	ApprovedDate	
MINUTES OF THE <u>House</u> COMMITTEE		•
The meeting was called to order by	Bill Bunten Chairperson	at
1:30 xx./p.m. on Tuesday, March		of the Capitol.
All members were present except: Represent	ative King (excused)	
	Legislative Research islative Research isors Office	

3-9-87

Conferees appearing before the committee:

Guest List (Attachment 1)

DEPARTMENT OF EDUCATION, HB 2225

Representative Shriver presented the subcommittee report for FY 1987 and moved that it be adopted. Representative Duncan seconded. Motion carried. Representative Duncan presented the subcommittee report for FY 1988. (Attachment 2).

Sharon Schwartz, Administrative Aide Nadine Young, Committee Secretary

Representative Heinemann moved that the Governor's recommendations be adopted as far as funding the budget for fiscal year 1988 and that a bill be introduced to deal with the subcommittee's desire to establish the 2-year limit. Representative Mainey seconded. For purposes of voting, the motion was divided. Part one of the motion is to fund the recommended \$225,000 that the Governor recommended. The motion failed, 9 having voted in favor and 11 voting against the motion.

Representative Heinemann then offered a second motion to withdraw the \$225,000 from the SDEA and that it be added into the bilingual education program. Representative Lowther seconded.

Representative Solbach offered a substitute motion to take one-half of this amount out of SDEA and the other one-half out of the state general fund. Representative Helgerson seconded. Motion failed.

Representative Shriver moved to appropriate an additional \$53,523 back into the bilingual program and change the limit on funding from two years to three years. Representative Goossen seconded.

Representative Brady moved to appropriate \$112,500 from the state general fund and to raise the funding maximum from 2 to 3 years. Representative Solbach seconded. The motion failed on a vote of 10 in favor and 11 against.

Back on Representative Shriver's motion to add \$53,523 of state general fund money to the bilingual program and change the maximum from 2 to 3 years. The motion carried.

Representative Helgerson moved to leave the SDEA funding formula at 96.0% to fund transportation and to put the \$1,768,000 back into SDEA. It was seconded by Representative Chronister.

Representative Mainey offered a substitute motion to delete Items 1, 2 and 3 under "State Aid and Other Assistance Programs" and adopt the Governor's recommendations. Representative Miller seconded. The motion failed.

Back on Representative Helgerson's motion above to fund transportation aid at 96% and transfer back into SDEA, a vote was taken and the motion failed.

Representative Heinemann moved to delete Paragraph 1 under "Agency Operations" and that the \$72,336 to fund two Education Program Specialist positions be appropriated for the bilingual education program. Representative Chronister seconded.

Unless specifically noted, the individual remarks recorded herein have not

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations, room 514-S, Statehouse, at 1:30 a.m./pxxxon Tuesday, March 3, 19_87

For voting purposes, the motion was divided. On the motion to delete the two positions, the $\underline{\text{motion carried}}$. On the motion to put the \$72,336 into the bilingual education program, the $\underline{\text{motion carried}}$.

Representative Brady moved to delete Item #3 on page 2 from the report. This would delete the addition of \$60,973 from state general fund for travel and subsistence. Representative Guldner seconded. The motion failed on a show of hands vote.

Representative Duncan presented a Minority REport (Attachment 3). This would put back in the budget the \$2,493,925 for categorical aid to special education.

Representative Wisdom offered a substitute motion to appropriate this amount (\$2,493,925) from state general funds rather than taking it from SDEA. Representative Brady seconded. The motion failed.

Back on the <u>original motion to adopt the Minority report</u>, the <u>motion carried</u>. On the bill, <u>Representative Duncan moved that HB 2225</u>, as amended, be recommended favorable for passage. Representative Fuller seconded. <u>Motion carried</u>.

Representatives Chronister, Wisdom and Brady asked to be recorded as voting $\underline{\text{NO}}$.

Committee recessed until 5:00 p.m.

JUDICIAL COUNCIL

Subcommittee concurs with Governor's recommendations with slight adjustment (Attachment 4). Representative Fuller moved that the subcommittee report be amended to include in the report language that the subcommittee concurs with the Governor's recommendation on the FY 1988 subcommittee report.

Representative Ott moved that the subcommittee report, as amended, be adopted. Seconded by Representative Fuller. Motion carried.

CRIME VICTIMS REPARATIONS BOARD

Representative Wisdom presented the subcommittee report for FY 1987 (Attachment 5). Representative Ott presented the subcommittee report for FY 1988 (Attachment 6). Being no discussion, Representative Ott moved and Representative Wisdom seconded for adoption of the reports. Motion carried.

BOARD OF INDIGENTS" DEFENSE SERVICES

Representative Ott presented the report for FY 1987 and Representtive Fuller read the report for FY 1988 (Attachment 7). Being no discussion, Representative Ott moved for adoption of the reports. Representative Wisdom seconded. Motion carried.

Representative Fuller presented the FY 1988 subcommittee report (Attachment 9). Representative Bunten moved that Item #1 on page 2 be removed from the report. He agreed that there is a great deal of pay inequity, however, funds are short and he believes the most important thing at this point is to preserve jobs. He cited the example of other states who have had major layoffs in state jobs. Representative Chronister seconded the motion.

Representative Shriver made a substitute motion, conceptually, that Item 1 of the subcommittee report be removed and that staff be instructed to include this item in the Omnibus Bill so that these items will come back to this committee for further consideration. Representative Dyck seconded. Motion carried.

CONTINUATION SHEET

MINUTES OF THE <u>nouse</u> COMMITTEE ON <u>Appropriations</u>	
room 514-S, Statehouse, at 1:30 xxn./p.m. on Tuesday, March 3	19_8
Representative Ott moved that the subcommittee report for Judicial Branch as amended, be adopted. Representative Fuller seconded. Motion carried.	
On the bill, Representative Heinemann moved that HB 2181 be recommended favorable for passage. Representative Ott seconded. Motion carried.	
Meeting adjourned at 5:45 p.m.	

