

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairman Rochelle Chronister at 5:05 p.m. on March 25, 1994 in Room 514-S of the Capitol.

All members were present except: Rep. Dick Edlund, excused
Rep. Gilbert Gregory, excused
Rep. David Heinemann, excused

Committee staff present: Alan Conroy, Legislative Research Department
Debra Duncan, Legislative Research Department
Paul West, Legislative Research Department
Russell Mills, Legislative Research Department
Pat Mah, Legislative Research Department
Julian Efird, Legislative Research Department
Jim Wilson, Revisor of Statutes
Jerry Cole, Committee Secretary
Sharon Schwartz, Administrative Assistant

Conferees appearing before the committee:

Secretary Susan Seltsam, Department of Administration

Others attending: See attached list

Chairman Chronister opened the hearing on **SB 532**. Secretary Susan Seltsam, Department of Administration, testified in support of the bill. (See Attachment 1). The hearing on the bill was then closed. A letter regarding the bill from Secretary Michael Johnston, Department of Transportation, had been presented to the committee for consideration. (See Attachment 1a). Amendments to the bill had been prepared by the revisor's office. (See Attachment 1b). Rep. Dean made a motion to amend the bill by including the provisions of HB 2573 as amended by the House Committee of the Whole. Rep. Lowther seconded the motion and it carried. Rep. Dean made a second motion to further amend the bill by including the HB 2572, as amended by House Appropriations. Rep. Lowther seconded the motion and it carried. Rep. Dean moved to pass and favorably recommend SB 532 as amended. Rep. Gross seconded his motion and it was carried by the committee.

Secretary Susan Seltsam, Department of Administration, next testified for the hearing on **SB 534** supporting its passage. (See Attachment 2). The hearing was closed. Rep. Gross moved for passage of the bill. His motion was seconded by Rep. Minor and carried.

The committee was to consider subcommittee recommendations for agency budgets contained in **SB 585**. Rep. Carmody read the recommendations for the FY 94 and FY 95 Kansas Parole Board budgets. (See Attachment 3). Rep. Dean made a motion to include the recommendations for the board contained in SB 445. Rep. Lowther seconded the motion and it carried. Rep. Carmody moved adoption of the subcommittee reports as amended, seconded by Rep. Gross and then carried.

Rep. Gross gave the subcommittee recommendations for the FY 94 and FY 95 Civil Air Patrol budgets. (See Attachment 4). Rep. Gross moved to adopt the reports. His motion was then seconded by Rep. Kline and carried by the committee.

FY 94 and FY 95 subcommittee budgetary recommendations for the Emergency Medical Services was read by Rep. Kline. (See Attachment 5). Rep. Gatlin made a motion to strike FY 95 recommendation #1 from the report. The motion failed in spite of Rep. Jennison's second. Rep. Reinhardt moved to appropriate the

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS, Room 514-S of the Capitol, at 5:05 p.m. on March 25, 1994.

\$100,000 in recommendation #1 of the FY 95 report from the State Budget Stabilization Fund. Rep. Everhart seconded the motion and it carried. Rep. Kline made a motion adopting the subcommittee reports as they had been amended, seconded by Rep. Carmody and carried.

Rep. Carmody read the subcommittee FY 94 and FY 95 reports for the Corrections Ombudsman. (See Attachment 6). Rep. Carmody made a motion to adopt the reports. His motion was then seconded by Rep. Kline and carried.

The Kansas Sentencing Commission's FY 94 and FY 95 subcommittee recommendations were given by Rep. Gross. (See Attachment 7). Rep. Gross moved to adopt the reports. The committee carried the motion with Rep. Carmody's second.

Rep. Carmody gave the subcommittee recommendations for the Adjutant General's FY 94 and FY 95 budgets. (See Attachment 8). Rep. Mead moved to appropriate the monies in FY 95 recommendation #1 from the State Budget Stabilization Fund. Rep. Glasscock seconded the motion and it carried. Rep. Carmody made a motion to adopt the reports as they had been amended by the committee. Rep. Kline seconded the motion and it carried with Rep.s Dean and Pottorff dissenting.

Rep. Gross gave the subcommittee's recommendation for the FY 94 and FY 95 Kansas Highway Patrol budgets. (See Attachment 9). Rep. Jennison moved to add a proviso to the bill allowing retiring members of the Patrol to retain their agency issued sidearms at cost to those members. Rep. Kline seconded the motion and it carried. Rep. Gross moved to adopt the reports as amended. Rep. Kline seconded the motion and it was carried by the committee.

Rep. Carmody read the subcommittee reports for the FY 94 and FY 95 Kansas Bureau of Investigation budgets. (See Attachment 10). Rep. Helgerson made a motion to strike recommendation #6 from the FY 95 report. Rep. Mead seconded the motion and it failed. Rep. Carmody moved adoption of the reports. Rep. Kline seconded the motion and it carried.

Rep. Gross gave the recommendations of the subcommittee for the State Fire Marshal's FY 94 and FY 95 budgets. (See Attachment 11 and 11a). Rep. Gross made a motion to adopt the reports. The motion was seconded by Rep. Kline and carried by the committee.

A summary of the subcommittee's systemwide recommendations for the state's youth centers was given by Debra Duncan, Legislative Research Department. (See Attachments 12 & 13). Rep. Allen made a motion to fund the \$750,000 in systemwide recommendation #6 (Community Corrections/Aftercare) from the State General Fund instead of the Budget Stabilization Fund. Rep. Teagarden seconded the motion and it carried. Rep. Kline made a motion to adopt the subcommittee systemwide recommendations as well as the individual youth center FY 94 and FY 95 budgetary recommendations. (See Attachments 14, 15 and 16). Rep. Carmody seconded the motion and it carried.

Rep. Glasscock moved to delete funding for the Kansas Parole Board from the bill. Rep. Everhart seconded the motion and it carried. Rep. Gatlin moved to amend the subcommittee report for the Kansas Highway Patrol by adding that all users of the 800 megahertz radio communications system organize their operations accordingly to collaborate use of the system statewide. Rep. Jennison seconded the motion and it carried. Rep. Pottorff made a motion to pass and favorably recommend **SB 585** as it had been amended by the committee. Rep. Teagarden seconded the motion and it was carried by the committee.

Chairman Chronister told the committee she would accept motions for passage of **SB 528**. Rep. Kline made a motion to add a recommendation of \$75,000 from the State Budget Stabilization Fund for the study of office consolidation in Shawnee county. Rep. Lowther seconded the motion and it carried. Rep. Kline then moved to pass and favorably recommend **SB 528** as it had been amended. Rep. Gross seconded his motion and it carried.

SB 718 was next under consideration by the committee. Paul West, Legislative Research Department, addressed the committee saying the Senate had made amendments to the bill with two additions contained in section 25 of the bill. Rep. Lowther moved to strike section 25 of the bill. Rep. Teagarden seconded the motion and it was carried by the committee. Rep. Carmody moved to pass and favorably recommend the bill as it had been amended. Rep. Gatlin seconded the motion and it carried.

Information had been provided for committee members by staff for their consideration. (See Attachments 17 and 18). No further business appearing before the committee, the meeting was adjourned at 7:35 p.m. The next meeting is scheduled for March 28, 1994.

1994 Appropriation Committee Guest List

1	NAME	ORGANIZATION
2	Russ Frey	KVMA
3	Linda McGill	KSTA
4	David Scott	SRS/YCS
5	Diane Waterworth	Division of the Budget
6	Scott Alisoglu	" "
7	Terry J. Scott	RHP
8	Lonnie McCollum	RHP.
9	Orion Jordan	DefA
10	McMANNING	KHP
11	Elaine Frisbie	Div. of Budget
12	Pat Higgins	D of A
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Fri, Mar 25, 1994

TESTIMONY OF SUSAN SELTSAM
SECRETARY OF ADMINISTRATION
REGARDING SB 532
BEFORE THE HOUSE APPROPRIATIONS COMMITTEE
MARCH 25, 1994

I am appearing today to testify in support of 1994 SB 532 on behalf of the Department of Administration. This bill contains two sections regarding the authority of the Secretary of Administration with respect to the organization of the Department of Administration and to space management functions.

Section 1.

This new section authorizes the Secretary of Administration to transfer powers, duties and functions of any organizational unit within the department to other organizational units within the department. This power to reorganize includes the authority to abolish organizational units and consolidate powers, duties and functions. Any transfer is subject to the approval of the Governor.

--The Department of Administration has a wide variety of functions and responsibilities. Therefore, the flexibility to arrange the organization and distribution of duties and functions within the Department is an appropriate means to ensure that those responsibilities are carried out in an efficient, effective manner.

--Some functions, such as personnel/payroll issues, may involve overlapping areas of responsibilities within the Department's organizational framework. In order to respond to changing needs and technologies, the ability to structure or re-structure the distribution of those responsibilities is an important element of effective management.

--Any reorganization would have to be done within the approved budget, therefore there is no fiscal impact associated with this bill. It is not possible to predict with certainty what savings might be accomplished by any future reorganizations authorized by this bill.

Section 2 and Section 3.

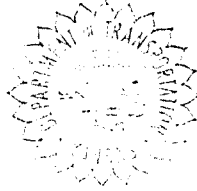
These sections amend K.S.A. 75-3651 and K.S.A. 75-3765 which relate to the authority of the Secretary with respect to space management, including assignment of space and charging rent for space. Amendments to these statutes provide the Secretary with authority to direct any executive branch state agency to occupy space in a particular building, and to establish a system of rental charges and collect rents for property and buildings owned or controlled by the Department of Administration in any part of the state. Currently, this authority is limited to facilities and buildings in Shawnee County.

The consolidation of state offices in Wichita illustrates potential for such projects to provide space for state agencies in a more cost effective manner, to avoid duplication of facility support systems such as conference rooms and telephone systems, and to provide more convenient, efficient services to the public. During FY 1995, it is anticipated that the cost of the Wichita state office building space payments by state agencies will be \$214,674 less than their current lease arrangements.

The Governor has stressed her support of quality management initiatives which focus on providing high quality services, responsiveness to the public and customer satisfaction. Both of these proposed amendments are consistent with the goal of providing sufficient managerial flexibility for the Department of Administration to meet the challenges of responsive government. An amendment added by the Senate Committee of the Whole (New Section 4) requires state agencies to submit to the Division of Budget no later than July 1 of each year budget estimates for all information technology projects estimated to cost \$250,000 or more. Also on July 1 of each year, agencies would be required to submit a five-year information technology plan to the Division of Budget, the Division of Information Services and Communications and Legislative Research.

I ask your support for SB 532 and would welcome any questions you might have.

STATE OF KANSAS



KANSAS DEPARTMENT OF TRANSPORTATION

Michael L. Johnston
Secretary of Transportation

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Joan Finney
Governor of Kansas

March 25, 1994

The Honorable Rochelle Chronister
Chair, House Appropriations Committee
State Capitol
Topeka, Kansas 66612

Dear Representative Chronister:

I would like to present comments on Section four of Senate Bill 532. Section four of the bill requires agencies to submit an information budget request for projects costing \$250,000 followed by an Information Technology Management plan not later than July 1.

Currently the plan, required by the Department of Administration, is done in conjunction with the budget.

Section four has the effect of separating the planning for information technology from our overall budget process. I believe this degrades KDOT's budget process.

If there is a need for a statutory requirement, I would request that the time requirement be consistent with the budget submission.

Thank you for your consideration.

Sincerely,

Michael L. Johnston
Secretary of Transportation

ATTACHMENT 1a

SENATE BILL No. 532

By Committee on Ways and Means

1-19

relating to state agencies;

and

and the acquisition of data processing and the telecommunications equipment, products and services

46-2102, 75-3651, 75-37,102, 75-4705, 75-4706 and 75-4707

11 AN ACT concerning the department of administration, relating to
12 the powers and duties of the secretary thereof; [concerning budget
13 estimates of state agencies relating to information technology pro-
14 jects,] amending K.S.A. 75-3651 and K.S.A. 1993 Supp. 75-3765
15 and repealing the existing sections; also repealing K.S.A. 75-
16 3702h.

17
18 Be it enacted by the Legislature of the State of Kansas:

19 New Section 1. (a) Subject to the limitations of this section, the
20 secretary of administration may organize the department of admin-
21 istration in the manner the secretary deems most efficient. Division
22 heads and employees of the department of administration not within
23 a particular division shall perform such duties and exercise such
24 powers as are prescribed by law and such other duties as the sec-
25 retary of administration may prescribe. Such division heads and em-
26 ployees shall act for, and exercise the powers of, the secretary of
27 administration to the extent authority to do so is delegated by the
28 secretary of administration.

29 (b) Subject to the provisions of subsections (a) and (c), personnel
30 of each division of the department of administration shall perform
31 such duties and shall exercise such powers as the head of the division
32 may prescribe and shall perform such duties and shall exercise pow-
33 ers as are prescribed by law. Personnel of each division shall act
34 for, and exercise the powers of, their division head to the extent
35 the authority to do so is delegated by the division head.

36 (c) Whenever any power, duty or function is designated by stat-
37 ute to be carried out by a particular organizational unit or employee
38 within the department of administration, the secretary of adminis-
39 tration is authorized to transfer any such power, duty or function to
40 any other organizational unit or employee within the department.
41 Included within the secretary's authority to reorganize the depart-
42 ment is the authority to abolish organizational units and consolidate
powers, duties and functions of such organizational units. Transfers

1 and reorganization pursuant to this subsection (c) shall be subject to
2 the approval of the governor.

3 ~~(d) The secretary of administration shall report on or before~~
4 ~~December 31, 1994, and annually thereafter, to the joint committee~~
5 ~~on state building construction concerning any organization or re-~~
6 ~~organization of the department of administration undertaken pur-~~
7 ~~suant to authority granted to the secretary by this section. The report~~
8 ~~shall describe any organization or reorganization of the department~~
9 ~~of administration undertaken by the secretary pursuant to this sec-~~
10 ~~tion and state the reasons for the organization or reorganization.~~

11 Sec. 2. K.S.A. 75-3651 is hereby amended to read as follows:
12 75-3651. (a) Within the limits of appropriations and other funds
13 available therefor, the secretary of administration shall have: (1) The
14 power to the power to:

15 ~~(a)~~ (1) Modify and equip the property described in K.S.A. 75-
16 3648, and amendments thereto; ~~(2) the power to~~

17 ~~(b)~~ (2) make contracts of every nature necessary or convenient
18 for the orderly accomplishment of the acquisition, development and
19 management of the property; ~~(3) the power~~

20 ~~(c)~~ (3) to permit the use of the property by any state agency or
21 others, enter into agreements therefor and to fix and alter charges
22 for use of the property in such amounts as the secretary may de-
23 termine as beneficial or necessary; ~~(4) the power to~~

24 ~~(d)~~ (4) assume leases entered into by executive branch state
25 agencies, or enter into leases on behalf of executive branch state
26 agencies; ~~(5) the power to~~

27 ~~(e)~~ (5) sublet any premises leased by executive branch state agen-
28 cies to any executive branch state agency or others and to establish
29 accounting procedures and accounts deemed necessary for the effi-
30 cient exercise of such power; ~~(6) the power to~~

31 ~~(f)~~ (6) direct any executive branch state agency or agencies pres-
32 ently housed in publicly or privately owned office space in Shawnee
33 county, other than buildings or property specifically exempted under
34 K.S.A. 75-3765, and amendments thereto, from the provisions of
35 K.S.A. 75-3765, and amendments thereto, to occupy space in the
36 building acquired under this act, or other space in Shawnee county
37 made available by the secretary of administration, and to assess a
38 charge therefor subject to funding being available in appropriations
39 or other funds; ~~(7) the power to~~

40 ~~(g)~~ (7) accept grants or gifts from any person, firm, association
41 or corporation, the federal government or any of its agencies and to
42 enter into contracts or other transactions with any federal agency in
43 connection therewith; ~~(8) the power to and~~

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1 ~~(4)~~ (8) do all things and acts necessary or convenient to carry
2 out the powers granted to the secretary of administration by this act
3 or any other acts, except that the secretary of administration shall
4 have no power at any time, or in any manner, to pledge the taxing
5 power or credit of the state except as authorized by K.S.A. 75-3649
6 or 75-3653, and amendments thereto.

7 (b) *The secretary of administration shall report on or before*
8 *December 31, 1994, and annually thereafter, to the joint committee*
9 *on state building construction concerning any actions taken by the*
10 *secretary pursuant to authority granted to the secretary under this*
11 *section. The report shall describe the action taken and the statutory*
12 *authority authorizing such action.*

13 Sec. 3. K.S.A. 1993 Supp. 75-3765 is hereby amended to read
14 as follows: 75-3765. The secretary of administration shall assign space
15 and facilities in all state owned or operated property or buildings in
16 Shawnee county, Kansas, except the state capitol, Topeka correc-
17 tional facility, the Kansas neurological institute, the youth center at
18 Topeka, the employment security administrative office building, 401
19 Topeka avenue, Kansas state employment service building, 1309
20 Topeka avenue, the Topeka state hospital, state highway shops and
21 laboratory and property of the Kansas national guard, for the use of
22 the various state agencies and may determine, fix and establish a
23 system of rental charges by the square foot and collect the same
24 monthly for space and facilities occupied by each state agency when-
25 ever any appropriation for rental for space and facilities is made
26 therefor, in an amount not to exceed the amount appropriated. *The*
27 *secretary of administration also may assign space and facilities, de-*
28 *termine, fix and establish a system of rental charges and collect rents*
29 *for property and buildings owned or controlled by the department*
30 *in other parts of the state.* The amounts collected shall be remitted
31 by the secretary of administration to the state treasurer and the state
32 treasurer shall deposit such amounts in the state treasury to the
33 credit of the building and ground fund, except that amounts collected
34 for space and facilities in the state office building located between
35 Ninth, Tenth, Harrison and Topeka streets shall be deposited in the
36 state treasury to the credit of the fund provided in K.S.A. 75-3615,
37 and amendments thereto. Notwithstanding the other provisions of
38 this section, *the* charge for and deposit of rentals for the buildings
39 and properties to which K.S.A. 75-3629 to 75-3647, and amendments
40 thereto, apply shall be in compliance with such statutes.

41 *The secretary of administration shall report on or before December*
31, 1994, and annually thereafter, to the joint committee on state
building construction concerning any actions taken by the secretary

1 pursuant to authority granted to the secretary under this section.
2 The report shall describe the action taken and the statutory authority
3 authorizing such action.

4 [New Sec. 4. (a) Whenever a state agency proposes an infor-
5 mation technology project, or any revision thereof, estimated to cost
6 \$250,000 or more, such state agency shall prepare an information
7 technology budget estimate to be submitted to the division of the
8 budget in such form as may be required by the director of the
9 budget and this section. Such state agency shall prepare and include
10 as a part of such information technology budget estimate a written
11 program statement describing the project. Such program statement
12 shall: (1) Include a detailed justification for the project including
13 an analysis of the programs, activities and other needs and intended
14 uses for the acquisition and an analysis of the alternative means by
15 which such project could be satisfied; (2) request appropriations for
16 the project in the three phases of preliminary planning, development,
17 and implementation; (3) describe in detail each such phase of the
18 project; and (4) include cost estimates for personnel, hardware,
19 software, consultant services, telecommunications, commodities and
20 other items necessary for the project.

21 (b) Not later than July 1 of each year, such state agency shall
22 submit to the division of the budget a copy of such information
23 technology budget estimate, and all amendments and revisions
24 thereof, and at the same time such state agency shall submit copies
25 of such information technology budget estimate, and all amendments
26 and revisions thereof, directly to the division of information systems
27 and communications, and to the legislative research department.

28 (c) Not later than July 1 of each year, each state agency sub-
29 mitting such budget estimates shall prepare and submit to the division
30 of the budget, to the division of information systems and commu-
31 nications and to the legislative research department copies of a five-
32 year information technology management plan which shall set forth
33 the current and future plans for the next five ensuing fiscal years
34 for that state agency in such form and containing such additional
35 information as prescribed by the secretary of administration.]

