

Approved: May 1, 2003
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:30 a.m. on March 21, 2003, in Room 123-S of the Capitol.

All members were present except: All present

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department
Martha Dorsey, Kansas Legislative Research Department
Melissa Calderwood, Kansas Legislative Research Department
Leah Robinson, Kansas Legislative Research Department
Nicoletta Buonasera, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Becky Krahl, Kansas Legislative Research Department
Amy Van House, Kansas Legislative Research Department
Audrey Nogle, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Paul West, Kansas Legislative Research Department
Norman Furse, Revisor of Statutes
Michael Corrigan, Assistant Revisor of Statutes
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

Bill Introduction

Senator Jackson moved, with a second by Senator Bunten, to introduce a bill concerning electronic gaming machines and other lottery games on gaming trains (3rs0972). Motion carried on a voice vote.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2003 and FY 2004 were distributed to the committee.

Subcommittee report on:

Department of Human Resources (Attachment 1)

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor in FY 2003.

Subcommittee Chairman Bunten reported that the Subcommittee concurs with the recommendation of the Governor with adjustments in FY 2004.

CONTINUATION SHEET

Senator Jackson moved, with a second by Senator Jordan, to amend the subcommittee report in FY 2004, Item No. 1, to ask the Senate Commerce Committee to have a hearing on the policy issue regarding the unconstitutionality of placing a moratorium on the one week waiting period for unemployment benefits in an appropriations bill and make recommendations to the Senate Ways and Means Committee by Omnibus. Committee questions and discussion followed regarding the portion of the bill that Staff advised is unconstitutional. Senator Jordan withdrew his motion with permission of the second to the motion, Senator Jackson.

Senator Jackson moved, with a second by Senator Jordan, to amend the subcommittee report, Item No. 1, in FY 2004, regarding elimination of waiting a week as provided in the Governor's Budget Amendment No. 1, it is an important policy consideration putting substantive law in the appropriations bill raises major constitutionality questions and the waiting week provision be removed and reviewed and to introduce a bill which eliminates the waiting week for new unemployment claims and recommend that the bill be referred to the Senate Conference Committee and that this issue will be reviewed at Omnibus. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Schodorf, bill introduction of a companion bill to place one week additional benefit at the end of the qualifying unemployment period. Motion carried on a voice vote. Senator Adkins indicated that the Committee has not chosen a policy preference in introducing a bill.

Senator Bunten moved, with a second by Senator Jackson, to adopt the subcommittee budget report on the Department of Human Resources for the FY 2003 and FY 2004 budget as amended. Motion carried on a voice vote.

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

SB 263--Appropriations for FY2003, FY2004 & FY2005 for state agencies, including biennially-budgeted agencies

The Chairman noted that hearings were held in the subcommittee process.

Senator Adkins moved, with a second by Senator Schodorf, to amend SB 263 to delay the start date from June 8, 2003 to July 20, 2003, for the proposed 1.5 increase for the Executive Branch it for all to includes the Judicial and Legislative Branches. Motion carried on a voice vote.

The following information was distributed by staff:

- Increases in Salaries for State Classified Employees, FY 1987-FY 2003 (Attachment 2)
- State Employee Salary Increase (Attachment 3)
- Comparison of FY 2003-FY 2004 Recommended Expenditures, Governor's Recommendation and Senate Committee Recommendation, Includes Committee Recommendations as of March 20, 2003 (Attachment 4)
- Comparison of FY 2003-FY 2004 Recommended Expenditures, Governor's Recommendation and House Committee Recommendation (Attachment 5)
- Recommended Adjustments to State General Fund Receipts (Attachment 6)
- Senate Adjustments to the Governor's Recommendation (Reflects Senate Adjustments for FY 2003 and FY 2004) (Attachment 7)
- Items for Omnibus Consideration (Referred by the Senate Committee) (Attachment 8)

CONTINUATION SHEET

- House Adjustments to the Governor's Recommendation (Reflects House Adjustments for FY 2003 and FY 2004) (Attachment 9)
- Items for Omnibus Consideration (Referred by the House Committee) (Attachment 10)
- Economic Development Initiatives Fund (Attachment 11)
- FY 2003 Children's Initiatives Fund (Tobacco), March 20, 2003 (Attachment 12)
- State Water Plan Fund: FY 2003 (Attachment 13)
- Items to be Resolved by Senate Committee (Attachment 14)

