

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairman Kenny Wilk at 11:30 a.m. on March 30, 2001, in Room 514-S of the Capitol.

All members were present except: Representative Phil Kline
Representative Bob Bethell

Committee staff present: Alan Conroy, Legislative Research
Rae Anne Davis, Legislative Research
Amy Kramer, Legislative Research
Carolyn Rampey, Legislative Research
Kathie Sparks, Legislative Research
Jim Wilson, Revisor of Statutes
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee:

Others attending: See Attached

Chairman Wilk moved for the introduction of legislation regarding the senior care giving initiative. Motion was seconded by Representative Neufeld. Motion carried.

Representative Shultz moved for the introduction of legislation which would provide for commemoration of the Kansas territorial sesquicentennial in 2004. Motion was seconded by Representative Hermes. Motion carried.

Discussion and Action on SB 170–Kansas children’s cabinet to enter into agreements with not-for-profit entities for the investment of certain money

Representative Klein moved to conceptually amend the bill by inserting language into Section 2 which would state that the Attorney General shall advise and act as legal counsel for the Kansas Children’s Cabinet with respect to all agreements entered into by the Kansas Children’s Cabinet under this section. Motion was seconded by Representative Hermes. Motion carried

Representative Neufeld presented copies of a proposed balloon amendment to Committee members (Attachment 1). The intent of the amendment would be to coordinate funding for children’s initiatives between the Sunflower Foundation and the Children’s Cabinet by requiring that all expenditures for purposes for which expenditures may be made from the Children Initiatives, be subject to approval by the Children’s Cabinet. All replacements for those serving on the Sunflower Foundation Board would be appointed by the Governor and confirmed by the Senate. The Committee discussed the option of sweeping the money from the Sunflower Foundation.

Representative Nichols made a substitute conceptual motion to amend as in the balloon amendment but to insert language that the Sunflower Foundation Board be replaced by members of the Children’s Cabinet Board upon the completion of each appointees term of office. Motion was seconded by Representative Minor. Motion carried.

The Committee discussed options of establishing one board to serve both the Sunflower Foundation and the Children’s Cabinet and setting an exact date for this to begin. Transferring the management of the Sunflower Trust to the Children’s Cabinet was also discussed. The Kansas Children’s Cabinet is a state agency and is subject to the open records, open meetings law.

Representative Klein moved to adopt the section regarding appointment of the board of trustees as proposed by Representative Neufeld. Motion was seconded by Representative Neufeld.

The Committee discussed if the intent of this amendment would be to take the control of the Sunflower Foundation Trust away from the Attorney General.

Representative Nichols moved to amend to provide for appointments so that there would be five

gubernatorial appointees and four legislative appointees in the membership of the Sunflower Foundation board. The rotation would start with the Speaker of the House, the President of the Senate, the House Minority Leader, and the Senate Minority Leader. The motion was seconded by Representative Ballard. Motion failed.

Representative Spangler distributed copies of a memo from John Campbell regarding the formation of the Sunflower Foundation (Attachment 2).

Representative Spangler made a substitute conceptual motion to add language to the bill which would designate the Chairman of the House Appropriations Committee and the Ranking Minority Member, and the Chairman of the Senate Ways and Means Committee and the Ranking Minority Member (or their designees) be designated as permanent members of the Sunflower Foundation board. Motion was seconded by Representative Feuerborn. Motion failed.

Representative Hermes moved to return to the original bill with only the Klein amendment regarding the Attorney General acting as general counsel to the Children's Cabinet in matters of negotiation and contracts. Motion was seconded by Representative Spangler. A division was requested and after a show of hands, the motion failed.

Representative Spangler moved to table **SB 170**. Motion was seconded by Representative Ballard. Motion failed.

The motion made by Representative Klein to adopt the balloon amendment (Attachment 1) and seconded by Representative Neufeld carried.

Representative Nichols moved to conceptually amend the bill to prohibit any member of the legislature to serve as a member of the Board of Trustees of the Sunflower Foundation. Motion was seconded by Representative Neufeld. Motion carried.

Representative Landwehr moved to report the bill favorably as amended. Motion was seconded by Representative McCreary. Motion failed.

The Chair was questioned on parliamentary procedures regarding the passage of a bill on a substitute motion. Chairman Wilk declared that in this committee a substitute motion could pass a bill out favorably.

Representative Nichols moved that the bill be reported favorably as amended. Motion was seconded by Representative Henry. Motion carried.

The meeting was adjourned at 1:15 a.m. The next meeting is scheduled for April 5, 2001.