

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:35 a.m on March 7, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Nick Jordan - excused

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department  
William Wolff, Associate Director, Kansas Legislative Research Department  
Leah Robinson, Kansas Legislative Research Department  
Deb Hollon, Kansas Legislative Research Department  
Martha Dorsey, Kansas Legislative Research Department  
Paul West, Kansas Legislative Research Department  
Audrey Nogle, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Amy Kramer, Kansas Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Assistant Revisor of Statutes  
Mary Shaw, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

**Bill Introduction**

Senator Salmans moved, with a second by Senator Schodorf, to delay one year the move of permanent color technology, tattooing and body piercing to the Department of Health and Environment (1rs2237). Motion carried on a voice vote.

Senator Salmans moved, with a second by Senator Jackson, to approve the minutes of the February 7, February 11, February 12 and February 13, 2002 committee meetings. Motion carried on a voice vote.

Subcommittee reports on:

**Department of Agriculture (Attachment 1)**

Senator Downey reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2002.

Senator Downey reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2003 with adjustments and notations as listed in the subcommittee budget report.

Senator Downey moved, with a second by Senator Jackson, to adopt the subcommittee budget report on the Department of Agriculture for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

**Animal Health Department (Attachment 2)**

Senator Downey reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2002.

Senator Downey reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2003 with notations as listed in the subcommittee budget report.

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Senator Feleciano moved, with a second by Senator Downey, to consider the addition of \$58,750.00 in Item Number 1, FY 2003, at Omnibus. Motion carried on a voice vote.

Senator Downey moved, with a second by Senator Feleciano, to adopt the subcommittee budget report on the Animal Health Department for the FY 2002 and FY 2003 budget as amended. Motion carried on a voice vote.

### **Kansas State Fair (Attachment 3)**

Senator Downey reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2002 with an adjustment as listed in the subcommittee budget report.

Senator Downey reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2003 with an observation as listed in the subcommittee budget report.

Senator Downey moved, with a second by Senator Huelskamp, to adopt the subcommittee budget report on the Kansas State Fair for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

### **Kansas Water Office (Attachment 4)**

Senator Jackson reported for Subcommittee Chairman Jordan that the Subcommittee concurs with the Governor's recommendations for FY 2002.

Senator Jackson reported for Subcommittee Chairman Jordan that the Subcommittee concurs with the Governor's recommendations for FY 2003 with adjustments and notations as listed in the subcommittee budget report.

A copy of the State Water Plan Fund Expenditures was distributed to the Committee (Attachment 5).

Senator Jackson moved, with a second by Senator Downey, to adopt the subcommittee budget report on the Kansas Water Office for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

### **State Conservation Commission (Attachment 6)**

Senator Jackson reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2002.

Senator Jackson reported for Subcommittee Chairman Morris that the Subcommittee concurs with the Governor's recommendations for FY 2003 with recommendations as listed in the subcommittee budget report.

Senator Downey moved, with a second by Senator Jackson, to amend the subcommittee report to add the non-point Source Pollution subprogram to the programs utilizing the lapsed funds described in Item Number 1, FY 2003. Motion carried on a voice vote.

Senator Downey moved, with a second by Senator Jackson, to amend the subcommittee report to eliminate the last sentence in Item Number 1, FY 2003, beginning with "The enhancement would provide...". Motion carried on a voice vote.

Senator Downey moved, with a second by Senator Jackson, to adopt the subcommittee budget report on the State Conservation Commission for the FY 2002 and FY 2003 budget as amended. Motion carried on a voice vote.

### **Department of Wildlife and Parks (Attachment 7)**

Senator Jackson reported for Subcommittee Chairman Jordan that the Subcommittee concurs with the Governor's recommendations for FY 2002.

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Senator Jackson reported for Subcommittee Chairman Jordan that the Subcommittee concurs with the Governor's recommendations for FY 2003 with additional recommendations as listed in the subcommittee budget report.

Senator Jackson moved, with a second by Senator Schodorf, to adopt the subcommittee budget report on the Department of Wildlife and Parks for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

Chairman Morris called the Committee's attention to discussion of:

### **SB 557--Community developmental disability services federal financial participation**

Senator Huelskamp moved, with a second by Senator Salmans, to amend SB 557 to restore the language on page 2 of the bill, Section (d) (2) and on page 1 of the bill Section (d) (1), remove the language relating to the special tiers. Motion carried on a voice vote.

Senator Downey moved, with a second by Senator Schodorf, to recommend SB 557 favorably for passage as amended. Motion carried on a roll call vote.

### **SB 421--Social and Rehabilitation Services; fixing of certain fees and disposition thereof**

Laura Howard, Assistant Secretary, Health Care Policy, Department of Social and Rehabilitation Services (SRS), spoke to the Committee upon request of Chairman Morris and the Committee regarding an update on progress of developing parameters for parent fee schedule as authorized by **SB 421** (Attachment 8). Ms. Howard explained proposed SRS amendments to the bill as reflected in their Attachment C of the balloon attached to their testimony regarding:

- require the Secretary of SRS to take into consideration the parents' income and ability to pay in establishing the fee, and
- require that the minimum fee set be based on fees and standards set by the Secretary in the Kansas children's health insurance program (HealthWave). This change would set a threshold so that families with incomes less than 150 percent of the federal poverty level (FPL) would not be charged a fee and families with incomes from 151 percent FPL to 200 percent FPL would be charged the same fees as under the HealthWave program (\$10.00 or \$15.00 a month).

Committee discussion followed and the Chairman thanked Ms. Howard for the requested information.

Senator Barone moved, with a second by Senator Feleciano, to amend the balloon for SB 421 to change the threshold from 150 percent of federal poverty level to 200 percent of federal poverty level threshold and on line 17 take into consideration the parents' income and the ability to pay. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Huelskamp, to recommend SB 421 favorably for passage as amended. Motion carried on a roll call vote.

### **SB 517--Claims against the state**

A letter was distributed from Janet Schalansky, Secretary, Department of Social and Rehabilitation Services (SRS), in response to additional information requested by the Committee regarding public policy implications of awarding claims to be paid by SRS based on the court's resolution of a disagreement over the best interests of a particular child (Attachment 9).

Senator Jackson moved, with a second by Senator Schodorf, to amend SB 517, on page 9, line 35, Section 7, part (f), to change the amount from \$1,880.04 to \$1,000.00 and page 9, line 43, Section 7, part (g), and

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to change the amount from \$1,525.35 to \$1,175.00. The vote on the motion was divided. A vote was taken on Section 7, part (g) to change the amount to \$1,175.00 and the motion carried on a voice vote. A vote was taken on Section 7, part (f) change the amount to \$1,000.00 and the motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Barone, to recommend **SB 517** favorably for passage as amended. Motion carried on a roll call vote.

The meeting adjourned at 12:10 p.m. The next meeting is scheduled for March 8, 2002.