

Approved: July 21, 2006

Date

## MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:35 A.M. on March 16, 2006, in Room 123-S of the Capitol.

All members were present except:

Senator Carolyn McGinn- excused

Committee staff present:

Jill Wolters, Revisor of Statutes Office

Michael Corrigan, Revisor of Statutes Office

Alan Conroy, Director, Kansas Legislative Research Department

J. G. Scott, Kansas Legislative Research Department

Reagan Cussimano, Kansas Legislative Research Department

Audrey Dunkel, Kansas Legislative Research Department

Julian Efird, Kansas Legislative Research Department

Carolyn Rampey, Kansas Legislative Research Department

Matt Spurgin, Kansas Legislative Research Department

Judy Bromich, Chief of Staff

Mary Shaw, Committee Secretary

Conferees appearing before the committee:

J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks

Randall Allen, Executive Director, Kansas Association of Counties

Doug Vance, Executive Director, Kansas Recreation and Parks Association

John McCabe, Walnut Valley Sailing Club, El Dorado State Park

Charles Benjamin, Ph.D., J.D., on behalf of the Kansas Chapter of the Sierra Club (written)

Ken Mark, Board Chairman, Tonganoxie Recreation Commission (written)

Ryan Sturdy, Recreation Director, Colby Recreation Commission (written)

Others attending:

See attached list.

### **Bill Introduction**

Senator Teichman moved, with a second by Senator Emler, to introduce a bill enacting the asbestos compensation fairness act (5rs2311). Motion carried on a voice vote.

Information was provided by Senator Steineger regarding Teenage Accidental Deaths (Attachment 1).

Chairman Umbarger turned the Committee's attention to discussion of the following bill:

**SB 578--Prohibiting possession of regulated animals except in limited circumstances; requiring registration; regulated animals include lions, tigers and bears**

Staff briefed the Committee on the bill and the Revisor explained a balloon amendment (Attachment 2). The hearing on **SB 578** was held on March 14, 2006. The Revisor noted that she had added the new amendments to the old balloon that was presented a couple of days ago and the changes are in bold print.

Senator Betts moved, with a second by Senator Emler, to amend **SB 578** to add language, regarding local units of government to meet higher standards than what are met in the bill, on Page 7, Line 13, following the word "include" and insert the language ", but not be limited to," Motion carried on a voice vote.

Senator Taddiken moved, with a second by Senator Schmidt, a conceptual amendment to **SB 578**, add a New Section 3, to allow the Kansas Department of Wildlife and Parks the ability to adopt rules and regulations to implement provisions of the act. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Kelly, to amend **SB 578** to define definition and

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eliminate the language “poisonous animals and rear-fanged snakes” and adopt the language suggested by the Kansas Department of Wildlife and Parks as “non-native venomous snake”. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Barone, to amend **SB 578** to delete the language regarding liability insurance and bonding only to have debate on the bill in the Senate on Page 3, Paragraph C, Section 4, lines 24-29. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Kelly, to adopt the balance of the balloon amendment for **SB 578** that were not previously addressed that are now in the balloon and allow Revisor technical cleanup. Motion carried on a voice vote.

Senator Barone moved, with a second by Senator Emler, to recommend **SB 578** favorable for passage as amended. Motion carried on a roll call vote.

Chairman Umbarger opened the public hearing on:

**SB 583--Wildlife and parks funding; transfers from economic development initiatives fund; local government outdoor recreation grant program**

Staff briefed the Committee on the bill.

Senator Teichman moved, with a second by Senator Wysong, to amend **SB 583** that if the money falls below the \$55 million that the money comes out of the State General Fund. Committee discussion followed.

Senator Barone moved a substitute motion, with a second by Senator Wysong, to amend **SB 583** to fund parks with \$5 million State General Fund dollars. Motion failed.

A vote was taken on the Teichman motion and the motion passed on a voice vote.

The Chairman welcomed the following conferees:

J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks (KDWP), testified as a neutral conferee on **SB 583** (Attachment 3). Secretary Hayden explained that funding for the operations of state parks operated by the Kansas Department of Wildlife and Parks has been under financed for a number of years, as support from the State General Fund has been reduced and revenue from increased park fees is not adequate to maintain the system. He noted that in addition, KDWP also appreciates the consideration of funding for the Local Government Outdoor Recreation Grant Program that was funded for three years (FY 1999-FY 2001) and was a well-utilized program by small to medium-sized cities.

Randall Allen, Executive Director, Kansas Association of Counties, spoke in favor of **SB 583** (Attachment 4). Mr. Allen expressed strong support for the allocation of \$1,000,000 in EDIF funds for the Local Government Outdoor Recreation Program Fund which was detailed in his written testimony.

Doug Vance, Executive Director, Kansas Recreation and Park Association, testified in support of **SB 583** (Attachment 5). Mr. Vance expressed support for **SB 583** which would restore the funding for the Local Government Outdoor Recreation Grant Program. He explained that it is a competitive grant program created by the 1998 Legislature to award funds to local governments for outdoor recreation facility renovation or development and all funds go to local communities.

John McCabe, Walnut Valley Sailing Club, El Dorado State Park, spoke in favor of **SB 583** (Attachment 6). Mr. McCabe mentioned that they are in support of the bill and listed various reasons in the written testimony. In closing, he noted that they feel it is essential for Kansas to continue to invest in facilities such as these in order to provide an attractive and wholesome environment in which to raise families.

Written testimony was submitted in support of **SB 583** by:

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- Charles M. Benjamin, Ph.D., J.D., on behalf of the Kansas Chapter of Sierra Club (Attachment 7)
- Ken Mark, Board Chairman, Tonganoxie Recreation Commission (Attachment 8)
- Ryan Sturdy, Recreation Director, Colby Recreation Commission (Attachment 9)

There being no further conferees to come before the Committee, the Chairman closed the public hearing on **SB 583**.

Senator Kelly moved, with a second by Senator Teichman, to recommend **SB 583** favorable for passage as amended. Motion carried on a roll call vote.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2006 and FY 2007 were made available to the Committee.

### **Subcommittee budget reports on:**

#### **Kansas Department of Education (Attachment 10)**

Subcommittee Chairman Duane Umbarger reported that the budget subcommittee on the Kansas Department of Education concurs with the Governor's recommendations in FY 2006 with exceptions and FY 2007 with exceptions.

Senator Schmidt moved, with a second by Senator Teichman, to amend the budget subcommittee report on the Kansas Department of Education, in FY 2007, Item No. 2, technical correction, last sentence, to change the word "on" to "from". Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Wysong, amend the budget subcommittee report on the Kansas Department of Education to consider Item No. 3, FY 2007, at Omnibus. Motion carried on a voice vote.

Senator Schmidt moved, with a second by Senator Teichman, to adopt the budget subcommittee report on the Kansas Department of Education in FY 2006 and FY 2007 as amended. Motion carried on a voice vote.

#### **Kansas Department of Labor (Attachment 11)**

Subcommittee Chairman David Wysong reported that the budget subcommittee on the Kansas Department of Labor concurs with the Governor's recommendations in FY 2006 with observation and FY 2007 with adjustments and observations.

Senator Wysong moved, with a second by Senator Kelly, to adopt the budget subcommittee report on the Kansas Department of Labor in FY 2006 and FY 2007. Motion carried on a voice vote.

The meeting adjourned at 11:55 a.m. The next meeting was scheduled for March 17, 2006.