Approved: March 10, 2008

Date

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chair Sharon Schwartz at 9:00 A.M. on February 22, 2008, in Room 514-S of the Capitol.

All members were present except:

Representative Masterson - excused

Committee staff present:

Alan Conroy, Legislative Research Department J. G. Scott, Legislative Research Department Cody Gorges, Legislative Research Department Amy Deckard, Legislative Research Department Nobuko Folmsbee, Revisor of Statutes Nikki Feuerborn, Chief of Staff Shirley Jepson, Committee Assistant

Conferees appearing before the committee:

Marilyn Jacobsen, Department of Administration

Others attending:

See attached list.

Attachment 1

Budget Committee Report on Government Ethics Commission

Attachment 2

Budget Committee Report on Department of Administration

Introduction of Legislation

Representative Lane moved to introduce legislation concerning cemetery corporations. The motion was seconded by Representative Holmes. Motion carried.

Government Ethics Commission

Representative Beamer, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Governmental Ethics Commission for FY 2008 and moved for the adoption of the Budget Committee recommendations for FY 2008 (Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Representative Beamer, member of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Governmental Ethics Commission for FY 2009 and moved for the adoption of the Budget Committee recommendations for FY 2009 (Attachment 1). The motion was seconded by Representative Lane. Motion carried.

Responding to a question from the Committee, the Budget Committee noted that fines and penalties assessed by the Governmental Ethics Commission are deposited into the State General Fund (SGF).

Department of Administration

Representative Yoder, Chair of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Administration for FY 2008 and moved for the adoption of the Budget Committee recommendations for FY 2008 (Attachment 2). The motion was seconded by Representative Pottorff. Motion carried.

The Budget Committee indicated that the funding for 1.0 FTE position for staffing for the pay plan project is for a partial year. It was noted by the Committee that the new pay plan is still in the negotiations process and not finalized at this time.

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on February 22, 2008, in Room 514-S of the Capitol.

Representative Yoder, Chair of the General Government Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Administration for FY 2009 and moved for the adoption of the Budget Committee recommendations for FY 2009 (Attachment 2). The motion was seconded by Representative Lane.

Responding to questions from the Committee, the Budget Committee stated that the bonding authority attached to the SGF is approximately 18 percent.

The Committee voiced concern with the numbering system of offices within the State Capitol Building and noted that work is in progress to provide a secure numbering system for offices.

Marilyn Jacobsen, Department of Administration, stated that there is \$55 million bonding authorized for Phase 4 of the Statehouse renovation of which \$27 million has been issued to date. An additional \$38.8 million has been requested in the FY 2009 budget for exterior masonry and rebuilding of the east stairwell. Ms. Jacobsen noted that approximately 170,000 square feet of new office space has been added to the Capitol building during the renovation.

With reference to Item No. 5, the Budget Committee indicated that there is base federal grant funding of \$3 million distributed to public broadcasting stations across the State. The agency is requesting an enhancement of \$500,000 for FY 2009 and reported that they are concerned with recent changes by the federal government that may cause a reduction in federal funding.

Responding to a another question from the Committee, Ms. Jacobsen stated that the air quality in the Docking State Office Building has been tested 6 times by 3 different vendors between the period January 2005 and December 2007. The testing has indicated that the air quality in the building is better than the outside air. Currently, Ms. Jacobsen noted that a state employee in the Docking State Office Building has filed a complaint with the Center for Disease Control (CDC) about the air quality. The Department of Administration is working with CDC to address the complaint.

- The Committee requested a report on the total bonding authority authorized and the amount of bonds issued as of this date for the Statehouse renovation.
- The Committee requested a briefing on the Statehouse renovation by the Department of Administration at a Committee meeting in the near future.

Representative Henry made a substitute motion to add language to the Budget Committee report on the Department of Administration for FY 2009 to request a study of existing state-owned buildings in and outside of Shawnee County before making a decision on renovation of the Docking State Office Building and review the issue at Omnibus. The motion was seconded by Representative Holmes. Motion carried.