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New Sec. 5. (a) As used in this section:

H.B. 2572

(1) "Acquisition" includes any leasing, causing to be leased, purchasing, contracting for, issuing a letter of intent to contract for, or causing to be installed;

(2) "data processing or telecommunications system development project" means any project undertaken to establish, develop, replace or modify any data processing or telecommunications system for one or more state agencies which includes the acquisition, development, replacement, modification, installation, programming or reprogramming of any data processing or telecommunications equipment, products or services, or any combination of such activities for such purpose;

(3) "equipment" includes all computers and other data processing units and auxiliary equipment and all telecommunications equipment;

(4) "needs analysis" means a written report reviewing a proposed acquisition of data processing or telecommunications equipment, products or services or a proposed data processing or telecommunications system development project;

(5) "person" means any individual, corporation, partnership, association or other entity;

(6) "products" includes all computer, data processing and telecommunications programs and systems and does not include any operations or maintenance supplies;

(7) "services" includes all services that may be required for a data processing or telecommunications system development project, including operating, maintaining, programming, planning, analyzing and consulting services, and includes any of such services that may be required for the data processing or telecommunications operations of a state agency;

(8) "state agency" has the meaning ascribed thereto by K.S.A. 75-3701 and amendments thereto; and

(9) "telecommunications" has the meaning ascribed to telecommunications services by

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K.S.A. 75-4710 and amendments thereto.

(b) No person who conducts a needs analysis for any state agency shall submit a bid to provide any data processing or telecommunications equipment, products or services or a bid to provide the whole or any part of a data processing or telecommunications system development project which equipment, products, services or project was recommended by the needs analysis conducted by such person, unless the director of purchases determines that such person is the only available source in the marketplace for the equipment, products, services or project.

(c) The provisions of this section shall not apply to the acquisition of any data processing or telecommunications equipment, products or services or the acquisition of all or any part of a data processing or telecommunications system development project for a state agency if the estimated costs of the acquisition and all related costs associated therewith do not in the aggregate exceed \$50,000 for any fiscal year or \$250,000 for the entire acquisition.

New Sec. 6. Except as otherwise provided therein, as used in sections 6 through 9 and amendments thereto:

H.B. 2573

(a) "Acquisition" includes any leasing, causing to be leased, purchasing, contracting for, issuing a letter of intent to contract for, or causing to be installed;

(b) "advance planning document" means a written report which includes the information specified under section 4 and amendments thereto.

(c) "data processing or telecommunications system development project" means any project undertaken to establish, develop, replace or modify any data processing or telecommunications system for one or more state agencies which includes the acquisition, development, replacement, modification, installation, programming or reprogramming of any data processing or telecommunications equipment, products or services, or any combination of such activities for such

purpose;

(d) "equipment" includes all computers and other data processing units and auxiliary equipment and all telecommunications equipment;

(e) "products" includes all computer, data processing and telecommunications programs and systems and does not include any operations or maintenance supplies;

(f) "services" includes all services that may be required for a data processing or telecommunications system development project, including operating, maintaining, programming, planning, analyzing and consulting services, and includes any of such services that may be required for the data processing or telecommunications operations of a state agency;

(g) "state agency" has the meaning ascribed thereto by K.S.A. 75-3701 and amendments thereto, except that "state agency" does not include any university under the jurisdiction and control of the state board of regents; and

(h) "telecommunications" has the meaning ascribed to telecommunications services by K.S.A. 75-4710 and amendments thereto.

New Sec. 7. (a) Subject to the provisions of this act, prior to acquisition of any data processing or telecommunications equipment, products or services, or any combination thereof, for any state agency or for a data processing or telecommunications system development project, the state agency or state agencies for which such acquisition is proposed or for which the data processing or telecommunications system development project is to be undertaken, shall prepare a written advance planning document which has been approved by the secretary of administration. Each advance planning document for a data processing or telecommunications system development project shall be in writing and shall include the information specified under section 4. The secretary of administration shall adopt specific cost thresholds for requisitions and projects for which written advance planning documents will be required.

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(b) Each such advance planning document shall be submitted to the secretary of administration for review and approval. If the secretary of administration finds that an advance planning document is incomplete or has not otherwise been prepared as required pursuant to this act, it shall not be approved until the deficiencies have been corrected.

(c) The secretary of administration shall prescribe guidelines, standards, policies and procedures for advance planning documents for acquisition of data processing equipment, data processing products or data processing services, or any combination thereof, or for data processing or telecommunications system development projects and for the conduct, monitoring and evaluation of the data processing or telecommunications system development projects.

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(d) The secretary of administration shall monitor the activities and performance of state agencies, vendors, service providers, consultants and all other entities involved in each data processing or telecommunications system development project and may stop all or any part of any work under the data processing or telecommunications system development project if the secretary determines such work does not comply with requirements under contracts entered into therefor. At least quarterly, the state agency shall report to the secretary of administration the progress of the data processing or telecommunications system development project until the time the project is completed. If the secretary of administration stops all or any part of any work under a data processing or telecommunications system development project, the secretary may suspend or withhold payments for such work in accordance with such contracts.

(e) The secretary of administration shall adopt rules and regulations in accordance with the provisions of K.S.A. 75-3706 and amendments thereto prescribing specific cost thresholds for acquisitions and projects for which an advance planning document will be required and

for the administration of this section.

(f) The provisions of this section shall not apply to the universities under the jurisdiction and control of the state board of regents.

New Sec. 8. (a) Prior to any acquisition of any data processing or telecommunications equipment, products or services by a state agency, including contracting for any data processing or telecommunications system development project, the state agency shall present each such proposed acquisition, including the data processing and telecommunications budget estimates and an advance planning document prepared therefor, to the joint committee on computers and telecommunications as a condition precedent to such acquisition. No state agency shall enter into any contract or other commitment of moneys for the acquisition of any data processing equipment, data processing products or data processing services, or any combination thereof, including contracting for any data processing or telecommunications system development project, for that state agency or any other state agency until the expiration of 30 days after such proposed acquisition has been presented to the joint committee on computers and telecommunications under this section.

(b) Any contract entered into on or after the effective date of this act by any state agency for acquisition of any data processing or telecommunications equipment, products or services without such proposed acquisition first being presented to the joint committee on computers and telecommunications in accordance with this section and any such contract which is entered into after such presentation but prior to the expiration of the thirty-day period prescribed by this section are void.

(c) The provisions of subsections (a) and (b) shall not apply to the acquisition of any data processing or telecommunications equipment, products or services by a state agency if:

(1) The estimated costs of the acquisition

and all related costs associated therewith do not in the aggregate exceed \$50,000 for any fiscal year or \$250,000 for the entire acquisition; or

(2) the secretary of administration determines the acquisition is necessary due to the occurrence of an emergency situation and a delay in making such acquisition due to the thirty-day period prescribed by subsection (a) would be detrimental to the efficient operation of state business. Any waiver under this subsection shall be reported to the chairperson of the joint committee on computers and telecommunications.

(d) The provisions of this section shall not apply to the universities under the jurisdiction and control of the state board of regents.

New Sec. 9. An advance planning document for the proposed acquisition of data processing or telecommunications equipment, products or services or a proposed data processing or telecommunications system development project shall include, but is not limited to, the following:

(a) A summary of what the agency is proposing. A brief statement of the current business and technical environment and how the proposed acquisition fits into the current environment and the agency's information technology plan. The expected useful life of the equipment, products or services being acquired in relation to the agency's growth plans from both an organizational standpoint and automation growth projection standpoint.

(b) A detailed explanation of the current situation within the agency that has resulted in the proposed acquisition.

(c) If software is to be acquired, the technical specifications of the proposed software acquisition including the impact of the data processing resource requirements upon the existing hardware configuration.

(d) The analysis results regarding the agency's automation growth projections combined with the proposed acquisition and an analysis of length of time the existing configuration

will be sufficient for the agency's processing.

(e) Training required due to the acquisition, including the training, cost, schedule and provider.

(f) The detailed cost of the proposed acquisition elements and their association to the agency's budget.

(g) Implementation issues or costs, or both, associated to or caused by the proposed acquisition, including installation, conversions and impact upon human resources.

(h) An analysis of related savings, tangible and intangible, and benefits, including what the agency will be able to accomplish if the acquisition is allowed to proceed in services to the public and programs. The savings and benefits should be stated as precisely as possible and in such a manner that they may be audited at a later time.

(i) An analysis of all alternatives that were considered to fulfill the acquisition. This analysis shall include the comparison criteria and analysis used to weight and contrast the cost and benefit analysis of the alternatives. An explanation in detail of what the final selection is and the reasons that alternative was chosen.

(j) A detailed explanation of the project implementation plan, including the schedule for completion of implementation, with internal and external agency responsibilities.

(k) The method by which any equipment or products acquired will be maintained after implemented.

(l) If contractual services are part of the acquisition, the final version prior to signature of the agreement between the agency and the contractual services provider should be included. The agency shall certify that the contractual services provider understands the technical environment within which the tasks are to be performed and that the contracting agency and service provider have reviewed all applicable processing standards prior to work commencing.

(m) The provisions of this section shall not apply to the universities under the

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jurisdiction and control of the state board of regents.

Sec. 10. K.S.A. 46-2102 is hereby amended to read as follows: 46-2102. In addition to other powers and duties authorized or prescribed by law or by the legislative coordinating council, the joint committee on computers and telecommunications shall:

(a) Study the use by state agencies and institutions of computers, telecommunications and information technologies;

(b) review new governmental computer hardware and software acquisition, information storage, transmission, data processing and telecommunications technologies, including the costs and financing thereof, and proposed acquisitions of data processing or telecommunications equipment, products or services, or any combination thereof or any contracts for outsourcing of any data processing or telecommunications services or projects, and data processing or telecommunications system development projects by state agencies and institutions, including the data processing and telecommunications budget estimates ~~for implementation of the same~~ and advance planning documents prepared therefor, and make recommendations thereon to the ways and means committee of the senate and the committee on appropriations of the house of representatives;

(c) study the progress and results of all newly implemented governmental computer hardware and software, information storage, transmission, processing and telecommunications technologies of state agencies and institutions; and

(d) ~~make an annual report to the legislative coordinating council as provided in K.S.A. 46-1207 and amendments thereto~~ and such special reports to committees of the house of representatives and senate as are deemed appropriate by the joint committee.

Sec. 11. K.S.A. 75-37,102 is hereby amended to read as follows: 75-37,102. (a) Upon request of the chief administrative officer of a state agency and subject to the approval of

the secretary of administration, the director of purchases may convene a procurement negotiating committee to obtain services or technical products for the state agency.

(b) Each procurement negotiating committee shall be composed of:

(1) The director of purchases, or a person designated by the director;

(2) the chief administrative officer of the state agency desiring to make the procurement, or a person designated by the officer; and

(3) the secretary of administration, or a person designated by the secretary.

(c) The negotiating committee is authorized to negotiate for the procuring state agency contracts with qualified parties to provide services or technical products needed by the state agency.

(d) Prior to negotiating for the procurement, a notice to bidders first shall be published in the Kansas register. Upon receipt of bids or proposals, the committee may negotiate with one or more of the firms submitting bids or proposals and select from among those submitting such bids or proposals the party to contract with to provide the services or technical products.

(e) Contracts entered into pursuant to this section shall not be subject to the provisions of K.S.A. 75-3738 through 75-3740a and amendments thereto. Meetings to conduct negotiations pursuant to this section shall not be subject to the provisions of K.S.A. 75-4317 through 75-4320a and amendments thereto. The director of purchases shall submit a report at least once in each calendar quarter to the legislative coordinating council and the chairpersons of the senate committee on ways and means and the house of representatives committee on appropriations of all contracts entered into pursuant to this section.

(f) Nothing in this section shall be construed as requiring either negotiations pursuant to this section or bids pursuant to K.S.A. 75-3739 and amendments thereto for the procurement of professional services or

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services for which, in the judgment of the director of purchases, meaningful specifications cannot be determined.

(g) A procurement negotiating committee may be convened for acquisition of any data processing or telecommunications equipment, products or services, or any combination thereof, or for a data processing or telecommunications system development project only if an advance planning document has been prepared and approved therefor under section 7 and amendments thereto. All negotiations for any such acquisition or data processing or telecommunications system development project shall be based upon specifications prepared in accordance with the advance planning document and approved by the secretary of administration. The words and phrases used in this subsection have the meanings ascribed thereto by section 6 and amendments thereto. The provisions of this subsection shall not apply to the universities under the jurisdiction and control of the state board of regents.

Sec. 12. K.S.A. 75-4705 is hereby amended to read as follows: 75-4705. (a) Central processing of data by computer, for all divisions, departments and agencies of the state shall be performed by the division of information systems and communications, under the supervision of the secretary of administration. No other division, department or agency of the state shall perform central processing computer functions or control or possess any central processing unit of a computer, except as otherwise provided in this section.

(b) With the approval of the secretary of administration and subject to the provisions of sections 7 and 8 and amendments thereto, any division, department or agency of the state may possess and operate central processing units of a computer if the same are adjunct to the central processing computer unit or units of the division of information systems and communications.

(c) Data to be centrally processed by the

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division of information systems and communications shall be prepared for such processing by the division, department or agency of the state requesting the same to be processed in accordance with rules and regulations adopted by the secretary of administration as provided in K.S.A. 75-4703 and amendments thereto. Programs for processing the data of any division, department or agency of the state shall be prepared by such division, department or agency of the state in accordance with standards prescribed by rules and regulations adopted by the secretary of administration as provided in K.S.A. 75-4703 and amendments thereto. Notwithstanding the other provisions of this subsection, the division of information systems and communications shall prepare data or programs, or provide technical consultation, when a division, department or agency of the state requests such service of the division of information systems and communications and the director of information systems and communications, subject to the approval of the secretary of administration, agrees thereto.

(d) Subject to approval by the secretary of administration, the division of information systems and communications shall prepare and maintain a comprehensive plan to implement the statutes requiring central processing of data by the division of information systems and communications. The comprehensive plan, and all amendments thereto and revisions thereof, shall be presented to the joint committee on computers and telecommunications. In accordance with the comprehensive plan approved by the information systems policy board pursuant to K.S.A. 75-4708 and amendments thereto, the director of information systems and communications, subject to approval by the secretary of administration, shall determine all data processing programs, contract services and new data processing positions needed by any division, department or agency of the state. Subject to approval by the secretary of administration, the director of information systems and communications shall establish data

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processing standards to be used by the divisions, departments and agencies in the state and shall audit the activities of these units to assure compliance with the standards as well as with generally accepted principles of data processing practice. Such audits shall be conducted annually covering data processing applications, systems development and information processing facilities. The director of information systems and communications, under the supervision of the secretary of administration, shall review the data processing budget requests submitted by all divisions, departments and agencies annually and submit recommendations to the division of the budget as to the technical and management merit of the requests. In making such recommendations the director shall consider the following factors: (1) Whether the request is consistent with the comprehensive plan approved under this subsection; (2) whether the request is consistent with present and future needs of the state; (3) the current ability of the state or agency thereof to meet the system demands intended to be satisfied by the request; (4) the reasonably foreseeable future demands on the current system, if any, affected by the request; (5) the economic benefits or adverse impact of recommending the request; (6) alternate methods of meeting the system demands intended to be satisfied by the request; (7) the adequacy of the plan for integration of the requested project into the current system; (8) the availability of resources necessary to finance the request; and (9) such other factors as the director deems relevant.

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(e) This section shall not apply to the universities under the jurisdiction and control of the state board of regents.

Sec. 13. K.S.A. 75-4706 is hereby amended to read as follows: 75-4706. (a) No state agency, as defined in K.S.A. 75-3701 and amendments thereto, shall lease, cause to be leased, purchase, contract for, issue a letter of intent to contract for or cause to be installed, any data processing equipment or

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services, including auxiliary equipment or any data processing programs or, systems or services, without the prior approval of the secretary of administration or specific legislative authorization and the prior preparation and approval of an advance planning document under section 7 and amendments thereto. The director of accounts and reports shall not issue any warrant in payment for any lease or purchase contract for any data processing equipment, programs and, systems and services acquired without such prior approval or authorization. Each such approval or authorization is subject to the provisions of sections 7 and 8 and amendments thereto.

(b) All specifications for bids for acquisition of the data processing equipment, including auxiliary equipment and data processing programs and systems, shall be prepared subject to review by the director of information systems and communications, under the supervision of the secretary of administration. This subsection shall not apply to universities under the jurisdiction and control of the state board of regents or to the Kansas lottery.

Sec. 14. K.S.A. 75-4707 is hereby amended to read as follows: 75-4707. Notwithstanding the provisions of K.S.A. 75-3738 and 75-3739 and amendments thereto, state agencies using data processing equipment under lease are hereby authorized to enter into contracts with leasing service companies for purchase by the agency of such equipment with nonstate funds furnished by such leasing service companies and transfer of title to such equipment by the agency to such leasing service company for lease back to the agency. Any such contract shall first be approved by the secretary of administration and is subject to the provisions of sections 7 and 8 and amendments thereto.

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36 Sec. 4 [5]. K.S.A. 75-3651 and 75-3702h and K.S.A. 1993 Supp.
37 75-3765 are hereby repealed.

38 Sec. 5 [6]. This act shall take effect and be in force from and
39 after its publication in the statute book.

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46-2102, 75-3651, 75-3702h, 75-37,102, 75-4705,
75-4706 and 75-4707

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COMMITTEE ON APPROPRIATIONS

March 25, 1994

TESTIMONY PRESENTED BY SUSAN M. SELTSAM
SECRETARY OF ADMINISTRATION

Madam Chair and Members of the Committee:

Thank you for the opportunity to appear in support of Senate Bill 534. Section 1 relates to claims for damage to certain personal property. The Department requests legislation to clarify the types of claims that can be paid by state agencies. Section 1 amends the current law to specifically disallow payment for any loss sustained to a state employee's personal vehicle, when the vehicle is used on official state business. The amendment supports the Department's policy to deny payment for personal vehicle loss under the provisions of the mileage reimbursement rate in K.S.A. 75-3203 which is prescribed to include insurance as a cost covered by the reimbursement rate.

Sections 2-4 relate to accounting for municipalities. The amendments replace obsolete reference to the National Committee of Governmental Accounting and the Municipal Accounting Board. These governing bodies have been abolished or replaced.

Section 5 relates to certain statutory auditing requirements. The Department proposes to amend K.S.A. 75-3731 to streamline the audit process and permit statistical random and periodic sampling of certain claims. Currently, the statute requires every claim that is submitted by agencies to be audited. As amended, the bill permits the director of accounts and reports to refuse to pay any account or bill that the director determines is not a valid obligation or was not incurred in accordance with applicable rules and regulations without requiring the audit of every claim. Areas of expenditure which have a high number of small dollar transactions are candidates for periodic sampling. As we move into increased electronic processing of payments, there are statistically valid random sampling programs available which will save staff time and create less paperwork.

The proposed amendments also eliminate the requirement that the agency head certify that amounts claimed for payroll payments are correct and allows the director of accounts and reports to determine procedures for the processing of payrolls.

The goal of permitting periodic and random sampling of certain types of claims is to increase efficiency and speed the processing of claims while still maintaining sufficient audit coverage.

Sections 6, 7 and 8 relate to imprest funds of state agencies. Currently, imprest funds of state agencies are established by statute and vary from agency to agency in amount.

ATTACHMENT 2

Amendments to K.S.A. 75-3072 and K.S.A. 75-3075 eliminate the need to establish or increase the limits on state agency imprest funds through legislation. The proposed legislation would repeal all statutes providing for individual agency imprest funds. In their place, the proposed legislation would provide a general administrative framework for an agency to request from the director of accounts and reports the establishment of an imprest fund in an amount as approved by the Secretary of Administration.

-The proposed legislation would allow state agencies the opportunity to vary the dollar limitation of the respective imprest funds, as the need arises, through an administrative approval process. For example, the Kansas Department of Commerce and Housing has in the past needed to increase its imprest fund dollar limitation due to the need for travel expense advances for employees traveling overseas. Without the flexibility to increase the imprest fund when needed, a financial burden is placed on the traveling employees. Moreover, the need to change the limit may not coincide with the legislative session.

-The need for additional flexibility is illustrated by the number of instances in which imprest fund statutes have needed to be amended. For example, K.S.A. 75-3058, which establishes the imprest funds for Department of Corrections has been amended 13 times in the last 18 years.

