

## MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Kevin Yoder at 9:14 a.m. on February 8, 2010, in Room 346-S of the Capitol.

All members were present except:

Representative Owen Donohoe- excused

Committee staff present:

Jim Wilson, Office of the Revisor of Statutes  
 Nobuko Folmsbee, Office of the Revisor of Statutes  
 Alan Conroy, Kansas Legislative Research Department  
 J.G. Scott, Kansas Legislative Research Department  
 Heather O'Hara, Kansas Legislative Research Department  
 Jonathan Tang, Kansas Legislative Research Department  
 Stephen Huggins, Chief of Staff, Appropriation  
 Kathy Holscher, Committee Assistant, Appropriations Committee

Others attending:

See attached list.

- Attachment 1                      Emergency Medical Services Board , State Fire Marshal, Kansas Commission on Peace Officers' Standards and Training
- Attachment 2                      Senator Chris Steineger's The Billion Dollar List
- Attachment 3                      Office of the Revisor of Statues - **HB 2544** Overview
- Attachment 4                      **HB 2544** Testimony - Representative Gatewood

Representative Feuerborn made a motion to introduce legislation regarding a passing lane only law. The motion was seconded by Representative Ballard. Motion carried.

Representative Feuerborn made a motion to introduce legislation that would establish rail passenger service. The motion was seconded by Representative Gatewood. Motion carried.

Representative Feuerborn made motion to introduce legislation for a day care in Hutchinson, Kansas to be recorded in a separate fund. The motion was seconded by Representative Henry. Motion carried.

Representative Yoder made a motion to introduce legislation opposing the Employee Free Choice Act. The motion was seconded by Representative Merrick. Motion carried.

Representative Tapanelli, Chair of the House Transportation and Public Safety Budget Committee, presented the Emergency Medical Services FY 2011 Budget Report, (Attachment 1). The Budget Committee concurs with the Governor's recommendation with the following notation: **SB 322** and **HB 2387** adjusted distribution of 1.25 percent levy ; and the Budget Committee's review at Omnibus of \$50,000 for the Education Incentive Grant Program, if the bills are not enacted into law.

Representative Tapanelli made a motion to approve the Emergency Medical Services Board FY 2011 Budget Report. The motion was seconded by Representative Gatewood. Motion carried.

Representative Tapanelli, Chair of the House Transportation and Public Safety Budget Committee, presented the State Fire Marshal's FY 2011 Budget Committee Report. The Budget Committee concurs with the Governor's recommendation with the following adjustment and notation: **SB 322** and **HB 2387** adjusted distribution of 1.25 percent levy; and recommends legislation that would move equipment and statutory requirements for the bomb response unit to the Kansas Highway Patrol in FY 2011.

Discussion followed by committee members. Representative Tapanelli stated that wage increases were included in the Governor's recommendation which includes longevity bonus payments, Kansas Public Employee Retirement System rate adjustments, and rate increases based on the classified pay plan. He noted that this issue should be reviewed as the adjustments and increases are consistent throughout the budget

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:14 a.m. on February 8, 2010, in Room 346-S of the Capitol.

reports. He discussed the rationale for moving the bomb response unit to the Kansas Highway Patrol, which would not effect the Fire Marshall's office investigation procedures, just the response to explosive devices. With the current economic conditions the committee did not recommend increasing the levy at this time. Representative Tapanelli discussed the ending fee fund balance and explained the transfer of funds.

Representative Tapanelli made a motion to approve the State Fire Marshall's FY 2011 Budget Committee Report. The motion was seconded by Representative Gatewood. Motion carried.

Representative Tapanelli, Chair, of the House Transportation and Public Safety Budget Committee, presented the Kansas Commission of Peace Officers' Standards and Training FY 2011 Budget Committee Report. The Budget Committee concurs with the Governor's recommendation with the following request: the agency creates and provides performance measures and documentation on cases which will be included in next year's budget request.

Representative Tapanelli responded to questions from committee members. He stated that this became a stand-alone agency in 2008 and the budget increases are primarily due to general start-up costs. Representative Tapanelli reviewed the fee fund balance, and discussed increased services, certification and review standards.

Representative Tapanelli made a motion to approve the Kansas Commission of Peace Officers' Standards and Training FY 2011 Budget Committee Report. The motion was seconded by Representative Gatewood. Motion carried.

