-S of the Capitol.

Melvin Neufeld, Chair