-Current law requiring the director of accounts and reports to draw warrants against funds out of which imprest fund payments would have otherwise been made is retained in the proposed legislation so that expenditures from the fund can be tracked by object code.

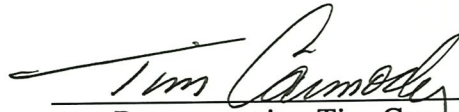
I request your support for Senate Bill 534 and if the Committee has questions, I will be pleased to respond.

HOUSE SUBCOMMITTEE RECOMMENDATIONS

Kansas Parole Board
S.B. 718; S.B. 585



Representative Phil Kline, Chairperson



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Kansas Parole Board

Bill No. --

Bill Sec. --

Analyst: Efird

Analysis Pg. No. 889

Budget Page No. 468

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State General Fund:			
State Operations	\$ 728,206	\$ 725,215	\$ --
FTE Positions	13.0	13.0	--

Agency Estimate/Governor's Recommendation

The revised expenditures are identical with the appropriated funding of \$728,206 which is available in the current fiscal year. These expenditures reflect an increase of 6.0 percent over actual FY 1993 expenditures. However, some of the expenditures are attributable to costs incurred last fiscal year but for which the agency must pay out of FY 1994 funds since it overspend its FY 1993 approved budget.

The Governor's recommendations include reductions of \$2,991 from expenditures, with the savings reappropriated to next fiscal year to reduce new financing. The Governor's recommendation allows a 5.5 percent increase in expenditures payable in FY 1994 over last fiscal year's amount expended.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommended expenditures and makes the following additional recommendation:

1. Suggest that the House Subcommittee review why funding for computerizing the agency was not available in FY 1994 in the amount recommended by the 1993 Legislature. The Senate Subcommittee believes the following narrative describes the situation: The Subcommittee notes that the 1993 Legislature lapsed \$17,811 in FY 1993 which the Senate Subcommittee originally had recommended for computerizing the agency, and further provided an additional \$17,811 in FY 1994 funding for this purpose. In FY 1993, the lapse of \$17,811 allowed the agency \$687,273 for expenditures rather than \$705,084 originally approved for last fiscal year. It should be noted that when one member of the Parole Board's term expired on March 31, 1993, the agency had to pay \$6,080 (excluding benefits) for accrued vacation leave which had not been budgeted.

In FY 1994, the 1993 Legislature mandated a 1.0 percent cut in SGF appropriations, and consequently the Parole Board had a reduction of \$7,340, which reduced its current approved funding to \$728,206. For this fiscal year, the agency indicates that it chose to reduce its planned computer-related allocation by \$9,234 to reflect FY 1993 expenses for which it had to pay in FY 1994 out of this fiscal year's

appropriation. The agency also indicates that it shifted \$5,000 of the original computer-related allocation to travel and subsistence this fiscal year. The Subcommittee concludes that a net of \$3,577 of the original \$17,811 may remain allocated for computer-related acquisitions in FY 1994. To date, the agency has spent \$2,743 for computer-related equipment.

The Subcommittee expresses concern about the agency potentially overspending its FY 1994 funding, especially since the Governor's recommendation includes \$3,001 of FY 1994 funding to be reappropriated to FY 1995. The Subcommittee expects the agency to not expend more than \$725,215 as recommended by the Governor for FY 1994, even though it may legally spend the additional \$3,001 this fiscal year. However, the Subcommittee would not be inclined to add supplemental SGF financing in FY 1995 if the agency spends any of its reappropriation. Likewise, the agency should manage its year-end closing prudently to ensure that all FY 1994 expenses are paid with FY 1994 funds in order to avoid the situation it faced this fiscal year when it had to pay \$9,234 of FY 1993 bills.

Senate Committee Recommendation

The Committee concurs with the Subcommittee.

House Subcommittee Recommendation

The Subcommittee concurs with the Senate recommendations for FY 1994.

SUBCOMMITTEE REPORT

Agency: Kansas Parole Board

Bill No. 585

Bill Sec. 4

Analyst: Efird

Analysis Pg. No. 889

Budget Page No. 468

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State General Fund:			
State Operations	\$ 775,177	\$ 746,592	\$ --
FTE Positions	13.0	13.0	--

Agency Overview

The Board has several responsibilities associated with its primary function of conducting parole hearings at which time it must determine whether inmates may be released from prison prior to completion of their sentences. The Board is required to conduct an initial, informational hearing with newly admitted inmates shortly after their incarceration. The Board conducts public comment session three time monthly in three locations (Wichita, Kansas City and Topeka) in order to receive public input regarding the release of parole-eligible inmates. In addition to conducting parole hearings, the Board also must conduct revocation hearings if violations of parole conditions occur. Finally, the Board is required to review clemency and pardon applications, and to make recommendations to the Governor.

The Board indicates that with enactment of sentencing guidelines by the 1992 Legislature, it appears that some reduction in the activity of the Board will occur in several years as the number of inmates sentenced under the former indeterminate system decrease. The Board estimates that approximately two-thirds of the inmates who were incarcerated prior to July 1, 1993, will continue under the present system, and that the other one-third, or approximately 1,900 inmates, will be subject to release based on time served. The Department of Corrections announced that 1,210 inmates had been released as of December 31, 1993, under the new guidelines.

Under the new sentencing guidelines system, the Board must issue certificates of release and supervision conditions for inmates released under the new system, regardless of whether they were sentenced under the old indeterminant system or the new determinant system. In addition, inmates who violate these releases by not complying with the conditions of parole or post release-supervision must be reviewed by the Board for possible revocation of their release.

Agency Request/Governor's Recommendation

The Board requests expenditures to maintain operations at current levels next fiscal year. The Board's budget request does not reflect any adjustments in its workload due to sentencing guidelines. Expenditures would increase 6.5 percent over the agency's FY 1994 estimate.

The Governor's recommendations maintain the Board's FY 1995 operations at current levels, allowing for an increase of 2.9 percent over the FY 1994 recommended expenditures and continued staffing of 13.0 FTE positions (including five Board members and eight support staff).

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommended expenditures and makes the additional recommendations:

1. Identify a policy question about paying for accrued annual leave when an unclassified Board member separates or retires from state service. Personnel Services Policy Statement No. 39 (effective July 1, 1992) provides for crediting time served as an elected official toward the length of service calculations for persons subsequently appointed to positions in the executive branch. A copy of that policy is attached to this Subcommittee Report. The Subcommittee believes that clarifying legislation is needed in this area to provide that former elected officials who did not accrue annual leave time as part of elected positions shall not be credited with any prior service for calculating leave time. The current schedule for calculating leave time based on prior service also is attached to this Subcommittee Report (see Article 9 from K.A.R. 1-9-4). Three Board members' appointments will expire in the next 15 months.
2. Direct the Parole Board to advise the 1995 Legislature if separations or retirements occurring in FY 1995 have any fiscal impact which the agency's budget can not absorb, and for the 1995 Session to consider any supplemental State General Fund appropriation if a problem occurs and is documented adequately. The Subcommittee has reviewed the agency's projections about prospective separations, but believes that the assumptions and calculations may not accurately reflect what may happen next fiscal year since there are too many unknown variables at this time.

Senate Committee Recommendation

The Committee concurs with the Subcommittee and further notes that the issue raised in item 1 was addressed by an amendment in 1994 S.B. 56, adopted previously by the Senate Ways and Means Committee.

<u>Expenditure Summary</u>	<u>Senate Rec. FY 95</u>	<u>House Sub. Adjustments</u>	<u>House Sub. Rec. FY 95</u>
State General Fund: State Operations	\$ 746,592	\$ --	\$ 746,592
FTE Positions	13.0	--	13.0

House Subcommittee Recommendation

The Subcommittee concurs with the Senate recommendation for FY 1995 and makes the following additional recommendations:

1. Direct that the Parole Board define the role of the Board and to develop a mission statement, goals, and performance objectives. The House Subcommittee is concerned that there appears to be a lack of performance goals for this agency, and that reporting of statistical information as mandated by statute in the form of an annual report has not been fulfilled since 1989. K.S.A. 22-3710 includes the following provision:

At the close of each fiscal year, the Parole Board shall submit to the Governor and to the Legislature a report with statistical data of its work, including research studies which it may make of probation, sentencing, parole, postrelease supervision or related functions, and a compilation and analysis of dispositions of criminal cases by district courts throughout the state or by executive authority.

The 1992 Legislature required the Parole Board to begin reporting "postrelease supervision" information or studies when the presumptive sentencing guidelines were enacted. The Subcommittee believes that prior to sentencing guidelines there was a generally accepted understanding of the role of the Parole Board. Given the change relative to sentencing guidelines, the Subcommittee finds it troubling and exasperating that there are no annual reports to document the changing work load of the Parole Board.

2. Request that the Chairperson of the Appropriations Committee write to the Legislative Post Audit Committee requesting a performance audit of the Board's operation, management, and finances. Such an audit should examine the roles of Board members and staff. The House Subcommittee would like the audit to document the new, emerging role of the Parole Board and its work load under sentencing guidelines, as well as its operation relative to the old system and the inmates who remain under that system. The post audit report would provide the basis for the 1995 Legislature and a new Governor to evaluate the performance of the Board and its staff in this changed environment.
3. Note that a provision has been amended into 1994 S.B. 56 which would prohibit the crediting of time served as an elected official toward the computation of vacation leave time for employees of the executive branch who formerly were elected officials. The Senate addressed this subject in its FY 1995 recommendation 1.

SUBCOMMITTEE REPORT

Agency: Department of Civil Air Patrol

Bill No. 585

Bill Sec. 12

Analyst: Mah

Analysis Pg. No. 956

Budget Page No. 112

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 25,346	\$ 14,229	\$ --
Other Funds	4,500	4,500	--
Total	<u>\$ 29,846</u>	<u>\$ 18,729</u>	<u>\$ --</u>
FTE Positions	0.5	0.5	--

Agency Request/Governor's Recommendation

The agency requests \$29,846 for FY 1995, an increase of \$11,111, all from the State General Fund. Included in the request is \$4,000 for the state to begin paying the expenses of insurance premiums on motor vehicles under the control of the agency. Currently, individual members to whom the vehicles are assigned are paying the insurance premiums. Also, the agency requests \$3,125 for capital outlay purchases for five replacement radio units for emergency communications. The other additional moneys are to be used mostly for communication, repair, and motor fuel expenses.

The Governor recommends expenditures of \$18,729 for FY 1995, a reduction of \$11,117 from the agency's request. The recommendation deletes the requested additional funds to pay for insurance premiums on motor vehicles and for replacement radios. While the Governor concurs with the agency's request for salaries and wages, all other operating expenditures are reduced to slightly below current year levels.

Senate Subcommittee Recommendations

FY 1994. The Subcommittee concurs with the Governor's recommendation.

FY 1995. The Subcommittee concurs with the Governor's recommendation.

Senate Committee Recommendations

FY 1994. The Senate Committee concurs with the Subcommittee's recommendation.

FY 1995. The Senate Committee concurs with the Subcommittee's recommendation.

Senate Committee of the Whole Recommendations

FY 1994. The Senate Committee of the Whole concurs with the Committee's recommendation.

FY 1995. The Senate Committee of the Whole concurs with the Committee's recommendation.

House Subcommittee Recommendations

FY 1994. The House Subcommittee concurs with the Senate's recommendation.

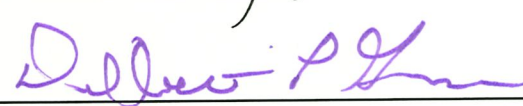
FY 1995. The House Subcommittee concurs with the Senate's recommendation.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Emergency Medical Services
Board

Bill No. --

Bill Sec. --

Analyst: Mah

Analysis Pg. No. 947

Budget Page No. 198

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 742,495	\$ 740,669	\$ 1,749
Other Assistance	79,200	79,200	--
Total	<u>\$ 821,695</u>	<u>\$ 819,869</u>	<u>\$ 1,749</u>
State General Fund:			
State Operations	\$ 162,646	\$ 162,646	\$ --
Other Assistance	79,200	79,200	--
Total	<u>\$ 241,846</u>	<u>\$ 241,846</u>	<u>\$ --</u>
FTE Positions	13.0	13.0	--

Agency Estimate/Governor's Recommendation

The agency estimates FY 1994 expenditures of \$821,695, a reduction of \$691 from the currently approved budget of \$822,386. A change for the agency, not reflected in its object code detail, is the way in which it will pay adjunct staff who assist with examinations for training workshops. As of January 1, 1994, adjunct staff members (presently 28 individuals), who historically have been paid each on a contractual basis, will be considered temporary employees. The agency says that a review of federal law related to the Fair Labor Standards Act indicated that this classification change is required. Also, the agency has had correspondence regarding the change from both the Division of Personnel of the Department of Administration and the Office of the Attorney General. Both agencies are supportive for making the change. The change will increase costs because the state will be paying social security, workers' compensation, and unemployment for these temporary employees. Also, subsistence will be paid for overnight travel. Before the change, adjunct staff were paid \$90 per day and travel mileage only. To make the change in the middle of FY 1994, the agency says that it will make shifts in expenditures from those shown in the budget document, but keep within the authorized budget (\$78,500 budgeted as professional services will be shifted to salaries and travel expenditures).

The Governor's FY 1994 recommendation of \$819,869 is a reduction of \$1,826 from the agency's revised estimate of \$821,695. The reduction is in the salary for the Board's Administrator. Moneys approved last year for a 2.5 percent merit and 0.5 percent cost-of-living increase in the current year are deleted. The Governor makes no other adjustments to the agency's current year estimate, including expenditure shifts that would appropriately reflect the recent policy change for the hiring of adjunct staff.

Senate Subcommittee Recommendation

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

1. Restore \$1,749 from the Emergency Medical Services Operating Fund to provide for the currently approved salary of the Board's Administrator. The salary for the Board's Administrator was underfunded in the Governor's recommendation.

Senate Committee Recommendation

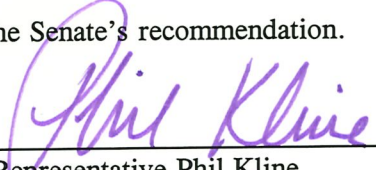
The Senate Committee concurs with the Subcommittee's recommendation.

Senate Committee of the Whole Recommendation

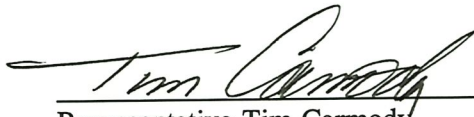
The Senate Committee of the Whole concurs with the Committee's recommendation.

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate's recommendation.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Emergency Medical Services Board Bill No. 585

Bill Sec. 13

Analyst: Mah

Analysis Pg. No. 947

Budget Page No. 198

Expenditure Summary	Agency Req. FY 95	Gov. Rec. FY 95	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 1,214,143	\$ 698,921	\$ --
Other Assistance	150,000	79,200	--
Total	<u>\$ 1,364,143</u>	<u>\$ 778,121</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 634,374	\$ 195,252	\$ 41,445
Other Assistance	150,000	79,200	--
Total	<u>\$ 784,374</u>	<u>\$ 274,452</u>	<u>\$ 41,445</u>
FTE Positions	15.0	13.0	--

Agency Request/Governor's Recommendation

The agency requests FY 1995 expenditures of \$1,364,143, an increase of \$542,448 above the current year revised estimate of \$821,695. The agency requests funding for 15.0 FTE positions, including \$68,037 for the salaries and other operating costs of 2.0 FTE new positions (an EMS Specialist I and a Programmer II). An EMS Specialist position was deleted in FY 1992 and the agency asks that the position be restored to enable the agency to continue providing a comprehensive compliance monitoring program for initial training and continuing education programs. The new requested Programmer II would operate a proposed ambulance service data collection program. The program would provide current data on patient transports as part of the development of a state plan for the delivery of emergency medical services. Previously, the agency had a data collection program that was discontinued in FY 1989 because of a shift in an employee's assignment to another program. In more recent years (FY 1992 and FY 1993), the agency received a federal grant through the Kansas Department of Health and Environment for a pilot project to collect current data on patient transports. The project, which is a smaller scale version of the statewide data collection program being requested, has allowed the agency to begin collecting data from 11 of the approximately 200 ambulance services in the state. Using existing staff, the agency plans to collect the data for a six month period in FY 1994. Even though the agency now has computer hardware and software to expand the project statewide on a permanent basis, the agency says a data collection program cannot be continued unless state funding is approved in FY 1995 or a federal grant to continue the program becomes available. Further, with the classification change for adjunct staff as previously discussed above for the current year, costs for examinations are estimated to increase by \$13,322. Only as a cost cutting option to save \$9,942, the agency proposes to reduce the number of examination site locations to two (Topeka and Wichita). Historically, the agency has used a minimum of four different locations each year. The two sites are within 100 miles of approximately 75 percent of those individuals who usually take the examinations. Also, the agency requests \$365,800 for the first year funding of a ten-year plan to create a statewide EMS/UHF communications system. The agency says that the current 400

megahertz (Mhz) system covers only 51 out of 105 Kansas counties and Federal Communications Commission (FCC) regulations will make use of the equipment in metropolitan areas illegal in the year 2003. The proposal would allow the agency to integrate with the Kansas Department of Transportation's statewide 800 Mhz system which began in FY 1993 and will be implemented over a 14-year period with infrastructure in place in ten years. Another significant increase above the current year revised estimate is the request for annual grants to the four EMS regional councils. A total of \$150,000 is requested from the State General Fund to increase grants from \$19,800 to \$37,500 each.

The Governor's FY 1995 recommendation of \$778,121 is a reduction of \$586,022 from the agency's request of \$1,364,143. Salaries and wages are reduced by \$91,017 and all other operating expenditures by \$495,005. The recommendation is \$41,748 or 5.6 percent less than the current year recommendation. The recommendation deletes moneys requested for 2.0 new FTE positions and for beginning a ten-year plan for a statewide communications system. Also, the amount of financing to hire adjunct staff to teach training workshops is reduced by \$46,328 from the current year recommendation of \$78,500. Further, the recommendation includes no moneys for capital outlay expenditures. With regard to financing for grants to regional emergency medical services councils, the FY 1995 recommendation provides for the same amount as in the current year recommendation (\$79,200).

Senate Subcommittee Recommendation

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

1. The Subcommittee recommends that financing of \$41,445 for operating expenditures be shifted from the Emergency Medical Services Operating Fund to the State General Fund. The additional State General Fund moneys are necessary in order to cover a likely shortfall in available revenues from the Emergency Medical Services Operating Fund. Receipts credited to the Fund are from a percentage (2.95) of docket fees received monthly by the State Treasurer from clerks of the district courts and are expected to drop due to the decline in traffic citations being issued by the Kansas Highway Patrol. The Governor's recommendation assumes that there will be growth in receipts credited to the Fund (from \$344,898 in actual FY 1993 to \$380,000 for the current year and \$400,000 for FY 1995). Based on information from the Office of the Judicial Administrator, receipts to this Fund are expected to drop (from \$344,898 in actual FY 1993 to \$313,880 in the current year and \$326,418 in FY 1995). Using these latter receipt estimates, the table below shows the status of the fee fund under both the Governor's and Subcommittee's recommendations.

Resource Estimate	Actual FY 93	Gov. Rec. FY 94	Subc. Rec. FY 94	Gov. Rec. FY 95	Subc. Rec. FY 95
Beginning Balance	\$ 0	\$ 344,898	\$ 344,898	\$ 109,155	\$ 107,406
Net Receipts	344,898	313,880	313,880	326,418	326,418
Total Funds Available	\$ 344,898	\$ 658,778	\$ 658,778	\$ 435,573	\$ 433,824
Less: Expenditures	0	549,623	551,372	475,269	433,824
Ending Balance	<u>\$ 344,898</u>	<u>\$ 109,155</u>	<u>\$ 107,406</u>	<u>\$ (39,696)</u>	<u>\$ 0</u>

2. Amend the appropriations bill to make the agency's two State General Fund appropriations, one for operating expenditures and the other for Emergency Medical Service administrative grants, a single line item. The intent of the Subcommittee's recommendation is to give the agency flexibility for use of the moneys since the Governor expects the agency to continue existing services in FY 1995 with 5.6 percent (\$41,748) less than the current year recommendation. Included in the Governor's recommendation is a reduction in the number of testing sites used by the agency for providing required examinations of emergency service personnel. Only two sites, Topeka and Wichita, would be used to serve the entire state. The Subcommittee believes that sufficient rationale does not exist to eliminate other testing sites in the state and that rural areas need to be served as well as urban areas. Therefore, it is the Subcommittee understanding that, if the agency has the flexibility to shift funding from other areas, it will continue to use a number of regional sites across the state for its examination process of emergency medical services personnel.

