

Approved: April 20, 2006
Date

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:40 A.M. on February 17, 2006, in Room 123-S of the Capitol.

All members were present except:

Senator Jay Emler- excused
Senator Vicki Schmidt- excused
Senator Chris Steineger- excused

Committee staff present:

Jill Wolters, Revisor of Statutes Office
Michael Corrigan, Revisor of Statutes Office
Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Judy Bromich, Chief of Staff
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Others attending:

See attached list.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2006 and FY 2007 were made available to the Committee.

Subcommittee budget reports on:

Kansas Guardianship Program (Attachment 1)

Subcommittee Chairwoman Jean Schodorf reported that the budget subcommittee on the Kansas Guardianship Program concurs with the Governor's recommendations in FY 2006 and FY 2007 with adjustment.

Senator Schodorf moved, with a second by Senator Teichman, to adopt the subcommittee budget report on the Kansas Guardianship Program in FY 2006 and FY 2007. Motion carried on a voice vote.

Kansas Public Employees Retirement System (KPERS) (Attachment 2)

Subcommittee Chairman Stephen Morris reported that the budget subcommittee on the Kansas Public Employees Retirement System (KPERS) concurs with the Governor's recommendations in FY 2006 and FY 2007 with comment.

Senator Morris moved, with a second by Senator Kelly, to adopt the subcommittee budget report on the Kansas Public Employees Retirement System (KPERS) in FY 2006 and FY 2007. Motion carried on a voice vote.

Kansas Public Employees Retirement System (KPERS) Recommendation on SB 340:

SB 340--Cap on employer retirement contributions for security officers employed by the department of corrections

Chairman Umbarger acknowledged Julian Efird, Kansas Legislative Research Department, who explained that **SB 340** would establish a statutory rate cap on the annual employer contribution rate increase for the

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corrections officer group in the Kansas Public Employees Retirement System (KPERs). The cap would be identical to the current statutory cap on rate increases for all other members in KPERs State, School and Local groups (Attachment 3).

Senator Morris moved, with a second by Senator Kelly, to recommend **SB 340** favorable for passage. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

SB 504--Driver improvement clinics, fees, disposition thereof

Staff briefed the Committee on the bill.

Chairman Umbarger welcomed the following conferees:

Senator Phillip Journey testified in support of **SB 504** (Attachment 4). Senator Journey explained that the bill amends two existing statutes, K.S.A. 8-255 and in the 2005 Supplement to the Kansas statutes annotated 8-267. It was noted by Senator Journey that the bill does not affect individuals who have commercial driver's licenses under 8-2, 125 et seq., so that compliance is maintained with federal rules and statutory mandates regarding these commercial driver's licenses. He explained that for noncommercial drivers, this bill offers an opportunity for Kansas drivers to improve their driving habits through the provision of driver improvement clinics to be paid for at their cost. The clinic costs would require a payment of a fee of \$350.00 in Section One.

Carmen Alldritt, Director, Division of Vehicles, Kansas Department of Revenue, spoke as a neutral conferee in regard to **SB 504** (Attachment 5). Ms. Alldritt, Director, explained that the bill raises concerns regarding administrative procedures. She noted that there is no clear language as to what moving violation would be removed from the record and noted that there are considerable differences between speeding, running a stop sign, DUI, driving while suspended and driving with no insurance. Ms. Alldritt explained that they respectfully request clarification be included in the bill as to what moving violations can be removed by the Division of Vehicles upon successful completion of a clinic.

There being no further conferees to come before the Committee, the Chairman closed the public hearing on **SB 504**.

Chairman Umbarger opened the public hearing on:

SB 483--Prescribing certain procedures for acquisition of land by the department of wildlife and parks

Staff briefed the Committee on the bill.

The Chairman welcomed the following conferees:

Senator Roger Reitz testified in support of **SB 483** (Attachment 6). Senator Reitz explained that the bill spins off problems recently encountered in the Manhattan fishing area on the Blue River below Rocky Ford Dam. The situation was explained in his written testimony. Senator Reitz noted that the bill won't change the Rocky Ford problem but is designed to keep such quiet land transfers from happening again without full public notification.

J. Michael Hayden, Secretary, Kansas Department of Wildlife and Parks, testified in opposition to **SB 483** (Attachment 7). Secretary Hayden explained that the provisions of the bill would infringe on the ability of the Kansas Department of Wildlife and Parks to make the best possible land transactions for the State of Kansas. He note that the Kansas Department of Wildlife and Parks strongly opposes and requests the Committee provide the Secretary with the flexibility needed to provide the best possible outdoor recreation opportunities to the State.

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Charles M. Benjamin, Ph.D., J.D., spoke in opposition to **SB 483** on behalf of the Sierra Club (Attachment 8). He noted that the provisions of the bill are clearly designed to prevent the Kansas Department of Wildlife and Parks from developing more public lands. Mr. Benjamin mentioned that the provisions of the bill would make it difficult, if not impossible, for the Kansas Department of Wildlife and Parks to acquire more land for public use.

Written testimony was submitted by Brad Harrelson, State Policy Director, Kansas Farm Bureau on **SB 483** (Attachment 9).

There being no further conferees to come before the Committee, the Chairman closed the public hearing on **SB 483**.

The meeting adjourned at 11:35 a.m. The next meeting was scheduled for February 20, 2006.