Representative Yoder moved to adopt the Budget Committee report on the Governor's budget recommendations for the Department of Administration for FY 2009 as amended. The motion was seconded by Representative Lane. Motion carried.

The meeting was adjourned at 9:50 a.m. The next meeting of the Committee will be held at 9:00 a.m. on February 25, 2008.

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House Appropriations Committee February 22, 2008 9:00 A.M.

NAME	REPRESENTING
Marilyn Jacobson	DOA
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Pat High	Date De
Dernick Mahavey	Capital Police
Michael Hospen	Kerney & Hosson

FY 2008 and FY 2009

HOUSE GENERAL GOVERNMENT BUDGET COMMITTEE

Governmental Ethics Commission

Lew Yoder	Hoches In-
Representative Kevin Yoder, Chair	Representative Rocky Fund
Kal Celey	
Representative Kasha Kelley, Vice-Chair	Representative Annie Kuether
9th Lan	Jo ann Potter/
Representative Harold Lane,	Representative JoAnn Pottorff
Ranking Minority Member S. Beamer	Charles B. Roll
Representative Virginia Beamer	Representative Charles Roth

Representative Tom Burroughs

HOUSE APPROPRIATIONS

DATE ATTACHMENT

Agency: Governmental Ethics Commission Bill No. HB - -

Bill Sec .- -

Analyst: Caywood McCarthy Analysis Pg. No.

Budget Page No. 475

Expenditure Summary		Agency Estimate FY 08	Re	Governor's ecommendation FY 08	_	House Budget Committee Adjustments
Operating Expenditures:						
State General Fund	\$	548,469	\$	548,469	\$	0
Other Funds		119,135	58	119,135		0
Subtotal - Operating	\$	667,604	\$	667,604	\$	0
Capital Improvements: State General Fund Other Funds Subtotal - Capital Improvements	\$	0 0 0	\$	0 0 0	\$	0 0 0
TOTAL	\$	667,604	\$	667,604	<u>\$</u>	0
FTE Positions Non FTE Uncl. Perm. Pos. TOTAL		9.0	-	9.0	_	0.0
101712	-	9.5	_	9.5	_	0.0

Agency Estimate

The agency estimates FY 2008 operating expenditures of \$667,604, including \$548,469 from the State General Fund. The estimate is an all funds increase of \$8,975, or 1.4 percent, above the amount approved by the 2007 Legislature, and a State General Fund increase of \$8,975, or 1.7 percent, above the approved amount. The increase of \$8,975 is the result of a State General Fund reappropriation from FY 2007. The estimate would fund the currently approved 9.0 FTE positions.

Governor's Recommendation

The Governor concurs with the agency's estimate.

House Budget Committee Recommendation

The House Budget Committee concurs with the Governor's recommendation and makes the following comment:

 The Budget Committee commends the Governmental Ethics Commission for its outstanding financial management in FY 2007, which allowed the agency to save \$8,975 from the State General Fund, resulting in a reappropriation to FY 2008. The Budget Committee encourages this type of fiscal responsibility by all state agencies.

47170~(2/15/8{8:43AM})

Agency: Governmental Ethics Commission Bill No. HB - -

Bill Sec. - -

Analyst: Caywood McCarthy Analysis Pg. No.

Budget Page No. 475

Expenditure Summary	6	Agency Request FY 09	R —	Governor's ecommendation FY 09	House Budget Committee Adjustments*
Operating Expenditures:					
State General Fund	\$	520,526	\$	529,160	\$ (8,634)
Other Funds		158,223		161,223	(3,000)
Subtotal - Operating	\$	678,749	\$	690,383	\$ (11,634)
Capital Improvements:					
State General Fund	\$	0	\$	0	\$ 0
Other Funds	82-14-15-15-15-15-15-15-15-15-15-15-15-15-15-	0		0	0
Subtotal - Capital Improvements	\$	0	\$	0	\$ 0
TOTAL	\$	678,749	<u>\$</u>	690,383	\$ (11,634)
FTE Positions		9.0		9.0	0.0
Non FTE Uncl. Perm. Pos.	V	0.5		0.5	0.0
TOTAL		9.5		9.5	0.0

All of the Budget Committee's recommended reductions are related to pay plan adjustments.

