

## MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 A.M. on March 2, 2006 in Room 514-S of the Capitol.

All members were present except:

Representative Jerry Henry- excused  
Representative Harold Lane- excused

Committee staff present:

Alan Conroy, Legislative Research Department  
J. G. Scott, Legislative Research Department  
Becky Krahl, Legislative Research Department  
Matt Spurgin, Legislative Research Department  
Debra Hollon, Legislative Research Department  
Carolyn Rampey, Legislative Research Department  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Administrative Assistant  
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Dr. Roy Jensen, Director, University of Kansas Cancer Center

Others attending:

See attached list.

- Attachment 1 Budget Committee report on State Department of Education
- Attachment 2 Testimony and Information presented by Dr. Roy Jensen, Director, University of Kansas Cancer Center

Representative Hutchins, Chair of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the State Department of Education for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative McLeland.

The Committee voiced concern with Item No. 3 because the project was over the \$250,000 limit set for review by the Joint Committee on Information Technology (JCIT). The Committee felt that JCIT has not met to consider a recommendation on the project and has the responsibility for coordination of information technology throughout the state agencies. The Budget Committee indicated that the Enterprise Data Warehouse project is a three-year project and will have a total cost of \$2.3 million.

Representative Gatewood moved to delete the funding in Item No. 3 and defer the issue to Omnibus. The motion was seconded by Representative Sharp. Motion failed.

Representative Gatewood moved to incorporate Item No. 3 into a proviso stating that no expenditures can be made for the database without first advising and consulting with the Joint Committee on Information Technology about the Database project. The motion was seconded by Representative Feuerborn. Motion withdrawn with approval of the second.

With regard to the proviso, Jim Wilson, Office of Revisor of Statutes, advised the Committee that the State Finance Council is the only committee or other body composed primarily of members of the legislature and the Governor that the Kansas Supreme Court has approved to be delegated final approval authority over such executive functions; further indicating that issue, under court and attorney general opinions, is that the proposed proviso would grant authority in violation of the separation of powers doctrine under the Kansas Constitution.

Representative Gatewood moved to add language to Item No. 3 of the Budget Committee report on the Department of Education for FY 2006 to indicate that JCIT shall review any expenditure for

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information technology over \$250,000 prior to the expenditure. The motion was seconded by Representative Feuerborn. Motion carried on a 9-8 vote.

Representative Hutchins moved to adopt the Budget Committee report on the State Department of Education for FY 2006 as amended. The motion was seconded by Representative McLeland. Motion carried.

Representative Hutchins, Chair of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the State Department of Education for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 1). The motion was seconded by Representative McLeland.

Representative Landwehr moved to delete Item No. 7 and offer a suggestion that the agency secure funding from their member associations. The motion was seconded by Representative Bethell. Motion carried.

Representative McLeland moved to correct language in Item No. 6 removing "second year" and inserting "completion of the first year". The motion was seconded by Representative Hutchins. Motion carried on a 10-7 vote.

Representative Gatewood moved to add language to Item No. 6 of the Budget Committee report on the State Department of Education for FY 2007 to indicate that JCIT shall review any expenditure for information technology over \$250,000 prior to the expenditure. The motion was seconded by Representative Feuerborn. Motion carried.

Representative Gatewood moved to delete Item No. 5 and insert language to include a \$250,000 line item for school district accountability studies based on the prior year's expenditure. The motion was seconded by Representative Sharp. Motion failed.

Representative Sawyer moved to strike Item No. 4 and return to the Governor's recommendation. The motion was seconded by Representative Feuerborn. Motion failed on a 5-12 vote.

Representative Hutchins moved to strike the word "require" in Item No. 8 and insert the word "recommend". The motion was seconded by Representative Huy. Motion carried.

Representative Weber moved to add language in the Budget Committee report for the State Department of Education for FY 2007 to recommend the addition of \$300,000 to be used to provide training for local elected school board members to promote leadership, technology and cooperation across district lines. The motion was seconded by Representative Powell. Motion failed.

Representative Hutchins moved to adopt the Budget Committee report on the State Department of Education for FY 2007 as amended. The motion was seconded by Representative McLeland. Motion carried.

Chairman Neufeld recognized Dr. Roy Jensen who serves as Director of the University of Kansas Cancer Center and the Kansas Masonic Cancer Research Institute at the University of Kansas. Dr. Jensen presented an overview of the proposed University of Kansas Cancer Center ([Attachment 4](#)). Dr. Jensen stated that the cancer center is designed to serve all Kansans through a partnership with health care providers across the state to promote better health.

Dr. Jensen indicated that to receive National Cancer Institute (NCI) designation, there is a need for significant additional resources. The Governor's budget recommendations for FY 2007 includes a \$5 million appropriation for the Kansas University Cancer Center and is a critical element. Dr. Jensen stated that it is anticipated that this \$5 million funding will be an ongoing appropriation and is necessary in order to recruit top scientists to the Center. In addition the Cancer Center will aggressively seek support from federal government sources and investments from private donors. Dr. Jensen stated that accreditation by the National Cancer Institute will cost approximately \$45 - \$50 million and it is proposed that the application will be submitted in 2009. Dr. Jensen noted that

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there is a need for \$30 million in order to attract NCI funding; however, the \$5 million requested from the State cannot be counted as a part of this funding. The \$5 million from the State does demonstrate to NCI that the State is committed to the program.

Dr. Jensen felt that the Cancer Center will be valuable across the state in working to formulate an alliance to access best health care; promote health fairs to provide cancer education; and provide programs to insure local physicians have the benefits of research. Research at the Center will look at the geographic sections of the State and elements effecting the health of those residents.

Chairman Neufeld thanked Dr. Jensen for his testimony.

The meeting was adjourned at 11:00 a.m. The next meeting of the Committee will be held at 9:00 a.m. on March 3, 2006.

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Melvin Neufeld, Chairman