

Approved: February 22, 2012

(Date)

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairperson Marc Rhoades at 9:09 AM on Monday, February 13, 2012 in Room 346-S of the Capitol.

All members were present except:

Marvin Kleeb - excused

Committee staff present:

Alan Conroy, Director, Legislative Research Department

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

Dylan Dear, Senior Fiscal Analyst, Legislative Research Department

Michael Wales, Fiscal Analyst, Legislative Research Department

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

Conferees appearing before the Committee:

Major General Tafari, Adjutant General's Office

Dina Fisk, Verizon

John Idoux, Century Link

Patrick Fucik, Sprint

Mike Scott, AT&T

Others in attendance:

See attached list.

Representative Pottorff, Vice-Chair, Transportation and Public Safety Budget Committee, presented the FY 2013 Department of Corrections Budget Committee Report (Attachment 1). The Budget Committee concurred with the Governor's recommendations with the following adjustments and notations: add 15 FTE positions and use \$1.5 million for State General Funds (SGF) budgeted for the Saint Francis Boys' Home in Ellsworth; noted that legislation was introduced for an increase to \$50 from \$40 for longevity bonus; encouraged the agency to explore potential employer match with released inmates; and review at Omnibus reduction in expenditures for vocational and treatment programming.

Representative Pottorff made a motion to approve the FY2013 Department of Corrections Budget Committee Report. The motion was seconded by Representative Peck.

CONTINUATION SHEET

Minutes of the HOUSE APPROPRIATIONS Committee at 9:09 AM on Monday, February 13, in Room 346-S of the Capitol.

Discussion followed by committee members regarding the use of budgeted contract bed space at the Saint Francis Boys' Home in Ellsworth, placement of inmates, the increased bed capacity in Labette County, and staffing needs. Concern was expressed for costs involved with purchase, renovation and operation expenditures of the State Francis Boys' Home.

Representative Kelley made a substitute motion to include language regarding the addition of the 15 FTE positions which would be contingent upon passage the of a bill introduced by the Joint Committee on State Building Construction authorizing the purchase of the Saint Francis Boys' Home. The motion was seconded by Representative Crum. The motion carried.

Representative Mast made a substitute motion to postpone the final decision for the purchase of the Ellsworth facility and review these costs at Omnibus.

It was noted that this is a shift in funding and that actual purchasing would be through the joint state building committee.

Representative Mast withdrew the substitute motion.

Discussion continued by committee members regarding the cost analysis for the purchase, renovation and operation of the Ellsworth facility.

Representative Pottorff renewed the motion to approve the Budget Committee Report as amended. Motion carried

Representative Peck, Chair, Transportation and Public Safety Budget Committee, presented the FY 2013 Budget Committee Reports for the following: El Dorado Correctional Facility; Ellsworth Correctional Facility; Hutchinson Correctional Facility; Lansing Correctional Facility; Larned Correctional Mental Health Facility; Norton Correctional Facility; Topeka, Correctional Facility; Winfield Correctional Facility ([Attachment 1](#)). The Budget Committee concurred with the Governor's recommendation with the following noted that legislation has been introduced to increase longevity bonus from \$40 to \$50 per year of service with a 10 year minimum or \$500 and a maximum \$1,250 for 25 years.

Representative Peck made a motion to approve the FY 2013 Budget Committee Reports for the agencies listed above. The motion was seconded by Representative Pottorff.

Discussion followed by committee members regarding the voluntary retirement incentive.

Representative Schwartz made a substitute motion that additional information on the status of the voluntary retirement incentive relating to staffing issues within the correctional facilities. The motion was seconded by Representative Feuerborn.

As requested by a committee member, Keith Bradshaw, Fiscal Officer, Department of Corrections, responded to staffing questions. He stated that 48 staff members elected to take the

CONTINUATION SHEET

Minutes of the HOUSE APPROPRIATIONS Committee at 9:09 AM on Monday, February 13, in Room 346-S of the Capitol.

voluntary retirement incentive and 17 of those positions were appealed and have been filled. He stated that uniform employees were not eligible for the voluntary retirement incentive. The market base pay study would be provided to the committee, as requested.

