

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chair Melvin Neufeld at 9:00 a.m. on March 7, 2003, in Room 514-S of the Capitol.

All members were present except:

Representative Larry Campbell, Excused
 Representative Bill Light, Excused
 Representative JoAnn Pottorff, Excused
 Representative Rocky Nichols, Excused

Committee staff present:

Alan Conroy, Legislative Research Department
 J. G. Scott, Legislative Research Department
 Amy Deckard, Legislative Research Department
 Becky Krahl, Legislative Research Department
 Nicoletta Buonasera, Legislative Research Department
 Carolyn Rampey, Legislative Research Department
 Leah Robinson, Legislative Research Department
 Bill Wolff, 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:

Denise L. Everhart, Acting Commissioner, Kansas Juvenile Justice Authority

Others attending: See Attached

Chair Neufeld called the committee's attention to **HB 2423 – Centerfor Health and Environment Statistics fee funding**, which the committee heard the hearing on the March 6, 2003. After conferring with the Staff from the Office of the Revisor of Statutes, it was decided the bill is correctly written.

Representative Bethell moved that **HB 2423** be reported favorably. Motion was seconded by Representative Landwehr. Motion carried.

Hearing HB 2310 – Superintendent at the Topeka correctional facility may appoint a deputy superintendent and an attorney; unclassified service

Nicoletta Buonasera, Legislative Research Department, presented an overview on **HB 2310** which would allow the superintendent of the Topeka Juvenile Correctional Facility to appoint an unclassified deputy superintendent and attorney.

Current law requires all staff at the juvenile correctional facilities be members of the classified service. The exceptions to this requirement are facility superintendents, who are appointed by the Commissioner of Juvenile Justice Authority (JJA), and physicians, who are appointed by the facility superintendents. These appointees are required by law to be within the unclassified service under the Kansas Civil Services Act.

Because of the importance and need for these positions, Juvenile Justice Authority (JJA) requested and was granted approval from the Governor's office to fill the unclassified deputy superintendent position on a temporary basis for one year.

HB 2310 would have no fiscal effect on the JJA or Topeka Juvenile Correctional Facility. The agency would shift funding from other areas to fund these positions.

Denise L. Everhart, Acting Commissioner of Juvenile Justice, presented testimony recommending support and passage of **HB 2310** (Attachment 1). She pointed out that this is not a request to add any additional FTE's, but

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rather a request to amend K.S.A 76-3202 authorizing staffing these positions within the unclassified service.

Chair Neufeld announced the hearing on **HB 2310** is closed.

Representative Gatewood moved to accept the proposed technical amendment as presented by the Commissioner of Juvenile Justice, line 22 (b) inserting the word "Juvenile" after the word Topeka. Motion was seconded by Representative Ballard. Motion carried.

Representative Feuerborn moved to report **HB 2310** favorably as amended. Motion was seconded by Representative Minor. Motion carried.

Hearing on SB 73 – Claims against the state

Dr. Bill Wolff, Legislative Research Department, presented a bill explanation on **SB 73**.

The Joint Committee on Claims Against the State originally recommended Section 5 be paid to the landowner. Dr. Wolff was unsure if any action was taken against the juvenile who reportedly started the fire away from the actual campsite. The fire burned up 250 posts and trees. In discussion whether the Department of Wildlife and Parks should be liable for this, it was pointed out they are self-insured, as is the state of Kansas.

Chair Neufeld announced that the hearing on **SB 73** is closed.

Representative Osborne moved to allow payment in the amount of \$600 to the claimant for fencing costs in Section 5. Motion was seconded by Representative Howell. Motion failed on a tie vote.

Representative Landwehr moved for a three-part amendment: (1) Authorizing the Department of Revenue in Section 6 to reissue a tax refund warrant in the amount of \$82,246 to Journal Communications, Inc. (Attachment 2); (2) Section 7, Line 41, to change the name of the facilities operations funds to the Topeka Juvenile Correctional Facility Operations Account of the State General Fund; and (3) in Section 11, to authorize the University of Kansas to use the correct fund in payment of an overdue bill (Attachment 3). Motion was seconded by Representative Bethell. The motion carried.

Representative Feuerborn moved for an amendment in Section 6 (a) and (b) to strike "office of" from lines 26 and 33. Motion was seconded by Representative Minor. Motion carried.

Representative Minor moved to report the bill favorably as amended. Motion was seconded by Representative Feuerborn. Motion carried.

Continued Committee discussion and Action on SB 4 – Cash basis law; exemptions for certain expenditures by school districts

The Chair reopened the Committee discussion on **SB 4**.

Representative Feuerborn withdrew his motion for a substitute motion to amend by inserting "school years 2002-2003, 2003-2004 and 2004-2005" strike "all years thereafter" in the amendment. The second, agreed to the withdrawal.

Representative Shultz withdrew his motion to amend **SB 4** by striking "2001-2002" and inserting "2002-2003" and by striking "Kansas register" and inserting "statute book..." made in the January 28, 2003 Appropriation Committee Meeting. The second, agreed to the withdrawal.

Representative Feuerborn moved **SB 4** be reported favorably. Motion was seconded by Representative Shultz. Motion carried.

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The meeting was adjourned at 10:30 a.m. The next meeting is scheduled for March 10, 2003.

Melvin Neufeld, Chair