Agency Request

The agency requests FY 2009 operating expenditures of \$678,749, including \$520,526 from the State General Fund. The request is the same as the amount approved by the 2007 Legislature. The request would fund the currently approved 9.0 FTE positions.

Governor's Recommendation

The Governor concurs with the agency request and recommends an additional \$11,634. including \$8,634 from the State General Fund, for a 2.5 percent base salary adjustment for all employees.

House Budget Committee Recommendation

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

- 1. Pay Plan Adjustments. Delete \$11,634, including \$8,634 from the State General Fund, to remove the following pay plan adjustment recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
 - a. **State Employee Pay Increases.** Delete \$11,634, including \$8,634 from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.

47171~(2/18/8{11:00AM})

FY 2008 and FY 2009

HOUSE GENERAL GOVERNMENT BUDGET COMMITTEE

Department of Administration

February 22, 2008

In for	Hochy Fend
Representative Kevin Yoder, Chair	Representative Rocky Fund
KR Lele	
Representative Kasha Kelley, Vice-Chair	Representative Annie Kuether
Representative Harold Lane, Ranking Minority Member Migina B. Beamy Representative Virginia Beamer	Representative JoAnn Pottorff Representative Charles Roth
Representative Tom Burroughs	

HOUSE APPROPRIATIONS

DATE 2-22-2008ATTACHMENT 2

Agency: Department of Administration Bill No. HB Bill Sec.

Analysis Pg. No. Vol. Budget Page No.

Reportable Expenditure Summary		Agency Estimate FY 08	Re	Governor's ecommendation FY 08		House Budget Committee Adjustments
Operating Expenditures:						
State General Fund	\$	56,352,460	\$	56,382,375	\$	0
Other Funds		9,217,000		9,214,000		0
Subtotal - Operating	\$	65,569,460	\$	65,596,375	\$	0
Capital Improvements:						
State General Fund	\$	10,469,355	\$	10,839,525	\$	0
Other Funds		2,199,584		2,199,584		0
Subtotal - Capital Improvements	\$	12,668,939	\$	13,039,109	\$	0
TOTAL	\$	78,238,399	\$	78,635,484	<u>\$</u>	0
FTE Positions		169.1		170.1		0.0
Non FTE Uncl. Perm. Pos.		5.1		5.1		0.0
TOTAL		174.2		175.2		0.0
Nonreportable Expenditure Summary	_	Agency Estimate FY 08	Re	Governor's ecommendation FY 08		House Budget Committee Adjustments
Operating Expenditures:						
Operating Expenditures	\$	82,961,837	\$	82,961,837	\$	0
Capital Improvements		2,242,679		2,242,679		0
TOTAL - All Other Funds	\$	85,204,516	\$	85,204,516	\$	0
FTE Positions		592.5		592.5		. 0.0
Non FTE Uncl. Perm. Pos.		32.0		32.0		0.0
TOTAL	e e	624.5		624.5		0.0

Agency Estimate

The agency's revised request, most notably the carry over of \$2.8 million, all from the State General Fund, due to underspending in FY 2007. Most of that funding is associated with \$2,448,422, all from the State General Fund, for the Statewide Financial Management System (FMS) project. Of the amount carried over, the agency requests expenditures of \$1.8 million in FY 2008, with the remaining \$648,422 shifted to FY 2009. A reduction in federal cash management expenditures totaling \$1.4 million from special revenue fund also is requested, and an increase of \$0.8 million in wireless enhanced 911 grants also is requested.