Senator Chris Steineger provided ideas on reinventing and redesigning the government and distributed a copy of The Billion Dollar List, (Attachment 2).

Senator Steineger responded to questions from committee members. He stated that the greatest savings would be experienced by eliminating excess jobs, other savings included: consolidating counties, and running government more like a business. Senator Steiner stressed the need to be proactive and suggested that the role of the government should be to grow stakeholders. He noted that K-12 consolidation was not included in this report and recommended use of the alcohol tax for parks and recreation and alcohol treatment programs as opposed to going into cities' general funds. Senator Steineger discussed the advantages of selling and then leasing back state office buildings.

Jim Wilson, First Assistant Revisor, Office of Revisor of Statutes, reviewed the policy change for **HB 2544**, (Attachment 3).

Representative Gatewood presented testimony as a proponent of **HB 2544**, (Attachment 4). He noted that the cost reimbursement should have read \$15,000 as opposed to \$5,000. He stated that this money would be held in the trust and no additional money would be required.

Representative Gatewood responded to questions from committee members. The state requirement for the relocation process is 10% of the overall cost, and the federal government has authorized \$3.5 million. The fiscal note for the state is \$350,000, which is included in the Governor's FY 2011 budget recommendation. The per diem rate will allow members an incentive to serve on the trust, he noted. Representative Gatewood added that at the time the trust is completed and the land is transferred to the Kansas Department of Wildlife and Parks, the work by members of the trust will be completed. At such time, removal from the statutes will be requested. Any remaining funds would be reappropriated as determined by the Environmental Protection Agency and the Kansas Department of Health and Environment. Any costs incurred will be paid out of the trust fund, and will not reflect any increase in State General Funds, he stated.


Representative Yoder closed the hearing on **HB 2544**.

The next meeting is scheduled for February 9, 2010.

The meeting was adjourned at 10.30 a.m.

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:14 a.m. on February 8, 2010, in Room 346-S of the Capitol.

  
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Kevin Yoder, Chairman

# APPROPRIATIONS COMMITTEE GUEST LIST

DATE: February 8, 2010

NAME	REPRESENTING
Leigh Keck	Hein Law Firm
TERRY FORSYTH	KWEA
Becky Bahr	Fire Marshal
Melissa Wayeman	KAC
John Mitchell	KDHE
Doug Smith	Prager, Smith & Associates, Inc
Dennis Phillips	KSCFF
Ed Redman	KSCFF
RJ Wilson	KOSE
Patti Artzer	EMS
Dan McLaughlin	KSFMO
Katy Belat	SRS
Gene Whipple	Puffin Company
Nelson Knueger	Sum West
Bob Mearl	KEANEY & Assoc



FY 2011

HOUSE TRANSPORTATION AND PUBLIC SAFETY BUDGET COMMITTEE

Emergency Medical Services Board  
State Fire Marshal  
Kansas Commission on Peace Officers' Standards and Training

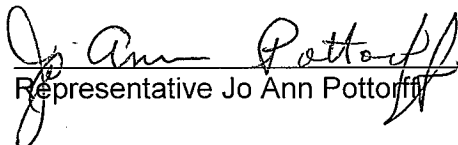
  
Representative Lee Tafanelli, Chair

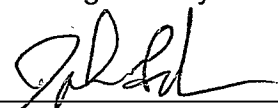
  
Representative Gail Finney

  
Representative Vern Swanson, Vice-Chair

  
Representative Stan Frownfelter

  
Representative Doug Gatewood,  
Ranking Minority Member

  
Representative Jo Ann Pottorff

  
Representative John Faber

  
Representative Jill Quigley

## House Budget Committee Report

**Agency:** Emergency Medical Services Board

**Bill No. --**

**Bill Sec. --**

**Analyst:** Tang

**Analysis Pg. No. --**

**Budget Page No. 387**

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	2,221,887	2,171,887	0
Subtotal	\$ 2,221,887	\$ 2,171,887	\$ 0
<b>Capital Improvements</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 2,221,887</b>	<b>\$ 2,171,887</b>	<b>\$ 0</b>
FTE positions	14.0	14.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>14.0</b>	<b>14.0</b>	<b>0.0</b>

### Agency Request

The **agency** requests FY 2011 expenditures of \$2,221,887, which is a decrease of \$36,534 or 1.6 percent below the revised FY 2010 estimate. The request includes \$300,000 from the Emergency Medical Services Operating Fund for the Education Incentive Grant Program.