Date 3/3/87

]	Name	Address	Representing
	White & Hugel	428. S. Blooding	USD 259 - Willia
	Jim Dyk	410 N Empire	() ()
	Wittman	Topata	KISEA
	Non Stumbaugh	Popeka	CVRB
	Supplier	Widdle)	
. (Jehn Bowers	Oskalousa, to	
	Charles Dobson	TOPEKA	KAPE
U	Gretchen Storey		Dir. of Budget
	17 Pon Mula	Topeka	Ed of Inl Def
	Splumi Well	Jone 16	Brogot Division
(John Angels	Manhatta.	TAPS
(Darsey Delimit	Topelor	KIDEA
	Jacque Oakis	- Topelow	KC K-Schools
	Barbara Luff	Topika	Tamilies logither
•	Nong (ferdel	Tapeka	- Parent
	Marlin Jem	haven	- Ku
	Kachand French	Topelia	
	Janel Slade My	Topolin	- PDC
	Gebet & Kannit	- to lake	KSDE
	Dennis Williams	Topela	_ Div B Bulget
	Randy M. Harrell	Tapera	Jadicial Council
	May nie J. Van Buren	Topoka	
	Jerry Sloan		
(Howart Shut		• 1

Agency: Department of Education Bill No. N/A Bill Sec. N/A

Analyst: Rampey Analysis Pg. No. 329 Budget Pg. No. 3-3

Expenditure Summary	Agency Req. FY 87	Governor's Rec. FY 87	Subcommittee Adjustments
All Funds: State Operations Aid to Local Units Other Assistance TOTAL	\$ 9,260,055 712,528,007 8,760,486 \$730,548,548	\$ 9,349,204 692,553,990 9,968,219 \$711,871,413	\$
State General Fund: State Operations Aid to Local Units Other Assistance TOTAL	\$ 4,399,594 632,885,106 135,486 \$637,420,186	\$ 4,274,823 609,604,158 124,532 \$614,003,513	\$ \$
FTE Positions	182.0	182.0	

House Subcommittee Recommendations

 $\overline{\text{FY } 1987}$. The Subcommittee concurs with the recommendations of the Governor, with the following exception:

1. Amend H.B. 2395 in line 0223 to correct a typographical error. The FY 1987 expenditure limitation for Job Training Partnership Act operations should be changed from \$62,222 to \$62,622.

In concurring with the Governor's recommendations, the Subcommittee is endorsing the following supplemental appropriations and expenditure limitation increases that are contained in 1987 H.B. 2395:

- a. a supplemental appropriation of \$1,275,203 for community college credit hour state aid, for a total appropriation of \$21,249,214;
- b. a supplemental appropriation of \$431,008 for community college out-district state aid, for a total appropriation of \$5,999,476;
- c. an expenditure limitation increase of \$20,000 to the Certificate Fee Fund, for a total expenditure of \$317,141;
- d. an expenditure limitation increase of \$4,199,579 to the federal Food Assistance Fund (aid to local units and other assistance), for a total expenditure of \$40,187,315;

- e. an expenditure limitation increase of \$23,731 to the federal Food Assistance Fund (agency operations), for a total expenditure of \$487,315;
- f. an expenditure limitation increase of \$2.2 million to the federal Elementary and Secondary School Aid Fund, for a total expenditure of \$30,850,000;
- g. an expenditure limitation increase of \$20,000 to the federal Education of Handicapped Children Fund (aid to local units), for a total expenditure of \$12,666,399;
- h. an expenditure limitation increase of \$20,000 to the federal Education of Handicapped Children Fund (agency operations), for a total expenditure of \$666,399; and
- i. an expenditure limitation increase of \$5,420 to the federal Job Training Partnership Act Fund (agency operations), for a total expenditure of \$62,622.

Representative J. Santford Duncan Subcommittee Chairperson

Representative Duane Goossen

Représentative Jack Shriver

652.87

Agency: Department of Education Bill No. 2225 Bill Sec. 6

Analyst: Rampey Analysis Pg. No. 329 Budget Pg. No. 3-3

Expenditure Summary	Agency	Governor's	Subcommittee
	Req. FY 88	Rec. FY 88	Adjustments
All Funds: State Operations Aid to Local Units Other Assistance TOTAL	\$ 10,030,970	\$ 9,909,096	\$ 171,477
	753,299,525	734,349,320	(225,000)
	9,290,486	11,037,486	
	\$772,620,981	\$755,295,902	\$ (53,523)
State General Fund: State Operations Aid to Local Units Other Assistance TOTAL	\$ 4,912,118 676,524,525 135,486 \$681,572,129	\$ 4,455,757 646,607,320 125,486 \$651,188,563	\$ 171,477 (225,000) \$ (53,523)
FTE Positions	185.0	182.0	3.0

House Subcommittee Recommendations

 $\overline{\text{FY 1988}}$. The Subcommittee concurs with the recommendations of the Governor, with the following exceptions and comments:

Agency Operations

- 1. Add 2.0 FTE new Education Program Specialist positions to work in the area of accreditation, for a total of \$72,336 to be funded from the State General Fund. (Salaries and benefits for each position are \$31,168, plus a total of \$10,000 for other operating The State Department presently has 2.5 FTE positions expenses.) devoted to ensuring that all of the public schools and all of the accredited nonpublic schools meet state accreditation standards. In the Subcommittee's opinion, that is too few positions to perform this vital function. The lack of sufficient staff limits oversight largely to a paper review in Topeka, while possible violations of accreditation standards may go undetected. The Subcommittee recommends that two additional positions be added and recommends a review of the State Department's performance in accreditation next year to see if stronger measures need to be taken to ensure that schools are meeting state standards.
- 2. Add 1.0 FTE new Education Specialist position to work in the area of health education, for a total of \$38,168 to be funded from the State General Fund. (Salaries and benefits are \$31,168, plus \$7,000 for other operating expenditures.) One of the main

functions of the State Department is to provide technical assistance to school districts. Presently, the only assistance provided by a curriculum specialist in the area of health is provided by a staff person whose other responsibilities include physical education, traffic safety, and driver education. Issues related to health education, which include alcohol and drug abuse, confront students, teachers, and administrators every day. The Subcommittee believes the State Department needs a curriculum specialist devoted exclusively to assisting districts in health-related matters.

