

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson Representative Kenny Wilk at 9:00 a.m. on March 7, 2002, in Room 514-S of the Capitol.

All members were present except: Representative Shultz, Excused  
Representative McCreary, Excused

Committee staff present: Amy Kramer, Legislative Research  
Becky Krahl, Legislative Research  
Alan Conroy, Legislative Research  
Julian Efir, Legislative Research  
Carolyn Rampey, Legislative Research  
Robert Waller, Legislative Research  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee: Adjutant General Greg Garner, Kansas National Guard

Others attending: See Attached

Representative Wilk moved for the introduction of legislation regarding payroll deductions as requested by the Division of Personnel. Motion was seconded by Representative Campbell. Motion carried.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Budget Committee report on the Governor's Budget recommendations for the Judicial Council for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 1). Motion was seconded by Representative Stone. Motion carried.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Budget Committee report on the Governor's Budget recommendations for the Judicial Council for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with exceptions (Attachment 1). Motion was seconded by Representative Campbell. Motion carried.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Budget Committee report on the Governor's Budget recommendations for the Board of Indigents' Defense Services for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 2). Motion was seconded by Representative Campbell.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Minority report on the Governor's Budget recommendations for the Board of Indigents' Defense Services for FY 2002 (Attachment 2).

Representative Feuerborn made a substitute motion to adopt the Minority Report on the Governor's Budget recommendations for the Board of Indigents' Defense Services for FY 2002 (Attachment 2). Motion was seconded by Representative Shriver. Motion failed.

Representative Peterson's original motion to adopt the Budget Committee recommendations on the Governor's Budget recommendations for the Board of Indigents Defense Services for FY 2002 (Attachment 2) carried.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Budget Committee report on the Governor's Budget recommendations for the Board of Indigents' Defense Services for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with exceptions (Attachment 2). Motion was seconded by Representative Campbell.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Minority report on the Governor's Budget recommendations for the Board of Indigents' Defense Services for FY 2003 (Attachment 2).

Representative Nichols made a substitute motion to adopt the Minority Report on the Governor's Budget recommendations for the Board of Indigents' Defense Services for FY 2003 (Attachment 2). Motion was seconded by Representative Henry. Motion failed.

Representative Peterson's original motion to adopt the Budget Committee recommendations on the Governor's Budget recommendations for the Board of Indigents Defense Services for FY 2003 (Attachment 2) carried.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Judicial Branch for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with exceptions (Attachment 3). Motion was seconded by Representative Light.

The Committee discussed the appropriateness of adopting a report which was not signed by a majority of the members of the Budget Committee. With the permission of the second, Representative Light, Representative Peterson withdrew his motion. At a later point in the meeting, the original Tax, Judicial and Transportation Budget Committee report for the Judicial Branch for FY 2002 and FY 2003 was presented with four signatures.

Representative Peterson renewed his motion to adopt the Tax, Judicial and Transportation Budget Committee recommendations for the Judicial Branch for FY 2002 with the noted exceptions (Attachment 3). Motion was seconded by Representative Shriver.

It was noted that the exceptions in the Budget Committee report recommended the introduction of legislation regarding the computation of retirement benefits for state employees which would be patterned after 2001 **HB 2598**.

Representative Peterson, Chairperson of the Tax, Judicial and Transportation Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Judicial Branch for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with comments (Attachment 3). Motion was seconded by Representative Light.

Representative Spangler, member of the Tax, Judicial and Transportation Budget Committee, presented the Minority report on the Governor's Budget recommendations for the Judicial Branch for FY 2003 and moved for the adoption of the Minority report for FY 2003 (Attachment 3). Motion was seconded by Representative Ballard. Motion failed.

Representative Peterson's original motion to adopt the Budget Committee report recommendations on the Governor's budget recommendations for the Judicial Branch FY 2003 (Attachment 3) carried. Representative Campbell and Representative Newton requested to be recorded as "no" votes.

Representative Campbell, Chairman of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Adjutant General for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 4). Motion was seconded by Representative Feuerborn. Motion carried.

Representative Campbell, Chairman of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Adjutant General for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments (Attachment 4). Motion was seconded by Representative Feuerborn.

