

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Kevin Yoder at 9:00 a.m. on March 5, 2009, in Room 143-N of the Capitol.

All members were present.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes
Jim Wilson, Office of the Revisor of Statutes
Christina Butler, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
J.G. Scott, Kansas Legislative Research Department
Kelly Cure, Chief of Staff
Kathy Holscher, Committee Assistant

Conferees appearing before the Committee:

None

Others attending:

See attached list.

- Attachment 1 Proposed legislation on Water Plan Fund
- Attachment 2 Budget Committee report on Judicial Council, Judicial Branch, Department of Revenue
- Attachment 3 Budget Committee report on Board of Indigents' Defense Services
- Attachment 4 Budget Committee report on Kansas Corporation Commission, Citizens's Utility Ratepayer Board and Kansas Department of Health and Environment - Environment Division
- Attachment 5 Division of Environment Vacant FTE Positions
- Attachment 6 Budget Committee report on Kansas Department of Health and Environment - Health

Vice-Chairman Watkins opened the meeting by stating that video conference, on the Federal Stimulus package, has been scheduled for 9:30 a.m., March 6, in the Curtis State Office Building.

Representative Mast made a motion to approve the minutes from the January 26, 27, 28 & 29 Appropriation Committee meetings. The motion was seconded by Representative Lane. Motion carried.

Representative Burroughs made a motion to introduce legislation by the Judicial Council dealing with increased docket fees. The motion was seconded by Representative Lane. Motion carried.

Representative Faber made a motion to introduce legislation regarding the use of Water Plan funds for staffing, (Attachment 1). The motion was seconded by Representative Light. Motion carried.

Representative Tafanelli made a motion to introduce legislation regarding immunity for state and local individuals in a state of emergency. The motion was seconded by Representative Gatewood. Motion carried.

Representative Watkins made a motion to introduce legislation regarding state offices and employees salary and wages. The motion was seconded by Representative Kelley. Motion carried.

Representative Watkins made a motion to introduce legislation that would grant leeway for judicial branch in terms of the allocation of resources. The motion was seconded by Representative Kelley. Motion carried.

Representative Watkins made a motion to introduce legislation to exempt disabled and retired senior citizens from paying taxes on their vehicles. The motion was seconded by Representative Mast. Motion carried.

Representative Donohoe, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Judicial Council for FY 2010 and moved

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:00 a.m. on March 5, 2009, in Room 143-N of the Capitol.

for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 2). The motion was seconded by Representative Burroughs. Motion carried.

Representative Whitham, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Judicial Branch for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 2). The motion was seconded by Representative Watkins. Motion carried.

Budget Committee members responded to questions from Committee members regarding: docket fees which are even or average with other states; increased caseloads; and one judge per county rule which is currently being reviewed.

Discussion by Committee members followed regarding: fee funds; and review funding for the Information Network of Kansas and Kansas, Inc.

The Budget Committee discussed not sweeping fee funds and committed funds, approved by the legislature, for projects that need to go forward.

Representative DeGraaf, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Department of Revenue FY 2010 and moved for the adoption of the FY 2010 Budget Committee recommendation with the amendment to review funding for the Information Network of Kansas and Kansas, Inc. at Omnibus, (Attachment 2). The motion was seconded by Representative Sawyer.

Mavis Cockrell, Department of Revenue, discussed the feasibility study. She stated that the department is still in the discovery phase and more information should be available by March 9, 2009.

Representative McLeland made a motion to review the Vehicle Registration and Driver's License Renewal fees report on the progress and project update, including time lines and any surcharges at Omnibus. The motion was seconded by Representative Whitham. Motion carried.

Representative DeGraaf made a motion to approve the FY 2010 Budget Committee Report for the Department of Revenue as amended. Motion carried.

Representative Gatewood, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee Report on the Governor's budget recommendation for the Board of Indigents' Defense Services for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 3). The motion was seconded by Representative Tafaelli. Motion carried.

Discussion followed by Committee members regarding: funding shortfalls for costs incurred and the need for adjustments at Omnibus.

Patricia Scalia, Executive Director, Board of Indigents', reported on pending court cases and costs that will be paid this year and those costs that will be carried over into next year's budget expenditures. It was noted that there a 19 vacant positions open, which are primarily public defenders.

Representative Light, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee Report on the Governor's budget recommendation for the Kansas Corporation Commission for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 4). The motion was seconded by Representative Faber. Motion carried.

Representative Light, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee Report on the Governor's budget recommendation for the Citizens' Utility Ratepayer Board for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010 with the correction of \$814,127 in item 3 of the report, (Attachment 4). The motion was seconded by Representative Williams. Motion carried.

CONTINUATION SHEET

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Representative Faber, Member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee Report on the Governor's budget recommendation for the Kansas Department of Health and Environment for FY 2010 and moved the adoption of the Budget Committee recommendation for FY 2010, (Attachment 4). The motion was seconded by Representative Light.

Discussion was held by Committee members regarding the Division of Environment Vacant FTE Positions, (Attachment 5), due to the October, 2008 hiring freeze, which will be reviewed in the Budget Committee at Omnibus. The Budget Committee Report represents a 10 per cent cut, with the intent of adjusting budget cuts if additional money becomes available. The Committee's fiduciary responsibility was emphasized regarding staffing and the budgeting process in all areas of state agencies. The Committee suggested making a change in handling recovery funds and fines placed in SGF.

Aaron Dunkel, Assistant Director, Department of Health and Environment, explained budgeting for natural and forced shrinkage due to staff retirements and the hiring freeze. He also stated that some positions are grant based and matched with federal dollars.

Roderick Bremby, Secretary, Department of Health and Environment, stated that the placement of SGF fees were determined by the legislature. He discussed laboratory health issues within a facility, and noted that enhanced precautions have been taken. No funds have been placed in the FY 2010 budget to transition from this location.

● Additional Information Requested

Cost benefit analysis, from Post Audit, for review at Omnibus

Cost of relocation of a laboratory

Representative Faber renewed the motion to approve the Budget Committee Report. Motion carried.

Representative Ballard, member of the Social Services Budget Committee, presented the Budget Committee Report on the Governor's budget recommendation for the Kansas Department of Health and Environment - Health for FY 2010 and moved for the adoption of the Budget Committee recommendation for FY 2010, (Attachment 6). The motion was seconded by Representative Mast. Motion carried.

Discussion by Committee members followed regarding distribution of funds to support crucial programs without cutting programs.

● Additional information requested

Printout comparing the Governor's budget recommendations and the SGF ending balance

JG Scott, Legislative Research Department, stated that the total of all of the global adjustments, including the moratoriums and the 1.25 percent reductions amount to an increase \$16,945,065 to date.

The next meeting is scheduled for March 9, 2009.

The meeting was adjourned at 11:00 a.m.

Kevin Yoder, Chairman