- 3. Add \$60,973 from the State General Fund for travel and subsistence, which was requested by the State Department but deleted by the Governor. On the basis of principle, the Subcommittee thinks it is foolish to require the State Department to perform functions that necessarily involve travel, such as providing technical assistance to districts and auditing school records, and then reduce expenditures for travel so that the people who perform these duties cannot leave Topeka. The situation is compounded by the fact that private car mileage rates for FY 1988 will be 20.5 cents which will further stress the travel budget. The Subcommittee recommends that this money be restored.
- 4. The Subcommittee is interested in a number of activities carried out by the State Department that relate to the education and professional development of teachers. In order to evaluate these activities, the Subcommittee requests that the State Department begin compiling information about teacher attrition. The data developed should include information about how many teachers leave Kansas as well as information about how many teachers leave the teaching profession entirely.
- 5. In the interest of consolidating related activities so that they can be more efficiently managed, the Subcommittee requests that the State Department consider moving the precertification of beginning teachers function to the certification, teacher education, and accreditation section, which handles most other matters related to teachers.
- 6. The Subcommittee acknowledges a concern raised by the Kansas-National Education Association (K-NEA) about the use of noncertified personnel in classes that use satellite or tele-net instruction. The classes in question are experimental projects in foreign language instruction that are presently being operated in six locations in the state. The Subcommittee asks that the State Department, in consultation with K-NEA, review the projects and report to the Legislature on or before January 12, 1988 on the certification status of personnel who participate in the programs, a description of how the satellite and tele-net programs are integrated into regular classroom work, and the State Board's assessment of the program's benefits.

State Aid and Other Assistance Programs.

- 1. Reduce general state aid to school districts by \$5,181,210 (from \$457,556,000 to \$452,374,790) and add an equal amount to transportation and special education state aid, as described in items 2 and 3 below.
- 2. Add \$1,768,000 for school district transportation aid, for a total of \$46,415,000. That amount would fund the school district transportation formula at 100 percent, not 96.0 percent as recommended by the Governor. In adding the \$1,768,000 for transportation aid, the Subcommittee recommends that general state aid to school districts be reduced by a corresponding amount. (See item 1 above.)
- 3. Add \$3,413,210 for special education categorical aid, for a total of \$88,994,910. In adding the money to special education aid, the Subcommittee recommends that general state aid to school districts be reduced by a corresponding amount. (See item 1 above.)

The Subcommittee endorses the concept of funding 95 percent of the excess costs of special education, estimated to be \$95,650,127 in FY 1988. However, for purposes of determining state aid payments, the Subcommittee recommends that the following adjustments be made. (The amounts shown below are adjustments to the 95 percent excess cost figure, not to the Governor's FY 1988 recommendation.)

- a. Delete \$456,032 for instruction for homebound students who are not otherwise categorized as exceptional children. (The amount would equate to funding for approximately 32 teaching units.) The Subcommittee maintains it was never the intention of the Legislature to authorize payments of special education categorical aid for children who are temporarily ill or injured who would not otherwise qualify for special education services. The Subcommittee recommends that a proviso be attached to the appropriation for special education that would implement the recommendation. It is not the Subcommittee's intention to prohibit payments for services to homebound students who are qualified to receive special education services.
- b. Delete \$3,705,260, which is the result of counting special education paraprofessionals each as .4 FTE instead of .5 FTE, as is presently the case, for the purpose of special education reimbursement. The Subcommittee recommends that legislation be introduced to make the necessary change in the statutory rate of reimbursement.
- c. Delete \$2,493,925, which is the result of counting special education personnel for reimbursement purposes in selected areas as .5 FTE each instead of 1.0 FTE, as is presently the case. The areas involved are special education personnel who provide special education

services in the following categories: nurse, adaptive physical education, social work, special education instructional material center, counselor, special needs, art therapy, dance/movement/therapy, music therapy/special music education, recreation therapy, and work study/vocational. The Subcommittee recommends that legislation be introduced to make the necessary statutory changes in reimbursement rates.

Reduce state aid for bilingual education by \$225,000, for a total appropriation of \$420,000. It is the Subcommittee's recommendation that state bilingual education aid no longer be paid for a student who has been in a bilingual education program more than (This recommendation affects the payment of bilingual education state aid only. It would not prohibit a district from offering bilingual education services to a student for more than two years.) It is the Subcommittee's position that the bilingual education program is intended to facilitate the transition to regular classroom activities, not serve as a long-term funding alternative to regular instruction conducted in English. tion provided by the Department of Education indicates that two years is the average length of time a student spends in a bilingual education program. The Subcommittee notes that its recommended appropriation of \$420,000 would permit the State Department to fund the program at the statutory maximum of \$150 per student, not the present prorated amount of approximately \$140. The Subcommittee recommends that a proviso be added to the appropriation for bilingual education to implement this recommendation.

In addition, the Subcommittee wishes to monitor the bilingual education program and evaluate alternatives to the present way the program is offered. For that reason, the Subcommittee asks that the State Board of Education, with the cooperation of the Kansas Council on Bilingual Education, conduct a study of bilingual education and present the results of its review to the Legislature on or before January 12, 1988. The study should include an assessment of the two-year limit on bilingual education funding recommended by the Subcommittee, a description of ways in which programs that are more intensive could be offered, and recommendations for funding needed for any potential program changes.

5. Remove the expenditure limitations on all of the federal funds that provide aid and other assistance to local units and other entities. The Subcommittee finds no apparent reason to limit the expenditure of flow-through federal funds that are administered by the State Department. Because of the lack of reliable information about how much federal money will be available each year, the State Department is constantly in the position of asking the Legislature to increase its expenditure limitations for federal funds when additional money is received. A case in point is federal food service funds which will increase by \$4.2 million over what the State Department has estimated for the current year. Since it has been the practice of the Legislature to approve the

requests to increase the expenditure limitations, the Subcommittee recommends that the limitations be removed. The Subcommittee notes that, in the annual process of reviewing the State Department's budget, the Legislature will still have the opportunity to review estimated expenditures of federal funds and remain informed about the amount of federal money that is allocated by the State Department in the form of aid and other assistance.

6. The Subcommittee asks the State Board to change its policy relating to inservice education to permit the expenditure of state funds for approved out-of-state programs whenever suitable programs are not available in Kansas. The Subcommittee believes that the act establishing the inservice education program was intended to promote the professional development of certificated personnel. In some cases, programs to promote that development are not available in Kansas. When that is the case, the Subcommittee thinks the State Board should permit the expenditure of state funds for inservice education programs offered elsewhere, which is not presently the case. In addition, the Subcommittee feels that the State Board's policies on inservice education should be promulgated as rules and regulations.

