

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Stephen Morris at 10:30 a.m. on March 19, 2004, in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department
Leah Robinson, Kansas Legislative Research Department
Michele Alishahi, Kansas Legislative Research Department
Nicoletta Buonasera, Kansas Legislative Research Department
Melissa Calderwood, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Susan Kannarr, Kansas Legislative Research Department
Becky Krahl, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Amy Van House, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Norman Furse, Revisor of Statutes
Jill Wolters, Senior Assistant, Revisor of Statutes
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

None

Others attending:

See Attached List.

Chairman Morris called the committee's attention to discussion on:

SB 536--Appropriations for FY2004 and FY2005, supplemental appropriations for various state agencies

SB 538--Appropriations for FY2005 and FY2006 for state agencies

The Chairman introduced J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research, who presented a brief status report regarding each the following:

- Senate Committee Adjustments Compared to Governor's Recommendation, Reflects Committee Action as of March 18, 2004 ([Attachment 1](#)).
- House Committee Adjustments Compared to Governor's Recommendation, Reflects Committee Action as of March 17, 2004 ([Attachment 2](#)).
- Children's Initiatives Fund, FY 2005 and FY 2005, Senate Ways and Means Committee Recommendation as of March 18, 2004 ([Attachment 3](#)).
- Economic Development Initiatives Fund, House and Senate Changes, FY 2004 and FY 2005 ([Attachment 4](#)).
- State Water Plan Fund, FY 2004 and FY 2005 ([Attachment 5](#)).

CONTINUATION SHEET

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- Increases in Salaries for State Classified Employees, Regents' Faculty and Classroom Teachers of School Districts, in Private Sector Wages, and in the Rate of Inflation (Attachment 6).
- Increases in Salaries for State Classified Employees, FY 1994 - FY 2005 (Governor's Recommendation), (Attachment 7).

Chairman Morris called the committee's attention to discussion the following items found in Attachment 1, Additional Items for Senate Committee Consideration (dark blue sheet):

Department of Administration

The Senate Committee on the Department of Administration recommends reconsidering the issue of utilizing building funds to pay insurance costs at Omnibus. The Senate Capital Improvements Committee concurred with the Governor's recommendation to use the funds in that manner. (An interim study on the issue was also requested.)

The Committee concurred to continue with the interim study.

Department on Aging/Department of Human Resources/Department of Commerce

The Senate Subcommittee on Aging, as approved by Senate Committee, recommended the transfer of two senior employment programs, the Older Kansans Employment Program (OKEP) and Senior Community Services Employment Program (SCSEP) to the Department on Aging. No SGF was recommended by the Governor in FY 2005 for OKEP, so the funding of this program remains unresolved and was flagged for Omnibus consideration. The Senate subcommittee on Human Resources, as approved by Senate Committee, recommended funding OKEP with SGF in the KDHR budget. In addition, ERO 31, which was set to go into effect on March 14, moves the two senior employment programs to the Department of Commerce.

Senator Jackson moved, with a second by Senator Schodorf, to transfer the two senior employment programs into the Department on Aging. Committee discussion followed.

Senator Helgerson moved, with a second by Senator Downey, to fund OKEP with EDIF funds and move the two senior employment programs to the Department of Commerce as directed in ERO 31. Motion carried on a voice vote.

Department of Agriculture

Did not consider GBA No. 1, Item 12, which adjusts salary plan.

The committee concurred to adopt the GBA and suspend salary plan adjustment as in other subcommittees.

Animal Health Department

Did not consider GBA No. 1, Item 13, which corrects FTE limitation.

Senator Downey moved, with a second by Senator Adkins, to adopt GBA No. 1, Item 13. Motion carried on a voice vote.

Board of Regents

The supplemental bill needs to include expenditure authority for the Other Federal Grants Fund including a proviso limiting use of the fund to grants less than \$750,000 which do not require a state match. The fund and proviso were included in the Mega bill, but was inadvertently omitted from the Supplemental Bill.

Senator Jordan moved, with a second by Senator Downey, to amend the supplemental bill to limit use of the grants up to \$750,000 on federal funds to establish the fund. Motion carried on a voice vote.

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Department of Wildlife and Parks

The Senate Capital Improvements Subcommittee recommended deleting \$440,491 in funding for Circle K Ranch. The Senate Subcommittee on the budget left the funding in the budget.