For capital improvements, the agency requests an increase of \$2,159,234, from special revenue funds, that carried over from FY 2007 for emergency repairs to the Landon State Office Building, and \$37,253, all from the State General Fund, that carried over from FY 2007 for the repair and rehabilitation of state facilities.

The agency requests a shift of 6.4 FTE positions, authorized by the 2007 Legislature, from the nonreportable to reportable budget in the revised FY 2008 request.

The agency requests \$85.2 million, all from special revenue funds, for nonreportable expenditures, including \$83.0 million for operating expenditures and \$2.2 million for capital improvements. Also requested are 592.2 FTE positions in the nonreportable budget.

Governor's Recommendation

The Governor concurs with the revised operating budget and adds \$29,915, all from the State General Fund, for staffing of a proposed pay plan project. The Governor also recommends an additional 1.0 FTE position to assist with the proposed pay plan project. The Governor concurs with expenditure of the carry over funds for two capital improvement projects: \$2,159,234, all from special revenue funds, for Landon, and \$37,253, all from the State General Fund, for repairs to state buildings. In addition, the Governor recommends a supplemental appropriation of \$370,170, all from the State General Fund, for emergency repairs to a Capitol Complex utility tunnel.

The Governor recommends \$85.2 million, all from special revenue funds, for nonreportable expenditures, including \$83.0 million for operating expenditures and \$2.2 million for capital improvements. Also recommended are 592.1 FTE positions in the nonreportable budget.

House Budget Committee Recommendation

The Budget Committee concurs with the Governor's FY 2008 recommendation, including two supplemental appropriations from the State General Fund:

- \$29,915, all from the State General Fund, and 1.0 FTE position for staffing of the five-year implementation of the pay plan project authorized in 2008 HB 2916, and
- \$370,170, all from the State General Fund, for emergency repairs to a Capitol Complex utility tunnel.

Agency: Department of Administration

Bill No.

Bill Sec.

Analyst: Efird

Analysis Pg. No. Vol.

Budget Page No. 13

Reportable Expenditure Summary		Agency Request FY 09	Re	Governor's ecommendation FY 09		House Budget Committee Adjustments*
Operating Expenditures:						
State General Fund	\$	72,243,627	\$	55,277,257	\$	9,576,437
Other Funds		13,440,285		28,345,368		(14,912,379)
Subtotal - Operating	\$	85,683,912	\$	83,622,625	\$	(5,335,942)
Capital Improvements: State General Fund	\$	18,328,768	\$	1,058,690	\$	11,470,000
Other Funds	10/4/00	164,422	•	15,634,422	+	(15,470,000)
Subtotal - Capital Improvements	\$	18,493,190	\$	16,693,112	\$	(4,000,000)
TOTAL	\$	104,177,102	\$	100,315,737	\$	(9,335,942)
FTE Positions		169.4		171.4		(3.0)
Non FTE Uncl. Perm. Pos.		4.9		4.9	0.00	0.0
TOTAL		174.3		176.3	_	(3.0)

Of the Budget Committee's recommended reductions, \$441,140, including \$404,626 from the State General Fund, is related to pay plan adjustments.

Nonreportable Expenditure Summary	-	Agency Estimate FY 08		Governor's commendation FY 08		House Budget Committee Adjustments*
Operating Expenditures:						
Operating Expenditures	\$	90,115,412	\$	91,311,115	\$	(1,540,750)
Capital Improvements		2,591,551		2,591,551	74-20-5	0
TOTAL - All Other Funds	\$	92,706,963	\$	93,902,666	\$	(1,540,750)
FTE Positions		592.2		592.2		0.0
Non FTE Uncl. Perm. Pos.	_	32.1	10	32.1	_	0.0
TOTAL		624.3		624.3	_	0.0

^{*} Of the Budget Committee's recommended reductions, all is related to pay plan adjustments.

