

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:00 a.m. on March 14, 2003, in Room 123-S of the Capitol.

All members were present except: All present

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department  
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department  
Leah Robinson, Kansas Legislative Research Department  
Martha Dorsey, Kansas Legislative Research Department  
Melissa Calderwood, Kansas Legislative Research Department  
Robert Waller, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Carolyn Rampey, Kansas Legislative Research Department  
Amy VanHouse, Kansas Legislative Research Department  
Nicoletta Buonasera, Kansas Legislative Research Department  
Paul West, Kansas Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Assistant Revisor of Statutes  
Judy Bromich, Administrative Analyst  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Ed Van Petten, Executive Director, Kansas Lottery  
Duane Goossen, Director, Division of the Budget  
Debra Duncan, Director, Animal Facilities Inspection Program, Department of Animal Health  
Eric Krug, Breeder, Leon, Kansas  
Dennis Koch, President of the South Central Chapter of Pet Professions, Valley Center, Kansas  
Martha Bartels, Marysville, Kansas  
Jan Price, Topeka, Kansas  
Various written testimony attached to this set of minutes

Others attending: See attached list

Chairman Morris opened the public hearing/discussion on:

**SB 230--Lottery; retailers' certificates; lottery proceeds, transfers to state gaming revenues funds**

Staff briefed the committee on the bill. Chairman Morris explained that **SB 230** had a hearing in the Senate Committee on Federal and State Affairs and welcomed Ed Van Petten, Executive Director, Kansas Lottery, who explained the reasoning for the proposals set forth in **SB 230** (Attachment 1). Mr. Van Petten discussed the two proposed issues with the Committee:

- All Lottery Retailers must enter into a written contract with the Kansas Lottery to be a retailer.
- Change the method for transferring funds to the State Gaming Revenues Fund, from the Kansas Lottery.

Committee discussion followed regarding **SB 230**. Chairman Morris explained that more discussion is needed to try to clear things up and the public hearing/discussion was closed on **HB 230**.

The Chairman opened the public hearing on:

**SB 250--Repealing the Kansas performance review act**

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Staff briefed the committee on the bill.

Duane Goossen, Director, Division of the Budget, testified on **SB 250** and explained that the Division of the Budget asked for the bill to be introduced and mentioned that the Kansas Performance Review Act has not been funded since 2001. (No written testimony was submitted.)

There being no further conferees to come before the meeting, the Chairman closed the public hearing on **SB 250**.

Senator Feleciano moved, with a second by Senator Schodorf, to recommend **SB 250** favorable for passage. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

**SB 251--State finance council, voting procedures**

Staff briefed the committee on the bill.

Duane Goossen, Director, Division of the Budget, testified on **SB 251** and explained that the bill arose out of a situation that they had over a period of several State Finance Council meetings where they were trying to release some emergency money, which requires a unanimous vote of all finance council members, and there were delays. He noted that this needs to be fixed for the future, so when there is an emergency funds can be released on short notice and there is a mechanism to do it. (No written testimony was submitted.)

There being no further conferees to come before the meeting, the Chairman closed the public hearing on **SB 251**.

Senator Feleciano moved, with a second by Senator Salmans, to recommend **SB 251** favorable for passage. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

**SB 260--Employer contribution rates and pension obligation bonds for the Kansas public employees retirement system**

Staff briefed the committee on the bill and distributed a detailed explanation regarding **SB 260** (Attachment 2).

There were no conferees to come before the committee regarding **SB 260**, but Glenn Deck, Executive Director, Kansas Public Employees Retirement System (KPERs), had presented an overview of KPERs which included an explanation and the Committee had discussion on **SB 260** during the meeting of March 13, 2003. Committee questions and discussion followed.

The Chairman closed the public hearing on **SB 260**. Further committee discussion followed.

Senator Feleciano moved, with a second by Senator Jackson, recommend **SB 260** favorable for passage. Motion carried on a voice vote.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2003 and FY 2004 were distributed to the committee.

Subcommittee report on:

**Capital Improvements (Attachment 3)**

CONTINUATION SHEET

Subcommittee Chairman Morris reported that the Subcommittee concurs with the recommendation of the Governor for FY 2003 and FY 2004.