Other Concerns

1. The Subcommittee calls the Legislature's attention to the fact that, after years of a declining elementary and secondary student population, enrollments are expected to increase for the next few years. According to the State Department, the number of elementary and secondary students, including handicapped three-and four-year-old children, is expected to increase by between 5,000 and 6,000 students each year through FY 1992. (Attached to this report are enrollment projections prepared by the State Department and the Kansas Association of School Boards.)

The Subcommittee notes that a number of agencies need accurate enrollment projections in order to properly plan and deliver their programs. The Subcommittee encourages the Department of Education to consult with and, when appropriate, work with other agencies that make population projections so that projections made by various state agencies are based upon uniform data and similar assumptions whenever possible.

2. The federal Anti-Drug Abuse Act of 1986 authorizes assistance to states to provide drug abuse education and drug prevention programs in elementary and secondary schools. Although the Governor did not include federal money for this program in his recommended budget, it is expected that a drug abuse and drug education program will be presented by the Governor in the form of a Governor's Budget Amendment. Therefore, the Subcommittee wishes to note that consideration of this federal funding could occur later during the 1987 Session.

Representative J. Santford Duncan Subcommittee Chairperson

mane DOUS Representative Duane Goossen

Representative Jack Shriver

652.88

MINORITY REPORT

Mr. Chairman:

I concur with the subcommittee report with the exception of that portion of recommendation 3c which reduces categorical aid to special education by \$2,493,925. I disagree with this proposed reduction in categorical funding for the following reasons:

- 1) The proposed cut does not reduce the **cost** of special education in Kansas but rather reduces **state aid.** Since these services fall under the special education mandate and are now being utilized, districts will have little choice but to transfer an identical sum of money from their general funds.
- 2) The categories proposed for cuts were selected in an arbitrary manner. Because all these categories are eligible for special education reimbursement and are required by the individual education plans (IEP) of the children involved, they are no more or less deserving of a greatly reduced level of funding than any other category of special education.
- 3) The effects of the proposed reduction will not be felt uniformly around the state and will fall most harshly on larger districts and larger special education cooperatives. It seems especially inappropriate to encourage districts to form cooperatives to allow for the more efficient delivery of services and then reduce funding for categories of special education personnel employed to serve this concentrated population of exceptional children.

For these and other reasons, I recommend that the report be amended to restore the sum of \$2,493,925 to special education categorical aid and that a corresponding amount be reduced from general state aid.

Representative J. Santford "Sandy" Duncan

Kansas State Department of Education

Kansas State Education Building
120 East 10th Street Topeka, Kansas 66612-1103

February 25, 1987

TO:

House Subcommittee on Appropriations

Rep. J. Santford Duncan

Rep. Duane Goossen Rep. Jack Shriver

FROM:

Dale M. Dennis, Asst. Commissioner

Division of Financial and Support Services

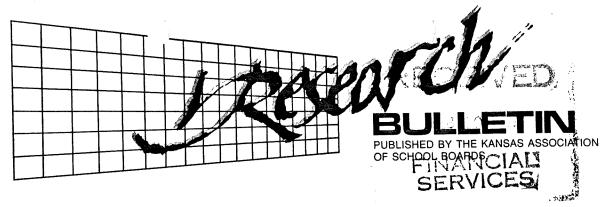
SUBJECT:

Enrollment Projections

Enclosed you will find information prepared by the State Department of Education and the Kansas Association of School Boards concerning enrollment projections.

If you consider the projections and include the additional students as a result of adding three- and four-year old handicapped students, we believe enrollments will increase between 5,000 and 6,000 students over the next five years.

We hope this information will be of assistance to you.



February 1987

Number 3

K-12 ENROLLMENT TRENDS FOR THE STATE OF KANSAS Jim Hays, KASB Research Director

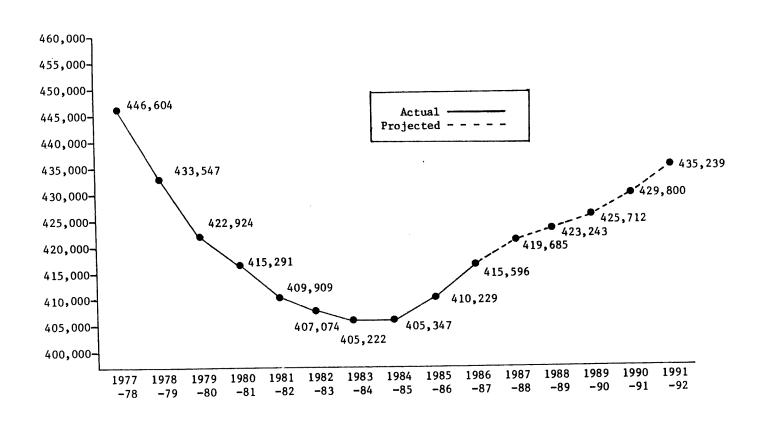


FIGURE 1

ANNUAL HEAD COUNT ENROLLMENT
KANSAS PUBLIC SCHOOLS, 1977-78 through 1991-92

PROJECTION METHOD: The five years of projected enrollments shown on Figure 1 are the result of an analysis of resident live birth information and actual public school enrollments. KASB uses a computer program to develop the relationship of actual resident live births in Kansas to first grade enrollments seven years later. Monthly data for each calendar year is necessary so that "school year" (September through August) birth information can be used. This same computer program analyzes the relationship between enrollments from grade-to-grade for several years — how many first graders become second graders the next year, how many second graders then become third graders, and so on. — and assumes that this historical retention pattern for each grade (1-12) will continue into the future.

This method has a high degree of accuracy, so long as net-migration (students leaving Kansas and students moving to Kansas) of the population remains constant and no other significant forces affect enrollments in the public schools. For example, the January 1985 report predicted total K-12 enrollment to be 410,358 in the 1985-86 school year. Actual enrollment was 410,229, only 129 pupils (.03 of 1%) less than that figure. The January 1986 report predicted total enrollment for 1986-87 of 415,621. Actual enrollment was 415,596, only 25 pupils (.006 of 1%) less.