Agency Request

The agency requests \$85.7 million, including \$13.4 million from the State General Fund, for operating expenditures. Also requested is enhancement financing of \$15.1 million, including \$9.5 million from the State General Fund. Among the enhancements are the Statewide Financial Management System (FMS) project, public broadcasting, and additional Statehouse Renovation bond payments. The agency requests \$9.7 million for the FMS project, including \$4.2 million from the State General Fund. Enhancement funding for public broadcasting is requested to increase \$3.0 million, all from the State General Fund. The request for Statehouse bond funding is \$2.1 million, all from the State General Fund. Other enhancements are attributed to additional staff in the Long-Term Care Ombudsman's Office and replacement vehicles. The agency requests 2.0 FTE positions for new staff in the Long-Term Care Ombudsman's Office.

For capital improvements, the agency requests \$18.5 million for bond payments principal and other projects. Among the requests are \$3.0 million, all from the State General Fund, for replacing a Capitol Complex utility tunnel and almost \$3.7 million, all from the State General Fund, for other projects in the Capitol Complex, primarily for life safety and fire code remediation.

The agency requests \$90.1 million for nonreportable operating expenditures and \$2.6 million for capital improvements, all from special revenue funds. Also requested are 592.2 FTE positions in the nonreportable budget.

Governor's Recommendation

The Governor recommends an increase of \$18.0 million in the operating budget, including a reduction of \$1.1 million from the State General Fund below the revised FY 2008 recommendation. The Governor substitutes financing that was requested from the State General Fund with funding from the Expanded Lottery Act Revenues Fund (ELARF) for certain items related to debt reduction and infrastructure improvements. The Governor's recommendations include \$13.0 million for enhancements, including \$5.2 million from the State General Fund. The Governor concurs with adding 2.0 FTE positions in the Ombudsman's Office and recommends an additional 2.0 FTE positions for the proposed pay plan project (one of the positions also was recommended in FY 2008). The Governor's recommendation includes salary plan adjustments. Enhancements recommended by the Governor include:

- Financial Management System: \$9,700,000, including \$4,200,000, from the State General Fund;
- Public Broadcasting Grants: \$500,000, all from the State General Fund;
- Long-Term Care Ombudsman: \$138,640, including \$94,978, from the State General Fund, and 2.0 FTE positions;
- Pay Plan Project: \$100,118, all from the State General Fund, and 2.0 FTE positions; and
- Replacement Vehicles: \$54,600, including \$11,600, from the State General Fund.

The Governor recommends a reduction in financing from the State General Fund and the substitution of revenue from the Expanded Lottery Act Revenues Fund (ELARF) for bond payments and capital improvements. The Governor's recommendations would fund three ongoing bond repayments and two new capital improvement projects from the gaming revenues in FY 2009:

Operating Budget (Bond Interest Payments, all from ELARF)

KDOT bond funding: \$9,138,175

Statehouse renovation bond funding: \$5,662,858

Judicial Center bond funding: \$31,170

Capital Improvement Budget (Bond Principal Payments and Projects, all from ELARF)

KDOT bond funding: \$7,010,000

Statehouse renovation bond funding: \$4,390,000

Judicial Center bond funding: \$70,000

• Capitol Complex maintenance project: \$3,000,000

Docking State Office Building renovation planning project: \$1,000,000

New Bonding Authority

Bonding authority for two projects also is recommendation by the Governor. No bond payments are recommended to start in FY 2009

Docking Building renovation bonds: \$96,000,000

Statehouse renovation bonds: \$38,800,000

The Governor recommends \$90.3 million for nonreportable operating expenditures and \$2.6 million for capital improvements, all from special revenue funds. The Governor's recommendation includes salary plan adjustments of \$1.3 million, all from special revenue funds. Also recommended are 592.2 FTE positions in the nonreportable budget.

House Budget Committee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$441,140, including \$404,626 from the State General Fund, to remove the following reportable pay plan adjustments recommended by the Governor. The other part of the funding (\$1,540,750) to

delete is in the nonreportable budget. Pay plan adjustments will be considered in a separate bill (2008 HB 2916).

