

Approved: February 21, 2012

(Date)

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairperson Marc Rhoades at 9:09 AM on Thursday, February 9, 2012 in Room 346-S of the Capitol.

All members were present except:

Jim Denning - excused

Clark Shultz - excused

Committee staff present:

J.G. Scott, Chief Fiscal Analyst, Legislative Research Department

Dylan Dear, Senior Fiscal Analyst, Legislative Research Department

Michael Wales, Fiscal Analyst, Legislative Research Department

Jim Wilson, First Assistant, Office of Revisor of Statutes

Jill Wolters, Senior Assistant Revisor, Office of Revisor of Statutes

Nobuko Folmsbee, Senior Assistant Revisor, Office of Revisor of Statutes

Cindy O'Neal, Administrative Assistant

Kathy Holscher, Committee Assistant

Others in attendance:

See attached list.

Chairman Rhoades stated that **HB 2640 - Longevity bonus payments for state employees** will be re-referred to the General Government Budget Committee.

Chairman Rhoades made a motion to introduce legislation regarding legislative pages pay. The motion was seconded by Representative Mast. The motion carried.

Representative Ballard made a motion to introduce legislation regarding property tax. The motion was seconded by Representative Feuerborn. The motion carried.

Representative DeGraaf, Vice-Chair, General Government Budget Committee, presented the FY 2012 Department of Administration Budget Committee Report (Attachment 1). The Budget Committee concurred with the Governor's recommendations.

Representative DeGraaf made a motion to approve the FY 2012 Department of Administration Budget Committee Report. The motion was seconded by Representative Mast.

Discussion followed by committee members regarding the reorganization of agencies, and concerns with hiring practices were noted.

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Representative DeGraaf renewed the motion to approve the Budget Committee Report. The motion carried.

Representative DeGraaf, Vice-Chair, General Government Budget Committee, presented the FY 2013 Department of Administration Budget Committee Report (Attachment 1). The Budget Committee concurred with the Governor's recommendation with the following adjustments and recommendations: delete \$153,373 from State General Funds (SGF) for Statehouse and Cedar Crest repairs; add \$800,000 from SGF to the Public Broadcasting Council Grants account in the Department of Administration; recommended that the Department of Administration report rental rates and occupancy levels of state owned buildings to the Appropriations Committee; recommended the Department of Administration reports prior to Omnibus on the status and recommendations on the use of the Docking Building; commended the department for increased efficiency by consolidation of the human resources personnel.

Representative DeGraaf made a motion to approve the FY 2013 Department of Administration Budget Committee Report. The motion was seconded by Representative McLeland.

Discussion followed by committee members regarding the increased state funding request for Public Broadcasting.

Representative Crum made a substitute motion to delete the addition of \$800,000 from SGF for Public Broadcasting Council Grants. The motion was seconded by Representative Peck.

Discussion followed by committee members regarding the impact of reduced funding for services in rural communities, supplemental funding through sponsorship and concerns for rural communities ability to raise money for radio and television public broadcasting.

Representative Crum renewed the substitute motion to the Budget Committee Report. The motion carried.

Discussion continued regarding the needed repairs to the Docking building, Statehouse and Cedar Crest. Further review was suggested regarding transportation bonding issues. It was noted that currently bonds are paid for by SGF within the department as oppose to the Department of Transportation. Further review of pass through funding was requested by committee members for clearer reporting purposes.

Representative DeGraaf renewed the motion to approve the Budget Committee Report as amended. The motion carried.

Representative McLeland, Chair, General Government Budget Committee, presented the FY 2012 Judicial Branch Budget Committee Report (Attachment 1). The Budget Committee concurred with the Governor's recommendation with the following adjustments; transfer \$600,000 from the

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Judicial Branch Education Fund to the Judicial Branch Surcharge Fund; and add language prohibiting the State Treasurer from transferring \$800,000 from fees, costs, other charges or penalties of the Law Examiners fund to the Bar Discipline Fee Fund instead transfer to the Judicial Branch Surcharge Fund.

Representative McLeland made a motion to approve the FY 2012 Judicial Branch Budget Committee Report. The motion was seconded by Representative McLeland.