### Governor's Recommendation

The **Governor** recommends FY 2011 expenditures of \$2,171,887, which is a decrease of \$50,000 or 2.3 percent below the agency's request. The decrease is attributed to a \$50,000 reduction in the transfer from the Emergency Medical Services Operating Fund to the Education Incentive Grant Program. The Governor's recommendation anticipates legislation that would alter the \$200,000 transfer to the State General Fund from the fire insurance premiums that fund most of the agency's operations. Currently, the entire transfer comes from the State Fire Marshal, whereas the anticipated legislation would split the transfer amongst the State Fire Marshal, the Emergency Medical Services Board, and the University of Kansas Fire and Rescue Training Institute.

## House Budget Committee Recommendation

The **House Budget Committee** concurs with the Governor's recommendation with the following notations:

1. The Budget Committee notes that Senate Bill 322 and House Bill 2387 would adjust the distribution of the 1.25 percent levy on fire insurance premiums in order to distribute the State General Fund administrative services fee across the three agencies it supports rather than being solely charged to the State Fire Marshal's portion. K.S.A. 75-1514 requires that 20.0 percent of the receipts received by the State Fire Marshal be remitted to the State General Fund with a cap of \$200,000 on such transfers. If noted legislation passes, it would assess the statutory fee to the pool of levy funds, and would distribute the \$200,000 across the three agencies by the proportion of the levy each agency receives, amounts would be charged as follows: \$128,000 from the State Fire Marshal, \$40,000 from the Emergency Medical Services Board, and \$32,000 from the University of Kansas Fire and Rescue Training Institute.
  - Currently, K.S.A. 75-1508 requires each fire insurance company doing business in Kansas to pay the Commissioner of Insurance, beginning in 1984, a levy imposed by the State Fire Marshal, not to exceed 1.25 percent of a sum equal to the gross cash receipts of such company on all fire business transacted by the company in the preceding calendar year. K.S.A. 75-1508 distributes the 1.25 percent levy to provide 0.8 percent to the Fire Marshal, 0.25 percent to EMS, and 0.2 percent to the Fire Services Training Institute at the University of Kansas.
2. The Budget Committee would like to review the addition of \$50,000 from the Emergency Medical Services Operating Fund for the Education Incentive Grant Program at Omnibus, if bills affecting the fire insurance premium are not enacted into law.



# House Budget Committee Report

**Agency:** State Fire Marshal

**Bill No. - -**

**Bill Sec. - -**

**Analyst:** Klaassen

**Analysis Pg. No. - -**

**Budget Page No. 389**

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,493,273	4,493,273	0
Subtotal	\$ 4,493,273	\$ 4,493,273	\$ 0
<b>Capital Improvements</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 4,493,273</b>	<b>\$ 4,493,273</b>	<b>\$ 0</b>
<b>FTE positions</b>			
FTE positions	53.0	53.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
<b>TOTAL</b>	<b>54.0</b>	<b>54.0</b>	<b>0.0</b>

## Agency Estimate/Request

The **agency** requests FY 2011 operating expenditures of \$4,493,273, a decrease of \$391,501, or 8.0 percent, below the FY 2010 revised estimate. Of the FY 2011 expenditures, \$3,628,715 are financed by the Fire Marshal Fee Fund, a decrease of \$1, or less than 0.1 percent, below the 2010 revised estimate. The agency's request includes two enhancements: 1) increasing the levy on fire insurance premiums, and 2) adjusting the distribution of the fire insurance premium levy. The entire budget is funded from fee funds and federal funds. The request includes 53.0 FTE positions, the same as the FY 2010 revised estimate.

## Governor's Recommendation

The **Governor** concurs with the agency's request for FY 2011 operating expenditures, and recommends the enhancement to change the distribution of the fire insurance premium levy.