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee's recommendation.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the Committee's recommendation.

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 95</u>	<u>Senate Rec. FY 95</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 698,921	\$ 698,921	\$ 100,000
Other Assistance	79,200	79,200	--
Total	<u>\$ 778,121</u>	<u>\$ 778,121</u>	<u>\$ 100,000</u>
State General Fund:			
State Operations	\$ 195,252	\$ 236,697	\$ 100,000
Other Assistance	79,200	79,200	--
Total	<u>\$ 274,452</u>	<u>\$ 315,897</u>	<u>\$ 100,000</u>
FTE Positions	13.0	13.0	--

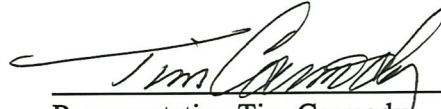
House Subcommittee Recommendation

The House Subcommittee concurs with the Senate's recommendation, with the following adjustment:

1. Add \$100,000 from the State General Fund to provide for capital outlay equipment that was requested as part of the agency's proposal to begin a ten-year plan to create a statewide EMS/UHF communication system. The recommendation will allow the agency to start its plan for integrating with the Kansas Department of Transportation's statewide 800 megahertz system. Funding for the Department of Transportation's communication system began in FY 1993. The system will be implemented over a 14-year period with infrastructure in place in just ten years. Over the ten-year period, the Department of Transportation will be installing communication towers and electrical generators in different sections of the state. Currently, the Department of Transportation has completed construction of tower sites for the 800 megahertz communication system in the northeast part of the state. The recommendation of the Subcommittee allows the EMS Board to begin to make use of these tower sites by providing for repeaters to link one site to another for communication purposes and for phone patches to allow communication between radio and telephone users. Also, the recommendation provides for tower site hookups (antennas and cables). Not included in the recommendation are moneys that the EMS Board requested in order to begin buying mobile radio units for each ambulance service across the state. It is the intent of the Subcommittee that the radio units be funded from local or private sources. Further, the Board requested \$63,250 to pay for a portion (10 percent) of the cost of equipment used for constructing new tower sites. The recommendation of the Subcommittee does not provide for these requested moneys since the Subcommittee expects the agency to use tower sites that have already been completely installed.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Ombudsman for Corrections

Bill No. 718

Bill Sec. New

Analyst: Mills

Analysis Pg. No. 885

Budget Page No. 162

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 176,064	\$ 174,565	\$ 1,500
FTE Positions	4.0	4.0	--

Agency Estimate/Governor's Recommendation

The agency estimate for FY 1994 is \$176,064, which is \$7 above the approved budget of \$176,057. The funding, all of which is from the State General Fund, is composed of \$152,484 for salaries and wages of 4.0 permanent positions, and \$23,580 for other operating expenditures.

The Governor's recommendation for FY 1994 totals \$174,565, a reduction of \$1,499 from the agency request. The reduction is found in travel (\$1,500), with a technical correction of \$1 in salaries. The Governor's recommendation for FY 1994 provides \$152,485 for salaries, \$20,824 for contractual services, and \$1,256 for office supplies. The recommendation will support 4.0 FTE positions, the level approved by the 1993 Legislature.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation for FY 1994, with the following adjustment:

1. Addition of \$1,500 (State General Fund) for travel to restore a reduction in operating expenditures recommended by the Governor. The additional funding for travel is recommended based on historical expenditure patterns for travel. The agency estimates travel expenses of \$6,712 in FY 1995 and FY 1994; actual travel expenses were \$4,933 in FY 1993 and \$6,108 in FY 1992. The recommendation would provide \$6,712 for travel in FY 1994.

Senate Committee Recommendation

Concur.

Senate Recommendation


Concur.

ATTACHMENT 6

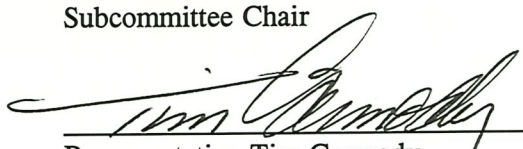
<u>Expenditure Summary</u>	<u>Senate Adj. FY 94</u>	<u>Senate Rec. FY 94</u>	<u>House Subcommittee Adjustments</u>
State Operations: State General Fund	\$ 1,500	\$ 176,065	\$ --
FTE Positions	--	4.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendation for FY 1994.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Ombudsman for Corrections

Bill No. 585

Bill Sec. 11

Analyst: Mills

Analysis Pg. No. 885

Budget Page No. 162

<u>Expenditure Summary</u>	<u>Agency FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 180,856	\$ 179,691	\$ --
FTE Positions	4.0	4.0	--

Agency Request/Governor's Recommendation

The agency request for FY 1995 totals \$180,856, all of which is from the State General Fund. The requested funding is composed of \$157,276 for salaries and wages of 4.0 permanent positions (the same as the approved level for the current year), and \$23,580 for other operating expenditures. For FY 1995, \$22,324 is requested for contractual services, \$1,256 is for commodities, and no funding is requested for capital outlay.

The Governor's recommendation for FY 1995 totals \$179,691, a reduction of \$1,165 from the agency request. The reduction is found in salaries (\$1,165). The Governor's recommendation for FY 1995 provides salaries and wages funding of \$156,111 for 4.0 positions, \$22,324 for contractual services, and \$1,256 for office supplies.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation for FY 1995, with the following observation:

1. The Senate Subcommittee has reviewed the performance measures utilized by the Ombudsman, and appends those measures to this report.

Performance Measures			
	<u>Agency FY 93</u>	<u>Agency FY 94</u>	<u>Agency FY 95</u>
1. Number of cases completed	1,288	1,326	1,366
2. Number of cases initiated within seven days	1,144	1,178	1,213
3. Number of valid cases completed	1,224	1,261	1,299
4. Number of invalid cases completed	64	66	68
5. Number of contacts on valid cases	5,663	5,833	6,008
6. Number of contacts on invalid cases	298	307	316
7. Number of cases completed in 30 days	1,020	1,051	1,083
8. Completed formal studies	1	1	0
9. Number of manhours on-site	2,760	4,362	4,362

Senate Committee Recommendation

Concur.

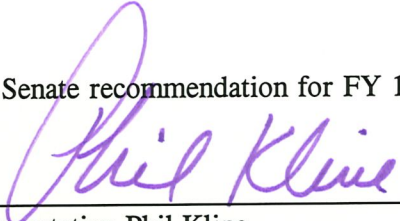
Senate Recommendation

Concur.

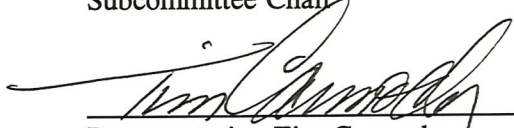
<u>Expenditure Summary</u>	<u>Senate Adj. FY 95</u>	<u>Senate Rec. FY 95</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 179,691	\$ --
FTE Positions	--	4.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendation for FY 1995.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Kansas Sentencing Commission

Bill No. --

Bill Sec. --

Analyst: Mills

Analysis Pg. No. 959

Budget Page No. 528

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 247,528	\$ 247,528	\$ --
Federal Funds	--	--	--
TOTAL	<u>\$ 247,528</u>	<u>\$ 247,528</u>	<u>\$ --</u>
FTE Positions	5.0	5.0	--

Agency Estimate/Governor's Recommendation

The agency estimate for FY 1994 is \$247,528, which is \$6,909 less than the budget of \$254,437 approved by the 1993 Legislature. The funding, all of which is from the State General Fund, is composed of \$207,993 for salaries and wages of 5.0 permanent positions, and other operating expenditures of \$39,535.

The Governor's recommendation for FY 1994 totals \$247,528, which concurs with the agency estimate. The recommendation would continue to support the 5.0 FTE positions currently authorized. Board member compensation is recommended at \$4,464. The recommendation is composed of \$207,993 for salaries and wages, and \$39,535 for other operating expenditures.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation for FY 1994.

Senate Committee Recommendation

Concur.

Senate Recommendation

Concur.

ATTACHMENT 7

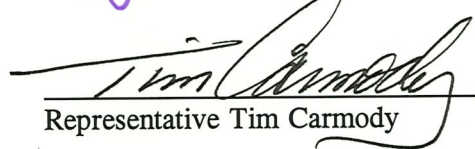
<u>Expenditure Summary</u>	<u>Senate Adj. FY 94</u>	<u>Senate Rec. FY 94</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 247,528	\$ --
Federal Funds	--	--	--
TOTAL	<u>\$ --</u>	<u>\$ 247,528</u>	<u>\$ --</u>
FTE Positions	--	5.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendation for FY 1994.



Representative Phil Kline



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Kansas Sentencing Commission

Bill No. 585

Bill Sec. 14

Analyst: Mills

Analysis Pg. No. 959

Budget Page No. 528

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 262,711	\$ 252,375	\$ 343
Federal Funds	--	--	--
TOTAL	<u>\$ 262,711</u>	<u>\$ 252,375</u>	<u>\$ 343</u>
FTE Positions	5.0	5.0	--

Agency Request/Governor's Recommendation

The agency request for FY 1995 totals \$262,711, all of which is from the State General Fund. The requested funding is composed of \$216,199 for salaries and wages of 5.0 permanent positions (the same as the currently approved FTE positions), and \$46,512 for other operating expenditures. For FY 1995, funding of \$5,456 is requested for compensation for Commission members; this will support four Commission meetings, two task forces, and one subcommittee.

The Governor's recommendation for FY 1995 totals \$252,375, a reduction of \$10,336 from the agency request of \$262,711. The reductions are found in salaries and wages (\$3,303) and other operating expenditures (\$7,033). The recommendation will support the 5.0 FTE positions currently approved. The recommendation is composed of \$212,896 for salaries and wages and \$39,479 for other operating expenditures.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation for FY 1995, with the following additional recommendations:

1. Restore \$343 (SGF) for communication which had been deleted by the Governor; this provides a total of \$7,730 for communication, as requested by the agency. The agency expects no reduction in the communication area, given the number of sentencing bills under consideration by the 1994 Legislature. The FY 1994 estimate for communication is \$7,700, and FY 1993 actual expenditures were \$7,811.
2. The Senate Subcommittee recommends the introduction of a substantive bill to reduce the membership of the Sentencing Commission from 13 to 11 members by deleting the Chairman of the Parole Board and one of the two public members. Deletion of these two members would provide for a smaller, more workable commission, and still leave one member of the public on the board. The proposed bill should be

drafted to allow the two existing public members to finish their terms, which expire on July 30, 1995. No dollar reductions are associated with this recommendation for FY 1995; future savings should be about \$2,000 annually because of reduced expenses for compensation, subsistence, and mileage.

The current Commission membership includes: the Chief Justice or a designee; two district court judges appointed by the Chief Justice; the Attorney General or a designee; one public defender, one private defense counsel; two members of the general public (at least one of whom must be a member of a racial minority group), one county or district attorney, and a director of a community corrections program, all appointed by the Governor; the Secretary of Corrections or a designee; the Chairperson of the Kansas Parole Board or a designee; and a court services officer appointed by the Chief Justice. Four members of the Legislature shall be ex officio, nonvoting members of the Commission. The Governor appoints a chairperson and no more than three of the Governor's appointments may be from the same political party.

3. The Senate Subcommittee was very impressed with the presentation of the Executive Director of the Commission, as well as with the objectives and strategies noted in the presentation. The objectives which were discussed are reproduced below:

Objectives:

Develop a sentencing system that is free of racial or geographical bias.

The Sentencing Commission and staff will provide the training and technical assistance necessary to implement the Sentencing Guidelines and, on a continuing basis, inform criminal justice professionals of changes in the law.

Maintain a system to collect data and monitor the compliance with sentencing guidelines in all 31 judicial districts.

Coordinate the activities necessary to prepare and initiate retroactive application of the sentencing guidelines.

Examine the current use and availability of intermediate sanctions.

Develop a program plan that eases the transition of offenders from prison to the community.

Review current practices and develop appropriate prosecution guidelines.

Analyze problems in criminal justice, identify alternative solutions, and make recommendations for improvement.

The Sentencing Commission will advise and consult with the Secretary of the Department of Corrections and legislative members in developing a mechanism to link guidelines sentence practices with correctional resources and policies.

The Sentencing Commission will perform criminal justice studies or tasks assigned by the Governor or specifically requested by the Legislature, Department of Corrections, the Chief Justice, or the Attorney General.

Senate Committee Recommendation

Concur.

Senate Recommendation

Concur.

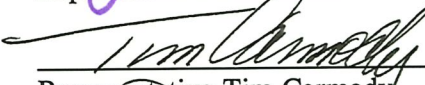
<u>Expenditure Summary</u>	<u>Senate Adj. FY 95</u>	<u>Senate Rec. FY 95</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 343	\$ 252,718	\$ --
Federal Funds	--	--	--
TOTAL	<u>\$ 343</u>	<u>\$ 252,718</u>	<u>\$ --</u>
FTE Positions	--	5.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendation for FY 1995, with the following additional recommendation:

1. The House Subcommittee concurs with Senate Subcommittee Recommendation No. 2 above which would reduce the membership of the Sentencing Commission from 13 to 11 members by deleting the Chairman of the Parole Board and one of the two public members. In addition, the House Subcommittee recommends that the bill be further amended to delete the four members of the Legislature who are ex officio, nonvoting members of the Commission. The House Subcommittee believes that, while legislative input may have been desirable on the Commission prior to the enactment of the Sentencing Guidelines Act, there is little justification for legislative membership on the Commission today.


Representative Phil Kline


Representative Tim Carmody


Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Adjutant General

Bill No. 556

Bill Sec. 3

Analyst: Mills

Analysis Pg. No. 892

Budget Page No. 6

Expenditure	Agency Est. FY 94	Governor's Rec. FY 94	Subcommittee Adjustments
All Funds:			
State Operations	\$ 10,919,122	\$ 10,843,865	\$ --
Aid and Other Assistance	69,078,582	66,962,332	(300,000)
Subtotal	\$ 79,997,704	\$ 77,806,197	\$ (300,000)
Capital Improvements	270,722	270,722	--
TOTAL	\$ 80,268,426	\$ 78,076,919	\$ (300,000)
State General Fund:			
State Operations	\$ 3,044,522	\$ 3,097,215	\$ --
Aid and Other Assistance	8,742,644	2,626,394	(300,000)
Subtotal	\$ 11,787,166	\$ 5,723,609	\$ (300,000)
Capital Improvements	239,908	239,908	--
TOTAL	\$ 12,027,074	\$ 5,963,517	\$ (300,000)
FTE Positions	191.0	191.0	--

Agency Estimate/Governor's Recommendation

The agency estimate for operating expenditures for FY 1994 totals \$79,997,704, which is composed of \$5,850,622 for salaries and wages, \$5,068,500 for other operating expenditures, and \$69,078,582 for aid and other assistance. The FY 1994 estimate is composed of \$11,787,166 from the State General Fund and \$68,210,538 from other funds, chiefly federal funds. The estimate for salaries and wages will support 191.0 FTE positions.

The Governor's recommendation for operating expenditures for FY 1994 totals \$77,806,197, which is composed of \$5,828,117 for salaries and wages, \$5,015,748 for other operating expenditures, and \$66,962,332 for aid and other assistance. The recommendation is composed of \$5,723,609 from the State General Fund and \$72,082,588 from other funds. The Governor's recommendation will support 191.0 FTE positions.

1. The Flood of 1993. During the spring and summer of 1993, Kansas experienced severe flooding which resulted in 55 counties be declared Presidential Disaster Areas. In September, heavy rains brought more flooding to parts of Southeast Kansas, which resulted in two additional counties being declared Presidential Disaster Areas. The Federal Emergency Management Agency (FEMA) responded to the disaster declaration by locating 22 Disaster Assistance Centers within the state. Under guidelines

ATTACHMENT 8

set forth by FEMA, the flooding was determined to be sufficient in severity and magnitude that special conditions were warranted regarding the cost sharing arrangements involving federal funds. The State of Kansas received eligibility for federal funding with a 90 percent federal share and a 10 percent nonfederal match requirement for costs incurred as a result of the flooding. This is compared to the 75 percent federal share and 25 percent nonfederal match requirement which has existed for previous disasters.

Under K.S.A. 48-938, the Governor is authorized to apply for, accept, and disburse grants from the federal government according to section 408 of the Disaster Relief Act of 1974. The Adjutant General's Department, which operates the Division of Emergency Preparedness, is given responsibility for overseeing the receipt and distribution of these funds. On August 3, the State Finance Council met to transfer \$500,000 from the State Emergency Fund and \$2.5 million from the State General Fund of the Department and Social and Rehabilitation Services to the operating budget of the Adjutant General to allow the agency to meet immediately the demand of individuals seeking financial grant assistance. As a result of this flood assistance, the Governor estimates aid payments at \$66,957,813, of which \$2,621,875 is from the State General Fund and \$64,335,938 is from federal and other funds.

In addition to the \$3.0 million approved by the State Finance Council for flood aid in FY 1994, the Governor recommends a State General Fund supplemental appropriation of \$300,000 for the Adjutant General to provide state matching funds and continue with the disbursement of grants.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation for FY 1994, with the following adjustment:

1. The Senate Subcommittee recommends that the \$300,000 of state matching funds be deleted from the FY 1994 budget, pending the receipt of updated data on expenditures for emergency flood relief. The Senate Subcommittee was advised that, of February 11, 1994, a total of 3,194 Individual and Family (IFG) applications had been received, and a total of \$9,184,659 (\$2,296,165 State General Fund and \$6,888,494 in federal funds) has been expended for the IFG program. The Senate Subcommittee recommends that the House review this item.

Senate Committee Recommendation

1. Concur, with the understanding that the issue of the supplemental appropriation for matching funds will be revisited following House review of the item.

Senate Recommendation

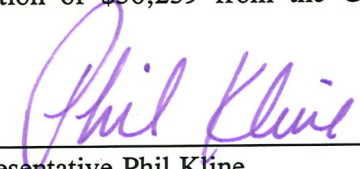
Concur.

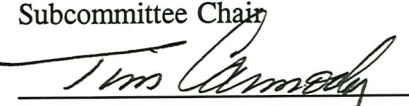
Expenditure	Senate Adj. FY 94	Senate Rec. FY 94	House Sub. Adjustments
All Funds:			
State Operations	\$ --	\$ 10,843,865	\$ --
Aid and Other Assistance	(300,000)	66,662,332	243,761
Subtotal	\$ (300,000)	\$ 77,506,197	\$ 243,761
Capital Improvements	--	270,722	--
TOTAL	\$ (300,000)	\$ 77,776,919	\$ 243,761
State General Fund:			
State Operations	\$ --	\$ 3,097,215	\$ --
Aid and Other Assistance	(300,000)	2,326,394	243,761
Subtotal	\$ (300,000)	\$ 5,423,609	\$ 243,761
Capital Improvements	--	239,908	--
TOTAL	\$ (300,000)	\$ 5,663,517	\$ 243,761
FTE Positions	--	191.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendation, with the following adjustment:

1. Restore \$243,761 (SGF) of the supplemental appropriation recommended by the Governor for state matching funds for flood relief; the Governor had originally recommended \$300,000 for this supplemental funding. The Senate deleted this supplemental funding, pending the receipt of an updated report on flood relief efforts. As requested in Senate Subcommittee Recommendation No. 1, the Adjutant General has provided an updated report on expenditures for emergency flood relief. The Adjutant General's Department estimates that an additional \$243,761 in supplemental funding will be needed for state matching funds. The House Subcommittee recommendation is a reduction of \$56,239 from the Governor's recommendation.