Representative Schwartz withdrew the motion with the approval of the second.

Representative Peck renewed the motion to approve the Budget Committee Reports. The motion carried.

Hearing on:

HB 2572 - Adjutant General; funding for disasters; creating the disaster reimbursement fund; insurance fees and premium taxes. KUSF

Jill Wolters, Senior Assistant Revisor, Office of Revisor of Statutes, provided an overview of the bill ([Attachment 2](#))

Dina Fisk, Verizon, provided testimony as an opponent of the bill, ([Attachment 3](#)).

Major General Lee Tafanelli, Adjutant General's Department, provided testimony as a proponent of the bill ([Attachment 4](#)).

Major General Tafanelli responded to questions from committee members. He stated that **SB 336- Adjutant general; funding for disasters; creating the disaster reimbursement fund; insurance fees and premium taxes; KUSF** is the same as this bill. The insurance premiums that are non-dedicated goes in to the State General Fund (SGF). He reviewed the disaster determination timeframe and payment procedures for allowable expenses from the State Finance Council. Development of another funding stream to address the loss of Homeland Security grants over the next three years was emphasized.

John Idoux, Director of Government Affairs, Century Link, presented testimony as an opponent of the bill ([Attachment 5](#)).

Patrick Fucik, Director – West Region, Sprint, presented testimony as an opponent of the bill ([Attachment 6](#)).

Mike Scott, Director of Legislative Affairs, AT & T, provided testimony as an opponent of the bill ([Attachment 7](#)).

Discussion followed by committee members regarding the increased cost to the customer for service. Opponents of the bill responded to questions from committee members. It was noted the increased cost would range from 25 – 30 cents per line per month, intrastate phone services would increase from 6.13% to approximately 7%. A disaster reimbursement fund should not be

CONTINUATION SHEET

Minutes of the HOUSE APPROPRIATIONS Committee at 9:09 AM on Monday, February 13, in Room 346-S of the Capitol.

funded through the Kansas Universal Service Funds, as supports the preservation and advancement of telecommunications services.

Chairman Rhoads closed the hearing on **HB 2572**.

Representative Ballard recognized the principal and students from Free State High School who were in the audience today.

Chairman Rhoades made a motion to introduce legislation regarding the Board of Regents regarding funding for remedial courses provided by state educational institutions. The motion was seconded by Representative Feuerborn. Motion carried.

Chairman Rhoades stated that the committee will reconvene upon adjournment of the House and to continue discussion on **HB 2442**.

The meeting adjourned at 10:55 a.m.

Chairman Rhoades called the meeting to order at 11:40 a.m. He opened discussion on **HB 2442**.

HB 2442 – Relating to employment of disabled individuals and competitive bids for state contracts

Representative Crum continued the review the balloon amendment on the bill from the February 10, 2012 committee meeting.

Discussion followed by committee members regarding reporting requirements for certified contractors.

Representative Crum made a motion to approve the balloon amendments for HB 2442. The motion was seconded by Representative Mast. The motion carried.

Representative Brown reviewed a balloon amendment to **HB 2442**.

Representative Brown made a motion to approve the balloon amendments for HB 2442. The motion was seconded by Representative Mast.

Representative Brown responded to questions from committee members regarding e-verification, which applies to certified business who hires individuals with disabilities. Discussion continued by committee members regarding the amendment.

Representative Brown renewed the motion to approve the balloon amendment. The motion carried.

CONTINUATION SHEET

Minutes of the HOUSE APPROPRIATIONS Committee at 9:09 AM on Monday, February 13, in Room 346-S of the Capitol.

Representative Peck made a motion for favorable passage of **HB 2442** as amended. The motion was seconded by Representative Brown. The motion carried.

The meeting was adjourned at: 12:04 p.m.