## House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment and notation:

1. The Budget Committee notes that Senate Bill 322 and House Bill 2387 would adjust the distribution of the 1.25 percent levy on fire insurance premiums in order to distribute the State General Fund administrative services fee across the three agencies it supports rather than being solely charged to the State Fire Marshal's portion. K.S.A. 75-1514 requires that 20.0 percent of the receipts received by the State Fire Marshal be remitted to the State General Fund with a cap of \$200,000 on such transfers. If noted legislation passes, it would assess the statutory fee to the pool of levy funds, and would distribute the \$200,000 across the three agencies by the proportion of the levy each agency receives, amounts would be charged as follows: \$128,000 from the State Fire Marshal, \$40,000 from the Emergency Medical Services Board, and \$32,000 from the University of Kansas Fire and Rescue Training Institute.
  - Currently, K.S.A. 75-1508 requires each fire insurance company doing business in Kansas to pay the Commissioner of Insurance, beginning in 1984, a levy imposed by the State Fire Marshal, not to exceed 1.25 percent of a sum equal to the gross cash receipts of such company on all fire business transacted by the company in the preceding calendar year. K.S.A. 75-1508 distributes the 1.25 percent levy to provide 0.8 percent to the Fire Marshal, 0.25 percent to EMS, and 0.2 percent to the Fire Services Training Institute at the University of Kansas.
2. The Budget Committee recommends the introduction of legislation that would move equipment and any statutory requirement for the bomb response unit from the State Fire Marshal to the Kansas Highway Patrol in FY 2011. The Kansas Highway Patrol also maintains a bomb response unit, and testimony provided indicated that both the State Fire Marshal's bomb response unit and the Kansas Highway Patrol's bomb unit respond in tandem to any incidents. This would consolidate the responsibility for this function within the Kansas Highway Patrol.

# House Budget Committee Report

**Agency:** Kansas Commission on Peace  
Officers' Standards and Training

**Bill No. --**

**Bill Sec. --**

**Analyst:** Klaassen

**Analysis Pg. No. --**

**Budget Page No. 415**

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	650,005	650,005	0
Subtotal	\$ 650,005	\$ 650,005	\$ 0
<b>Capital Improvements</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 650,005</b>	<b>\$ 650,005</b>	<b>\$ 0</b>
FTE positions	7.0	7.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>7.0</b>	<b>7.0</b>	<b>0.0</b>

## Agency Estimate/Request

The **agency** requests FY 2011 operating expenditures totaling \$650,005, all from the Kansas Commission on Peace Officers' Standards and Training (KSCPOST) Fund, which is an increase of \$71,305, or 12.3 percent, above the FY 2010 revised estimate. The agency states that increases are primarily due general start-up costs, but also some expenditures are delayed in relation to budget reductions previously made to the FY 2010 budget. The request includes 7.0 FTE positions.

## Governor's Recommendation

The **Governor** concurs with the agency's request for FY 2011, and includes the transfer of \$200,000 from the agency's fee fund to the State General Fund.

### **House Budget Committee Recommendation**

The **Budget Committee** concurs with the Governor's recommendation with the following request:

1. The Budget Committee requests that the agency create and provide performance measures for agency operations. Additionally the agency should document total case backlog, progress on cases, and number of new case filings to provide to the committee. The agency should continue to update and include this information as part of the agency's budget request next year.