Representative Phil Kline
Subcommittee Chair


Representative Tim Carmody


Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Adjutant General

Bill No. 585

Bill Sec. 2

Analyst: Mills

Analysis Pg. No. 892

Budget Page No. 6

Expenditure	Agency Req. FY 95	Governor's Rec. FY 95	Subcommittee Adjustments
All Funds:			
State Operations	\$ 14,955,051	\$ 11,781,204	\$ 1,105,055
Aid and Other Assistance	2,004,519	2,004,519	--
Subtotal	\$ 16,959,570	\$ 13,785,723	\$ 1,105,055
Capital Improvements	2,034,340	195,000	192,185
TOTAL	\$ 18,993,910	\$ 13,980,723	\$ 1,297,240
State General Fund:			
State Operations	\$ 4,101,358	\$ 3,436,585	\$ --
Aid and Other Assistance	4,519	4,519	--
Subtotal	\$ 4,105,877	\$ 3,441,104	\$ --
Capital Improvements	1,858,362	195,000	--
TOTAL	\$ 5,964,239	\$ 3,636,104	\$ --
FTE Positions	246.8	196.2*	40.0

* This number apparently overstates the Governor's recommendation by 5.2 positions; a total of 191.0 positions are recommended.

Agency Request/Governor's Recommendation

The agency request for operating expenditures for FY 1995 totals \$16,959,570, which is composed of \$7,897,964 for salaries and wages, \$7,057,087 for other operating expenditures, and \$2,004,519 for aid and other assistance. The FY 1995 request is composed of \$4,105,877 from the State General Fund and \$12,853,693 from other funds, chiefly federal funds. The request for salaries and wages will support 246.8 FTE positions, an increase of 55.8 positions over the current year.

The Governor's recommendation for operating expenditures in FY 1995 totals \$13,785,723, which is composed of \$5,906,833 for salaries and wages, \$5,874,371 for other operating expenditures, and \$2,004,519 for aid and other assistance. The FY 1995 recommendation is composed of \$3,441,104 from the State General Fund and \$10,344,619 from other funds. The *Governor's Budget Report* indicates that the salaries and wages recommendation will support 196.2 FTE positions. The Governor recommends no funding for new positions.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation for FY 1995, with the following adjustments:

1. Addition of 40.0 FTE positions and \$1,105,055 (Military Fees Fund) for the RETROEUR repair site at Ft. Riley. The recommended funding is composed of \$1,082,715 for salaries and wages and \$22,340 for other operating expenditures. The agency had requested \$2,936,212 and 96.0 positions for the Retro-Europe repair site, located at Fort Riley, which is an increase of 40.0 new positions over the 56.0 currently authorized. The RETROEUR repair site, which is 100 percent federally funded, receives U.S. Army vehicles from Europe and other areas, refurbishes the equipment, and ships the equipment to its recipients. The Adjutant General stated that the anticipated workload at the repair site will increase as there are reductions in the U.S. Army forces overseas. All salaries and wages, other operating expenditures, and other equipment will be covered on a reimbursable basis by federal funds. The 1993 Legislature approved 56.0 FTE positions for the program, as well as federal funding of \$1,592,125 in FY 1994.
2. A technical correction to the bill to properly reflect the Governor's recommendation of 191.0 FTE positions.
3. The Senate Subcommittee has requested that the Adjutant General provide additional historical data on the agency's shrinkage rate for past years. The Governor's recommendation has set the shrinkage rate at 2.8 percent in FY 1994 and 2.7 percent in FY 1995. The House Subcommittee should review this historical data when it becomes available.
4. The Senate Subcommittee was very impressed by the mission statement, the quality goals, and the objectives used by the Adjutant General. These items are set forth below.

Senate Capital Improvements Subcommittee Recommendation

1. The Adjutant General requests funding for four roof repair projects, as follows: the U.S. Property and Fiscal Office Warehouse in Topeka (\$151,978); the Hutchinson Armory (\$148,315); the Pratt Armory (\$45,412); and the Council Grove Armory (\$45,412). The request for the USPFO warehouse was later withdrawn as the project received federal funding for the roof; and the Council Grove project was withdrawn as the project will be completed in the current year. The Governor recommends a total of \$195,000 (SGF) in FY 1995 for the Hutchinson and Pratt Armories roof repair projects.

The Senate Committee concurs with the Governor's recommendation of \$195,000 (SGF) for the roof repair projects at the Hutchinson and Pratt Armories.

2. The Adjutant General requests \$235,599 (SGF) in FY 1995 for the state match to construct a new armory in Great Bend. The federal government has committed

funds for the federal share of this project (estimated at \$1.1 million); however, the federal funding will expire if the state match is not approved for FY 1995. The local match (city) totals \$175,300. The Governor does not recommend funding for this project in FY 1995.

The Senate Subcommittee recommends \$192,185 (State Budget Stabilization Fund) which is the Adjutant General's most recent estimate of the state's share of the Great Bend armory project.

The Adjutant General's Missions

- To mobilize, deploy, and fight as a part of America's Army.
- To protect life and property. To preserve peace, order, health and public safety.
- Add value to Kansas through leadership and community service.

The Adjutant General's Quality Goals

- Readiness -- the highest state of readiness commensurate with federal and state mission.
- Safety -- maximum safety when performing all missions and activities.
- Environment -- a cleaner environment through pro-active conservation, preservation, and protection of resources.
- Employer Relations -- a full partnership with employers of our Kansas National Guard.
- Family -- Improved quality of life for National Guard families. Guard families are important.
- Quality Organization -- a quality organization preparing for the future.
- Equal Opportunity -- an organization that reflects the ethnic and minority demographics of Kansas and provides equal opportunities for career development free from discrimination.
- Community Support -- a full partnership with the community.
- Drug Demand Reduction (DDR)/Counterdrug -- support of local, state, and federal agencies in DDR and Counter narcotics efforts.
- Wellness -- an opportunity provider for programs that enhance the well being of our members and their families.
- State of the Art Technology -- innovative application of state-of-the-art technology where feasible.
- Emergency Response -- Effective response to natural and man-made emergencies.

The Adjutant General's Objectives

Provide Facilities that are Safe, Clean, Operational, Accessible, Efficient, and Responsive.

Provide Service in Administration of Individual Family Grants that is Timely, Accurate, and Effective.

Provide a Motivated and Caring Organization Built on the Values and Traditions of the People of Kansas, Organized as the Leader in Continuously Improving Service and Readiness, while Adding Value to Kansas.

Senate Committee Recommendation

Concur.

Senate Recommendation

Concur.

Expenditure	Senate Adj. FY 95	Senate Rec. FY 95	House Subcommittee Adjustments
All Funds:			
State Operations	\$ 1,105,055	\$ 12,886,259	\$ 9,000
Aid and Other Assistance	--	2,004,519	--
Subtotal	\$ 1,105,055	\$ 14,890,778	\$ 9,000
Capital Improvements	192,185	387,185	10,000
TOTAL	\$ 1,297,240	\$ 15,277,963	\$ 19,000
State General Fund:			
State Operations	\$ --	\$ 3,436,585	\$ 4,500
Aid and Other Assistance	--	4,519	--
Subtotal	\$ --	\$ 3,441,104	\$ 4,500
Capital Improvements	--	195,000	5,000
TOTAL	\$ --	\$ 3,636,104	\$ 9,500
FTE Positions	40.0	231.0	--

House Subcommittee Recommendation

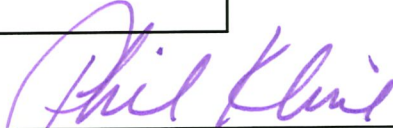
The House Subcommittee concurs with the Senate recommendation, with the following adjustments:

1. Addition of \$9,500 (SGF) in state matching funds to provide for replacement radio equipment at the State Defense Building. The state funding is matched by federal funds on a one-to-one match, for a total of \$19,000. Of the recommended funding, \$10,000 is for a capital improvement project for an additional antenna box to provide a central connection point at the Defense Building; and \$9,000 is for replacement radio equipment.
2. The Adjutant General requested additional funding of \$279,468 (of which \$64,867 would be from the State General Fund) for the Air National Guard Unit at McConnell Air Force Base in Wichita. This unit will shift from its current F-16 fighter mission to a B1-B bomber mission in September of 1994. The new, larger mission will require the unit to support additional facilities and grounds. As a result


of the change of mission, the state match requirements for FFY 1995 will change from a funding split of 85 federal/15 state to a match of 75 federal/25 state. The Governor includes an additional \$796,677 (of which \$197,419 is from the State General Fund) in the FY 1995 budget to reflect this change in funding requirements. At this point, the House Subcommittee does not recommend additional funding for the McConnell unit; the Adjutant General should monitor FY 1995 expenditures and, if needed, request supplemental funding during the 1995 Session.

3. As requested in Senate Subcommittee Recommendation No. 3 above, the House Subcommittee has reviewed the agency's salary shrinkage rates for the last five fiscal years. The Governor's recommended shrinkage rates are 2.7 percent (\$165,394) in FY 1995 and 2.8 percent (\$167,201) in FY 1994. The House Subcommittee concurs with the Governor's recommendation.
4. The Subcommittee has reviewed the State General Fund recommendation for the Adjutant General, after factoring out step movement, merit increases, and longevity pay. These recommended amounts are shown below.

SGF Expenditures		
Gov. Rec. FY 95	Increase/Decrease Over FY 94 Minus Step and Bonus \$	Percent
\$3,636,104	\$(2,360,273)	(40.0)%
Leg. Rec. FY 95	Increase/Decrease Over FY 94 Minus Step and Bonus \$	Percent
\$3,645,604	\$(2,294,534)	(39.0)%



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Highway Patrol

Bill No. --

Bill Sec. --

Analyst: Colton

Analysis Pg. No. 919

Budget Page No. 272

<u>Expenditure</u>	<u>Agency Est. FY 1994</u>	<u>Gov. Rec. FY 1994</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund:			
Operating Expenditures	\$ 21,215,556	\$ 21,115,707	\$ --
Capitol Area Sec. Patrol	701,373	701,373	--
Replacement Vehicles	--	--	--
Subtotal--SGF	\$ 21,916,929	\$ 21,817,080	\$ --
Agency Fees Fund	\$ 60,000	\$ 60,000	\$ --
Motor Carrier Safety Assistance	1,667,231	1,667,231	--
Program Fund			
Vehicle Identification Number	1,569,974	1,570,885	--
(VIN) Fee Fund			
Highway Patrol Training Center Fund	719,655	719,655	--
Turnpike Patrol Fund	1,922,138	1,922,138	--
Motor Carrier Inspection (MCIT) Fund	5,476,618	5,456,876	--
Federal Fund	125,353	137,353	--
Federal Forfeitures	--	--	--
Capitol Area Security Fund	789,124	789,124	--
State Asset Forfeiture Fund	27,000	27,000	--
Gifts and Grants	--	--	--
KHP Motor Vehicle Fund	2,800,000	2,800,000	--
Subtotal--Operating	\$ 37,074,022	\$ 36,967,342	\$ --
Capital Improvements:			
MCIT Fund	\$ 120,000	\$ 120,000	\$ --
KHP Training Center Fund (Debt Service)	205,000	205,000	--
TOTAL EXPENDITURES	<u>\$ 37,399,022</u>	<u>\$ 37,292,342</u>	<u>\$ --</u>
FTE Positions	816.5	813.5	--

Agency Estimate/Governor's Recommendation

The agency estimates FY 1994 operating expenditures of \$37,074,022. This is \$1,844,503 more than was approved by the 1993 Legislature, as adjusted by the State Finance Council. Of the difference between the approved amount and the agency estimate, approximately \$1.499 million is from the Kansas Highway Patrol Motor Vehicle Fund, a no-limit fund established by the 1993 Legislature in

ATTACHMENT 9

order to help the agency to achieve, by FY 1996, a mile-out rate of 45,000 for patrol vehicles. \$331,071 is from the Motor Carrier Safety Assistance Program (MCSAP) Fund; the money is available for expenditure due to the receipt of a federal grant. \$89,952 is from the agency's Federal Fund (a no-limit fund). \$128,562 is from the Kansas Highway Patrol Training Center Fund and is due to the beginning of debt service on the agency's new training center in Salina. Of the agency's estimate, \$21.9 million is from the State General Fund and \$15.5 million is from special revenue funds. The State General Fund estimate is \$44,727 below the FY 1994 approved amount. The agency estimates 816.5 FTE positions, which is the number approved by the 1993 Legislature.

The Governor recommends FY 1994 operating expenditures of \$36,967,342 for the agency. This is a decrease of \$106,680 from the agency's revised current fiscal year estimate. Of the decrease from the agency request, \$99,849 is from the State General Fund and \$19,742 is from the Motor Carrier Inspection Fund. The decreases are due to retirements, and to various salary and OOE adjustments made by the Governor. The Governor concurs with the agency's estimate for spending from the MCSAP Fund, from the KHP Motor Vehicle Fund and from the KHP Training Center Fund. The Governor adjusts spending from the agency's Federal Fund upward by \$12,000. The Governor recommends an FY 1994 FTE position limitation of 813.5 FTE positions, which is 3.0 FTE less than estimated by the agency. The adjustment is due to retirements; the agency appealed for the restoration of the positions, but this was denied. One FTE is in the Patrol Operations sub-program, and two are in the Motor Carrier Inspection sub-program. The Governor's recommendation includes \$18,502 SGF (\$22,918 All Funds) for the implementation of the Classification and Job-Rate Study.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendations.

Senate Committee Recommendation

Concur.

House Subcommittee Recommendation

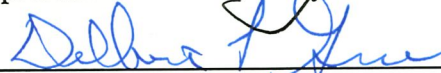
Concur.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Highway Patrol

Bill No. 585, 528

Bill Sec. 5

Analyst: Colton

Analysis Pg. No. 919

Budget Page No. 272

<u>Expenditure</u>	<u>Agency Req. FY 1995</u>	<u>Gov. Rec. FY 1995</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund:			
Operating Expenditures	\$ 24,283,675	\$ 21,921,197	\$ 28,000
Capitol Area Sec. Patrol	627,447	594,693	(28,000)
Replacement Vehicles	--	--	--
Subtotal--SGF	\$ 24,911,122	\$ 22,515,890	\$ --
Agency Fees Fund	\$ 96,654	\$ 96,654	\$ --
Motor Carrier Safety Assistance Prog. Fund	1,488,034	1,449,835	--
Vehicle Identification Number (VIN) Fee Fund	1,316,202	1,328,502	--
Highway Patrol Training Center Fund	723,320	723,320	--
Turnpike Patrol Fund	1,967,537	1,967,112	--
Motor Carrier Inspection (MCI) Fund	6,192,676	5,568,425	--
Federal Fund	--	12,000	--
Federal Forfeitures	--	--	--
Capitol Area Security Fund	1,079,136	1,036,966	--
State Asset Forfeiture Fund	24,000	24,000	--
Gifts and Grants	--	--	--
KHP Motor Vehicle Fund	2,870,000	2,870,000	--
Subtotal--Operating	\$ 40,668,681	\$ 37,592,704	\$ --
Capital Improvements:			
MCI Fund	\$ 2,142,328	\$ 80,000	\$ 20,000
KHP Training Center Fund (Debt Service)	215,000	215,000	--
TOTAL EXPENDITURES	\$ 43,026,009	\$ 37,887,704	\$ 20,000
FTE Positions	837.6	814.6	--

Agency Request/Governor's Recommendation

The agency requests FY 1995 operating expenditures of \$40,668,681. Of the requested funding, \$24,911,122 is from the State General Fund, and \$15,757,559 is from special revenue funds. The request would fund 837.6 FTE positions, an increase of 21.1 FTE positions over the revised current year estimate.

The Governor recommends FY 1995 operating expenditures of \$37,592,7040. Of this, \$22,515,890 is from the State General Fund and \$15,076,814 is from special revenue funds. The Governor's recommendations increase spending from the State General Fund by 3.2 percent over the revised FY 1994 recommended amount, and spending from all funds by 1.7 percent. Included in the recommendation is \$2.87 million from the KHP Motor Vehicle Fund for 205 patrol vehicles; with the new vehicles, the Patrol hopes to achieve a mile-out rate of 60,000 miles in FY 1995. The Governor's recommendations call for 814.6 FTE positions in FY 1995, an increase of 1.1 FTE over the revised current year recommendation. The Governor recommends funding for step movement, unclassified-merit increases and longevity bonuses for eligible employees.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendations, with the following exceptions and comments:

1. Shift \$28,000 in State General Fund moneys from the Capitol Area Security Patrol line item to the Patrol Operations line item in order to increase funding for Trooper overtime. The moneys recommended for the Capitol Area Security Patrol were intended for the purchase of two patrol vehicles. The Subcommittee believes that using the money for overtime instead of for cars for the Capitol Area Security Patrol will do more to achieve the agency's primary mission, *i.e.*, providing for the public safety and law enforcement on Kansas highways.

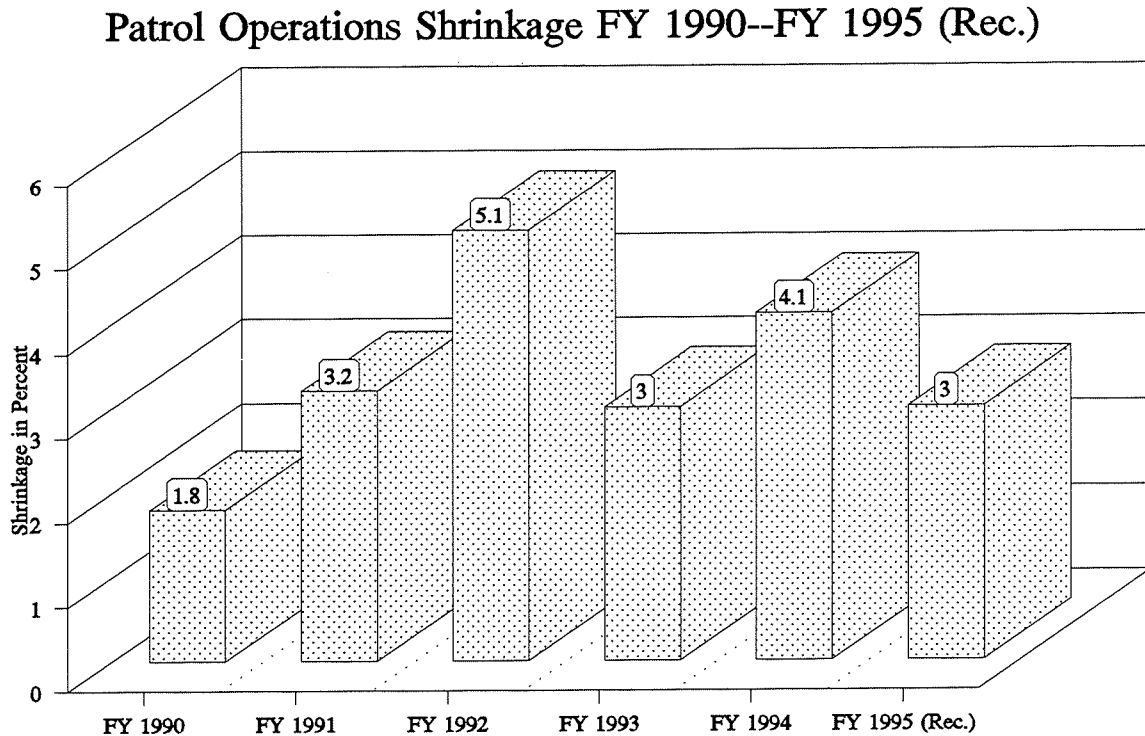
The agency requested \$216,341 for FY 1995 Trooper overtime; the Governor recommended \$87,701, or about 40 percent of what the agency requested. The Governor's recommendation would have provided for ten hours of overtime per Trooper per year; the Subcommittee's recommendation will provide for about 13 ¼ hours.

A recent K-GOAL audit of the Department of Administration concluded that money could be saved if overtime pay were calculated on actual hours worked in a week, rather than the number of hours (including leave) for which an employee is paid during that week. The Subcommittee notes that overtime at the Highway Patrol is calculated on the basis of actual hours worked during a week.

