

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 9:00 A.M. on February 9, 2007, in Room 514-S of the Capitol.

All members were present except:

Representative Ty Masterson- excused

Committee staff present:

Alan Conroy, Legislative Research Department
J. G. Scott, Legislative Research Department
Becky Krahl, Legislative Research Department
Julian Efird, Legislative Research Department
Aaron Klaassen, Legislative Research Department
Jim Wilson, Revisor of Statutes
Shirley Jepson, Committee Assistant

Conferees appearing before the committee:

Kathy Porter, Office of Judicial Administration
Stephen R. Tatum, Chief Judge, 10th Judicial District
Michael F. Powers, Chief Judge, 8th Judicial District
Mary Kadel, Court Administrator, 14th Judicial District

Others attending:

See attached list.

- Attachment 1 Budget Committee Report on Kansas Public Employees Retirement System (KPERs)
- Attachment 2 Information on **SB 30** questions with regard to KPERs
- Attachment 3 Testimony on Judicial Operations and Case Management by Kathy Porter
- Attachment 4 Case Projections for Johnson County by Stephen R. Tatum
- Attachment 5 Testimony by Michael F. Powers
- Attachment 6 Testimony by Mary Kadel

Representative Sawyer moved to introduce legislation creating a lottery game to fund the Kansas Sports Hall of Fame. The motion was seconded by Representative Pottorff. Motion carried.

Representative Sawyer moved to introduce legislation to abolish the death penalty. The motion was seconded by Representative Gatewood. Motion carried.

Representative Bethell moved to introduce legislation regarding child support enforcement. The motion was seconded by Representative Ballard. Motion carried.

Representative Powell moved to introduce legislation accessing a fee on hunting licenses to feed the hungry. The motion was seconded by Representative Tafanelli. Motion carried.

Representative Tafanelli moved to introduce legislation to allow the Kansas Legislative Research Department (KLRD) to do economic impact studies when required. The motion was seconded by Representative Feuerborn. Motion carried.

Representative Yoder, Chair of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Public Employees Retirement System (KPERs) for FY 2007 and moved for the adoption of the Budget Committee recommendation for FY 2007 (Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Representative Yoder, Chair of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendation for the Kansas Public Employees

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Retirement System (KPERs) for FY 2008 and moved for the adoption of the Budget Committee recommendation for FY 2008 (Attachment 1). The motion was seconded by Representative Lane.

Responding to a question from the Committee with regard to Item No. 3, the Budget Committee stated that it was the intent of the Budget Committee to use the \$80 million appropriated to KPERs, as amended into **SB 30** on the House floor, to reduce a portion of the unfunded actuarial liability of the KPERs school group as opposed to depositing in the State Debt Reduction Fund to reduce the State debt. The Budget Committee felt this action would create a greater savings to the State as well as a better financial decision. It was noted that, at this time, **SB 30**, as amended by the House, has not been addressed in Conference Committee or passed by the Senate.

Information produced by the Legislative Research Department with regard to an analysis of the ramifications as addressed by Item No. 3 was distributed to the Committee (Attachment 2).

Representative Tafanelli moved for a substitute motion to delete Item No. 3 from the Budget Committee report. The motion was seconded by Representative McLeland. Motion withdrawn.

Representative Tafanelli moved for a substitute motion to amend Item No. 3 by stating that it is the intent of the Budget Committee, should **SB 30** as amended becomes law in its current form and \$80 million set aside in a State Debt Reduction Fund, to recommend that the Legislature consider allocating the \$80 million to the KPERs unfunded actuarial liability as opposed to debt reduction. The motion was seconded by Representative McLeland. Motion carried.

Jim Wilson, Office of Revisor of Statutes, stated that the legislation is subject to future acts, including appropriation acts of the Legislature.

Alan Conroy, Legislative Research Department, noted that **SB 30** removes \$80 million from the State General Fund (SGF) and deposits it in a State Debt Reduction Fund; however, the legislation does not expend the funds. More action by the Legislature would be required, at which time, consideration could be given to the Budget Committee recommendation.

Representative Yoder renewed the motion for the adoption of the Budget Committee report on the Kansas Public Employees Retirement Group for FY 2008 as amended (Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Discussion and Action on HB 2246 - Amendments to unclaimed property act allowing interest to be paid to certain claimants.

Aaron Klaassen, Legislative Research Department, explained that **HB 2246** amends existing law pertaining to unclaimed property and allow the State Treasurer to pay interest to claimants interest-bearing accounts. The fiscal note on **HB 2246** would reduce State General Fund (SGF) revenues by approximately \$100,000.

Representative Tafanelli moved to recommend **HB 2246** favorable for passage. The motion was seconded by Representative Bethell. Motion carried on a 11-8 vote.

Chair Schwartz recognized Kathy Porter, Office of the Judicial Administration, who presented testimony on Judicial Operations and Case Management (Attachment 3). Ms. Porter stated that case management in the judicial branch involves the period of time the case is filed until some type of resolution on the case. For the period 1987 to 2005, Ms. Porter reported that caseload filings have increased by 54.7 percent. During the same period of time, there has been 11.6 percent increase in judges and 10.6 percent increase in non-judicial personnel.

The Chair recognized Stephen R. Tatum, Chief Judge, 10th Judicial District, who presented testimony on judicial caseloads in Johnson County (Attachment 4). Mr. Tatum stated there are several areas that contribute to change in caseloads:

- Population growth;
- State and Federal legislative enactments;

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- Location within the State which could cause more travel time;
- Sentencing guidelines.

Mr. Tatum noted that it is important to have good tools available, such as mediation and efficiency in handling paperwork. The judicial system is working to initiate electronic filing to give easier access to the cases and efficiency.

Chairman Schwartz recognized Michael F. Powers, Chief Judge, 8th Judicial District, who presented testimony on caseloads in Dickinson, Marion, Morris and Geary Counties (Attachment 5). Mr. Powers noted that the expansion of military personnel at Fort Riley is anticipated to increase the caseload in Geary County.

Responding to a question from the Committee, Mr. Powers stated that it is difficult to get citizens to serve on a jury during a holiday period on Friday's.

Chairman Schwartz recognized Mary Kadel, Chief Court Services Officer, 14th Judicial District, who presented testimony on the work of Kansas court service officers (Attachment 6).

The meeting was adjourned at 10:40 a.m. The next meeting of the Committee will be held at 9:00 a.m. on February 12, 2007.

Sharon Schwartz, Chair