

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairman Kenny Wilk at 9:05 a.m. on February 14, 2001 in Room 514-S of the Capitol.

All members were present

Committee staff present: Alan Conroy, Legislative Research
Rae Anne Davis, Legislative Research
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee: George Teagarden, Livestock Commissioner
Rochelle Chronister
August Bogina
Duane Goossen, Director of the Budget
Dr. Eric Mitchell, Shawnee County Coroner
Dr. Lyle Noordhoeck, President-elect of the Kansas Society of Pathologists
Pam Scott, Executive Director of Kansas Funeral Directors
Dr. Lorne Phillips, Kansas Department of Health and Environment

Others attending: See Attached

Hearing on HB 2037–Biennial budget estimates for state agencies

Alan Conroy, Legislative Research Department, explained the bill which would require all state agencies to submit biennial budget estimates. Currently there are 20 fee-funded agencies which estimate their budgets on a biennial basis, however, the bill requires the submission of two individual annual budgets.

George Teagarden, Livestock Commissioner and former Chairman of the House Appropriations Committee, presented non-supportive testimony for biennial budget estimates (Attachment 1). Mr. Teagarden cited Ronald K. Snell's "*Annual and Biennial Budgeting: The Experience of State Governments*," as not recognizing any real benefits to biennial budgeting. The first comparison study by Snell indicated that biennial budgets spent more; the second study showed no difference in spending. The economy influences the State's budget and it is not always predictable. North Dakota has a true biennial budget but also requires the support of a fallback committee in case budgeting decisions or additions must be made. Most of the legislatures which have biennial budgeting also meet biennially. Mr. Teagarden pointed out that the Legislature would lose power by adopting biennial budgeting as this would require them to work prior to the Session on the budgets, thus leaving their colleagues out of the loop.

Rochelle Chronister, former Chairperson of the House Appropriations Committee and former Secretary of Social and Rehabilitative Services, advised the Legislature that they should not try to run the agencies as that is up to the executive branch of the government (Attachment 2). It is very difficult for CEOs to run their agencies when they are required to be in the Capital several hours a day during the session either meeting with legislators or appearing before committees. Mrs. Chronister suggested that the need for biennial budgets has been reduced by the concentration of members on the Committee and the regular meeting times for the full Committee and Budget Committees to meet. Economic conditions and catastrophes make budget estimating almost impossible on a long-range basis. She suggested there be a meeting between the Legislative and Executive Branches to discuss their philosophical differences on supervision and responsibility for the agencies. An alternative to the current system would be for the Legislature to meet, review the Governor's budget, and then go home for a few weeks while Research prepares the reports.

Gus Bogina, former Chairman of the Senate Ways and Means Committee and former Chairman of the Board of Tax Appeals, appeared before the Committee and shared his perspective as both a member of the legislature and of executive of an agency (Attachment 3). He explained the difficulty of estimating budgets three years in advance. This is especially difficult for legislators to approve as they may have to rescind their decisions for money during the lean years.

Duane Goossen, Director of the Budget, stated that the majority of the states use annual budgets. The annual budget system is working well within the state and the introduction of a totally new system and its implementation would cause a great deal of confusion and difficulty. He advised the Committee to explore all avenues before changing the statutes on budgeting. Mr. Goossen explained that forecasting caseloads and revenue can be very inaccurate.

During Committee discussion on biennial budgets, it was pointed out that this method might lead toward long-term thinking and planning. The Division of the Budget receives strategic plans from the agencies and the possibility of passing this information on to the Legislature in a readable and workable form early in the session was discussed. The need for a way to reward agencies who spend and budget prudently was mentioned. As the Chairman of Appropriations is allowed to hold meetings during the interim, the budgets could be worked earlier if they had digestible information.

Chairman Wilk declared the hearing on **HB 2037** was closed.

Hearing on HB 2460 - Notification and investigation of death by district coroner

Dr. Eric Mitchell, Coroner of Douglas, Shawnee, and surrounding counties spoke in support of the bill which would give the local coroners more latitude in the decision-making of where bodies are to be sent for autopsy and who would be fiscally responsible for the investigation on wrongful deaths.

Dr. Lyle Noordhoeck, pathologist from Hays, explained the shifting of jurisdiction from one location to another. He pointed out that it is necessary that the coroner appear in criminal investigation cases and he is required to travel around the state in this area. This bill would allow counties to choose where to send the bodies for autopsy.

Pam Scott, Executive Director of Kansas Funeral Directors, appeared in opposition to the bill (Attachment 5). She reported that the other 49 states all declare jurisdiction over a death is in the county where the death occurs, not where the body is ultimately taken.

Dr. Lorne Phillips, Kansas Department of Health and Environment, also spoke in opposition to the bill which would reverse the current legislation (Attachment 6). The proposed legislation would slow the entire process of signing death certificates as the coroner in the county where the body is taken after the incident would be required to sign the death certificate.

Chairman Wilk declared the hearing closed on **HB 2460**.

Representative Neufeld moved for the introduction of legislation regarding the continued operation of the Kansas Payment Center. Motion was seconded by Representative Campbell. Motion carried.

The meeting was adjourned at 10:45 a.m. The next meeting is scheduled for February 15, 2001.