CONCLUSIONS: Kansas public school enrollment had its most recent year of decline in 1983-84. Since that time, rising birth totals throughout the late 1970's have resulted in higher public school enrollments in grades K-4 in each successive year. Grades 6-9 have slightly declined since 1983-84 and the high school grades have remained fairly constant. These changes have resulted in a growth in total enrollment, and this growth is predicted to continue throughout the five years of this analysis. By the 1991-92 school year total enrollment will exceed the number of pupils in 1978-79.

ADDITIONAL INFORMATION: KASB has available a set of tables which explain in detail the projections made in Figure 1. Table I shows resident live births from school year 1974-75 through 1984-85, by month. Table II depicts the process of projecting first grade enrollment using actual enrollment information and prior birth statistics. Tables III and IV show the calculations of retention ratios for grades K-12 and the predictions of how these grades will grow from 1987-88 through 1991-92, based on these grade-to-grade retention ratios.

Any school board member or administrator may request copies of these tables by calling the KASB Research Director (1-800-432-2471). KASB is available to contract with any school district to make a similar five-year projection of the USD enrollment.



Kansas Association of School Boards 5401 S.W. 7th Avenue, Topeka, Kansas 66606 Nonprofit Organization
U.S. POSTAGE
PAID
PERMIT NO. 104
Topeka, Kansas

ADDRESS CORRECTION REQUESTED

PROJECTED NUMBERS OF THREE- AND FOUR-YEAR-OLD CHILDREN IN KANSAS*

Year	Projected Number of 3-Year Olds	Projected Number of 4-Year Olds	Projected Number of Kindergarten	Projected Number of First Grade
1986-87	38,271	37,568	36,358**	36,162**
1987-88	38,749	38,046	36,592	36,640
1988-89***	38,752	38,049	36,484	36,643
1989-90***	38,644	37,941	35,648	36,535
1990-91***	37,805	37,102	35,640	35,696
1991-92***	37,799	37,096	35,640	35,690

- * The grade progression ratio method is used to calculate projections. This method operates under the assumption that net migration (measures effects of migration and the death rate of the students) will not change dramatically.
- ** Actual headcount enrollments.
- *** Caution must be exercised in using the 1988-1992 estimates because there are no numbers of live births to use in the ratio for calculating three- and four-year-olds.

Source: Program Planning and Evaluation Section, KSDE in cooperation with Jim Hays, Research Director, Kansas Association of School Boards (KASB).

Agency: Judicial Council Bill No. 2181 Bill Sec. 2

Analyst: Mills Analysis Pg. No. 111 Budget Pg. No. 1-45

Expenditure Summary	Agency Req. FY 88	Governor's Rec. FY 88	Subcommittee Adjustments
State Operations: All State General Fund	\$ 228,355	\$ 182,381	\$ (4,000)
FTE Positions	3.0	3.0	

Agency Request/Governor's Recommendation

FY 1987. The agency estimate of \$196,276 is \$13,255 lower than the expenditure level of \$209,531 which was approved by the 1986 Legislature. The bulk of the reductions are found in printing (\$12,183) and salaries (\$5,421) which the agency estimates will be under the approved budget, with an offsetting increase in travel (\$3,644).

The Governor's recommendation for FY 1987 totals \$182,452, which is \$13,824 less than the agency estimate. The reductions occur in salaries and wages (\$2,523), contractual services (\$11,237), and commodities (\$64). The largest single reduction is in printing (\$6,317). The amount of \$13,824 was lapsed from the General Fund appropriation for this agency by 1987 H.B. 2049.

FY 1988. The agency request for FY 1988 of \$228,355 represents a 16.3 percent increase over the current year estimate and would continue the current 3.0 FTE positions and maintain approximately the same number of Council and Advisory Committee meetings as have been held in recent years (55-60). No major program changes are contemplated in the budget request. The agency's FY 1988 request contains funding for publication of a special edition of the Kansas Judicial Council Bulletin containing revised probate forms. Publication of this special Bulletin is deemed necessary because of major changes brought about in the probate area by the enactment of 1985 S.B. 40. The requested funding for this publication totals \$31,575 (\$29,925 for printing, \$850 for postage, and \$800 for handling and envelopes).

The Governor's recommendation for FY 1988 includes a total expenditure of \$182,381, which is a reduction of \$45,974 from the agency request of \$228,355. The largest single area of reduction is in printing (\$36,672). The Governor's recommendation for FY 1988 includes a total of \$4,500 for printing; presumably, no funding is recommended for printing of the special probate forms Bulletin.

House Subcommittee Recommendations

The House Subcommittee concurs with the Governor's recommendations, with the following exceptions:

- 1. The House Subcommittee recommends that a revolving fee fund be established for the Judicial Council for the sale of Judicial Council publications. The House Subcommittee believes that, in light of current budgetary constraints, Judicial Council publications should no longer be distributed free of charge to all registered attorneys. The House Subcommittee recommends that the new revolving fee fund be established as a self-supporting fund to be used to finance printing and distribution of Judicial Council publications. In order to establish the fee fund, the House Subcommittee recommends a loan from the State General Fund of \$30,000, to be repaid when the new fund is self-supporting. The House Subcommittee believes that this recommendation will allow the Judicial Council to more efficiently meet its printing and publications goals.
- 2. In conjunction with item 1 above, the House Subcommittee recommends enactment of 1987 H.B. 2084, which would amend current law to delete the requirement that Judicial Council publications be distributed to all registered attorneys. The House Subcommittee recommends that the Judicial Council develop a system whereby attorneys must request copies of Council publications and pay the established cost for the publications. The House Subcommittee also recommends that H.B. 2084 be amended to authorize the Judicial Council to set and collect fees for its publications.
- 3. The House Subcommittee recommends a reduction of \$4,000 in travel and subsistence, which would result in 45-50 Council and Committee meetings instead of the 50-55 meetings contained in the Governor's recommendation. The House Subcommittee recommends that the proposed study of the Juvenile Code not be conducted.