2. The bill that created the Kansas Highway Patrol Motor Vehicle Fund (1993 S.B. 212, L. 1993, Ch. 176) says that moneys from the Fund "shall be used for Kansas Highway Patrol motor vehicles and for no other purpose." The Subcommittee did not give its explicit approval to the agency using money from the KHP Motor Vehicle Fund for vehicles for the Capitol Area Security Patrol. The Committee on Ways and Means may wish to discuss whether the use of KHP Motor Vehicle Fund moneys for the purchase of Capitol Area Security Patrol would be in accord with the spirit of 1993 S.B. 212.
3. The Subcommittee is concerned that the agency's Trooper strength may be approaching the limits of what can be considered adequate to protect the public safety on Kansas highways. The Subcommittee learned that in some districts where, ideally, four Troopers would be stationed, there is only one Trooper; and that Trooper strength in the Topeka area is stretched so thin that Troopers working

accidents 30 miles to the south of Topeka have been dispatched to accidents 30 miles to the north of the city.

With regard to the number of Troopers on the road, the Subcommittee learned that the agency plans to begin to train a class of 27 Troopers in March of 1994. The Subcommittee is pleased at this development, but is concerned that the rate of shrinkage recommended by the Governor for the Patrol Operations sub-program for FY 1995 may cause difficulties for the agency in light of the Trooper positions being filled. The following chart shows the actual shrinkage rate for the past several years, along with the rate proposed by the Governor for FY 1995.



The Subcommittee notes that the relatively high level of shrinkage over the past several years has been sustainable only because of the Trooper vacancies that the agency has kept unfilled. In light of the fact that the agency is going to fill those vacant positions, the shrinkage rate recommended by the Governor may not be achievable. The Subcommittee recommends that the Legislature monitor this situation, and, if necessary, address the situation as part of current-year review during the 1995 Session.

4. During Subcommittee discussions with the agency on how it might use its resources in order accomplish more effectively its mission, i.e., enforcing laws and promoting safety on the roads of Kansas, it came to light that the agency is presently leasing

office space in Topeka (at the Jayhawk Tower) that it considers that is in excess of current needs. The leases (which last for a term of five years) were entered into before the current Superintendent took office.

The excess office space came about because of the reorganization that is taking place in various programs of the agency, the aim of which is to eliminate middle-management positions, and to place more of the agency's personnel on the road. This reorganization began during the summer of 1993.

The Subcommittee directed the agency to investigate the possibility of renegotiating its lease of office and storage space at the Jayhawk Tower in order to eliminate excess office space and divert moneys used for the lease to better purposes, *e.g.*, more highway personnel. The agency is currently leasing 2,596 square feet of office space which it does not consider absolutely necessary, at an annual cost of \$19,107.

The Subcommittee learned, however, that while it would be possible for the agency to renegotiate its lease (for less space) at the Jayhawk Tower, to do so now would lock the agency into another five-year lease for space that is currently needed, but which may well become dispensable during the course of the continuing reorganization that is taking place at the Highway Patrol.

The agency has informed the Subcommittee that, by approximately this time next year, it will have a fairly firm idea of what its long-term space needs will be.

In light of these factors, the Subcommittee believes that it would not be prudent to pursue a renegotiation of the lease at the present time. Instead, we direct the agency to present to this Subcommittee, during the 1995 Legislative Session, a report on a renegotiated lease that will reflect the agency's true space needs, so that State resources might be devoted to better purposes.

Senate Subcommittee Recommendation (S.B. 528 -- Capital Improvements)

The Subcommittee concurs with the Governor's recommendations for spending for capital improvements, with the following change:

1. Add \$20,000 from the Motor Carrier Inspection Fund for remodeling the Motor Carrier Inspection scale building at Kanorado to make it more appropriate to the agency's needs. The agency may also use the money for other rehabilitation and repair projects at other Motor Carrier Inspection sites as needed.

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittees' recommendations, with the following conclusion on the part of the Committee:

1. With regard to Item No. 2 of the Subcommittee report on the operating budget, because the Capitol Area Security Patrol has an enabling act different from that of the Kansas Highway Patrol (the Capitol Area Security Patrol is authorized in K.S.A.

75-4501 *et seq.*; the Highway Patrol in K.S.A. 74-2105 *et seq.*), it would appear that the Capitol Area Security Patrol and the Kansas Highway Patrol are separate agencies, even though the Capitol Area Security Patrol is under the command of the Highway Patrol Superintendent. Thus, it would appear that the statute that creates the KHP Motor Vehicle Fund does not allow the use of moneys from that Fund to purchase vehicles for the Capitol Area Security Patrol.

House Subcommittee Recommendation

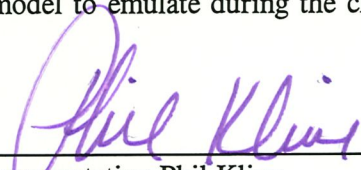
The House Subcommittee concurs with the Senate Committee's recommendations, with the following comments:

1. The House Subcommittee notes that the agency has, for about the past year, been undergoing an extensive reorganization process. The reorganization process was set in motion by the current superintendent when he began his tenure. It has several goals:
 - Reduction of middle-management staffing, and dedicating those positions and their funding to putting more Troopers on the highways of Kansas;
 - Placing civilians in administrative positions in order to use sworn positions for law-enforcement activity;
 - Empowering Troopers on the road with more decisionmaking authority; and
 - Decreasing the emphasis on writing tickets and increasing the time spent in giving service to the public, educating the public on issues of highway safety and working on interdiction of crimes and the apprehension of dangerous criminals.

Even though the process of reorganization is still relatively new, the Subcommittee is encouraged by the early results of the process, and believes that it has already spurred a renewed commitment on the part of the agency and its personnel to the Patrol's mission of "Service--Courtesy--Protection." The Subcommittee encourages the continuation of the process, and believes that it will, in the long-term, bring great benefits to the citizens in Kansas and to their safety and security.

2. The Subcommittee notes further that the agency made no appeals for increases in its budget. It characterized the budget recommended by the Governor as "austere but adequate," but has committed itself to live within that budget by prioritizing its activities, and devoting resources to its top-priority activities. It characterized its top priorities as adequate funding for Trooper overtime and for gasoline for patrol vehicles. In order to ensure sufficient funding for these priorities, it has looked to find flexibility in other areas of its budget in several ways, *e.g.*, by eliminating almost all out-of-state travel, using aircraft only in high-traffic areas and requiring agency personnel to document overtime activities. The Subcommittee is very pleased that the agency has adopted the new budgetary paradigm that has been championed by the House Appropriations Committee and its leadership, and believes that other

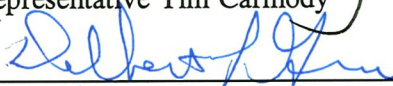
agencies could look to the Patrol for a model to emulate during the changeover to performance-based budgeting.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Kansas Bureau of Investigation

Bill No. 718

Bill Sec. New

Analyst: Colton

Analysis Pg. No. 937

Budget Page No. 366

Expenditure	Agency Est. FY 94	Governor's Rec. FY 94	Subcommittee Adjustments
State Operations:			
State General Fund	\$ 9,119,039	\$ 8,785,705	\$ 71,000
Special Revenue Funds	<u>1,791,557</u>	<u>2,061,128</u>	<u>(71,000)</u>
Subtotal--State Oper.	\$ 10,910,596	\$ 10,846,833	\$ --
Other Assistance--SGF	<u>--</u>	<u>--</u>	<u>--</u>
Subtotal--Operating	\$ 10,910,596	\$ 10,846,833	\$ --
Capital Improvements:			
State General Fund	<u>135,850</u>	<u>114,850</u>	<u>--</u>
TOTAL	<u>\$ 11,046,446</u>	<u>\$ 10,961,683</u>	<u>\$ --</u>
FTE Positions	191.0	191.0	--

Agency Estimate/Governor's Recommendation

The agency's revised current year estimate is \$11,046,446. Of this amount, \$10,910,596 is for operating expenditures and \$135,850 is for capital improvements. This is \$216,668 less than was approved by the 1993 Legislature as adjusted by the State Finance Council. Of the agency's revised current year estimate for operating expenditures, \$9,119,039 is from the State General Fund, and \$1,791,557 is from special revenue funds. The agency's estimate for spending from the State General Fund is \$200,186 more than was approved by the 1993 Legislature; the estimate for spending from special revenue funds is \$535,667 less than was approved by the 1993 Legislature. The agency is seeking a supplemental appropriation from the State General Fund in the amount of \$208,000 for operating expenditures. \$148,000 of the requested supplemental appropriation is to make up for a decrease in estimated FY 1994 receipts to the Criminal History Record Check Fees Fund, which supports portions of the Administration, General Support Services, and Data Processing programs; the agency explains that FY 1993 receipts were inflated by \$62,000 in billings to a state agency, and that this led to overly-optimistic receipt estimates for FY 1994. The other \$60,000 of the supplemental appropriation is sought to replace approved FY 1994 funding for the Laboratory in the amount of \$83,000 from the Forensic Laboratory and Materials Fee Fund. This Fee Fund receives its revenue from court assessments of \$150 against defendants in criminal cases in which the KBI Laboratory renders services. The agency reports that courts have been slow in beginning to assess the \$150 fee, which was enacted by the 1993 Legislature, and estimates FY 1994 receipts of \$8,000; because of a feared shortfall in Laboratory funding, the agency is seeking the supplemental appropriation. The agency is also seeking a capital-improvements supplemental appropriation from the State General Fund of \$21,000 in order to make security improvements to its Topeka headquarters. The agency is seeking a turnover rate of 0 percent in FY 1994. The approved turnover rate is 2.6 percent.

ATTACHMENT

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The Governor recommends FY 1994 expenditures of \$10,961,683. Of the recommendation, \$10,846,833 is for operating expenditures and \$114,850 is for capital improvements. Of recommended operating expenditures, \$8,785,705 is from the State General Fund (\$333,334 less than the agency request and \$133,148 less than the amount approved by the 1993 Legislature), and \$2,061,128 is from special revenue funds (this is \$176,096 less than the approved amount, but \$269,571 more than the agency estimate). The Governor does not concur with the agency's request for a supplemental appropriation from the State General Fund, either to make up for fee-fund shortfalls or for security improvements at the agency headquarters. The Governor's revised current year recommendations reduce the agency's operating budget by \$399,244 from the approved amount; \$133,148 of the reduction is from the State General Fund. The Governor recommends FY 1994 turnover of \$63,661, or 0.8 percent.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendations with the following change:

1. Add \$71,000 from the State General Fund for OOE for the agency laboratory. The Governor's recommendations include \$82,688 from the Forensic Laboratory and Materials Fee Fund for OOE funding for FY 1994. To date, FY 1994 receipts to the fund have been \$450. The addition of SGF funding is meant to replace funding from the Special Revenue Fund.

The fee fund receives its revenue from court assessments of \$150 against defendants in criminal cases in which the KBI Laboratory renders services. According to the agency, courts have been slow in beginning to assess the \$150 fee, which was enacted by the 1993 Legislature.

As a condition for adding the funding for the agency laboratory, the Subcommittee directed the agency to continue to act aggressively to educate the judiciary about the requirement of assessing the fee in appropriate cases.

Senate Committee Recommendation

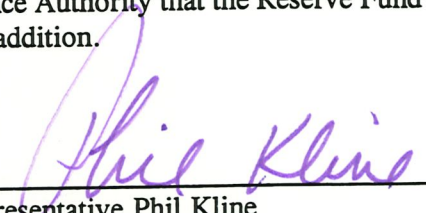
Concur.

<u>Expenditure</u>	<u>Senate Subcommittee Recommendation</u>	<u>House Subcommittee Adjustments</u>	<u>House Subcommittee Recommendation</u>
State Operations:			
State General Fund	\$ 8,856,705	\$ 10,900	\$ 8,867,605
Special Revenue Funds	1,990,128	--	1,990,128
Subtotal--St. Ops.	10,846,833	10,900	10,857,733
Subtotal--Operating	\$ 10,846,833	\$ 10,900	\$ 10,857,733
Capital Improvements:			
State General Fund	114,850	--	114,850
TOTAL	\$ 10,961,683	\$ 10,900	\$ 10,972,583

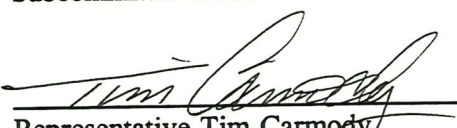
House Subcommittee Recommendation

The House Subcommittee concurs with the Senate Committee's recommendations, with the following change:

1. Add \$10,900 from the State General Fund for debt service. A shortage of moneys available for debt service has occurred because the KBI Building Principal and Interest Fund has not generated the revenue that was predicted when bonds were issued for the purchase of the KBI headquarters in FY 1989. To make up for the shortage, the KBI has used moneys its Building Bond Reserve Fund, but has been informed by the Kansas Development Finance Authority that the Reserve Fund must be reimbursed. This is the reason for the addition.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: Kansas Bureau of Investigation

Bill No. 585

Bill Sec. 6

Analyst: Colton

Analysis Pg. No. 937

Budget Page No. 366

Expenditure	Agency Req. FY 95	Governor's Rec. FY 95	Subcommittee Adjustments
State Operations:			
State General Fund	\$ 10,824,639	\$ 8,883,045	\$ 495,528
Special Revenue Funds	1,098,233	1,227,116	(67,845)
Subtotal--State Oper.	\$ 11,922,872	\$ 10,110,161	\$ 427,683
Other Assistance--SGF	--	--	--
Subtotal--Operating	\$ 11,922,872	\$ 10,110,161	\$ 427,683
Capital Improvements:			
State General Fund	173,000	125,000	--
TOTAL	\$ 12,095,872	\$ 10,235,161	\$ 427,683
FTE Positions	194.0	186.0	5.0

Agency Request/Governor's Recommendation

The agency requests FY 1995 funding in the amount of \$12,095,872. Of this, \$11,922,872 is for operating expenditures and \$173,000 is for capital improvements. The agency's request for FY 1995 operating expenditures represents a 9.3 percent increase over the revised current year estimate. It would fund 3.0 new FTE positions: a 1.0 FTE Storekeeper I for its Administration Program, as well as a 1.0 FTE Laboratory Technician II position for the Firearms and Toolmark Section of the agency's Forensic Laboratory, and a 1.0 FTE Office Assistant II for laboratory administration. The request would also fund, during the last half of FY 1995, the lease of a newly-constructed annex at the agency's Topeka headquarters, as well as additional office space at the agency's Overland Park office. Included in the request is a 29-percent increase in funding for contractual services (chiefly travel and rents), and a 27.7-percent increase for commodities (chiefly professional and scientific supplies for the agency's laboratory). The request would fund \$586,911 in capital outlay expenditures. The agency requests a turnover rate of 2.6 percent in FY 1995 (\$207,045).

The Governor recommends FY 1995 expenditures of \$10,235,161; of this amount, \$10,110,161 is for operating expenditures and \$125,000 is for capital improvements. The Governor's recommendation for operating expenditures represents a reduction of \$1,812,711 from the agency's request, and a reduction of \$736,672, or 6.8 percent, from the Governor's revised current year recommendation. The Governor's recommendation would fund 186.0 FTE positions. The Governor does not fund the new positions that the agency requested, and proposes to abolish 6.0 FTE positions in the Narcotics Division. The Governor recommends converting a Criminalist Technician (Firearms) position (special projects) to a classified FTE position, for a net reduction of 5.0 FTE positions.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendations with the following changes and comments:

1. Add \$137,000 from the State General Fund for the agency's forensic laboratory. Of the recommended addition, \$71,000 is to replace funding from the Forensic Laboratory and Materials Fee Fund that is included in the Governor's spending proposals. As was explained the FY 1994 Subcommittee report, there have been, to date, only \$450 in receipts to the fund. The Governor's recommendations project \$82,688 in revenues to the fund. Based on receipts to date, the Subcommittee feels that this projection is unrealistic. (The Subcommittee also recommends, however, that the fund be monitored, and, if revenues to the fund improve, that SGF funding for the laboratory be adjusted during the 1995 Legislative Session as part of current-year review.)

\$66,000 of the recommended addition is necessary in order to bring FY 1995 recommended funding for OOE for the agency laboratory up to the FY 1994 level. The Subcommittee feels that it is necessary at least to maintain the status quo in funding for the agency laboratory in view of public concern over criminality, and the increasing demands on the agency laboratory.

It is the expectation of the Subcommittee that the agency will continue its efforts to educate the judiciary on the necessity of assessing the \$150 fee for the Forensic Laboratory and Materials Fee Fund in criminal cases in which the laboratory renders services, and that, as revenues to the Fund improve, the agency will come to rely less on the State General Fund for funding for the laboratory.

2. Add \$5,000 from the State General Fund for a fume hood for the agency's laboratory. The hood is to ventilate fumes from volatile chemicals used in processing latent-print evidence. Insufficient ventilation would be a hazard to the health of laboratory employees.
3. Make the State Special Asset Forfeiture a no-limit fund. This is, in the opinion of the Subcommittee, advisable for two reasons:
 - a. the fund has three accounts, one of which is for the KBI's use, one of which is in the Attorney General's office and one of which is used to disburse forfeiture moneys to local law-enforcement agencies. Transfers between the accounts count as expenditures, and a limit on the fund could limit its usefulness to the agency;
 - b. the Governor's recommendations place a \$45,000 limit on the fund. By removing the expenditure limitation on the fund, the agency can use any revenues over and above the \$45,000 in the Governor's recommendations as "buy funds."

We directed the agency to report to this Subcommittee during the 1995 Session on how moneys from the fund have been and are being used.

4. Make the Crime Prevention Materials Fee Fund a no-limit fund. The Governor's recommendations place a limit of \$3,370 on the fund. Revenues to the fund come from fees assessed against local law-enforcement agencies for crime prevention materials, and offset printing costs incurred by the KBI. If the \$3,370 expenditure limitation were met during the course of FY 1995, the agency might be forced to turn down requests for crime-prevention materials from local law-enforcement agencies. If, by next Session, receipts to the Fund are in excess of the \$3,370 estimate, the 1995 Legislature may wish to offset State General Fund expenditures with fee-fund revenues.
5. The Subcommittee was asked, but declined, to add \$15,000 from the State General Fund for "buy funds" for narcotics investigations in order to make up for a possible shortfall in revenue to the agency's Evidence Purchase and Investigation Fund. The Subcommittee recommends that the agency use moneys from the State Asset Forfeiture Fund if revenues to the Evidence Purchase and Investigation Fund do not meet levels projected in the Governor's recommendations, and that the 1995 Legislature revisit this issue in order to ensure that there is sufficient funding available to the agency for "buy funds."
6. Restore \$290,076 from the State General Fund, 3.0 FTE Special Agent II positions, 1.0 FTE Special Agent IV position and 1.0 FTE Assistant Attorney General (unclassified), and accompanying OOE funding to the Narcotics Strike Force. This recommendation restores 1.0 FTE Agent II position less than requested by the agency. The recommended amount for salaries includes fringe benefits and applies a turnover rate of 3.0 percent, as recommended by the Governor. OOE funding is \$13,800 per position.

In light of the decrease of 1.0 FTE position in the Narcotics Strike Force, and in order to have a better utilization of agency manpower and resources generally, the Subcommittee would request that the agency review its staffing patterns, and examine the possibility of cross-training agents to work in different units at the agency, rather than in just one unit, as is done at present.

The Subcommittee believes that the KBI could have a bigger impact on narcotics trafficking if more emphasis were placed on investigations of money laundering operations, in accordance with existing statutes.

7. The Subcommittee notes that the Legislature has dealt, over the past several years, with the issue of overtime for KBI agents and criminalists. Funding for overtime was added during the 1992 Omnibus Session, but was vetoed by the Governor. The Subcommittee recognizes the inequity of the fact that funding for Trooper overtime is included in the budget of the Highway Patrol, but no funding for agent overtime is included in the budget of the KBI. In light of the substantial additions that this Subcommittee has made for FY 1995, we are unwilling to add additional funding for overtime. We do, however, recommend that the House Subcommittee examining the KBI budget discuss this issue, and, in the event that the Senate and House Subcommittees are in consensus about this, that the matter be revisited during the 1995 Session. Should the State's financial situation at that time be more favorable,

the Legislature could choose to include funding for agent and criminalist overtime in the KBI's appropriation.

