

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 a.m. on February 17, 2004 in Room 514-S of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Legislative Research  
J. G. Scott, Legislative Research  
Amy VanHouse, Legislative Research  
Michele Alishahi, Legislative Research  
Nicoletta Buonasera, Legislative Research  
Melissa Calderwood, Legislative Research  
Jim Wilson, Revisor of Statutes  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Administrative Analyst  
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Mark Gleeson, Family and Children Program Coordinator, Office of Judicial Administration  
Denise Everhart, Commissioner, Juvenile Justice Authority

Others attending:

See Attached List.

- Attachment 1 Response to Committee Questions from Legislative Post Audit
- Attachment 2 Testimony by Mark Gleeson in support of **HB 2487**
- Attachment 3 Written testimony from Stuart Little, Little Governmental Relations, in support of **HB 2487**
- Attachment 4 Testimony by Denise Everhart, Commissioner of Juvenile Justice Authority, in support of **HB 2487**
- Attachment 5 Budget Committee reports on Legislative Coordinating Council, Legislature, Legislative Research Department, Revisor of Statutes, Legislative Post Audit

A response to a number of Committee questions on audit-related issues was distributed from Barb Hinton, Legislative Post Audit (Attachment 1).

**Hearing on HB 2487 - Repealing the sunset provisions for the juvenile justice authority.**

Chairman Neufeld opened the hearing on **HB 2487** and recognized Nicoletta Buonasera, Legislative Research Department, who explained that the bill would repeal the current statute that would abolish the Juvenile Justice Authority on July 1, 2004. The bill would eliminate the sunset provision.

The Chair recognized Mark Gleeson, Family and Children Program Coordinator, Office of Judicial Administration, who presented testimony in support of **HB 2487** (Attachment 2).

Written testimony from Stuart J. Little, Little Governmental Relations, was presented on behalf of the Kansas Community Corrections Association in support of the legislation, was distributed to the Committee (Attachment 3).

Chairman Neufeld recognized Denise Everhart, Commissioner, Juvenile Justice Authority, who presented testimony in support of **HB 2487** (Attachment 4).

The Chair closed the hearing on **HB 2487**.

**Representative Minor moved to report HB 2487 favorable for passage. The motion was seconded by Representative Pottorff. Motion carried.**

CONTINUATION SHEET

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE at 9:00 a.m. on February 17, 2004 in Room 514-S of the Capitol.

Representative Shultz moved that HCR 5034 be recommended for adoption. The motion was seconded by Representative Landwehr.

Several members of the Committee expressed concern that the resolution is a “work in progress” and needs more time for research before action is taken. Concerns were raised about the choice of the CPI index, about the right of individuals to have standing to bring lawsuits to enforce the measure and, if successful, to recover costs and attorney fees, as well - with the objectionable part being the recovery of costs and attorney fees. Concerns were also raised about the intent of mandates from the State on local governments. It was noted that the resolution was not based on any other states legislation; however, the TABOR amendment to the Colorado state constitution, which has been in effect for more than a decade, was researched and used as a basis for this resolution.

After a call for the question, the motion carried.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor’s budget recommendation for the Legislative Coordinating Council for FY 2004 and FY 2005 and moved for the adoption of the Budget Committee recommendations for FY 2004 and FY 2005 (Attachment 5). Motion was seconded by Representative Sharp. Motion carried.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor’s budget recommendation for the Legislature for FY 2004 and moved for the adoption of the Budget Committee recommendation for FY 2004 (Attachment 5). Motion was seconded by Representative Shultz. Motion carried.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor’s budget recommendation for the Legislature for FY 2005 and moved for the adoption of the Budget Committee recommendation with adjustments for FY 2005 (Attachment 5). Motion was seconded by Representative Shultz.

Representative Shultz moved to amend Item No. 6 of the Budget Committee recommendation, by recommending the addition of \$59,400 State General Fund (SGF) to increase by \$120 per month the legislative non-session expense allowance from \$600 per month to \$720. The motion was seconded by Representative Howell. Motion carried.

Representative Merrick renewed the motion to adopt the Budget Committee report, as amended, for the Legislature FY 2005 budget. The motion was seconded by Representative Shultz. Motion carried.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor’s budget recommendation for Legislative Research Department for FY 2004 and moved for the adoption of the Budget Committee recommendation for FY 2004 (Attachment 5). Motion was seconded by Representative Schwartz. Motion carried.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor’s budget recommendation for Legislative Research Department for FY 2005 and moved for the adoption of the Budget Committee recommendation with adjustments for FY 2005 (Attachment 5). Motion was seconded by Representative Shultz. Motion carried.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor’s budget recommendation for Revisor of Statutes for FY 2004 and moved for the adoption of the Budget Committee recommendation for FY 2004 (Attachment 5). Motion was seconded by Representative Gatewood. Motion carried.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor’s budget recommendation for Revisor of Statutes for FY 2005 and moved for the adoption of the Budget Committee recommendation with adjustments for FY 2005 (Attachment 5). Motion was seconded by Representative Henry. Motion carried.

## CONTINUATION SHEET

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The Committee noted that it might be beneficial to research the possibility of having a law clerk's program within the Revisor of Statutes and Legislative Research Department.

Representative Merrick, member of the House Legislative Branch Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for Legislative Post Audit for FY 2004 and FY 2005 and moved for the adoption of the Budget Committee recommendations for FY 2004 and FY 2005 (Attachment 5). Motion was seconded by Representative Feuerborn. Motion carried.

Representative Bethell moved to approve the minutes, as written, of the February 9, 2004 and February 10, 2004, meetings. Motion was seconded by Representative Campbell. Motion carried.

After Committee discussion, Chairman Neufeld ruled that "call the question" would not be used in Committee meetings unless so directed by the Chairman.

Representative Schwartz moved to introduce legislation concerning duty and care of livestock by producers. Motion was seconded by Representative Feuerborn. Motion carried.

Representative Landwehr moved to introduce legislation, on behalf of Kansas Department of Health and Environment (KDHE), regarding infectious and contagious diseases. The motion was seconded by Representative McCreary. Motion carried.

Representative Feuerborn moved to introduce legislation concerning limitations on county bonds. The motion was seconded by Representative Campbell. Motion carried.

The meeting was adjourned at 10:20 a.m. The next meeting of the Committee will be held at 9:00 a.m. on February 18, 2004.