Representative Bob Ott Subcommittee Chairman

Representative Wanda Fuller

Representative Bill Wisdom

Agency: Crime Victims Reparations Bill No. 2395

Board

Bill Sec. New

Analyst: Mills

Analysis Pq. No. 139

Budget Pg. No. 4-41

Expenditure Summary	Agency Req. FY 87	Governor's Rec. FY 87	Subcommittee Adjustments
All Funds: State Operations Aid to Local Units Other Assistance	\$ 100,504 4,000 786,526	\$ 100,450 4,000 785,368	\$
TOTAL State General Fund:	\$ 891,030	\$ 889,818	\$
State Operations Other Assistance TOTAL	\$ 	\$ 	\$ \$
FTE Positions	3.0	3.0	*

Agency Request/Governor's Recommendation

FY 1987. The FY 1987 approved budget was \$951,255, all of which was from special revenue funds, as follows: Crime Victims Reparations Fund, \$455,040; Protection From Abuse Fund, \$260,399; federal Victims of Crime Assistance Act, \$200,000; and the federal Preventive Health Services Block Grant, \$35,816. The agency revised estimate for FY 1987 totals \$891,030, which is \$60,225 less than the approved budget. The bulk of the underspending is found in the federal Victims of Crime Assistance Act Fund, which has estimated receipts of \$130,800 instead of the \$200,000 budgeted.

The Governor recommends an expenditure of \$889,818 for FY 1987, a reduction of \$1,212 from the agency estimate. These reductions are spread through several object codes. The Governor's recommendations presume an increase in the expenditure limitation on the Crime Victims Reparations Fund from \$453,355 to \$488,104, an increase of \$34,749. This expenditure limitation increase is contained in 1987 S.B. 244.

House Subcommittee Recommendations

The House Subcommittee concurs with the Governor's recommendations for FY 1987, with the following exception:

1. The expenditure limitation increase on the Crime Victims Reparations Fund in FY 1987 was incorrectly placed in S.B. 244. The increase should properly be placed in the House supplemental

bill, H.B. 2395. The House Subcommittee recommends that the provision be deleted from S.B. 244 and placed as a new section in H.B. 2395.

Representative Bob Ott Subcommittee Chairperson

Representative Wanda Fuller

Representative Bill Wisdom

160.87

Agency: Crime Victims Reparations Bill No. 2181

Board

Analyst: Mills Analysis Pq. No. 139 Budget Pg. No. 4-41

Bill Sec. 5

Expenditure Summary	Agency Req. FY 88	Governor's Rec. FY 88	Subcommittee Adjustments
All Funds: State Operations Aid to Local Units	\$ 112,194 4,000	\$ 102,374 4,000	\$
Other Assistance TOTAL	895,466 \$ 1,011,660	762,806 \$ 869,180	\$
State General Fund: State Operations	\$	\$	\$
Other Assistance TOTAL	\$	\$ <u></u>	\$
FTE Positions	3.5	3.0	60° 600

Agency Request/Governor's Recommendations

The agency requests a total of \$1,011,660 for FY 1988, all of which is from special revenue funds. The agency proposes expenditures at the following levels from the various funds: Crime Victims Reparations Fund, \$617.698; Protection from Abuse Fund, \$213,760; federal Victims of Crime Assistance Act, \$102,132; federal Preventive Health Services Block Grant, \$35,816; and the federal Family Violence Prevention and Services Fund, \$42,254. The budget request proposes the addition of a 0.5 FTE position of Office Assistant III (\$7,101 plus benefits), which would increase the agency's authorized FTE positions from 3.0 to 3.5. The agency request presumes that the \$2.00 assessment on docket fees on criminal proceedings credited to the Crime Victims Reparations Fund (K.S.A. 20-362) will be increased to \$3.00 for FY 1988.

The Governor's recommendation for FY 1988 contains a total expenditure of \$869,180, all of which is from special revenue funds. The Governor recommends expenditure of \$464,780 from the Crime Victims Reparations Fund, \$213,766 from the Protection From Abuse Fund, \$35,816 from the federal Preventive Health Block Grant, \$112,564 from the federal Victims of Crime Assistance Act, and \$42,254 from the federal Family Violence Prevention and Services Fund. The Governor does not recommend the addition of the half-time Office Assistant III position. Also, the Governor does not recommend any increase in the docket fee assessment.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendations, with the following additional recommendations:

- 1. The House Subcommittee notes that legislation (S.B. 315) has been introduced to raise the maximum allowable funeral expense award from \$750 to \$1,500. Should this legislation be enacted, the agency projects additional expenditures for claims of \$21,000 in FY 1988. The House Subcommittee recommends that the Senate Committee monitor S.B. 315 to determine the need for additional expenditure authority for the agency.
- 2. The House Subcommittee recommends a new procedure regarding that portion of the federal Preventive Health Services Block Grant which is provided through the Department of Health and Environment to the Board. This funding has, in the past, been a transfer from the Department to the Board each July 1. The House Subcommittee recommends that the Department and the Board enter into a contract for these funds and that the funds be administered as a grant from the Department to the Board. The House Subcommittee believes that a contract/grant procedure would provide for more accountability and oversight on the use of such funding, estimated to be \$35,816 in FY 1988. The House Subcommittee recommends amendment of H.B. 2181 to establish this procedure.

Representative Bob Ott Subcommittee Chairperson

Representative Wanda Fuller

Representative Bill Wisdom

Agency: Board of Indigents'

Defense Services Bill No. 2395 Bill Sec. NEW

Analyst: Mills Analysis Pg. No. 113 Budget Pg. No. 1-125

Expenditure Summary	Agency Req. FY 87	Governor's Rec. FY 87	Subcommittee _Adjustments
State General Fund: State Operations Other Assistance TOTAL	\$ 3,231,459 237,413 \$ 3,468,872	\$ 3,147,791 231,726 \$ 3,379,517	\$ \$
FTE Positions	47.0	46.0	

Agency Request/Governor's Recommendation

FY 1987. The Legislature approved expenditure of \$3,325,266 from the State General Fund during FY 1987 to provide legal services to indigent criminal defendants by public defenders, assigned counsel, and Legal Services for Prisoners, Inc. The Board's FY 1987 revised estimate is \$3,468,872, an amount which is \$143,606 above the approved expenditure level. This revised amount includes \$185,145 which is requested as a supplemental appropriation to provide additional funding for the assigned counsel subprogram (\$179,458) and for Legal Services for Prisoners, Inc. (\$5,687). The amount of \$55,210 of the General Fund appropriation for this agency was lapsed by 1987 H.B. 2049.

