

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 9:00 A.M. on March 5, 2008, in Room 514-S of the Capitol.

All members were present except:

- Representative Sawyer - excused
- Representative Watkins - excused
- Representative Yoder - excused

Committee staff present:

- Alan Conroy, Legislative Research Department
- J. G. Scott, Legislative Research Department
- Reed Holwegner, Legislative Research Department
- Cody Gorges, Legislative Research Department
- Aaron Klaassen, Legislative Research Department
- Heather O'Hara, Legislative Research Department
- Jarold Waltner, Legislative Research Department
- Jim Wilson, Revisor of Statutes
- Nobuko Folmsbee, Revisor of Statutes
- Nikki Feuerborn, Chief of Staff
- Shirley Jepson, Committee Assistant

Conferees appearing before the committee:

- Debra Duncan, Kansas Animal Health Department
- Sam Mosshart, President, Kansas Federation of Animal Owners

Others attending:

See attached list.

- Attachment 1 Fiscal Note on **SB 381**
- Attachment 2 Testimony on **SB 381** by Debra Duncan
- Attachment 3 Testimony on **SB 381** by Sam Mosshart
- Attachment 4 Written testimony on **SB 381** by Rebecca Mosshart, Protection, Kansas
- Attachment 5 Budget Committee Report on Kansas Animal Health Department and Kansas State Fair
- Attachment 6 Budget Committee Report on Adjutant General, Board of Emergency Medical Services, Kansas Highway Patrol, Kansas Bureau of Investigation, Kansas Commission on Peace Officers' Standards and Training, Kansas Parole Board, Kansas Sentencing Commission and State Fire Marshal
- Attachment 7 Information on State Disaster Public Assistance

Hearing on **SB 381**

Hearing on SB 381 - An Act concerning the livestock commissioner; relating to the protection of the health of domestic animals.

Nobuko Folmsbee, Revisor of Statutes, explained that **SB 381** would create a new fund titled Animal Health Protection Fund; established to accept funds from grants, donations or gifts from any source to be used in the protection of the health of domestic animals. Ms. Folmsbee stated that this action, in previous years, has been addressed by a proviso in the Appropriations bill. Ms. Folmsbee noted that the legislation addresses domestic animals; however, dogs are not included. The fiscal note on **SB 381** was distributed to the Committee (Attachment 1).

Debra Duncan, Kansas Animal Health Department, presented testimony in support of **SB 381** (Attachment 2). Ms. Duncan stated that the main objective of the legislation is to establish a fund to receive donations for disease control purposes related to feral swine. Ms. Duncan noted that the Animal Health Department does not have jurisdiction over cruelty to animals.

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on March 5, 2008, in Room 514-S of the Capitol.

Responding to questions from the Committee, Ms. Duncan indicated that the Commissioner of the Kansas Animal Health Department will make the decision as to how the funds are spent. Additionally, there are no limitations in **SB 381** on the amount of money to be received or how the funds are spent.

- The Committee requested additional information from the Kansas Animal Health Department on the amount of money spent on an aerial hunt for feral swine in 2007 and how much of that funding was spent in a hunt north of the border in Nebraska.

Sam Mosshart, President, Kansas Federation of Animal Owners, presented testimony in opposition to **SB 381** (Attachment 3). Mr. Mosshart's main objection to the legislation pertained to those who made donations to the fund and could have an agenda attached to the donation.

Written testimony in opposition to **SB 381** was distributed to the Committee from Rebecca Mosshart, Protection, Kansas (Attachment 4).

There were no other proponents or opponents to testify before the Committee.

The hearing on **SB 381** was closed.

Kansas Animal Health Department

Representative Powell, Chair of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Animal Health Department for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 5). The motion was seconded by Representative Gatewood. Motion carried.

Representative Powell, Chair of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Animal Health Department for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 5). The motion was seconded by Representative Gatewood. Motion carried.

Responding to a question concerning Federal Emergency Management Agency (FEMA) payments, the Budget Committee noted that the agency has already received all reimbursements from FEMA.

Kansas State Fair

Representative Gatewood, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas State Fair for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 5). The motion was seconded by Representative Powell. Motion carried.

Representative Gatewood, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas State Fair for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 5). The motion was seconded by Representative Powell. Motion carried.

Adjutant General

Representative Wolf, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Adjutant General for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on March 5, 2008, in Room 514-S of the Capitol.

Tafanelli. Motion carried.

The Budget Committee noted that the amount of funding for the December 2007 ice storm could be higher than the estimate. No funding for the ice storm was included in the Governor's budget recommendations because the agency's budget was presented to the Governor prior to the December 2007 ice storm.

Representative Wolf, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Adjutant General for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Williams.