8. The Subcommittee directs the agency to examine the possibility of establishing a DUI/Blood Alcohol Testing Fee Fund, and to present its conclusions on this matter to the House Subcommittee examining the KBI budget. The Subcommittee is aware that the Legislative Post Audit Report *Reimbursement for Services Provided by the Kansas Bureau of Investigation* found that, as in Kansas, state criminal justice agencies in surrounding states do not charge local law-enforcement agencies for laboratory services. However, in the view of the Subcommittee, this, in and of itself, is not a reason not to examine the possibility of establishing such a fee fund, especially for non-fatality cases. Other state services that were once available for free (e.g., public health department services) now charge fees. In light of the amount of manpower, time and resources expended by the agency on blood alcohol tests for local law-enforcement agencies, and in light of the feeling on the part of some that the agency's time and resources might be better spent on more complex cases, the Subcommittee feels that it might be time to limit the use of KBI services and resources for matters as routine as DUI/blood alcohol testing -- especially by larger local law-enforcement agencies, and that the establishment of a nominal fee for such services might prove useful in doing so.
9. Make technical adjustments to the bill (adjust the FY 1995 reappropriation; add \$63,452 SGF and \$3,155 from the Lottery and Racing Fees fund for longevity, which was inadvertently not included in the Governor's budget recommendation).

Senate Committee Recommendation

Concur.

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate Committee's recommendations, with the following comments:

1. The agency presented the Subcommittee with information from the Kansas Development Finance Authority which led the Subcommittee to believe that, if the current bond issue for the purchase of the agency headquarters were reissued, because of today's more advantageous interest rates, the fiscal feasibility of constructing an annex to the headquarters building would be greater now than in the past several years (the agency has been requesting an addition to its headquarters for several years, but, because of fiscal constraints, approval for the project has not been forthcoming).

The agency informed the Subcommittee that the bond issue for the purchase of the headquarters building will be refinanced in order to achieve savings, whether or not the requested new annex is approved.

The Subcommittee directed the agency to prepare information on what it would cost to build and to equip a 12,000 ft.² annex (cost of construction: approximately \$1.5 million), and a 27,000 ft.² annex (cost of construction: approximately \$3 million), and to present such information to the Joint Committee on State Building Construction.

2. The Subcommittee discussed at length the matter of pursuing accreditation for the agency's forensic laboratory.

In conversations with law-enforcement officers in their constituencies, Subcommittee members have learned that the laboratory services provided to local law enforcement by the KBI are considered by many to be the most valuable service that the agency provides.

Because of the importance of KBI laboratory services to local law enforcement, the Subcommittee directed the agency to prepare a report, to be presented to the 1995 Legislature, on the costs and possible benefits, along with possible disadvantages, of pursuing accreditation for the agency laboratory with the American Society of Crime Laboratory Directors.

3. The Subcommittee notes that the Division of Information Systems and Communications (DISC) has instructed state law-enforcement agencies to develop plans for conversion of current radio systems to 800-MHz systems; the conversion will be necessary because of Federal Communications Commission rules that will force law-enforcement agencies to abandon currently-used low-band radio systems.

The Subcommittee believes that the purchase of 800-MHz radios would be an ideal use for state and federal asset forfeiture moneys. The Subcommittee encourages the agency to use such moneys to purchase the new radios. Because of the importance of this issue, the Subcommittee recommends that the 1995 Legislature revisit this issue, in order to ensure that forfeiture revenues are sufficient to allow the agency to convert to an 800-MHz system.

4. The House Subcommittee does not agree with Item No. 8 of the Senate Subcommittee's report and expressly rejects the idea of a DUI/Blood Alcohol Testing Fee Fund. The House Subcommittee believes that, because of the expense that would be involved if fees were charged for KBI blood-alcohol analyses, local law-enforcement agencies, especially in small communities and rural areas, could be forced to abandon their strict enforcement of laws against drunk driving.
5. With reference to Item No. 1 of the Senate Subcommittee's report, the House Subcommittee learned that it is likely to take a number of years for revenues to begin accruing to the Forensic Laboratory and Materials Fee Fund in any significant amount. The Subcommittee recommends that the Legislature revisit this issue over the next several years in order to ensure the adequacy of funding for the agency laboratory as revenues begin to flow into the Fee Fund.
6. At the request of the House Subcommittee that examined the Kansas Lottery's budget, this Subcommittee looked at the activities of the KBI's Gaming Unit that are undertaken on behalf of the Lottery; the Lottery Subcommittee requested that this

Subcommittee to determine whether the direct transfer that is made each year to the KBI from the Lottery for the purpose of financing the KBI Gaming Unit is justified by that Unit's work performed relative to lottery activities.

This Subcommittee learned that the KBI Gaming Unit's work for the Lottery consists largely of background checks and fingerprint checks, which are activities for which the Lottery is billed apart from the direct transfer. In addition, the KBI performs quality-control checks on lottery tickets (which utilize various instruments found in the KBI laboratory. In addition, the KBI will undertake specialized investigations dealing with lottery matters at the request of the Governor or the Lottery. In addition, the Gaming Unit has made several arrests for illegal gambling activities and gambling devices, some of which have been undertaken with other state officials, as well as local and federal officials.

In light of these activities, it is the opinion of the Subcommittee that there is justification for the direct transfer. Apart from the justification, however, the Subcommittee believes, as a matter of policy, that providing funding for the Bureau's Gaming Unit is an excellent use of lottery moneys.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: State Fire Marshal

Bill No. --

Bill Sec. --

Analyst: Duncan

Analysis Pg. No. 911

Budget Page No. 212

Expenditure	Agency Est. FY 94	Governor's Rec. FY 94	Senate Subc. Rec.
State Operations:			
Fire Marshal Fee Fund	\$ 1,781,430	\$ 1,780,778	\$ 1,929
Other Funds	--	--	--
TOTAL	<u>\$ 1,781,430</u>	<u>\$ 1,780,778</u>	<u>\$ 1,929</u>
FTE Positions	39.0	38.5	.5

Agency Estimate/Governor's Recommendation

The agency estimates \$1,781,430 for state operations in FY 1994, a reduction of \$28,428 from \$1,809,858, the amount approved by the 1993 Legislature, as adjusted by Finance Council action. The reduction is due to agency retirements pursuant to 1993 H.B. 2211. At the start of the fiscal year the agency had two employees retire, a Fire Prevention Inspector and an Office Assistant IV. Approval was granted to fill only the Fire Inspector position. For FY 1994, the agency is requesting \$3,813 and the restoration of 1.0 FTE position for a new Office Assistant for the last two months of the fiscal year. According to the agency, this Office Assistant was the only clerical support for the nine members of the Fire Investigation program. This position transcribes all of the taped fire investigation reports. These reports are required to be provided to insurance companies within 30 days of a fire. The agency also must respond to requests for information under the Open Records Act within three days. The agency is concerned that in not filling this position, the state would violate the Arson Reporting Immunity Act and the Open Records Act.

The Governor recommends \$1,780,778 for state operations in FY 1994, a decrease of \$652, for salary and wage adjustments, from the agency's estimate. The recommendation includes \$1,929 for a half-time Office Assistant for the last two months of the current fiscal year.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the following adjustment:

1. Add \$1,929 and restore .5 FTE Office Assistant position for the last two months of the current fiscal year. This position was lost due to a retirement pursuant to 1993 H.B. 2211. At the beginning of the fiscal year, two agency employees retired, a Fire Prevention Inspector and an Office Assistant IV. Approval was granted to fill only the Fire Inspector position. According to the agency, this Office Assistant was the only clerical support for the nine members of the Fire Investigation program. The Office Assistant transcribes all of the taped fire investigation reports. These reports

ATTACHMENT 11

are required to be provided to insurance companies within 30 days of a fire. The agency must also respond to requests for information under the Open Records Act within three days. The agency is concerned that in not filling this position, the state would violate both the Arson Reporting Act and the Open Records Act.

The fee fund estimate based on the recommendation of the Subcommittee is as follows:

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 910,333	\$ 1,184,746
Net Receipts	<u>2,556,896</u>	<u>2,766,496</u>
Total Funds Available	\$ 3,467,229	\$ 3,951,242
Less: Expenditures	1,382,483	1,782,707
Transfer Out	<u>900,000</u>	<u>1,475,000</u>
Ending Balance	<u>\$ 1,184,746</u>	<u>\$ 693,535</u>
Ending Balance as a Percent of Expenditures	85.7%	38.9%

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

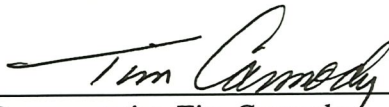
<u>Expenditure</u>	<u>Senate Adj. FY 94</u>	<u>Senate Rec. FY 94</u>	<u>House Sub. Adjustments</u>
State Operations:			
Fire Marshal Fee Fund	\$ 1,929	\$ 1,782,707	\$ --
Other Funds	--	--	--
TOTAL	<u>\$ 1,929</u>	<u>\$ 1,782,707</u>	<u>\$ --</u>
FTE Positions	--	39.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendation of the Senate.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

SUBCOMMITTEE REPORT

Agency: State Fire Marshal

Bill No. 585

Bill Sec. 3

Analyst: Duncan

Analysis Pg. No. 911

Budget Page No. 212

Expenditure	Agency Req. FY 95	Governor's Rec. FY 95	Senate Subc. Rec.
State Operations:			
Fire Marshal Fee Fund	\$ 1,958,163	\$ 1,817,726	\$ 59,053
Other Funds	--	--	--
TOTAL	<u>\$ 1,958,163</u>	<u>\$ 1,817,726</u>	<u>\$ 59,053</u>
FTE Positions	41.0	38.5	1.5

Agency Request/Governor's Recommendation

For FY 1995, the agency requests \$1,958,163 for state operations, an increase of \$176,733 over the FY 1994 revised estimate. The request includes \$74,590 in salaries and wages and \$47,418 for other operating expenditures, associated with two new Fire Investigation positions (\$37,295 each including fringe benefits) in FY 1995. One Fire Investigator would cover the north and southeastern sections of the state. The other would be an explosives expert. According to the agency, the Fire Marshal's Office is responsible for investigating explosions, many of which are caused by pipe bombs or other homemade devices. Often, these do not explode, leaving a potentially dangerous device. Current investigators are trained for fire scene investigations but have minimal training in explosives. The following table summarizes expenditures associated with the two new positions:

Two Fire Investigators	
Salaries and Wages	\$ 74,590
Communication	3,000
Printing	250
Repair and Servicing	500
Travel and Subsistence	15,000
Film Processing	500
Clothing	1,000
Maintenance Materials	450
Film Supplies	500
Office Supplies	10,000
Other Supplies	450
Capital Outlay	15,768
TOTAL	<u>\$ 122,008</u>

In addition to funding for the Fire Investigators, the agency requests \$23,599 (including fringe benefits) to annualize the Office Assistant position, deleted due to a retirement, in FY 1994.

For FY 1995, the Governor recommends \$1,817,726 for state operations, a reduction of \$140,437 from the agency's request. The Governor does not recommend the requested Fire Investigation positions; however, the recommendation does provide \$11,841 to continue the half-time Office Assistant restored by the Governor for the last two months of the current fiscal year. Aside from expenditures associated with the two Fire Investigation positions, the Governor reduces salaries and wages (\$10,979), travel and subsistence (\$4,000) and capital outlay (\$6,450) and increases professional supplies (\$3,000). The increase is apparently due to a correction of a budget oversight for the purchase of items for fire code standards.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the following adjustments:

1. Add \$11,758 to annualize the salary of the half-time Office Assistant IV position recommended by the Governor.
2. Add \$37,295 and one FTE Fire Investigator to investigate arson fires and handle a trained arson dog. The agency testified that the dog (Avon) and her handler are certified as a trained arson investigation team by the federal bureau of Alcohol, Tobacco and Firearms (ATF). The dog, which has a value of approximately \$12,000, is trained to sniff out accelerants at fire scenes. The agency believes that use of the dog will allow it to investigate a greater number of fire scenes in significantly less time. According to testimony from the Jefferson County Attorney, arson fires are difficult to prove and often not prosecuted because of scant physical evidence. When the attorney first took office, he elected to prosecute an arson fire which his successor had dropped due to lack of tangible evidence. The fire started in the basement of a dwelling which had been filled with garbage and other debris. Six people spent over four hours sifting through cinders and shoveling out garbage to locate lab samples. Even though firefighters saw signs of gasoline in the water no samples were ever found. According to testimony, the dog, who finds positive samples 90 percent of the time, would have found enough evidence to warrant immediate prosecution. All testimony indicated that use of the dog would result in increased numbers of arson convictions.

According to the agency, there are approximately 3,000 incendiary fires in Kansas each year. The Fire Marshal's office investigates about 325 fires. Testimony indicates that the addition of a fire investigator and an arson dog would result in at least 25 more fire investigations a year, less time spent at each investigation and less time spent in court. The agency states that fire investigations do not fit into defined work days. Consequently, compensatory time quickly builds up. During the calendar year 1993 the State Fire Marshal's Office paid \$7,320 in salaries and wages for accumulated compensatory time. As of January 1994, the agency has an obligation to pay \$6,974. The following table illustrates the hours lost due to compensatory time:

Comp. time accumulated as of 1-1-93	306.75 hours
Comp. time accumulated during 1993	644.25 hours
Total compensatory time 1993	951 hours
Comp. time accumulated as of 1-1-94	464 hours
Work days lost due to comp. time taken 61	61 days
Work days potentially lost due to comp. time (5.9 pay periods)	119 days
Work days that will be lost due to accumulated comp. time	58 days

The Subcommittee expects that the addition of the investigator and dog would alleviate some compensatory time, perhaps by as much as 15 percent. The Subcommittee believes that use of this investigative team would save countless man-hours over the years, reduce the number of lab samples sent to the KBI and dramatically increase the number of arson prosecutions and convictions across the state.

3. Add \$10,000 for operating expenditures associated with the new FTE position.
4. The Subcommittee notes that the mission of the Kansas Fire Marshal Department is to protect the lives and property of Kansas citizens from the hazards of fire and explosions. The Subcommittee believes that the agency should assess its own performance and develop and refine indicators that address the efficiency of its operation and its effectiveness in fulfilling its mission. The Subcommittee directs the agency to specifically include statistics justifying the use of Avon and her trainer. Examples include, but are not limited to, the number of arson investigations performed, the number of samples taken from each investigation site, the number of positive samples found by the dog, the number of arson prosecutions and the number of arson convictions.

The fee fund estimate, based on the recommendation of the Subcommittee, is s follows:

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 910,333	\$ 1,184,746	\$ 693,535
Net Receipts	<u>2,556,896</u>	<u>2,766,496</u>	<u>2,823,753</u>
Total Funds Available	\$ 3,467,229	\$ 3,951,242	\$ 3,517,288
Less: Expenditures	1,382,483	1,782,707	1,876,779
Transfer Out	<u>900,000</u>	<u>1,473,071</u>	<u>925,000</u>
Ending Balance	<u>\$ 1,184,746</u>	<u>\$ 695,464</u>	<u>\$ 715,509</u>
Ending Balance as a Percent of Expenditures	85.7%	39.1%	38.1%

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

<u>Expenditure</u>	<u>Senate Adj. FY 95</u>	<u>Senate Rec. FY 95</u>	<u>House Sub. Adjustments</u>
State Operations:			
Fire Marshal Fee Fund	\$ 59,053	\$ 1,876,779	\$ --
Other Funds	--	--	--
TOTAL	<u>\$ 59,053</u>	<u>\$ 1,876,779</u>	<u>\$ --</u>
FTE Positions	1.5	4.0	--

House Subcommittee Recommendation

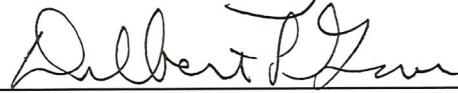
The House Subcommittee concurs with the recommendation of the Senate.



Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross



One of these tricks can
help convict arsonists
and save you money.

Arson and other forms of insurance fraud cost billions every year. To help keep your premiums from rising, we train dogs to do some pretty amazing tricks. Like sniff out substances such as gasoline, turpentine or kerosene that can cause fires. These tricks help put arsonists behind bars. And our dogs do it all for a pat on the back, a little praise and a biscuit. Proving once again, a dog is your best friend. Unless, of course, you are an arsonist.

Etna

ATTACHMENT 11 a

SYSTEMWIDE RECOMMENDATIONS

Youth Center at Atchison
Youth Center at Beloit
Youth Center at Topeka

1. Overview. The Subcommittee heard testimony from the Kansas Department of Social and Rehabilitation Services (SRS) indicating that out of the approximately 9,000 juvenile offenders in the state, SRS has custody of 1,775. Most juvenile offenders (J.O.'s) are served in the community with the parents retaining custody, primarily because options, other than incarceration in a youth center, are limited. There are 463 youth center beds in Kansas which are normally full to overflowing. The Youth Center at Larned (YCAL) has a capacity of 60 but is housing 74 juveniles, the Youth Center at Topeka (YCAT) has a reduced bed capacity of 196 (due to a cottage renovation) and is housing 210 juveniles and the Youth Center at Atchison (YCAA) has a bed capacity of 100 but routinely houses 104 to 110 juveniles. The Subcommittee believes, since over 40 pending bills currently impact juvenile offenders, overcrowding, safety, and security concerns will continue to be primary issues for the state's four youth centers. This is true even though the length of stay at the youth centers has been unfortunately and ill-advisedly reduced. To maintain a semblance of the rated bed capacities, juveniles are released, sometimes prematurely, to allow for new arrivals.

2. Length of Stay. Over the last several years admissions to the youth centers have continued to escalate while the number of available beds has remained stable. Because the youth centers are always at maximum capacity, for every J.O. admitted to a youth center, one must be released. Testimony indicates that results are predictable: the length of stay is very short, particularly for non-violent offenders, and the J.O.'s are not at the youth centers long enough to complete a program. Knowing that, they often do not try. FY 1993 average lengths of stay at the youth centers were:

Atchison (boys 13-15)	6.4 months
Topeka (boys 16-20)	
violent offenders	18.7 months
nonviolent offenders	7.3 months
average	8.7 months
Beloit (girls)	12.0 months

According to SRS Youth and Adult Services, 12 to 14 months is an acceptable length of stay at a youth center. As stated during the agency hearings, juveniles need to be there long enough "to get their attention." This statement appears to be validated at YCAA. There, the estimated average length of stay is projected to be 7.6 months in FY 1994 and the recidivism rate is estimated at 25 percent. When the average length of stay was 14 months, only 10 percent of the J.O.'s returned to the institution. There is little doubt in the Subcommittee's mind that *lengthening* the stay would reduce repeat placements at the youth centers, hold down overcrowding (with a resulting increase in safety), and alleviate the long-term need for new facilities.

Lengths of stay are projected to slightly increase for FY 1994, primarily due to a policy implemented by SRS to place only the most serious offenders at the youth centers. For actual FY 1993, SRS placed approximately 51 percent of the J.O.s at these three youth centers, as compared to 33 percent estimated for FY 1994. *The number of felony offenders, which totaled 65 percent in FY 1993, is also expected to increase to almost 71 percent in FY 1994.*

3. Safety and Security. Testimony indicates that overcrowding at the youth centers raises serious safety and security concerns. SRS has taken steps to alleviate tension as much as possible.

The trend toward violence and aggressiveness led the Youth Center at Beloit (YCAB) staff to visit five New York state institutions to learn and incorporate the Goldstein Aggression Replacement Training (ART) model in late 1992. ART has now been fully implemented at the Youth Centers at Larned and Beloit with significant results. The agencies are noting fewer attacks on staff, the juveniles are more positive and feedback from their parents is also more positive. YCAB restructured programming to encompass a 14 hour day, with seven hours a day devoted to academics. ART teaches social skills, problem solving, how to reduce anger, how to address peer conflicts, decision making, how to accept praise and how to say no. The ART program was begun in July, 1993. Since its implementation, there has been only one serious assault on staff at YCAB.