The Committee discussed at length **HB 2642** which would allow individuals to become eligible for tuition assistance immediately upon enlistment in the Kansas National Guard and require one and one-half years of service for each year of tuition assistance. Currently guardsmen are required to apply each semester for tuition assistance after paying tuition and charges with an out-of-pocket expenditure and reimbursement of part of these out-of-pocket expenditures coming at a later date plus a commitment of four years in the Kansas National Guard. This proposed legislation would allow fees and tuition to be paid directly to the educational assistance fund and would transfer the administration of the program to the State Board of Regents. Simplification for enrollment in the program would be up to the agency and on-going education for recruiters was recommended. The educational tuition program should have funding up to \$500,000 in order to make such tuition grants available to active guardsmen.

Adjutant General Greg Garner explained the reasoning behind the semester-by-semester tuition program was that all federal funding sources for tuition reimbursement are exhausted before the state-supported funding

is explored.

Representative Stone moved to amend the report by striking “from the Economic Development Initiatives Fund (EDIF) to provide” from Item 1 of the Budget Committee recommendations for adjustments in the Public Safety Budget Committee report. Motion was seconded by Representative Pottorff. Motion failed.

Representative Pottorff moved to amend the report by striking “ Economic Development Initiatives Fund (EDIF)” and inserting “State Water Plan Fund” as the funding source for the educational assistance program. Motion was seconded by Representative Stone. Motion failed.

Representative Campbell’s motion to adopt the Public Safety Budget Committee report on the Governor’s budget recommendations for the Adjutant General for FY 2003 with adjustments (Attachment 4) carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor’s budget recommendations for the Kansas Bureau of Investigation for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 4). Motion was seconded by Representative Campbell. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor’s budget recommendations for the Kansas Bureau of Investigation for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments (Attachment 4). Motion was seconded by Representative Campbell. Motion carried.

The addition of 2.0 FTE’s contingent upon the passage of **HB 2880** would be necessary because the federal funds involved cannot be used for personnel to collect the DNA samples.

Representative Feuerborn, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor’s budget recommendations for the Board of Emergency Medical Services for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 4). Motion was seconded by Representative Minor. Motion carried.

Representative Feuerborn, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor’s budget recommendations for the Board of Emergency Medical Services for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments (Attachment 4). Motion was seconded by Representative Minor. Motion carried.

Representative Campbell, Chairperson of the Public Safety Budget Committee, presented the Budget Committee report on the Governor’s budget recommendations for the State Fire Marshal for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 4). Motion was seconded by Representative Minor. Motion carried.

Representative Campbell, Chairperson of the Public Safety Budget Committee, presented the Budget Committee report on the Governor’s budget recommendations for the State Fire Marshal for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments (Attachment 4). Motion was seconded by Representative Minor.

During discussion, it was pointed out that the proposed rules and regulations to implement the activities funded by the transfer of \$153,459 from the Fire Marshal Fee Fund to the Hazardous Materials Program Fund would require legislation.

Representative Shriver moved to remove all of Item 1 under adjustments from the Public Safety Budget Committee budget recommendations on the State Fire Marshall for FY 2003. Motion was seconded by Representative Klein. Motion failed.

Representative Campbell’s motion regarding the adoption of the Public Safety Budget Committee recommendations for FY 2003 carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor’s budget recommendations for the Kansas Highway Patrol for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 4). Motion was seconded by Representative Campbell. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Highway Patrol for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments (Attachment 4). Motion was seconded by Representative Campbell. Motion carried.

Representative Feuerborn, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Parole Board for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 4). Motion was seconded by Representative Minor. Motion carried.

Representative Feuerborn, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Parole Board for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 4). Motion was seconded by Representative Minor. Motion carried.

Representative Campbell, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Sentencing Commission for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 4). Motion was seconded by Representative Feuerborn. Motion carried.

Representative Campbell, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Sentencing Commission for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments (Attachment 4). Motion was seconded by Representative Minor. Motion carried.

Representative Shriver, member of the General Government and Human Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Human Resources Budget Report for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 5). Motion was seconded by Representative Pottorff. Motion carried.

Representative Shriver, member of the General Government and Human Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Human Resources Budget Report for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments (Attachment 5). Motion was seconded by Representative Pottorff.

Representative Pottorff moved to amend the report by authorizing the staff to make any necessary technical changes. Motion was seconded by Representative Shriver. Motion carried.

Representative Shriver moved for the adoption of the General Government and Human Resources Budget Committee report and recommendations for the Department of Human Resources Budget for FY 2003 with adjustments as amended (Attachment 5). Motion was seconded by Representative Pottorff. Motion carried.

The meeting was adjourned at 10:45 a.m. The next meeting is scheduled for Friday, March 8, 2002.