

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 8, 2002, in Room 514-S of the Capitol.

All members were present except: Representative Dean Newton, Excused
Representative Jeff Peterson

Committee staff present: Amy Kramer, Legislative Research
Becky Krahl, Legislative Research
Alan Conroy, Legislative Research
Martha Dorsey, Legislative Research
Deb Hollon, Legislative Research
Carolyn Rampey, Legislative Research
Norm Furse, Revisor of Statutes
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee: Representative Dan Thimesch
Tonya Van Sickle, Kansas Persian Gulf War Initiative
Jim Bunker, veteran
Nancy Armstrong, veteran
Kenneth Ketchum, Commander of Disabled Veterans of KS
Paul Cornelius, Sr. Vice-Commander of Disabled Veterans
of Kansas
Russell Haun, Legislative Chairperson of Disabled Veterans
of Kansas
Robert Frandsen, veteran
John Campbell, Attorney General's office
Robin Kempf, Board of Regents
Charles Simmons, Secretary of Corrections
Betsy Gillespie, Shawnee County Department of Corrections

Hearing on HB 2770: Persian Gulf War veterans health initiative act, funding

Representative Dan Thimesch appeared before the Committee to represent the 7,500 Gulf War veterans in Kansas in their quest to seek additional funding for data base upgrades and continued research for this group of veterans (Attachment 1). The revenue source would be the transfer of \$1.00 for each specialized veterans license plate sold by the Division of Motor Vehicles. Representative Thimesch also presented an amendment changing the time of the proposed funding to July 1, 2002.

Tonya Van Sickle, Program Assistant for the Kansas Persian Gulf War Health Initiative of the Kansas Commission on Veterans Affairs, explained the functions of their office as providing a networking service for the veterans with health problems due to their participation in the Gulf War (Attachment 2).

James A. Bunker, veteran of the Persian Gulf War, explained the difference in the participation by the Department of Defense for services to disabled Vietnam veterans due to Agent Orange and those disabled veterans who served in the Persian Gulf War (Attachment 3). Mr. Bunker explained how the Kansas Study, which was cited in a GAO report, was the first study to show that time and place mattered in the relationship of Gulf War Illness.

Nancy Armstrong, veteran, explained that the Department of Defense and the Department of Veterans Affairs have not been clear in their support of Gulf War veterans and they have stated that such veterans "may" receive disability payments this year (Attachment 4). She encouraged the State of Kansas to continue with its support and commitment to the veterans in their fight against Gulf War Illness.

Kenneth Ketchum, Commander of the Disabled Veterans of Kansas, explained that the 9,000 members of the DAV in Kansas need the support of Kansas as the federal government has stopped all studies of Gulf War Illness.

Paul Cornelius, Senior Vice-Commander of the Disabled Veterans of Kansas, shared his personal history of contracting cancer due to his experience with Agent Orange in Vietnam. He explained his experience of trying to negotiate with the Department of Defense and finally winning a Supreme Court decision which granted him full disability due to his illness.

Russell Haun, Legislative Chairman for Disabled Veterans of Kansas, re-emphasized their need for funding to continue studies on Gulf War Illness. The federal government appears to have adopted the attitude that this problem will ultimately cure itself with the deaths of those veterans with Gulf War Illness. "The fewer that live, the less they (the federal government) will have to pay."

Robert Frandsen, a Gulf War veteran from the Leavenworth area and member of a national committee on Gulf War Illness, praised the State of Kansas for its continued support of the veterans who have been afflicted with Gulf War Illness. He related the history of the World War II veterans who struggled to receive their benefits due to disability and illness. The federal government has been reluctant to agree that there is such a thing as Gulf War Illness—if they admit it exists, they would be forced to acknowledge their responsibility for payment for disabilities.

The Committee and conferees discussed the work Congressman Moran has done regarding the denial of GAO that they can track the military troops throughout the world. The consensus appeared to be that it is possible to track troops and maintain records of where they are and how long they have been in a certain area.

As there were no opponents to the bill, Chairman Wilk closed the hearing on **HB 2770**.

Hearing on HB 2982—Tobacco product manufacturers making required escrow payments and being participating manufacturers

John Campbell, Senior Deputy Attorney General, spoke in support of the bill which would require all non-participating manufacturers of tobacco products selling tobacco products within the state boundaries, to register with the Attorney General before licensed distributors can apply tax stamps to their products for sale (Attachment 5). Mr. Campbell also presented an amendment as identified in Attachment 5.

Written supporting testimony was received from Ronald R. Hein on behalf of R.J. Reynolds Tobacco Company (Attachment 6).

Chairman Wilk closed the hearing on **HB 2982**.

Hearing on SB 374—State agency fee authorizations

Robin Kempf, Associate General Counsel for the Kansas Board of Regents, proposed an amendment to the bill which relates to both the fees that may be assessed proprietary schools and the extent the Board can regulate proprietary schools (Attachment 7).

As there were no opponents to the bill, Chairman Wilk closed the hearing on **SB 374**.

Hearing on SB 396—Payment of certain claims from secretary of corrections by the director of accounts and reports; local jails

Norm Furse, Revisor of Statutes, stated that payments which were due and owing in one fiscal year, could be paid from another fiscal year's funds (Attachment 8). This bill would eliminate the need for an annual proviso in the Appropriations bill which allows such payment for claims regardless when services were rendered.

Charles E. Simmons, Secretary of the Department of Corrections, stated that this bill would improve their ability to manage funds appropriated to meet the department's responsibilities for reimbursement to county jails (Attachment 9). This bill would provide authority to use current year appropriations to pay prior year claims.

Elizabeth Gillespie, Director of the Shawnee County Department of Corrections, testified in support of this bill for the Kansas Association of Counties (Attachment 10). She stated that this bill would allow the Department of Corrections to pay local jail costs in a timely manner.

Chairman Wilk closed the hearing on **SB 396**.

Representative Schwartz, Chairperson of the Agriculture and Natural Resources Budget Committee, presented

the Budget Committee report on the Governor's budget recommendations for the Department of Wildlife and Parks for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 11). Motion was seconded by Representative Klein. Motion carried.

Representative Schwartz, Chairperson of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Wildlife and Parks for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with adjustments and comments (Attachment 11). Motion was seconded by Representative Klein. Motion carried.

The Department of Wildlife and Parks now owns 114,358 acres with 1,272 acres being acquired this FY 2002.

The meeting was adjourned at 12:37 p.m. The next scheduled meeting is Monday, March 11, 2002.

CONTINUATION SHEET