

SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 159

As Amended by House Committee on
Appropriations

Brief*

SB 159, as amended, would authorize expenditures of \$146,907 from existing resources in FY 2021 to pay the following claims against the State:

- \$924 from the Hutchinson Correctional Facility for damages sustained to the claimant's vehicle by an inmate operating agricultural equipment;
- \$30 from the Hutchinson Correctional Facility for loss of an inmate's property;
- \$20 from the Topeka Correctional Facility for erroneous disposal of an inmate's property;
- \$16,426 from the Kansas Department of Health and Environment—Division of Public Health for the partial reimbursement of expenses incurred to comply with a home health agency licensing regulation, which was later suspended by the agency;
- \$1,946 from the Osawatomie State Hospital for damages sustained to the claimant's vehicle when it was struck by a State-owned vehicle;
- \$2,800 from the Larned State Hospital for the loss of hearing aids when the claimant was moved to a different room;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- \$1,539 from the University of Kansas for personal injury expenses related to a fall;
- \$10,888, all from the Sexually Violent Predator Expense Fund administered by the Attorney General, to reimburse Barton County for legal expenses incurred relating to a sexually violent predator proceeding pursuant to KSA 59-29a04;
- \$1,080 from the Kansas State Legislature for redeemed meal vouchers of student pages that were not presented for payment in the appropriate fiscal year due to the claimant's closure related to the COVID-19 pandemic in calendar year 2020;
- \$2,259 from the Kansas Bureau of Investigation for GPS surveillance services provided in support of a criminal investigation;
- \$1,818 from the Kansas Adjutant General's Department for damages sustained to the claimant's vehicle when it was struck by a State-owned vehicle;
- \$16,001 from the Kansas Department of Wildlife, Parks and Tourism to reimburse a claimant for deer antlers purchased at auction. (The bill also directs the agency to issue a salvage tag to the claimant for the antlers); and
- \$91,177 in motor fuel tax refund claims. Refunds are allowed for taxes paid on fuel used for school buses and off-highway uses, including farming. These refunds go through the claims process if not filed in a timely manner.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the Joint Committee on Special Claims Against the State (Joint Committee).

The bill includes six claims recommended by the Joint Committee to the 2020 Legislature. These claims were not approved for payment by an act of appropriation due to the early departure of the Legislature as a result of the COVID-19 pandemic. These claims were reconsidered by the Joint Committee during the 2020 Interim and again recommended for payment.

During the 2020 Interim, the Joint Committee met three times and, excluding motor vehicle fuel tax refunds, heard 84 claims, of which 72 claims, or 85.7 percent, were filed against the Department of Corrections or specific correctional facilities. Of the 84 claims heard, the Joint Committee recommended payment for an additional 5 claims.

Senate Committee on Ways and Means

In the Senate Committee hearing, no testimony was provided.

House Committee on Appropriations

In the House Committee hearing, no testimony was provided.

The House Committee on Appropriations amended the bill to add a claim to be paid by the Kansas Department of Wildlife, Parks and Tourism for the reimbursement of deer antlers purchased by the claimant at auction. The supporting document submitted stated the deer was illegally poached on the claimant's land, and the associated antlers, which were acquired by the agency during the course of a criminal investigation, were wrongfully sold at private auction. The

House Committee recommended \$16,001 be paid, which was the amount paid by the claimant for purchase of the antlers at auction. Further, the House Committee recommended the agency issue the claimant a salvage tag for the antlers.

Fiscal Information

No fiscal note was prepared by the Division of the Budget on the bill (this is an appropriations bill). The bill, as amended, would pay \$146,907 from existing resources in FY 2021 for claims against the State.

Appropriations; special claims; state agencies