

## MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 A.M. on March 1, 2006 in Room 514-S of the Capitol.

All members were present except:

Representative Barbara Ballard- excused  
 Representative Jerry Henry- excused  
 Representative Tom Sawyer- 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  
 Amy VanHouse, 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:

Rose Rozmiarek, State Fire Marshal  
 Daryl Marmon, Chairman, Kansas Fireworks Association

Others attending:

See attached list.

- Attachment 1 Budget Committee Report on Kansas Public Employees Retirement System (KPERS)
- Attachment 2 Budget Committee Reports on Adjutant General, State Fire Marshall, Emergency Medical Services Board, Kansas Highway Patrol, Kansas Bureau of Investigation, Sentencing Commission, Kansas Parole Board
- Attachment 3 Additional Information provided on the Board of Emergency Medical Services
- Attachment 4 Testimony on **Sub for SB 2245** by Rose M. Rozmiarek, State Fire Marshal's Office

Representative McCreary, Chair of the House Revenue, Judicial, Transportation and Retirement Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Public Employees Retirement System (KPERS) for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative Gatewood. Motion carried.

Representative McCreary, Chair of the House Revenue, Judicial, Transportation and Retirement Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Public Employees Retirement System (KPERS) for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 1). The motion was seconded by Representative Weber. Motion carried.

Representative Tafanelli, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Adjutant General for FY 2006 and FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2006 and FY 2007 (Attachment 2). The motion was seconded by Representative Gatewood. Motion carried.

Janice Harper, Adjutant General's office, responded to a question from the Committee concerning the issue of the taxing of reimbursements made to military personnel, and stated that the agency is currently working on the issue, which affects not only Kansas but other states as well. Because a lot of the reimbursements are under the limit required by the Internal Revenue Service (IRS), in

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many cases Form 1099's are not prepared. Regarding the change of commission for the National Guard, the Budget Committee noted that they have asked the Adjutant General to review this issue to determine if fewer armories will be needed in the future.

Representative Light, Chair of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the State Fire Marshal for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 2). The motion was seconded by Representative Tafanelli. Motion carried.

Representative Light, Chair of the House Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the State Fire Marshal for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 2). The motion was seconded by Representative Sharp. Motion carried.

The Committee questioned the need to replace vehicles with low mileage owned by the State Fire Marshal. The Budget Committee noted that these vehicles have been used in rural areas and were not designed for that type of use.

Representative Sharp, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Emergency Medical Services for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 2). The motion was seconded by Representative Gatewood. Motion carried.

Representative Sharp, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Board of Emergency Medical Services for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 2). The motion was seconded by Representative Gatewood. Motion carried.

The Budget Committee provided a copy of information presented by the Board of Emergency Medical Services on the amount of grants distributed in each region within the State (Attachment 3).

Representative Pilcher-Cook, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Highway Patrol for FY 2006 and FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2006 and FY 2007 (Attachment 2). The motion was seconded by Representative Light. Motion carried.

Representative Light, Chair of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Bureau of Investigation (KBI) for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 2). The motion was seconded by Representative Tafanelli. Motion carried.

Representative Light, Chair of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Bureau of Investigation (KBI) for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 2). The motion was seconded by Representative Sharp.

The Committee noted the importance of moving forward on the laboratory at Great Bend. Responding to questions from the Committee, Kyle Smith, Kansas Bureau of Investigation, stated that \$1.1 million in funding is needed to purchase the IMA Building with approximately an additional \$100,000 needed for security and communication equipment. Mr. Smith stated it is important to have both the lab in Great Bend to serve the western part of the state as well as a lab in the eastern part of the state to handle the demand for services.

Representative Landwehr moved to amend the Budget Committee report on the Kansas Bureau of Investigation (KBI) for FY 2007 by adding language to the report to request that the Budget

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Committee consider by Omnibus the addition of \$500,000 State General Fund (SGF) to the KBI budget for FY 2007 and give serious consideration to not reducing SGF funding for this budget in the future. The motion was seconded by Representative Bethell. Motion carried.

In response to a question concerning unfilled FTE positions within the KBI, Amy VanHouse, Legislative Research Department indicated that the agency has, as of January 1, 2006, approximately 17 FTE agent positions vacant primarily because of the salary issue. Approximately 35 laboratory positions were reclassified to unclassified status in order to provide a competitive salary; however they will be returned to the classified status when additional funding for salaries becomes available.

Representative Light renewed the motion to adopt the Budget Committee report on the Kansas Bureau of Investigation (KBI) for FY 2007 as amended. The motion was seconded by Representative Sharp. Motion carried.

Representative Sharp, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Sentencing Commission for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 2). The motion was seconded by Representative Light. Motion carried.

Representative Sharp, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Sentencing Commission for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 2). The motion was seconded by Representative Pilcher-Cook. Motion carried.

With reference to Item No. 3, the Budget Committee noted that more individuals are now being served by the substance abuse treatment program legislated in **SB 123**. The Sentencing Commission is working to develop outcomes and success rates.

Responding to questions from the Committee, Patricia Biggs, Director of the Kansas Sentencing Commission, indicated that there are currently 109 agencies certified by the Department of Corrections to provide treatment under **SB 123** with approximately 2,000 individuals participating in the program. Ms. Biggs stated that those individuals who drop out or do not complete the program can be sent back to prison or have probation revoked by the court. The Committee felt it is important to have outcomes for the program.

Representative Pilcher-Cook, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Patrole Board for FY 2006 and FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2006 and FY 2007 (Attachment 2). The motion was seconded by Representative Light. Motion carried.

### **Hearing on Sub for HB 2245 -Kansas fireworks act.**

Amy VanHouse, Legislative Research Department, explained and provided background information on **Substitute for HB 2245**. The legislature creates the Kansas Fireworks Act which would be administered by the State Fire Marshal's office and would set up licensing categories for anyone intending to sell or display consumer fireworks.

Chairman Neufeld recognized Rose Rozmiarek, State Fire Marshal's office, who presented testimony in support of **Sub for HB 2245** (Attachment 4).

Responding to a question from the Committee, Ms. Rozmiarek indicated that the legislation allows for broader statutory authority and regulates the commercial aspect of sale and storage of fireworks.

A balloon was included with Ms. Rozmiarek's testimony on Page 4 Line 22 of the bill, striking the

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language “in the past five years” and inserting the language “unless special disposition obtained by the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosive”.

The Chairman recognized Daryl Marmon, Chairman of the Kansas Fireworks Association, who appeared in support of **Sub for HB 2245**, indicating he had no written testimony but was available for questions from the Committee.

With regard to the proposed balloon, Jim Wilson, Office of Revisor of Statutes, indicated that the state cannot be less restrictive than federal guidelines and voiced concern with the balloon. Mr. Wilson also indicated that the effective date contained in the legislation is January 1, 2006, which cannot be attained at this time.

**The hearing on Sub for HB 2245 was closed.**

**HB 2974** and **HB 2978** were referred to Public Safety Budget Committee.

**SB 491** was referred to Social Services Budget Committee.

**SB 340** was referred to Retirement Sub Committee.

**HB 2956** was referred to Agriculture and Natural Resources Budget Committee.

The meeting was adjourned at 11:00 a.m. The next Committee meeting will be held at 9:00 a.m. on March 2, 2006.

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Melvin Neufeld, Chairman