

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairperson Rick Billinger at 8:30 am on Tuesday, April 26, 2022, in room 548-S of the Capitol.

All members were present

Committee staff present:

Amy Deckard, Legislative Research Department  
David Wiese, Office of Revisor of Statutes  
Dayton LaMunyon, Legislative Research Department  
Nancy Fontaine, Committee Assistant  
Scott Abbott, Office of Revisor of Statutes  
Steven Wu, Legislative Research Department  
J.G. Scott, Legislative Research Department  
Chardae Caine, Legislative Research Department  
Dylan Dear, Legislative Research Department  
Gabrielle Hull, Legislative Research Department  
James Fisher, Legislative Research Department  
Martin de Boer, Legislative Research Department  
Matthew Moore, Legislative Research Department  
Megan Leopold, Legislative Research Department  
Murl Riedel, Legislative Research Department  
Shirley Morrow, Legislative Research Department  
Victoria Potts, Legislative Research Department

Conferees appearing before the Committee:

Adam Proffitt, Director of the Budget  
Jennifer Flory, State Employee Health Benefits Plan  
Scott Brunner, Kansas Department for Aging and Disability Services  
Doug Jorgensen, State Fire Marshal  
Heather Cessna, Board of Indigents' Defense Services

Others in attendance:

No list available

**Discussion and possible action on the Omnibus Bill**

Chairperson Billinger reopened discussion on the Omnibus items. ([Attachment 1](#))

Department of Administration: GBA No. 2, Item 7 concerning the State Employee Health Plan Reserve Fund.

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Adam Proffitt, Director of the Budget, responded to questions from Committee members.

Jennifer Flory, Interim Director of the State Employee Health Plan, provided information on the Plan in response to questions from Committee members. ([Attachment 2](#))

*Senator Claeys moved, Senator McGinn seconded, adoption of GBA No. 2, Item 7. Motion carried.*

Department of Administration: GBA No. 2, Item 8 concerning the Kansas Resident Tax Rebate.

*Senator Claeys moved, Senator Fagg seconded, to not adopt GBA 2, Item 8. Motion carried.* Senator Hawk and Senator Pettey are recorded as voting no.

Kansas Public Employees Retirement System (KPERs) concerning SB 421--layering payment and supplemental contribution.

Chairperson Billinger passed this item over until the KPERs Board makes a decision on the assumed rate of return.

Kansas Bureau of Investigation (KBI): Forensic Science Lab at Washburn University concerning retiring the bond.

*Senator Claeys moved, Senator Fagg seconded, to pay to retire the bond. Motion carried.* Senator Hawk and Senator Pettey are recorded as voting no.

KBI: SB 366 concerning Kansas Offender Registration

*Senator Claeys moved, Senator Fagg seconded, to add the funding and the FTE. Motion carried.*

Kansas Department of Education: GBA No. 2, Item 10 concerning the Education Consensus Adjustments; Department of Education Budget; and GBA No. 2, Item 11 concerning Special Education Excess Costs.

*Senator Claeys moved, Senator Fagg seconded, to move all three items to the Mega Education Bill that is in the Senate Committee on Education including language that the Committee on Ways and Means recommends these items be considered favorably. Motion carried.*

Legislature: KLISS Modernization Project.

*Senator Claeys moved, Senator Hawk seconded, to add the funding for this project. Motion carried.*

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Larned State Hospital: GBA 2 item 5 concerning Contract Nursing Staffing

Scott Brunner, Deputy Secretary, Kansas Department for Aging and Disability Services (KDADS), responded to questions from Committee members.

Senator Claeys moved, Senator McGinn seconded, adoption of GBA No. 2, Item 5 including language to request ARPA funds but to fund with SGF if ARPA is not approved. Motion carried.

KDADS: Mental Health Bed Expansion in Sedgwick County

Senator McGinn proposed having an interim committee meeting to receive a plan from involved parties. There was consensus to pass over this item for now address again later today.

KDADS: 988 Behavioral Crisis Hotline

Chairperson Billinger clarified that the Committee just needs to create a special revenue fund so if SB 19 passes there is a place for funds to go. Matthew Moore, Kansas Legislative Research Department, responded to questions from Committee members.

Senator Claeys moved, Senator Fagg seconded, to authorize the creation of this fund. Motion carried. Senator Suellentrop is recorded as voting no.

Board of Regents: Deletion of \$20.7 million from the Postsecondary Education Operating Grant.

Senator Claeys moved, Senator Fagg seconded, to maintain the Senate position of deleting these funds.

Senator Hawk moved a substitute motion, Senator Pettey seconded, to add these funds so that universities do not need to raise tuition. Motion failed. Senator Hawk and Senator Pettey are recorded as voting yes.