Senator Adkins moved, with a second by Senator Downey, to confirm removal of the \$440,491 funding for Circle K Ranch from the budget. Motion carried on a voice vote.

Chairman Morris recognized Senator Kerr who expressed concern regarding the \$380,000 license fee dollars in the SGF intentionally creating a diversion and possibly owing the federal government dollars. Dick Koerth, Department of Wildlife and Parks explained that this could cause a diversion, but will not know this until April of FY 2005 and they have worked this out with the Division of the Budget. The Chairman requested that the Department of Wildlife and Parks report to the committee at Omnibus with a more firm response.

Chairman Morris turned the committee's attention to further general discussion of **SB 536** and **SB 538**:

Senator Kerr moved, with a second by Senator Downey, to designate that Smart Start money be spent on two areas:

1. \$250,000 from Smart Start Discretionary Grants to existing smoking cessation/prevention programs for pregnant women programs at KDHE; and,
2. \$250,000 from Smart Start Discretionary Grant Children's Initiative Fund dollars, to the Infants & Toddlers Program.

Motion carried on a voice vote.

Senator Kerr moved, with a second by Senator Jackson, a proviso that the Children's Cabinet not be allowed to expend monies on programs that they are supporting beyond the current budget commitment until they have presented a plan for evaluating programs and the plan has been approved by the State Finance Council, and that Smart Start would be one of the first programs evaluated. Motion carried on a voice vote.

Senator Kerr moved, with a second by Senator Adkins, to designate \$200,000 in FY 2005 from the Inmate Benefit Fund for maintaining the Inmate Visitors Center. Motion carried on a voice vote.

Senator Salmans moved, with a second by Senator Bunten, to expand the Foster Grandparents Program administered at Fort Hays State University. Discussion followed. Senator Salmans withdrew his motion, with agreement by Senator Bunten. Senator Salmans moved, with a second by Senator Kerr, to discuss expanding the Foster Grandparents Program administered at Fort Hays State University at Omnibus. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Kerr, to substitute the \$100,000 CIF for Biomedical Research at the University of Kansas Medical Center with Economic Development Initiative Funds. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Jackson, to amend the subcommittee budget report on the Legislature to re-institute a recommendation that parallels the House recommendation regarding the \$500 limitation on travel, mileage to the airport would be excluded and no individual legislator may be reimbursed more than \$2,500 in cumulative out-of-state travel per year without specific approval by the Legislative Coordinating Council. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Kerr, to amend the subcommittee budget report on the Legislature that no individual legislator, excluding the Speaker of the House and the President of the Senate, may voucher cumulatively more than 150 days in any calendar year without being specifically approved by the Legislative Coordinating Council for each day exceeding the 150-day total. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Kerr, that the Senate Budget Bill be conformed to the House recommendation for a \$722 expense allowance in the off-session and not becoming effective until after January 1, 2005, due to the election cycle. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Schodorf, a proviso that would prohibit any state agency

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from disbursing or otherwise distributing any funds to assist, encourage or facilitate the purchase or installation of electric-generating wind turbines in the Flint Hills. Discussion followed. Senator Adkins withdrew his motion, with agreement by Senator Schodorf, who gave the second to the motion.

Senator Adkins moved, with a second by Senator Downey, a proviso regarding the State Conservation Commission regarding water rights purchasing and the Irrigation Transition Program to waive the state requirement for individual federal match. Motion carried on a voice vote.

Senator Helgerson moved, with a second by Senator Downey, to re-instate the 3 percent increase pay plan into the Senate budget bill for the current year. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Barone, to direct Staff to make technical amendments regarding the Senate budget bill. Motion carried on a voice vote.

Senator Bunten moved, with a second by Senator Downey, to include language eliminating the ending balance requirement for FY 2005. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Barone, to recommend **SB 538** favorable for passage as amended. Motion carried on a roll call vote.

Senator Adkins moved, with a second by Senator Downey, to recommend **SB 536** favorable for passage as amended. Motion carried on a roll call vote.

Chairman Morris thanked the committee for the time and work done regarding the two bills that passed out of the committee. He mentioned that plans are to begin the Omnibus session on April 22, 2004.

The meeting adjourned at 11:45 a.m. The next meeting is scheduled for March 22, 2004.