CHRIS STEINEGER  
SENATOR, SIXTH DISTRICT  
51 S. 64TH ST.  
KANSAS CITY, KANSAS 66111  
(913) 287-7636

TOPEKA

SENATE CHAMBER

## The Billion Dollar List

- A) We have a once in a lifetime **OPPORTUNITY** to reinvent government.  
 B) Reinventing government gains more than just slashing it.  
 C) This suggestion list goes from mild to wild.  
 D) I'm sure there will be someone who opposes every item on the list !!!
- 1) **Downsize the Legislature -- The PERMANENT method to reduce Legislative costs!**
    - \* Place on the 2010 statewide ballot a proposition to downsize the Legislature by 30%. If approved by the people (you know they will!), the 2012 election will be like musical chairs with some seats eliminated and competition deciding who gets to sit and who's out.
    - \* Reduce Legislature to 30 Senators and 90 Representatives. This will save **\$1.8 million**.
  - 2) **Consolidate Kansas** into 25 counties and 25 judicial districts. Eliminate townships. A study by Wichita State University shows this could save **\$700 million** per year.  
<http://www.ksrevenue.org/pdf/ConsReport.pdf>
  - 3) **Sell and lease-back** of State office buildings: Docking, Landon, Eisenhower, and Mills buildings could all be sold to private developers who can perform renovations cheaper and faster than the State. Legislators received an email 1/14/10 at 9:52am from Mark Creason at Amerifund Commercial offering to buy State office buildings at market prices and lease them back to State agencies. Sale and lease back offers two advantages:
    - \* immediate cash payment for buildings; and
    - \* any remodeling can be done by private owner **FASTER** and **CHEAPER** than the State.
  - 4) **Privatize KU hospital** for  $\geq$ **\$500 million**; use the sale proceeds to recapitalize KPERS. Ask Steve Weatherford for a copy of 2008 memo where this idea was discussed and a valuation estimate rendered.
  - 5) **Consolidate** all functions of probation and parole in Kansas. A computer tracking system currently in the design stage will greatly facilitate such an efficiency merger.
  - 6) **Consolidate** all regulatory and licensing functions of racing, gaming, and bingo.
  - 7) **Consolidate** and simplify all alcohol regulation.
  - 8) **Consolidate** into the Department of Agriculture: Livestock Commission, Conservation Commission, Water Office, and Geological Survey. A 2007 Post Audit concludes this will save **\$700,000** year. [http://www.kslegislature.org/postaudit/audits\\_perform/08pa23.pdf](http://www.kslegislature.org/postaudit/audits_perform/08pa23.pdf)
  - 9) **Consolidate** into one agency: Bank Commission, Credit Union Office, and Securities Commissioner. A 2008 Post Audit concludes this will save **\$500,000** year.  
[http://www.kslegislature.org/postaudit/audits\\_perform/08pa22.pdf](http://www.kslegislature.org/postaudit/audits_perform/08pa22.pdf)  
 Go another step further and consolidate all of the above with Insurance Dept. and create one, streamlined financial regulatory agency.
  - 10) **Capital renovation:**
    - \*Renegotiate contracts for architectural services and general contractor.
    - \*Cap architectural fees at 5%.
    - \*Limit build out of basement level visitors center to doors and lights only—a functional shell.
    - \*Eliminate any additional new furniture.

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- 11) Increase premiums and co-pays for state employee health insurance AND create large discounts for those who choose healthy living habits such as tobacco avoidance, healthy weight, and annual checkups.
- 12) **Consolidate and refinance all State debt** into one mega bond at today's low rates. When you combine specified revenue streams and general obligation revenue, this is called the "double-barreled" approach.
- 13) Allow Kansas Department of Corrections to pay hospitals at Medicaid rates.
- 14) Eliminate state owned buffalo herds. Donate buffalo to Bob Grant for charity BBQ!
- 15) Eliminate **\$5 million** state-subsidy for air fares in Wichita. Let free market work!
- 16) Eliminate State purchases of water rights in government owned reservoirs.
- 17) Eliminate funding for National Guard Training Center in Salina.
- 18) Obtain dividend payment from land sales at Sunflower Army Ammo plant.
- 19) Eliminate state support for excessive salaries of top executives of foster care contractors.
- 20) Transfer turnpike surplus funds to highway program. Go one step further and consider selling the turnpike as a way to finance the transportation plan.
- 21) No new vehicle purchases for three years; no purchases of full size pickups or sedans.
- 22) Eliminate "weather modification" program for **\$198,000**.
- 23) Eliminate construction of more "weather monitoring" stations.
- 24) Renegotiate State building and property insurance.
- 25) **Eliminate** state aid to cities and counties but create incentives for city and county unification.  
\* Eliminate the **\$9 million** transfer from state alcohol tax to city parks and recreation fund.
- 26) Ask the four big hospital foundations (Kansas Health Foundation, Sunflower Foundation, Wyandotte Health Foundation, REACH) to **donate their annual revenue, \$20 million, for two years to Medicaid** instead of funding more duplicative studies, newsletters, conferences, and luncheons. These foundations were formed from sale of church founded hospitals, Catholic and Methodist, whose original founders intended direct care to the poor. Returning the foundations revenue back to the original founders intent would complete the circle.
- 27) Obtain dividend payment from Jayhawks and Wildcats sports franchises. These are lucrative businesses developed on public property with public dollars, but the profit is reaped by a few well-connected folks.
- 28) Obtain dividend payment from Kansas Bio-Science Authority.
- 29) Regents Universities  
\* Require Regents universities to disclose their endowment funds & restrictions. This may not save money initially, but will help us understand what resources are available to fund university operations.  
\* Cap fees for architectural and contractor services for Regents capital improvements.
- 30) School Finance  
\* Create incentives for school districts to unify.  
\* Eliminate State matching funds for any new school bonds or equipment. State matching funds incentivize oversized and excessive school buildings. When USDs are required and pay the full cost of construction, they will economize!