The Governor recommends \$3,379,517 for FY 1987, which is \$89,355 less than the agency estimate. The reductions are found in salaries and wages (\$43,358), contractual services (\$36,564), commodities (\$800), capital outlay (\$2,946), and other assistance (\$5,687).

1. Assigned Counsel. The approved expenditure for the Assigned Counsel subprogram for FY 1987 was \$1,620,000. The Board estimates 6,250 claims during FY 1987 at an average cost per claim of \$278, which will require expenditure of \$1,737,500. The Board is requesting a supplemental appropriation of \$179,458 for assigned counsel in FY 1987.

The Governor is recommending an FY 1987 supplemental appropriation of \$151,000 to provide additional funding for this activity in FY 1987.

2. Legal Services for Prisoners, Inc. The Board is also requesting a supplemental appropriation of \$5,687 for an additional 1.5 positions during the current fiscal year to handle the increasing number of referrals from inmates in Kansas correctional institutions to Legal Services for Prisoners, Inc. (LSP). This amount would provide two months' salary for the new positions in the current year.

The agency has withdrawn this request.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation, with the following exception:

1. The FY 1987 supplemental appropriation of \$151,000 was incorrectly placed in S.B. 244. The supplemental should properly be placed in the House supplemental bill, H.B. 2395. The House Subcommittee recommends that the provision be deleted from S.B. 244 and placed as a new section in H.B. 2395.

Representative Bob Ott Subcommittee Chairman

Representative Wanda Fuller

Representative Bill Wisdom

Agency: Board of Indigents'

Defense Services Bill No. 2181 Bill Sec. 3

Analyst: Mills Analysis Pg. No. 113 Budget Pg. No. 1-125

Expenditure Summary	Agency Req. FY 88	Governor's Rec. FY 88	Subcommittee Adjustments
State General Fund: State Operations Other Assistance TOTAL	\$ 3,683,798 280,459 \$ 3,964,257	\$ 3,253,639 240,000 \$ 3,493,639	\$ <u></u> \$
FTE Positions	56.0	46.0	

Agency Request/Governor's Recommendation

 $\overline{\text{FY 1988}}$. The Board's request for FY 1988 totals \$3,964,257, all of which is from the State General Fund. The FY 1988 request represents a 14.3 percent increase above the agency's current year estimate. Most of the increase is attributed to requested new positions, capital outlay requests, and incremental increases in various object codes.

The Governor recommends a total expenditure of \$3,493,639 for FY 1988, a reduction of \$470,618 from the agency request. Reductions are found in salaries and wages (\$301,979), contractual services (\$112,375), commodities (\$4,065), capital outlay (\$11,740), and the grant to LSP (\$40,459).

- 1. New Positions. The Board requests 10.0 FTE new positions, in addition to the 46.0 currently existing. The new positions include: (1) conversion of the existing half-time Accounting Technician in the Administration Office into a full-time position (\$7,706 including fringes); (2) addition of one Public Defender I and an Investigator I in the Topeka Public Defender Office (\$48,487); (3) upgrading the half-time Secretary I in the Junction City Public Defender Office into a full-time position (\$7,544); (4) addition of 2.0 new Public Defender I positions in the Wichita Public Defender Office (\$50,763); (5) addition of 2.0 Public Defender I positions and one Secretary I position in the Appellate Defender Office (\$65,313); and (6) addition of one Public Defender I and one Secretary I to staff a new Satellite Office to be established in Reno County (\$25,877). Funding requested for the new positions totals \$205,690. The Governor does not recommend funding for any of the requested new positions.
- 2. Assigned Counsel. The FY 1988 request for the Assigned Counsel subprogram totals \$1,807,000, an increase of 4.0 percent over the revised estimate for the current year. The Governor recommends FY 1988 expenditures of \$1,727,100 for the Assigned Counsel activity.

- 3. <u>Legal Services for Prisoners, Inc.</u> The FY 1988 request for Legal Services for Prisoners, Inc. (LSP) totals \$280,459, which is an 18.1 percent increase over the revised current year estimate. LSP is a nonprofit corporation organized to provide legal assistance to indigent inmates of Kansas correctional institutions. The Governor recommends \$240,000 for LSP in FY 1988.
- 4. Step Movement for Unclassified Employees. Throughout the budget request, the Board had built in step movement salary increases for most of its unclassified employees. The step increases, similar to those for classified employees, are 2.5 percent increases. A total of \$33,399 is included in the request. The Governor's recommendation includes funding (\$19,742) for an average 1.6 percent salary increase for unclassified positions.
- Reno County Public Defender Office. On September 15, 1986, the approved the creation of a regional public defender office for Reno/Sedgwick counties to be implemented in May, 1987, subject to funding by the 1987 Legislature. The budget request includes funding of \$37,230 for the new office in FY 1988. The Governor's recommendation includes no funding for this proposed new office.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendations for FY 1988, with the following additional observations:

The House Subcommittee was advised of the Board's desire to reclassify two Investigator positions in the Wichita Public Defender Office to the same level as the Investigator positions in the Topeka Public Defender Office. At present, the positions in the Wichita office are three and six ranges, respectively, below the salary ranges of the Investigator positions in the Topeka office. The requested funding for these reclassifications (\$4,704) was not recommended by the Governor. The Subcommittee supports the reclassification of these two positions in order that "in-house" parity may be achieved and urges the Board to seek implementation of the upgrades through savings in other areas.

Representative Bob Ott

Subcommittee Chairman

Representative Wanda Fuller

Agency: Judicial Branch Bill No. -- Bill Sec. --

Analyst: Mills Analysis Pg. No. 124 Budget Pg. No. 1-47

Expenditure Summary	Agency	Governor's	Subcommittee
	Req. FY 87	Rec. FY 87	Adjustments
State Operations: State General Fund Special Revenue Funds TOTAL	\$42,460,065 2,191,117 \$44,651,182	\$41,130,374 2,185,304 \$43,315,678	\$ <u></u> <u>\$</u>
FTE Positions: Appellate Court Justices/Judges District Court Judges Nonjudicial Personnel	14.0	14.0	
	211.0	211.0	
	1,396.5	1,396.5	
TOTAL	1,621.5	1,621.5	

Agency Request/Governor's Recommendation

FY 1987. The FY 1987 approved budget was \$43,157,824, which was composed of \$42,045,787 from the State General Fund and \$1,112,037 of special revenue funds. The revised agency estimate for FY 1987 is \$44,651,182, an amount which is \$1,493,358 above the approved budget. The increase is attributed to: (1) a requested State General Fund supplemental appropriation of \$414,278 for FY 1987 to implement the "clerical study" and to develop a tracking system for personal injury cases; (2) estimated underspending of \$2,000 from the amount budgeted for the Law Library Fund; (3) additional spending of \$1,070,879 from the Child Support Enforcement Contractual Agreement Fund; (4) a \$2,816 grant from the federal Highway Safety Act; and (5) a grant of \$7,385 from the National Council of Juvenile and Family Court Judges.