Discussion followed by committee members regarding the fee structure and the importance of keeping courts open and avoiding furloughs.

Representative McLeland renewed the motion to approve the FY 2012 Budget Committee Report. The motion carried.

Representative McLeland, Chair, General Government Budget Committee, presented the FY 2013 Judicial Branch Budget Committee Report (Attachment 1). The Budget Committee concurred with the Governor's recommendation with the following adjustments: delete \$349,379 and 3 FTE positions from SGF and legislation introduced allowing for the delay of the additional judge to FY 2014; noted that if **SB 322 - Court fees and costs; judicial branch surcharge fund** does not pass the agency will need to reduce approximately \$11.9 million from the budget; and review at Omnibus capturing additional percentage of docket fees, and the percentage to divert from SGF to support the e-filing initiative.

Representative McLeland made a motion to approve the FY 2013 Judicial Branch Budget Committee Report. The motion was seconded by Representative DeGraaf.

Discussion continued by committee members regarding docket fees to support the e-filing initiative. It was noted that the Budget Committee recommended this for review at Omnibus.

Representative Kleeb made a substitute motion to increase the surcharge fee for each attorney's license practicing in Kansas to \$500 to support the e-filing costs.

Jim Wilson, Office of the Revisor of Statutes, provided clarification on licensing fees, as requested by the Chairman. He stated that the fee amount is set by the board and regulated by statute.

Representative Kleeb withdrew the substitute motion.

Representative Crum made a substitute motion to amend language stating that if SB 322 does not pass that the Appropriations Committee will review the surcharge on the docket fees at Omnibus. The motion was seconded by Representative DeGraaf. The motion carried.

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Discussion continued with committee members regarding the funding for the vacant 31 FTE positions. It was noted that the filings are down and salaries increased last year. As requested by committee members, information on outstanding fines and fees will be provided.

Represented McLeland renewed the Budget Committee Report as amended. Motion carried.

Representative McLeland, Chair, General Government Budget Committee, presented the FY 2012 Judicial Council Budget Committee Report (Attachment 1). The Budget Committee concurred with the Governor's recommendation.

Representative McLeland made a motion to approve the FY 2012 Judicial Council Budget Committee Report. The motion was seconded by Representative Mast. Motion carried.

Representative McLeland, Chair, General Government Budget Committee, presented the FY 2013 Judicial Council Budget Committee Report (Attachment 1). The Budget Committee concurred with the Governor's recommendation.

Representative McLeland made a motion to approve the FY 2013 Judicial Council Budget Committee Report. The motion was seconded by Representative Mast. Motion carried.

Representative Lane, Member, Agriculture and Natural Resource Budget Committee, presented the FY 2012 Department of Health and Environment – Environment Budget Committee Report (Attachment 2). The Budget Committee concurred with the Governor's recommendation.

Representative Lane made a motion to approve the FY 2012 Department of Health and Environment – Environment Budget Committee Report. The motion was seconded by Representative Schwartz. Motion carried.

Representative Lane, Member, Agriculture and Natural Resource Budget Committee, presented the FY 2013 Department of Health and Environment – Environment Budget Committee Report (Attachment 2). The Budget Committee concurred with the Governor's recommendation with the following notations: recommends a review of the Local Environmental Protection Plan program at Omnibus; recommends a review of the agency's appropriation bill provisos during Omnibus; commended the agency for reviewing and reclassifying prescription medications as household waste; and noted new options are being explored for housing the Health and Environment Laboratories.

Representative Lane made a motion to approve the FY 2013 Department of Health and Environment – Environment Budget Committee Report. The motion was seconded by Representative Schwartz.

Discussion followed by committee members regarding the Local Environmental Protection Plan (LEPP). Representative Schwartz provided an overview of the LEPP. An explanation of the

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grant application procedure was provided by Representative Carlin. The recommendation was made to review the potential grant funding sources at Omnibus.

Representative Lane renewed the motion to approve the Budget Committee Report. The motion carried.

Chairman Rhoades reviewed the agenda for the next committee meeting. Committee members received a copy of the Distribution of District Court Fees from the State Treasury for FY 2012 (Attachment 3).

The meeting was adjourned at 10:43 a.m.