**SB 253--Appropriations for FY 2004 and FY 2005 for capital improvements for various agencies**

Senator Feleciano moved, with a second by Senator Jordan, for technical amendments including adding a section to SB 253 which authorizes the use of the State Institutions Building Fund for debt service payments for the Department of Social and Rehabilitation Services portion of the bill. Motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Barone, to recommend the Subcommittee budget report on Capital Improvements for the FY 2003 and FY 2004 budget as amended. Motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Barone, to recommend SB 253 favorable for passage as amended. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

**SB 257--Authority for the animal health department to increase certain fees**

Staff briefed the committee on the bill.

Debra Duncan, Director, Animal Facilities Inspection Program, Animal Health Department, testified in support of **SB 257** (Attachment 4). Ms. Duncan explained that **SB 257** would raise the statutory maximum on the Department's fees associated with the Kansas Pet Animal Act. Detailed information is contained in Ms. Duncan's written testimony.

Eric E. Krug, Breeder, Leon, Kansas, testified in opposition to **SB 257** (Attachment 5). Mr. Krug mentioned that he believed that by being inspected by both the State and the United States Department of Agriculture (USDA), he is in double jeopardy. Concerns are noted in Mr. Krug's written testimony.

Dennis Koch, Valley Center, Kansas, testified in opposition to **SB 257** (Attachment 6). Additional details are found in Mr. Koch's written testimony.

Martha Bartels, Marysville, Kansas, testified in opposition to **SB 257** (Attachment 7).

Jan Price, Topeka, Kansas, Animal Rescue Arena, testified in opposition to **SB 257** (Attachment 8). Ms. Price explained that it did not make sense to her to raise fees for the rescue people, humane shelters and other volunteer groups.

Written testimony was received in opposition to **SB 257** by the following:

- Virginia M. Hinderer, Wakarusa, Kansas (Attachment 9)
- Mike Strodman, Bucklin, Kansas (Attachment 10)
- Cindy Clausen, Portis, Kansas (Attachment 11)
- Roxanne Trautloff, Atchison, Kansas (Attachment 12)
- Rebecca Mosshart, Nashville, Kansas (Attachment 13)
- Marlene Aurand, Salina, Kansas (Attachment 14)
- Suzanne Harvey, D.V.M., Buffalo, Oklahoma (Attachment 15)
- Joyce Robinson, Glasco, Kansas (Attachment 16)
- Linda Spies, August, Kansas (Attachment 17)
- Rex A. Ingels, Atchison, Kansas (Attachment 18)
- Sam Mosshart, Protection, Kansas (Attachment 19)
- Kent and Donna Long, Arkansas City, Kansas (Attachment 20)
- John and Venettia Maddux, El Dorado, Kansas (Attachment 21)
- Mary and John Gulick, Eureka, Kansas (Attachment 22)
- Ruth Knight, Eureka, Kansas (Attachment 23)
- Ruth Krug, Leon, Kansas (Attachment 24)
- Betty Gupton Lees, Wichita, Kansas (Attachment 25)
- Rebecca Mosshart, Nashville, Kansas (Attachment 26)

CONTINUATION SHEET

Russell Eck, Pratt, Kansas ([Attachment 27](#))  
Adam Bayer, Kingman, Kansas ([Attachment 28](#))  
Gregg Kitson, Cunningham, Kansas ([Attachment 29](#))  
Aaron Lees, Wichita, Kansas ([Attachment 30](#))  
Tom Ford, Nashville, Kansas ([Attachment 31](#))  
Marion Bayer, Kingman, Kansas ([Attachment 32](#))  
Ned Albers, Pratt, Kansas ([Attachment 33](#))  
Leon Fischer, Cunningham, Kansas ([Attachment 34](#))  
Bruce Johne, Great Bend, Kansas ([Attachment 35](#))  
Evelyn Rust, Augusta, Kansas ([Attachment 36](#))  
George Hageman, Cunningham, Kansas ([Attachment 37](#))  
Kent Scupsich, Cunningham, Kansas ([Attachment 38](#))  
Richard Rollig, Pratt, Kansas ([Attachment 39](#))  
John Watte, Hoisington, Kansas ([Attachment 40](#))  
Mike Strodman, Bucklin, Kansas ([Attachment 41](#))

There being no further conferees to come before the committee, the Chairman closed the public hearing on **SB 257**.

The meeting adjourned at 12:00 noon. The next meeting is scheduled for March 17, 2003.