

Approved: March 2, 2005  
Date

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 A.M. on February 9, 2005, in Room 514-S of the Capitol.

All members were present except:

Representative Newton- excused

Committee staff present:

Alan Conroy, Legislative Research Department  
J. G. Scott, Legislative Research Department  
Amy VanHouse, Legislative Research Department  
Reagan Cussimano, Legislative Research Department  
Amy Deckard, Legislative Research Department  
Audrey Dunkel, Legislative Research Department  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Administrative Analyst  
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Others attending:

See attached list.

- Attachment 1 Budget Committee Report for FY 2005 and FY 2006 on State Corporation Commission and Citizens' Utility Ratepayers Board
- Attachment 2 Budget Committee Report for FY 2005 and FY 2006 on Mental Health Institutions, including Larned State Hospital, Osawatomie State Hospital, Rainbow Mental Health Facility
- Attachment 3 Budget Committee Report for FY 2005 and FY 2006 on Developmental Disabilities Institutions, including Kansas Neurological Institute and Parsons State Hospital and Training Center

Representative Feuerborn moved to introduce legislation for three bills from the Joint Committee on State Building Construction relating to construction services for state public improvement contracts, engineering and land surveying, and architect and engineering services. The motion was seconded by Representative Gatewood. Motion carried.

Representative Powell moved to introduce legislation concerning Cedar Bluff Reservoir relating to the release of water. The motion was seconded by Representative Schwartz. Motion carried.

**HB 2319** is referred to Social Services Budget Committee.

**HB 2320** is referred to General Government and Commerce Budget Committee.

**HB 2351** is referred to Education Budget Committee.

Representative Schwartz, Chair of the Agriculture & Natural Resources Budget Committee, presented the Budget Committee report on the State Corporation Commission for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 1). The motion was seconded by Representative Powell. Motion carried.

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Responding to a question regarding the purchase of vehicles in the FY 2006 budget, the Budget Committee

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noted that the State Corporation Commission is a fee agency and State General Fund (SGF) would not be used in the vehicle purchase. The Committee stated that they felt a statewide policy on the future purchase of vehicles should be established and will plan to address the subject at a future committee meeting.

Representative Schwartz, Chair of the Agriculture & Natural Resources Budget Committee, presented the Budget Committee report on the Citizens' Utility Ratepayer Board for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 1). The motion was seconded by Representative Powell. Motion carried.

Representative Schwartz, Chair of the Agriculture & Natural Resources Budget Committee, presented the Budget Committee report on the Citizens' Utility Ratepayer Board for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative Powell. Motion carried.

The Committee noted their concern with the growth of employees for the Citizens' Utility Ratepayer Board, possibly addressing issues which are beyond the original intent.

Representative Ballard, member of the Social Services Budget Committee, presented the Budget Committee report on the Mental Health Institutions, including Larned State Hospital, Osawatomie State Hospital and Rainbow Mental Health Facility for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 2). The motion was seconded by Representative Powell. Motion carried.

Representative Ballard, member of the Social Services Budget Committee, presented the Budget Committee report on the Mental Health Institutions, including Larned State Hospital, Osawatomie State Hospital and Rainbow Mental Health Facility, for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 2). The motion was seconded by Representative Powell. Motion carried. Representative Feuerborn and Representative Gatewood requested to be recorded as voting "no" on the motion.

The Committee expressed concern with Item No. 4 of the Budget Committee report with reference to the removal of enhanced funding for direct care staff salary increases. The Budget Committee noted that they were not opposed to the salary increase but chose to address all salary increases at the same time at a later date.

Representative Feuerborn moved to strike Item No. 4 from the Social Services Budget Committee report for the Mental Health Institutions for FY 2006. The motion was seconded by Representative Gatewood. Motion failed.

Chair Neufeld advised the Committee that all budget committee reports will use standard language in addressing global issues including pay increases, 27<sup>th</sup> payroll check and death & disability relating to Kansas Public Employees Retirement System (KPERs). These items will be discussed by the full Committee in conjunction with the Supreme Court ruling on funding for K-12 education and will be addressed in the final budget bill passed out of Committee.

With reference to the question concerning the sex-predator units, the Budget Committee stated that they are reviewing an audit of the program to determine if the three-year treatment program being used is effective in the way it was intended to treat and return the offenders to the community. It was noted that the severe sex offenders may have completed their incarceration with the Department of Corrections; however, cannot be released into society until their treatment program has been successful.

In regard to the new Security Hospital at Larned, the Budget Committee noted there is a 250-bed capacity for mental-illness treatment. In response to a question concerning who goes to the Security Hospital, Audrey Dunkel, Legislative Research Department, indicated that offenders are sent there for court-ordered evaluation and possible treatment. The Committee noted that there are a sizable number of inmates in the Department of Corrections with severe mental illness - a situation which could possibly put the state at risk of lawsuits if treatment is not provided. Gary Daniels, Acting Secretary of the Department of Social and Rehabilitation

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Services (SRS), responded to questions from the Committee, stating that Department of Corrections is using 15 beds at the Larned Security Hospital. There is continued discussions to secure more beds for treatment of mentally-ill inmates, indicating that the funding for the beds used by the Department of Corrections at the Larned Security Hospital is in SRS's budget.

Representative Henry, member of the Social Services Budget Committee, presented the Budget Committee report on the Developmental Disabilities Institutions, including Kansas Neurological Institute and Parsons State Hospital and Training Center, for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 3). The motion was seconded by Representative Bethell.

Representative Henry moved to amend the Budget Committee report by adding language to Item No. 2 to indicate that this item will be reviewed at Omnibus. The motion was seconded by Representative Bethell. Motion carried.

Representative Henry renewed the motion for adoption of the Budget Committee recommendation for FY 2005 as amended (Attachment 3). The motion was seconded by Representative Bethell. Motion carried.

Representative Henry, member of the Social Services Budget Committee, presented the Budget Committee report on the Developmental Disabilities Institutions, including Kansas Neurological Institute and Parsons State Hospital and Training Center, for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 3). The motion was seconded by Representative Bethell. Motion carried.

The next meeting of the Committee will be held at 9:00 a.m., February 10, 2005, with a budget committee report on Commission on Human Rights, hearings on **HB 2183** and **HB 2347** regarding state property sale in Ellis County, and an update on legal documents to do the bonding for last year's Memorial Union renovation at Fort Hays State University.

Representative Schwartz moved to approve, as written, the Committee minutes of January 26, 2005. The motion was seconded by Representative Bethell. Motion carried.

The meeting was adjourned at 10:20 a.m.

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Melvin Neufeld, Chair