**Office of Revisor of Statutes**  
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**MEMORANDUM**

**To:** Chairman Yoder and Members of the House Appropriations Committee  
**From:** Jim Wilson, First Assistant Revisor of Statutes  
**Date:** February 8, 2010  
**Subject:** 2010 House Bill No. 2544

HB 2544 relates to the public trust established to administer relocation assistance and to acquire, hold, and dispose of property located within the boundaries of a superfund site located in Cherokee County. Superfund sites include those properties listed on the National Priorities List established under the Comprehensive Environmental Response, Compensation, and Liability Act.

The amendment changes the provision in K.S.A. 2009 Supp. 49-512 that members of the trust are to receive amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto, for subsistence allowances, mileage allowance, and other actual and necessary expenses. Under the bill, members would be paid per diem compensation as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature, for each day of actual attendance at any meeting of the trust.

Appropriations Committee  
Date 2-8-10  
Attachment 3

DOUG GATEWOOD  
 REPRESENTATIVE, 1ST DISTRICT  
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 COLUMBUS, KANSAS 66725  
 (620) 429-3690

OFFICE ADDRESS: STATE CAPITOL  
 TOPEKA, KANSAS 66612  
 (785) 296-7698



TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 MEMBER: APPROPRIATIONS  
 RANKING MEMBER: TRANSPORTATION AND  
 PUBLIC SAFETY BUDGET  
 VISION 2020  
 HOTLINE NUMBER: 1-800-432-3924  
 SPEECH/HEARING IMPAIRED: (785) 296-8430

Testimony for HB 2544

Mr. Chairman and Committee Members,

Thank you for the opportunity to testify on behalf of HB 2544.

HB 2544 clarifies the compensation rate at which the five member trust handling the voluntary relocation of Treece, Kansas will receive.

Treece is an old mining town located on the Kansas/Oklahoma border. Treece was originally part of Picher, OK. But when the state border was relocated in 1908 after a survey proved the old border was incorrect, the northern five blocks of Picher, OK, became Treece, KS. The city of Picher has been relocated and the city charter has expired.

In the 2006 Session the Kansas Legislature passed the bill that created the trust that would administrate the relocation on the Kansas side of the border should federal funds become available. These federal dollars will be approximately \$3.5 million or 90% of the costs of the project and were approved by Congress and signed by the president in 2009.

As you can imagine, this relocation and acquisition of the properties, even though voluntary, will be an extremely emotional and tension filled time not only for the citizens but also for the members of the trust.

The original legislation in 2006 allowed for compensation for trust members that both myself and staff members of congressional offices interpreted as legislative "per diem" when in fact the statute noted is referring to expenses incurred by board members. HB 2544 changes that language from expenses to legislative per diem for only the days members of the trust are in session and present at the meeting.

The Kansas Department of Health and Environment and The Environmental Protection Agency are handling preparatory work and will do the administrative duties for the trust which will minimize the number of days the trust will have to meet.

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I believe the trust will not exceed 80 days in session and at the current rate of per diem would be approximately \$35,000 or about 1% of the estimated cost of the relocation project.

Current statutory language allows for expenses to be paid which will not be allowed in the new language. The per diem rate will allow the members an incentive to serve on the trust which I believe will be essential to retaining trust member son what will be a very daunting task.

Mr. Chairman, the fiscal note on this bill reflects the costs I have estimated for compensation but does not show the savings from current statutory language allowing cost reimbursement which I have estimated at \$5,000 which would adjust the actual change of cost to the trust to approximately \$20,000. These costs would be paid from monies held by the trust with no additional funding required.

Thank you for the opportunity to hear HB 2544 and I will answer any questions you may have at the appropriate time.

Doug Gatewood  
1<sup>st</sup> District