Representative Feuerborn made a substitute motion to change the language in Item No. 6 to read "replacement of 1 vehicle and 2 new vehicles" in place of the language reading "replacement of three vehicles" with a review at Omnibus. The motion was seconded by Representative Tafanelli. Motion carried.

Representative Wolf moved for the adoption of the Budget Committee recommendation for the Adjutant General for FY 2009 as amended. The motion was seconded by Representative Williams. Motion carried.

Board of Emergency Medical Services (EMS)

Representative Wolf, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Board of Emergency Medical Services (EMS) for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative Williams. Motion carried.

Representative Wolf, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Board of Emergency Medical Services (EMS) for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Williams. Motion carried.

Kansas Highway Patrol (KHP)

Representative Holmes, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Highway Patrol (KHP) for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative Tafanelli. Motion carried.

Representative Holmes, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Fire Marshall for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Tafanelli. Motion carried.

Responding to questions from the Committee, the Budget Committee noted that they addressed the Memorandum of Agreement (MOA) relating to trooper pay; however, did not review the finding of the Hay Group on trooper pay.

With regard to Item No. 4, the Committee voiced concern that there are other state agencies receiving disaster, Homeland Security and other federal funding related to disaster preparedness or disaster relief than those agencies whose budgets are addressed by the Transportation and

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on March 5, 2008, in Room 514-S of the Capitol.

Public Safety Budget Committee. Chair Schwartz noted that an effort will be made to include all agencies involved in a single meeting to discuss federal funding relating to disaster preparedness or disaster relief.

Kansas Bureau of Investigation (KBI)

Representative Holmes, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Bureau of Investigation (KBI) for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative Williams. Motion carried.

Representative Holmes, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Bureau of Investigation (KBI) for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Wolf.

The Committee voiced concern with regard to Item No. 4 and the effect of deleting funding to complete the buyout of property in the same block as the KBI headquarters building. It was felt that the delay could jeopardize the buyout of the remaining 2 pieces of property.

Representative Lane moved for a substitute motion to fund Item No. 4 in the amount of \$250,000 from the Economic Development Initiative Funds (EDIF). The motion was seconded by Representative Burroughs. The motion failed on a 8-9 vote.

Responding to a question from the Committee, Reed Holwegner, Legislative Research Department, indicated that funds in EDIF are all committed at this time and any additional commitment would result in a negative balance in the fund.

Representative Feuerborn made a motion to fund \$50,000 in Item No. 4 to complete the buyout and demolition of property in the same block as the Headquarters building from EDIF. The motion was seconded by Representative Pottorff. Motion carried.

Representative Holmes renewed the motion to adopt the Budget Committee report on the Kansas Bureau of Investigation (KBI) for FY 2009 as amended. The motion was seconded by Representative Tapanelli. Motion carried.

Kansas Commission on Peace Officers' Standards and Training

Representative Williams, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Commission on Peace Officers' Standards and Training for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative Wolf.

Representative Bethell made a substitute motion to change language in the Budget Committee recommendation reading "temporarily housed in the Kansas Law Enforcement Training Center" to "currently housed in the Kansas Law Enforcement Training Center". The motion was seconded by Representative Williams. Motion carried.

Representative Williams renewed the motion to adopt the Budget Committee report on the Kansas Commission on Peace Officers' Standards and Training for FY 2008 as amended. The motion was seconded by Representative Wolf. Motion carried.

Representative Williams, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Commission on Peach Officers' Standards and Training for FY 2009 and moved for the adoption

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on March 5, 2008, in Room 514-S of the Capitol.

of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Tafanelli. Motion carried.

Kansas Parole Board

Representative Williams, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Parole Board for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative Wolf. Motion carried.

Representative Williams, member of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Fire Marshall for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Tafanelli. Motion carried.

Kansas Sentencing Commission

Representative Tafanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Sentencing Commission for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative Wolf. Motion carried.

Representative Tafanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Sentencing Commission for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Wolf. Motion carried.

State Fire Marshall

Representative Tafanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Fire Marshall for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 6). The motion was seconded by Representative Williams. Motion carried.

Representative Tafanelli, Chair of the Transportation and Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Fire Marshall for FY 2009 and moved for the adoption of the Budget Committee recommendation for FY 2009 (Attachment 6). The motion was seconded by Representative Williams. Motion carried.

Disaster Funding Information

The Budget Committee distributed disaster information from the Kansas Department of Emergency Management (KDEM) on the FY 2008 and FY 2009 State Disaster Public Assistance (PA) match requirements (Attachment 7).

The meeting was adjourned at 10:35 a.m. The next meeting of the Committee will be held at 9:00 a.m. on March 6, 2008.

Sharon Schwartz, Chair