

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 10:30 a.m. on January 20, 2009, in Room 545-N of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Kansas Legislative Research Department
J.G. Scott, Kansas Legislative Research Department
Michael Steiner, Kansas Legislative Research Department
Estelle Montgomery, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Aaron Klaassen, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Melinda Gaul, Chief of Staff
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Dale Dennis, Deputy Commissioner, Department of Education
Jim Pottorff, General Counsel, University of Kansas
Major Mark Bruce, Kansas Highway Patrol (KHP)
Jeff Brandau, Special Agent in Charge, Kansas Bureau of Investigation (KBI)

Others attending:

See attached list.

Bill Introduction

Senator Schmidt moved to introduce legislation pertaining to absentee ballots for federal services. The motion was seconded by Senator Kelly. Motion carried.

Senator Schmidt moved to introduce legislation pertaining to electronic filing of certain reports. The motion was seconded by Senator Kultala. Motion carried.

Senator Schmidt moved to introduce legislation pertaining to advanced ballots. The motion was seconded by Senator Masterson. Motion carried.

Continued Discussion of SB 23 - Supplemental, appropriations for FY2009 for various state agencies.

Written testimony was presented from Mark Tallman, Assistant Executive Director/Advocacy, Kansas Association of School Boards (KASB) as a follow-up to testimony before the Committee on SB 23 on January 15, 2009 (Attachment 1).

Dale Dennis, Deputy Commissioner, Department of Education, presented additional information on school finance reductions as requested by the Committee (Attachment 2). Mr. Dennis stated that the printouts offer information on the following:

- 2008-09 Estimated FTE enrollment.

Governor's Recommendations:

- 2008-09 Estimated effects of a \$22 reduction in base state aid per pupil (BSAPP).
- 2008-09 Estimated decrease in special education state aid entitlement (Based upon the 2007-08 special education state aid reimbursement) - Language in the statute refers to 92 percent special aid reimbursement - Governor's budget recommendation does not include the \$4.4 million.
- 2008-09 Total Governor's recommended reductions for 2008-09 (\$18.4 million).

Across the board cuts to achieve reductions of \$45.2 million:

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- 2008-09 Estimated effects of a \$47.30 reduction in BSAPP (General State Aid).
- 2008-09 Estimated reductions in local option budget state aid (LOB). Some school districts are -0- because of higher assessed evaluation per pupil within the district. As a result, school districts with a higher assessed evaluation might receive little or no additional state aid.
- 2008-09 Estimated reductions in special education state aid.
- 2008-09 Estimated reductions in KPERS - state's portion of state aid for KPERS.
- 2008-09 Estimated reductions in bond and interest state aid - not all school districts have outstanding bonds. The amount of state aid depends on the assessed evaluation per pupil within the district.
- 2008-09 Total reductions excluding small programs - a number of small programs totaling approximately \$15 million that could add an additional \$200,000 to the printout.
- Difference between the Governor's recommendations and across the board cuts.

Mr. Dennis stated that the across-the-board cuts are equivalent to approximately a 1.36 percent cut in K-12 education funding.

- The Committee requested additional information on how the cuts would further affect each school district.

J. G. Scott, Legislative Research Department, provided additional information on the slider, stating that the payment scheduled for February 15th has been delayed until June 30th because of the state's revenue shortfall. If revenues are not available on June 30th, the payment will be reduced or payment will not be made in FY 2009.

- The Committee requested information on suspending the exemption, currently in statute; reinstate the tax; and the effect of changing the law during the current session.

Hearing on SB 8 - Kansas tort claims act; medical students enrolled at university of Kansas medical center.

Jill Wolters, Office of the Revisor of Statutes, provided an overview of **SB 8** (Attachment 3). Ms. Wolters noted that a proviso in the appropriations bill has addressed the same issue in previous sessions. This bill would put in law language to include medical students enrolled at the University of Kansas Medical Center that are in clinical training at the University or at other health care institutions.

Written testimony was distributed from Kathy Damron, Strategic Communications of Kansas (Attachment 4).

Jim Pottorff, General Counsel, University of Kansas, responded to a question from the Committee regarding claims since July 1, 2008, Jim Pottorff, indicated there is only one open claim at the present time. Mr. Pottorff did not know when the claim was filed.

There were no other conferees to appear to testify on **SB 8**.

The hearing on SB 8 was closed.

Senator Vratil moved to recommend SB 8 favorable for passage. The motion was seconded by Senator Schordorf. Motion carried.

Hearing on SB 30 - State surplus property; disposition of computers and firearms.

Jill Wolters, Office of the Revisor of Statutes, provided an overview of **SB 30** (Attachment 5).

Major Mark Bruce, Kansas Highway Patrol, presented testimony in support of **SB 30** (Attachment 6). Major Bruce provided language recommended to amend New Section 2(b) directed at resigning troopers. The language would allow a trooper or sworn officer with the Kansas highway patrol (KHP) who resigns from KHP and accepts employment with a local, state or federal law enforcement agency to purchase, upon

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retirement, such trooper or other officer's personal sidearm with a trigger lock. Responding to a question from the Committee, Major Bruce noted that the life of a sidearm is approximately 10 years. Funding for replacements would come from the agency's equipment replacement fund.

Jeff Brandau, Special Agent in Charge, Kansas Bureau of Investigation (KBI), appeared before the Committee to request that language be amended into the bill to include special agents of KBI and perhaps extended to include all state law enforcement officers who are mandated to carry firearms. Mr. Brandau's request included language that the firearms would be sold at trade-in or fair market value. Current statute would identify state law enforcement officers.

Written testimony from Steve Kearney, Executive Vice President, Kansas State Troopers Association, in support of **SB 30** was distributed to the Committee (Attachment 7). Mr. Kearney offered an amendment to New Section 2 (b) (1) to separate and distinguish between "retiring" and "resigning" officers in the bill.

There were no other conferees to appear to testify on **SB 30**.

The hearing on SB 30 was closed.

The Committee requested the following information with regard to **SB 30**:

- Draft amendment to include troopers and sworn officers of KHP.
- Draft amendment to include KBI to purchase sidearms.
- Information on the possibility of adding all law enforcement officers to the bill.
- Draft a balloon to allow state libraries to purchase computers rather than allowing legislators or staff to purchase more than one computer.

The next meeting is scheduled for January 21, 2009.

The meeting was adjourned at 11:45 a.m.