Senator Adkins moved, with a second by Senator Jordan, a technical amendment regarding **SB 263** to allow expenditures of \$183,000 in the Ombudsman for Corrections budget as recommended in the Department of Corrections Subcommittee Report. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Jordan, to amend **SB 263** to reduce expenditures from the Kansas Highway Patrol budget in that the Department of Revenue Subcommittee Report recommends that the Alcoholic Beverage Control be retained in the Department of Revenue. Motion carried on a voice vote.

Senator Jackson moved, with a Second by Senator Jordan, to amend **SB 263** to transfer additional federal funding of \$359,854 from the Sentencing Commission budget and add it to the Governor's office budget as recommended in the Sentencing Commission Subcommittee Report. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Jackson, to amend **SB 263** to transfer \$80,000 from the State General Fund from the Attorney General's budget of the budget of the Kansas Bureau of Investigation as recommended in the Attorney General Subcommittee Report. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Jackson, to amend **SB 263** to reduce State General Fund expenditures in the Legislature's budget by \$41,250, and Children's Initiatives Fund expenditures of \$272,000 from the Juvenile Justice Authority budget, and \$526,000 in the Department of Social and Rehabilitation Services budget and re-direct the funding to the Board of Regents budget as recommended in the Regents Subcommittee Report. Motion carried on a voice vote.

Senator Barone moved, with a second by Senator Jackson, a conceptual amendment regarding **SB 263** to include the capital improvement project for the Veterans' Home in Winfield in the bond issuance in the amount of approximately \$1.8 million for repairs and an additional item and to let staff word the amendment regarding the Veterans' Affairs budget to include in the Department of Social and Rehabilitation Services bonding. Motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Jackson, to amend **SB 263** regarding an item to remove the section that refers to the razing of Dillon House in the Department of Administration section. Motion carried on a voice vote.

Senator Kerr moved, with a second by Senator Jordan, to amend **SB 263** to transfer the approximately \$680 million dollar savings from the Judicial Branch budget regarding fringe benefits for funds for the School for the Blind and School for the Deaf. Motion carried on a voice vote.

Senator Jackson moved, with a second by Senator Downey, a proviso for a technical amendment regarding **SB 263** to allow State Finance Council authorization to approve expenditures for pay increases. Motion carried on a voice vote.

CONTINUATION SHEET

Senator Kerr moved, with a second by Senator Schodorf, amend **SB 263** and take \$40,000 each from the Family Centered System of Care, Therapeutic Preschool and Grants to CMHC's to develop children's programs in Children's Issues Fund Items for funds for the Kansas Department of Health and Environment Tiny-K program. Senator Downey requested that information be checked regarding these programs listed above to be sure they would not be cut short. Chairman Morris mentioned that the vote on this motion would be held.

Senator Salmans moved, with a second by Senator Kerr, to amend **SB 263** to add \$25,000 for the Senior Companion Act in the Department on Aging budget. Motion carried on a voice vote.

Senator Adkins moved, with a second by Senator Jordan, to permit staff to make technical corrections regarding **SB 263**. Motion carried on a voice vote.

Senator Salmans moved, with a second by Senator Barone, a conceptual amendment regarding **SB 263**, page 19, the Fee Boards budgets, that the 50 percent limitation would not apply to technology funds. Motion carried on a voice vote.

Senator Downey moved a substitute motion regarding **SB 263**, with a second by Senator Kerr, to not take the \$40,000 from Therapeutic Preschool but to take it from the Community Services - Child Welfare funds, in addition to taking the \$40,000 each from the Family Centered System of Care and Grants to CMHC's to develop children's programs in the Children's Issues Fund Items for funds for the Kansas Department of Health and Environment situation with Tiny-K. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Kerr, to recommend **SB 263** favorable for passage as amended. Motion carried on a roll call vote.

Chairman Morris thanked all the subcommittees for their work and expressed his appreciation.

The meeting adjourned at 11:50 a.m. The next meeting is scheduled for March 24, 2003.