

MINUTES OF THE HOUSE AGRICULTURE AND NATURAL RESOURCES BUDGET
COMMITTEE

The meeting was called to order by Chairman John Faber at 1:30 p.m. on March 18, 2009, in Room 431-N of the Capitol.

All members were present.

Committee staff present:

Kristen Kellems, Office of the Revisor of Statutes
Heather O'Hara, Legislative Research
Diane Brian, Committee Assistant

Conferees appearing before the Committee:

John W. Mitchell, Director, KDHE Division of Environment
Pat Kuester, Chief Fiscal Officer, KDHE

Others attending: See attached list.

Attachments:

Attachment 1 Overview of **HB 2383**
Attachment 2 Fiscal Notes
Attachment 3 Testimony provided by John Mitchell, Director, KDHE Division of Environment

HB 2383 - Transferring moneys from certain fee funds to the state general fund.

Kristie Kellems, Office of the Revisor of Statutes, explained sections of **HB 2383** (Attachment 1) which will require that the fines and penalties collected pursuant to several programs run by the Kansas Health and Environment be deposited into the state general funds.

Pat Kuester, Chief Fiscal Officer, KDHE, reviewed the fiscal note (Attachment 2). She stated that the fiscal note submitted to the committee was in error. There are no fees deposited in the Solid & Hazardous Waste Fee Fund, as these fees are deposited in the Water Plan Fund and the monies shown in the Water Quality and Water Supply funds go to the Water Plan Fund.

John Mitchell, Director, KDHE Division of Environment, presented neutral testimony on **HB 2383** (Attachment 3). Director John Mitchell, basically supported the deposit of recovered civil penalties into the state general fund, however, he had concerns regarding the wording of the bill and sought clarification.

Kristen Kellems, Office of the Revisors, indicated that her interpretation of the bill was that fines and penalties would be deposited into the state general fund.

The hearing was closed on **HB 2383**.

Discussion by the committee on **HB 2383**.

- Reasoning for transferring fees from the programs into the state general fund.
- Clarification of fines or civil penalties (actual moneys paid)
- Change in wording of bill, to make clear the actual intent, which is to transfer moneys received from fines and civil penalties to the state general fund.

Representative Faber, asked Kristen Kellems, to develop a balloon amendment to clarify the legislative intent.

The next meeting is scheduled for March 19, 2009.

The meeting was adjourned at 02:05 p.m.