

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 9:00 A.M. on March 23, 2007, in Room 514-S of the Capitol.

All members were present except:

Representative Ty Masterson - excused

Committee staff present:

Alan Conroy, Legislative Research Department
J. G. Scott, Legislative Research Department
Becky Krahl, Legislative Research Department
Reagan Cussimano, Legislative Research Department
Julian Efird, Legislative Research Department
Susan Kannarr, Legislative Research Department
Aaron Klaassen, Legislative Research Department
Amy VanHouse, Legislative Research Department
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Chief of Staff
Shirley Jepson, Committee Assistant

Conferees appearing before the committee:

Others attending:

See attached list.

- Attachment 1 Social Services Budget Committee Report on **HB 2224**
- Attachment 2 Amendment on **HB 2224**
- Attachment 3 Social Services Budget Committee Report on **SB 355**
- Attachment 4 Transportation and Public Safety Budget Committee Report on **HB 2133**
- Attachment 5 House Substitute for **HB 2133**
- Attachment 6 Transportation and Public Safety Budget Committee Report on **HB 2421**
- Attachment 7 Education Budget Committee Report on **SB 109**
- Attachment 8 Agriculture and Natural Resources Budget Committee Report on **SB 262**
- Attachment 9 Board of Regents Deferred Maintenance Plan, Priority List and Answers to Committee Questions

Representative Beamer moved to introduce a Committee Resolution in support of Farm Security Administration (FSA) offices. The motion was seconded by Representative Feuerborn. Motion carried.

Discussion and Action on HB 2224 - Department of health and environment, certain genetic diseases and disorders, education and screening, assistance.

Representative Bethell, Chair of the Social Services Budget Committee, presented the Budget Committee report on **HB 2224** and moved for the adoption of the Budget Committee recommendation (Attachment 1). The motion was seconded by Representative Ballard. Motion carried.

The Budget Committee report included an amendment to **HB 2224** that inserts language to remove the proposed fee for newborn screening (Attachment 2). The amendment would include those on Medicaid as well as insured and uninsured. Currently insurance does not pay for the screening. Responding to a question from the Committee, the Budget Committee stated that the procedure can be reviewed each year during the budget process.

Representative Bethell moved to recommend **HB 2224** as amended favorable for passage. The motion was seconded by Representative Ballard. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on March 23, 2007, in Room 514-S of the Capitol.

Discussion and Action on SB 355 - Repealing sunset on Kansas foster child educational assistance act.

Representative Bethell, Chair of the Social Services Budget Committee, presented the Budget Committee report on **SB 355** and moved for the adoption of the Budget Committee recommendation (Attachment 3). The motion was seconded by Representative Kelsey. Motion carried.

Representative Bethell moved to recommend **SB 355** favorable for passage. The motion was seconded by Representative Kelsey. Motion carried.

Discussion and Action on HB 2133 - Informal resolution of disputes of deficiencies cited by fire inspectors.

Representative Tapanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on **Substitute for HB 2133** and moved for the adoption of the Budget Committee recommendation (Attachment 4). The motion was seconded by Representative Williams. Motion carried.

The Budget Committee explained that **Sub for HB 2133** (Attachment 5) would establish a two-tiered informal dispute resolution process for deficiencies cited in a medical care facility, adult care home, assisted living facility, or special hospital by an officer of the State Fire Marshall during an inspection for compliance with federal law pursuant to oversight by the Centers for Medicaid and Medicare Services (CMS).

Representative Tapanelli moved for recommend **Sub for HB 2133** favorable for passage. The motion was seconded by Representative Wolf. Motion carried.

Discussion and Action on HB 2421 - Kansas army and air national guard, death benefits.

Representative Tapanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on **HB 2421** and moved for the adoption of the Budget Committee recommendation (Attachment 6). The motion was seconded by Representative Williams. Motion carried.

The Budget Committee explained that **HB 2421** would provide an aggregate death benefit to the beneficiaries of each Kansas National Guard member who dies as a result of federal active duty in a combat zone after September 1, 2005. The death benefit does not apply if the member dies as a result of suicide. The benefit would be paid from the State Emergency Fund.

Representative Tapanelli moved to recommend **HB 2421** favorable for passage. The motion was seconded by Representative Wolf. Motion carried.

Discussion and Action on SB 109 - School district employees; compensation, when.

Representative McLeland, Chair of the Education Budget Committee, presented the Budget Committee report on **SB 109** and moved for the adoption of the Budget Committee recommendation (Attachment 7). The motion was seconded by Representative Sawyer. Motion carried.

The Budget Committee explained that **SB 109**, as amended by the Senate, would amend current law governing compensation of school district employees covered by Kansas Public Retirement System (KPERs). The bill, as amended, would require that employees covered by KPERs who are subject to the continuing contract law must be paid in at least 12 equal payments, once, or more often, each month. **SB 109** would delete the language mandating that the payments begin in September of each school year. The Senate made a technical amendment to the bill.

Representative McLeland moved to recommend **SB 109** favorable for passage. The motion was seconded by Representative Sawyer. Motion withdrawn with permission from the second.

CONTINUATION SHEET

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Representative McLeland moved to recommend **SB 109** favorable for passage and move to the consent calendar. Motion carried.

Discussion and Action on SB 262 - Motor vehicle purchases by state agencies; E85 fuels.

Representative Powell, Chair of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on **SB 262** and moved for the adoption of the Budget Committee recommendation (Attachment 8). The motion was seconded by Representative Gatewood. Motion carried.

The Budget Committee explained that **SB 262**, as amended by the Senate, would require state agencies, when purchasing a motor vehicle, to purchase a motor vehicle which utilizes E85 fuel, unless the manufacturer of the vehicle model to be purchased does not offer the model with an engine that utilizes E85 fuels or the cost of the vehicle is \$250 or more than the cost of the vehicle model that does not utilize E85. The Senate Committee made several amendments to the original bill.

The Committee had some concern that E85 fuel is not always conveniently available. The Budget Committee noted that this legislation is an effort to reduce dependence on foreign oil.

Representative Powell moved to recommend **SB 262** favorable for passage. The motion was seconded by Representative Gatewood. Motion carried.

Discussion and Action on SB 302 - Electronic purchase task force; controlled substances.

Representative Bethell moved to recommend **SB 302** favorable for passage. The motion was seconded by Representative George. Motion carried.

Amy VanHouse, Legislative Research Department, explained that **SB 302** would establish an 11-member Controlled Substances Monitoring Task Force to develop a plan for the creation and implementation of a controlled substances prescription monitoring program and an electronic purchase log.

Discussion and Action on SB 165 - Increasing the limit of settlement authority of the secretary of corrections from \$500 to \$2,500.

Representative Tafanelli moved to recommend **SB 165** favorable for passage. The motion was seconded by Representative Holmes. Motion failed on 8-11 vote.

Some members of the Committee expressed a concern as to how the program would be monitored. It was noted that the Department of Corrections had stated that if they could settle more claims without going to court, there would be a savings in legal costs for the Department.

A report from the Board of Regents on the Regents Deferred Maintenance Plan, project priority lists for each Regent university and answers to Committee questions was distributed to the Committee (Attachment 9).

The meeting was adjourned at 10:05 a.m. The next meeting of the Committee will be held at 9:00 a.m. on March 26, 2007.

Sharon Schwartz, Chair