Back on the original motion by Senator Claeys, motion carried. Senator Hawk is recorded as voting no.

Senator Hawk moved, Senator Pettey seconded, to remove the existing freeze on higher tuition rates while encouraging the universities to not raise tuition. Motion failed. Senator Hawk and Senator Pettey are recorded as voting yes.

Department of Commerce: **House Sub. for SB 347**--Attracting Powerful Economic Expansion Act.

Chairperson Billinger indicated that the Committee just needs to create the account to receive funds.

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Senator Claeys moved, Senator Fagg seconded, to create the account for SB 347. Motion carried.

Kansas Department of Transportation: **SB 313**

Senator Claeys moved, Senator Fagg seconded, to add \$18,120 from the State Highway Fund for SB 313. Motion carried.

Chairperson Billinger called for any additional items that the Committee members may have.

Senator Kerschen distributed a proviso from the Kansas Department of Agriculture requesting funding for three items. The priority right now is on the third item that would provide \$350,000 for a needs assessment to build a new dairy. ([Attachment 3](#))

Senator Kerschen moved, Senator Claeys seconded, to fund \$350,000 for the dairy industry needs assessment. Motion carried.

Senator McGinn proposed one-time funding of \$500,000 to renovate a facility for the People Reaching for Independence and Development of Excellence (PRIDE) Program, which is a Day Support Program for people who are legally blind and have intellectual or developmental disabilities.

Senator McGinn moved, Senator Claeys seconded, to fund \$500,000 for the PRIDE Program. Motion carried.

Senator Pettey distributed a proviso regarding **SB 399** and maternity centers. ([Attachment 4](#))

Senator Pettey moved, Senator Claeys seconded, adoption of the proviso. Motion carried.

Senator Claeys proposed including the State Fire Marshal and Board of Indigents' Defense Services in the 5 percent pay raise. Discussion ensued.

Senator Claeys moved, Senator Fagg seconded, to include the State Fire Marshal's Office and the Board of Indigents' Defense Services in the 5 percent pay raise.

Doug Jorgensen, State Fire Marshal, responded to questions from Committee members and indicated the funds for his office would come from their fee fund with no SGF.

Heather Cessna, Board of Indigents' Defense Services, responded to questions from Committee members.

Back on the motion by Senator Claeys, motion carried.

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Senator Claeys distributed a proviso concerning ARPA funding for Emporia State University, Pittsburg State University, Fort Hayes State University and Washburn University that would require a match from the universities. ([Attachment 5](#))

*Senator Claeys moved, Senator Fagg seconded, adoption of the proviso. Motion carried.*

Senator Claeys indicated that some ARPA funding had been set aside for technical and community college projects. Funding for additional projects has been requested and \$13.6 million would fund all of them.

Chairperson Billinger recessed the meeting at 9:53 am.

Chairperson Billinger reconvened the meeting at 2:37 pm.

Senator Claeys distributed a proviso concerning Community and Technical Colleges. ([Attachment 6](#))

*Senator Claeys moved, Senator Fagg seconded, adoption of the proviso. Motion carried.*

Chairperson Billinger distributed a proviso concerning nursing facilities. ([Attachment 7](#))

*Senator Claeys moved, Senator Fagg seconded, adoption of the proviso. Motion carried.*

Senator McGinn distributed a proviso concerning the discussion this morning on the Sedgwick regional beds. Discussion ensued after which there was agreement to discuss during conference and to add a third minority member. ([Attachment 8](#))

*Senator McGinn moved, Senator Claeys seconded, adoption of the proviso. Motion carried.*

Chairperson Billinger announced that the Omnibus items are inserted into **HB 2510**.

**Final action on: HB2492 — Submitting claims against the state by the joint committee on special claims against the state.**

Chairperson Billinger called for final action on **HB 2492**.

Scott Abbott distributed a document with information concerning **SB 578**, which is the annual statutory conflicts reconciliation bill. ([Attachment 9](#))

*Senator Claeys moved, Senator Fagg seconded, to delete the contents of **HB 2492**, to insert the contents of **SB 578** and to recommend **Senate Substitute for HB 2492** favorably for passage. Motion carried.*

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**Request for bill introductions**

Chairperson Billinger moved, Senator Claeys seconded, introduction of a bill concerning the Board of Regents Deferred Maintenance Program. Motion carried.

Chairperson Billinger adjourned the meeting at 3:00 pm.

**Meeting at the Rail**

Chairperson Billinger called the meeting to order at 5:00 pm and distributed a proviso concerning the Health Care Stabilization Fund Board of Governors. ([Attachment 10](#))

Chairperson Billinger moved, Senator Claeys seconded, adoption of the proviso and to insert it into the Senate Omnibus position. Motion carried.

Chairperson Billinger adjourned the meeting at 5:00 pm.