- a. **State Employee Pay Increases.** Delete \$158,848, including \$144,319 from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment. Another part of the funding (\$689,423) to delete is in the nonreportable budget.
- b. Classified Employee Pay Plan. Delete \$200,383, including \$185,694 from the State General Fund, to remove the amount recommended by the Governor for FY 2009 pay increases for basic vocational classes and for those employees identified as having the most disparity relative to market rate. Another part of the funding (\$544,186) to delete is in the nonreportable budget.
- c. **Longevity Pay.** Delete \$81,909, including \$74,613 from the State General Fund to remove the amount recommended by the Governor for longevity bonus payments. Another part of the funding (\$307,141) to delete is in the nonreportable budget.
- 2. Pay Plan Project Staff. Delete 1.0 FTE position and \$44,562, all from the State General Fund, for a second staff position recommended by the Governor in FY 2009 to assist with the Pay Plan Project that is authorized in 2008 HB 2916. The Subcommittee concurs with the Governor's recommendation for 1.0 FTE position that was added in FY 2008 and continued in FY 2009, with financing of \$55,556, all from the State General Fund. The Subcommittee recommends review of the second position plus funding during Omnibus.
- 3. **Replacement Vehicles**. Delete \$11,600, all from the State General Fund, for one replacement vehicle for the Ombudsman's Office. The Subcommittee concurs with the Governor's recommendation for the nonreportable budget that includes \$43,000, all from special revenue funds, for replacement vehicles in the Division of Facilities Management.
- 4. **Long-Term Care Ombudsman**. Delete \$138,640, including \$94,978 from the State General Fund, and 2.0 FTE positions for additional new staff in FY 2009. The Subcommittee recommends review of the two positions plus funding during Omnibus.
- 5. **Public Broadcasting Funding**. Delete \$500,000, all from the State General Fund, for enhanced formula grant funding in FY 2009. The Subcommittee recommends review during Omnibus of the \$500,000 formula grant enhancement funding and of an additional request for \$2.2 million in equipment grants funding for individual stations.
- 6. Financial Management System (FMS). Delete \$4,200,000, all from the State General Fund, for the new FY 2009 appropriation associated with developing the FMS. The Subcommittee concurs with the Governor's recommendation for reportable expenditures of \$6,148,422, including \$648,422 from the State General Fund, that is recommended for reappropriation from FY 2007 savings. The Subcommittee also concurs with the Governor's recommended nonreportable budget (payments from other state agencies) that includes

\$5,688,434, all from special revenue funds. The Subcommittee's recommendation provides for total FMS expenditures of \$11,836,856, including \$648,422 from the State General Fund, in FY 2009. The Subcommittee recommends review during Omnibus of the additional \$4.2 million in new financing from the State General Fund.

7. **Bond Payments**. Shift financing from the Expanded Lottery Act Revenues Fund (ELARF) to the State General Fund for the following principal and interest payments, with a review during Omnibus of the status of ELARF revenue:

Operating Budget (Bond Interest Payments)

- KDOT bond funding: \$9,138,175
- Statehouse renovation bond funding: \$5,662,858
- Judicial Center bond funding: \$31,170

Capital Improvement Budget (Bond Principal Payments)

- KDOT bond funding: \$7,010,000
- Statehouse renovation bond funding: \$4,390,000
- Judicial Center bond funding: \$70,000
- 8. **Capital Improvement Projects**. Delete financing from the ELARF for the following two projects, and review during Omnibus the following:
 - Capitol Complex maintenance project: \$3,000,000
 - Docking State Office Building renovation planning project: \$1,000,000
- 9. **New Bonding Authority.** Delete authorization for the proposed Docking Building renovation bonds, totaling \$96,000,000, and review at Omnibus. The Subcommittee concurs with the Governor's recommendation for Statehouse renovation bonds totaling \$38,800,000.