The Governor recommends expenditure of \$43,315,678 in FY 1987, a reduction of \$1,335,504 from the agency estimate for FY 1987. The reductions are contained in salaries and wages (\$1,060,398); contractual services (\$236,371); commodities (\$18,492); and capital outlay (\$20,243). For FY 1987, the Governor recommends expenditure of \$41,130,374 from the State General Fund and \$2,185,304 from special revenue funds. The amount of \$915,413 of the General Fund appropriation for this agency was lapsed by 1987 H.B. 2049. The Governor's recommendation does not include the \$414,278 of supplemental appropriations requested by the Judicial Branch.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

Representative Bob Ott Subcommittee Chairman

Representative Wanda Fuller

Representative Bill Wisdom

677.87

Agency: Judicial Branch Bill No. 2181 Bill Sec. 4

Analyst: Mills Analysis Pg. No. 124 Budget Pg. No. 1-47

Expenditure Summary	Agency Req. FY 88	Governor's Rec. FY 88	Subcommittee Adjustments
State Operations: State General Fund Special Revenue Funds TOTAL	\$50,916,749 2,329,383 \$53,246,132	\$43,146,427 2,302,182 \$45,448,609	\$ 174,864 9,198 \$ 184,062
FTE Positions: Appellate Court Justices/Judges District Court Judges Nonjudicial Personnel TOTAL	17.0 216.0 1,448.5 1,681.5	17.0 211.0 1,402.5 1,630.5	

Agency Request/Governor's Recommendation

The Judicial Branch is requesting a total of \$53,246,132 for FY 1988, which is composed of \$50,916,749 from the State General Fund and \$2,329,383 from special revenue funds. Included in the FY 1988 request is funding for: (1) an expansion of the Court of Appeals from seven to ten Judges (three judgeships, three Research Attorneys, three judicial secretaries, and one Administrative Assistant), for a net increase of 10.0 FTE (\$405,315 for salaries and \$342,073 for other operating expenditures); (2) a salary increase for each appellate justice and judge and all district court judges of \$11,628 (\$2,158,363); (3) conversion of the Judicial Branch pay plan to the civil service pay plan (\$814,859); implementation of salary upgrades for nonjudicial clerical positions similar those granted to executive branch clerical job classes as a result of the socalled "clerical study" (\$736,248); (5) creation of five new district court judge positions, two judgeships each for Johnson County and Sedgwick County and one for Shawnee County (\$328,191); (6) funding for 45 new nonjudicial personnel positions (\$980,118); (7) funding for reclassification of 49 individual positions in the district courts (\$35,092); (8) salary upgrades for attorney positions in the Judicial Branch (\$107,709); (9) transfer of district magistrate judges from KPERS to the Judges' Retirement System (\$145,558); (10) funding in anticipation of legislative action to require state reimbursement of juror costs of the counties (\$1,400,000); and (11) funding to contract for a statewide mediation program (\$50,000).

The Governor's recommendation for FY 1988 totals \$45,448,609, which is composed of \$43,146,427 from the State General Fund and \$2,302,182 from special revenue funds. The Governor's recommendation for FY 1988 includes funding for: (1) expansion of the Court of Appeals (three Judges, three Research Attorneys, and three judicial secretaries) for a net increase of 9.0 FTE (\$227,975 for salaries and \$56,049 for capital outlay); and (2) funding to provide an average

1.6 percent salary step increase for all nonjudicial personnel in the Judicial Branch, not including judges (\$453,633). The Governor does not recommend funding for the judges' salary increase, conversion to the civil service pay plan, implementation of the "clerical study," new district court judgeships or nonjudicial personnel positions, reclassifications, attorney position salary upgrades, transfer of district magistrate judges from KPERS, jury cost reimbursement, or a statewide mediation program.

House Subcommittee Recommendations

The House Subcommittee concurs with the Governor's recommendations, with the following additional recommendation:

- The House Subcommittee reviewed the budget request of the Judicial Branch with regard to the issue of compensation of nonjudicial The FY 1988 budget request included funding of personnel. \$814,859 to provide for converting the salary ranges in the Judicial Branch pay plan to the civil service pay plan, and additional funding of \$736,248 to provide for implementation of salary upgrades for nonjudicial clerical positions similar to those granted executive branch clerical job classes as a result of the socalled "clerical study." The Governor's recommendations did not include funding for either the pay plan conversion or implementation of the clerical study. The 1986 interim Special Committee on the Court System recommended that "the compensation plan for nonjudicial personnel in the Judicial Branch be modified to reflect parity with the classified civil service pay plan." House Subcommittee strongly endorses the recommendation of the interim committee that the pay disparity between nonjudicial personand executive branch employees be eliminated. The House Subcommittee recommends that funding be provided to allow implementation of the clerical study for Judicial Branch clerical employees beginning with the last quarter of FY 1988. Therefore, the House Subcommittee recommends additional funding of \$184,062 (\$174,864 from the State General Fund and \$9,198 from the Child Support Enforcement Contractual Agreement Fund) to implement the clerical study in the last quarter of FY 1988.
- 2. The House Subcommittee notes that S.B. 9, which would create five new district court judgeships, is under consideration by the 1987 Legislature. The estimated salary cost for a new district court judgeship and support staff is \$110,739 (district judge, \$66,228; administrative assistant, \$18,665; court reporter, \$25,846). The House Subcommittee believes that implementation of the clerical study, even on a limited basis, has a higher priority than the creation of new district judgeships.

Representative Bob Ott Subcommittee Chairman

Representative Wanda Fulle

Representative Bill Wisdom

677.88