The Subcommittee commends SRS for its innovation in proceeding with this program and its plan to implement ART throughout all of the youth centers. The Subcommittee notes, however, that although the use of ART may reduce violence at the youth centers, they are still perilously overfull, causing additional stress and tension for both youth center residents and staff. Overcrowding is particularly a problem at the Youth Center at Atchison which has had 10 assaults on staff since the beginning of the current fiscal year.

The Subcommittee recognizes that each of the youth centers requested funding and FTE to increase staffing levels in the cottages. To conform with cottage staffing standards developed by the superintendents and Youth and Adult Services each agency requests the following FTE and associated funding:

YCAA - 18 Youth Service Specialists	\$ 392,116
YCAB - 15 Youth Service Specialists	328,303
YCAT - 40 Youth Service Specialists	890,415

The Subcommittee is aware of the trend to send the more violent offenders to the youth centers and agrees that all three agencies could benefit from increased staffing levels. At this time, however, the Subcommittee is primarily concerned about inordinately high shrinkage rates placed on the agencies by the Governor. Testimony indicated that FY 1995 shrinkage rates would cause each agency to hold between six and ten FTE positions open for an entire year. The Subcommittee believes that providing new positions for these agencies would be futile, since it would still be necessary hold open positions to meet forced shrinkage. The Subcommittee's recommendation on shrinkage is addressed in the report for each individual agency.

4. Overcrowding Issues. To address overcrowding issues, particularly at the Youth Center at Atchison, SRS is proposing to place 18 boys (ages 13 to 15) at the Youth Center at Beloit. (The only state J.O facility serving girls.) SRS justifies this proposal by stating that there have been boys at YCAB for 15 years (five at a time in the comprehensive screening unit) and only four known incidents of sexual misconduct have occurred. Also, the boys would live in a separate cottage, and would share only school and meals with the girls. SRS believes that although fewer Youth Center beds would be available for girls, many of the girls currently at Beloit could be served in community programs. SRS states that community placements are available for girls; however, it is the Subcommittee's understanding that the few girls participating in community day reporting programs were placed there only because they are on conditional release from Beloit; not because day reporting was considered as an alternative to placement in the Youth Center.

The Subcommittee is strongly opposed to the placement of boys at YCAB and recommends a proviso in FY 1994 and FY 1995 to prohibit this action. The Subcommittee believes that despite best efforts, it will be difficult to keep teenage boys and girls apart. Furthermore, YCAB is the only youth center with a length of stay and a recidivism rate that is close to acceptable standards. The Subcommittee concludes that a change of this magnitude would disrupt the only Youth Center program that appears to work.

5. Psychological Disorders/Use of Psychotropic Drugs. Another problem at the youth centers compounds the others. Testimony indicates that an increasing number of juveniles arrive at the youth centers on psychotropic medication. Prescription drug use is prevalent at all of the youth centers but appears to be significantly higher at the Youth Center at Atchison. YCAA testified that approximately 25 percent of its population is seriously disturbed. Many of these J.O.'s are labeled conduct disordered - psychotic, violent and depressed. SRS indicated that, because of the implementation of mental health reform, transfers from the youth centers to the state's mental health facilities are rare. Staff at the youth centers are not trained to handle psychological problems, while staff at the mental health hospitals are not trained to handle violent and aggressive youth.

In lieu of placing boys at Beloit, the Subcommittee studied several alternatives and settled on the Comprehensive Evaluation and Transition Unit (CETU) at Topeka State Hospital. This facility is a 30-bed screening unit, operating under the auspices of SRS Youth and Adult Services. The purpose of this unit is twofold: evaluation services consisting of Kan Be Healthy, psychological, social work, educational and behavioral assessments; and transition services which include highly structured, closely supervised intervention for youth who have unresolved multiple, severe behavioral problems and no available alternative placement. The program qualifies for Title XIX funding, which provides approximately \$400,000 of its \$1.5 million budget.

The Subcommittee reviewed floor plans of the CETU (see attached) and recommends that, as a pilot project, SRS Youth and Adult Services convert the CETU into a transitional diagnostic and treatment center for juvenile offenders. To this end, in addition to operating funds already available for this unit, the Subcommittee recommends \$50,000 from the Budget Stabilization Fund, \$400,000 from the State General Fund, \$429,044 in Title XIX funds and 24 special project positions (all to be added to the budget for SRS Youth and Adult Services). The recommended funding level would also allow SRS to open a 15-bed closed wing of Brigham, the building housing the CETU. The diagnostic and treatment center would target J.O.'s on psychotropic drugs or J.O.'s with severe disruptive behavior who are currently placed in a youth center. This would enable SRS to evaluate the juveniles, stabilize their medication and do routine medical examinations before placing the J.O. in a youth center. The Subcommittee learned that SRS could place juveniles in the diagnostic center for up to 6 months, if necessary. Title XIX would continue to be available during this interval. *The Subcommittee notes that*

this change would, in essence, add 45 beds to the overall youth center capacity and would relieve immediate admissions pressure at the youth centers. Screening procedures currently performed at the CETU could be done in community mental health centers or in SRS intake and assessment units. In addition to funding added to the SRS Youth and Adult Services budget, the Subcommittee notes that \$23,816 for additional food costs should be added to KNI's budget. KNI provides all of the food for Topeka State Hospital.

6. Community Corrections/Aftercare. Although the Subcommittee believes that conversion of the CETU is a necessary stopgap measure, the growing number of youth center admissions combined with a large number of "tough on crime" bills clearly makes it imperative to develop a long-term solution to overcrowding at the youth centers. The Subcommittee notes several pending anti-gang, anti-crime bills (including but not limited to S.B. 500 which creates the crime of criminal possession of a firearm, S.B. 513 which prosecutes many 16 and 17-year-olds as adults, and S.B. 657 which requires the youth centers to provide 45 days advance notification to the home county of juvenile offenders in SRS custody before they are released) will, if passed, have substantial impact on either the Department of Corrections or the youth centers. Most of the bills will become law by July 1, 1994, and although the actual physical and fiscal impact may not be known for several months, a plan should be developed and funded to adequately address this additional onslaught of J.O.'s.

According to Youth and Adult Services, to maintain a 12 to 14 month length of stay at the youth centers, 150 beds would need to be added to the system; or, as preferenced by the agency, additional programs would need to be developed to serve 150 juvenile offenders in their home communities. SRS states that most experts agree that some type of penalty should exist for juveniles other than parole or incarceration in the youth centers. Although limited in numbers, both SRS and the Department of Corrections (DOC) run community programs for juvenile offenders. In FY 1994, DOC granted \$240,079 in community corrections funds for approximately 109 J.O.'s in seven community juvenile intensive supervision programs (ISP). These programs are located in five counties: Douglas, Montgomery, Saline, Sedgwick, and Shawnee; and in the 27th District. Nine juvenile offenders reside in a Johnson County residential program. In addition, 22 juvenile offenders are served through adult intensive supervision programs. ISP offers various combinations of services to juvenile offenders, including drug testing, alcohol/drug evaluations, mental health evaluations, outpatient drug treatment, surveillance, electronic monitoring, transportation assistance, emergency housing (limited basis), GED testing, assistance with fees and book costs, community service work, and general case management. Those in adult ISP programs are not provided as many services as those in juvenile ISP. SRS runs community day reporting programs which check that the J.O.s are in school, picks them up after school, provides intensive services during the evening hours, and checks on the J.O.s at night to ensure that they are home. FY 1994 estimated expenditures total \$1,575,105 to continue one small juvenile offender day reporting program in Pittsburg opened in July, 1992 and two larger day reporting programs begun in the last half of FY 1993 in Wyandotte and Sedgwick Counties. The larger programs are designed to accommodate 50 J.O.'s in six month programs, or 100 J.O.'s per year. Each program has 40 percent of its slots (20 in each county) reserved for youth on conditional release from the youth centers. In addition, SRS provides grants for three small residential programs for juvenile offenders in the state: Focus on the Future located in Salina has 20 J.O.s, Associated Youth Services (AYS) in Kansas City has a bed capacity of 47-50, and the Sedgwick County Youth Program (SCYP) has 15 beds.

The Subcommittee encourages SRS to continue to expand day reporting and also encourages DOC to develop additional concentrated juvenile community corrections programs. The Subcommittee believes a long-term continuum of care encompassing a broad range of programs is the best solution to rehabilitation. Ideally, upon adjudication, all J.O.'s should be assessed in the community to determine which services and level of supervision would best serve the needs of that individual. A wide array of

options could be developed ranging from placement in a youth center or a group home, day reporting, ISP, electronic monitoring, and other treatment or rehabilitation programs. The same evaluation should occur at the end of a sentence with various services offered for aftercare programs.

The Subcommittee is particularly concerned about post-release aftercare from the youth centers and believes this is a necessary and important piece of rehabilitation. Without aftercare, and the structure that goes with it, gains made while at the youth center may be lost. While the Subcommittee supports SRS' day reporting programs and notes they are feasible aftercare alternatives for J.O.'s requiring highly structured settings, the Subcommittee believes that juvenile community corrections ISP reaches more J.O.s for less cost. Strengthening community corrections programs would allow the state to maximize dollars. Therefore, the Subcommittee recommends the addition of \$750,000 from the Budget Stabilization Fund and approximately \$176,240 in federal funds to SRS Youth Services for a pilot project to provide community corrections services to juvenile offenders. Although SRS would be the recipient of these funds, the Subcommittee intends for DOC to set the criteria and establish ISP programs for juveniles released from the youth centers. To capture federal IV-E funds (available only upon passage of S.B. 400) monies for this program must be channelled through SRS. Therefore, the Subcommittee further recommends a proviso directing SRS to contract in an amount of \$750,000 (plus additional IV-E federal funds, if available) with the Department of Corrections for community juvenile intensive supervision programs. The Subcommittee specifically intends for the programs to be targeted for aftercare for juveniles released from youth centers or a juvenile boot camp -- if one is established. The Subcommittee also directs SRS to work with DOC to develop programs for juvenile offenders, however, the Subcommittee does not intend for the programs to be significantly different from the various county juvenile correction programs within the grant program currently offered by DOC.

7. Additional Youth Center Bed Space. The Subcommittee recognizes and agrees with SRS' long-term goal to serve the majority of J.O.'s in the community, reserving only the most violent offenses for youth center placement. Unfortunately, community programs are not in place, the youth centers are overflowing, and violent crime, particularly among 13-15 year olds, is on the upswing. As unfortunate as it may seem, it will be necessary to find an additional 80 to 100 youth center beds. The Subcommittee reviewed numerous options for additional space. Many were discarded due to cost of construction or renovation, including the construction of a new youth center facility at Larned State Hospital. This building, which appears in SRS' five-year capital improvement plan for FY 1997 was rejected due to time constraints and its \$10,000,000 price tag for only 40 additional beds. However, several possibilities remain, including:

- closed beds at Osawatomie Mental Health Hospital;
- the 34-bed AWL unit at Topeka State Hospital;
- renovation of Rush Building at Larned State Hospital;
- possible closed beds or cottages at Larned State Hospital;
- the upper two floors of Marian Hall on the grounds of Marymount;
- the old Highway Patrol Training Center in Salina;
- St. Mary's of the Plains in Dodge City.

The Subcommittee notes that many of these facilities, particularly the state mental health hospitals, are under consideration because school programs are already in place. This would enable SRS to add to an existing education contract rather than start from scratch. In addition, most of these facilities have vacant space which could easily be renovated at minimal cost. If, at some future time, juvenile community programs are fully implemented the number of youth center beds could be downsized. The Subcommittee does not make a recommendation as to the location of additional beds, but rather recommends a one-time expenditure of \$1,500,000 from the Budget Stabilization Fund to renovate an existing building or buildings to be utilized as a youth center. The Subcommittee recommends the formation of a Super Conference Committee to address site location during the Omnibus Session. The Subcommittee recommends the Super Conference Committee be comprised of members of the Senate Ways and Means and the House Appropriations committees, including, but not limited to, members of the Subcommittees on the youth centers and the Chairs of the House and Senate Judiciary committees.

The following table depicts the total amount of expenditures recommended by the Subcommittee to address the systemwide issues discussed above. All of these expenditures would be added to the budget of SRS Youth and Adult Services:

<u>Expenditure</u>	<u>Subcommittee Rec. FY 1995</u>
Youth and Adult Services:	\$
State General Fund	400,000
Budget Stabilization Fund	2,300,000
Federal Funds	605,284
TOTAL	<u>\$ 3,305,284</u>

In addition to the above recommendations, the Subcommittee strongly advocates an intensive interim study on juvenile offender issues. The study should survey the pros and cons of residential juvenile facilities and community correction programs and also include a survey of programs initiated by other states. The Subcommittee believes that it may be necessary, during the interim, for Subcommittee and interim committee members to meet with facilitators of programs in other states; either through travel to survey the programs firsthand or through invitations to experts who have implemented programs in other states. The Subcommittee is particularly impressed with a pilot program called RECLAIM Ohio. This program, which should be implemented through all counties in Ohio by January 1, 1995, pools the Department of Youth Services funds allotted for the operation of institutions, institutional programs, private facilities, community rehabilitations facilities and community corrections grants into one large Care and Custody Fund. This fund will be divided into Ohio's 88 counties based on a formula that considers the per diem cost for care and custody of felony delinquent youth, the projected length of stay, the number of youth in custody and the number of juveniles adjudicated delinquent for felonies.

RECLAIM Ohio would allow juvenile court judges to use county Care and Custody Funds to "purchase" home-based, community based, or residential placements including day treatment programs, electronic monitoring, placement in a specialized treatment program, intensive supervision, tracking and other services.

Under RECLAIM Ohio, counties must pay 75 percent of the daily cost of care. The initiative does, however, set aside money for juvenile offenders adjudicated for murder, aggravated murder, and rape. In those instances, counties can commit the juvenile at no charge.

8. Boot Camps. The Subcommittee discussed the issue of juvenile boot camps. YCAT testified that its structure and discipline closely approximates the boot camp concept. For most of FY 1993, the juveniles at YCAT started their day at 4:45 a.m. with a physical training program followed by a full day of school and work programs. In the evening the juveniles attend alcohol/drug programs, mentoring groups, religious activities, a young dad's group, and Aggression Replacement Training. These activities are designed to keep the juveniles tired and to reduce stress on staff and students. The Subcommittee learned that YCAT has discontinued the physical training program due to a budget shortfall. The Subcommittee believes that this was a valuable program and encourages not only YCAT but all of the youth centers to structure programs around a physical fitness model. The Subcommittee is not sure that a separate boot camp facility is needed if this program is expanded but are leaving this decision to the Super Conference Committee for Omnibus discussion.

9. Criteria for Placement. The Subcommittee heard testimony indicating that, excepting class A felonies, the only criteria for placement at a specific youth center (other than gender) is age. Boys age 13 to 15 are sent to the Youth Center at Atchison, girls to the Youth Center at Beloit and boys age 16, 17, or 18 are sent to either the Youth Center at Topeka or to the Youth Center at Larned. Between these two, the very violent offenders are sent to YCAT. After that, youth are assigned based on geographics.

The Subcommittee is concerned about this method of assigning juvenile offenders to the youth centers and believes that a more formalized set of criteria should be developed. The Subcommittee encourages SRS to *develop a grid for determination of which facility is most appropriate for placement*. The Subcommittee acknowledges that SRS is more qualified to develop placement criteria but suggests that the agency perfect a uniform juvenile intake procedure which includes a full psychological profile. Other factors for consideration should include, but not be limited to, the juvenile's family history and whether he has a history of gang affiliations, weapons violations, or violence.

10. Labeling of Juvenile Offenders. The Subcommittee is concerned about the youth centers' intentional decision to address juvenile offenders as "students." The Subcommittee strongly believes that juvenile offenders should be addressed as "offenders" or "detainees" or in some other manner which reflects that they are at the youth center as a consequence of their unacceptable actions, not as visiting students.

11. Education. The Subcommittee learned that due to a change in policy at the Division of Purchasing, all of the youth center education contracts were put out for bid for FY 1995. According to SRS, none of the contracts received more than one bid and all bids are anticipated to be significantly higher than the current contract. The Subcommittee recommends that the Second House review the bids for the education contracts and notes that each of the three youth centers anticipate a funding shortfall for their education contract in FY 1995.

To prevent the contracts from increasing in FY 1996, the Subcommittee recommends the introduction of the following proviso to each of the youth centers' FY 1994 and FY 1995 appropriations:

Provided further, That expenditures may be made from this account for an educational services contract which is hereby authorized to be negotiated and entered into by the above agency with a unified school district or another public educational services provider: And

provided further, That such educational services contract shall not be subject to the competitive bidding requirements of K.S.A. 75-3739 and amendments thereto.

The Subcommittee discussed the agency's educational needs at length. The Subcommittee notes that approximately five years ago, YCAT hired its own teachers for one year because it was unable to find a contractual school district willing to provide services to the Youth Center. The Subcommittee recommends that instead of contracting with a school district or other educational provider, SRS explore directly hiring its own educational staff and address its findings with the subcommittees reviewing the youth center budgets during the 1996 Legislative Session.

While reviewing educational issues, the Subcommittee learned that the juveniles normally earn "points" for doing their homework, just as points are earned for other required activities at the youth centers. The Subcommittee suggests that the agencies stress homework as a priority evening activity. It is the belief of the Subcommittee that it is crucial to establish patterns of responsible behavior that will be maintained when the juvenile returns to the community and be carried on throughout the individual's adult life.

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur with the following adjustment:

1. Add \$1,500,000 from the Budget Stabilization Fund for grants to district courts to create and implement community juvenile dispositional alternatives for juvenile offenders. The recommendation includes a proviso requiring the judicial administrator to award the grants pursuant to guidelines adopted by the Supreme Court.

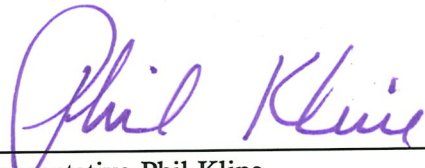
House Subcommittee Recommendation

The House Subcommittee concurs with the recommendation of the Senate, with the following adjustments:

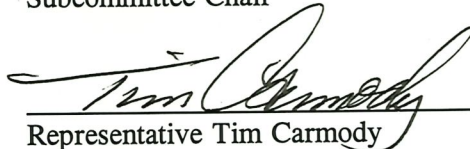
1. Delete \$1,500,000 from the Budget Stabilization Fund for additional youth center beds. The Subcommittee concurs with the Senates' assessment of the overcrowding, length of stay, and safety and security issues faced by the youth centers. However, the Subcommittee believes that money could more effectively be utilized by expanding sentencing options in the community rather than augmenting youth center beds. The Subcommittee notes the nationwide trend of downsizing residential facilities for juvenile offenders while broadening community care. Overcrowding at the youth centers is a pressing and immediate concern, however, we believe that expansion of beds is a temporary "fix"; not a long term solution.

According to SRS, there are over 9,000 juvenile offenders in the state. Most are released to their parent's custody. Fewer than 400 annually are placed in day reporting, ISP or some other type of community program. The youth centers house 463 juvenile offenders. If options (other than placement in a youth center or parole) existed, many of the juvenile offenders sentenced to the youth centers could be served in the community. Unfortunately, J.O.'s receive either no penalty for their crimes or an extreme penalty -- a sentence to a youth center. The Subcommittee therefore recommends that the focus of the Super Conference Committee be extended to include possible funding for expanded juvenile ISP or day reporting programs, electronic monitoring, group homes, and various other combinations of treatment or services which could be provided in the community. We believe that a "menu" of items should be developed for both judges and SRS to choose from. If these options were available in the community, the number of juvenile offenders assigned to the youth centers should drop and consequently the stay would lengthen. This should obviate the necessity of additional youth center beds.

2. Delete \$1,500,000 from the Budget Stabilization Fund for grants to district courts to create and implement community juvenile dispositional alternatives for juvenile offenders. Although the Subcommittee agrees with the premise of this recommendation, we believe that this alternative should be considered, along with the others, by the Super Conference Committee.
3. The Subcommittee notes that, based on the recommendation of the Senate, the Super Conference Committee would primarily be comprised of members of the majority party. The Subcommittee recommends that this Committee also include minority party members.



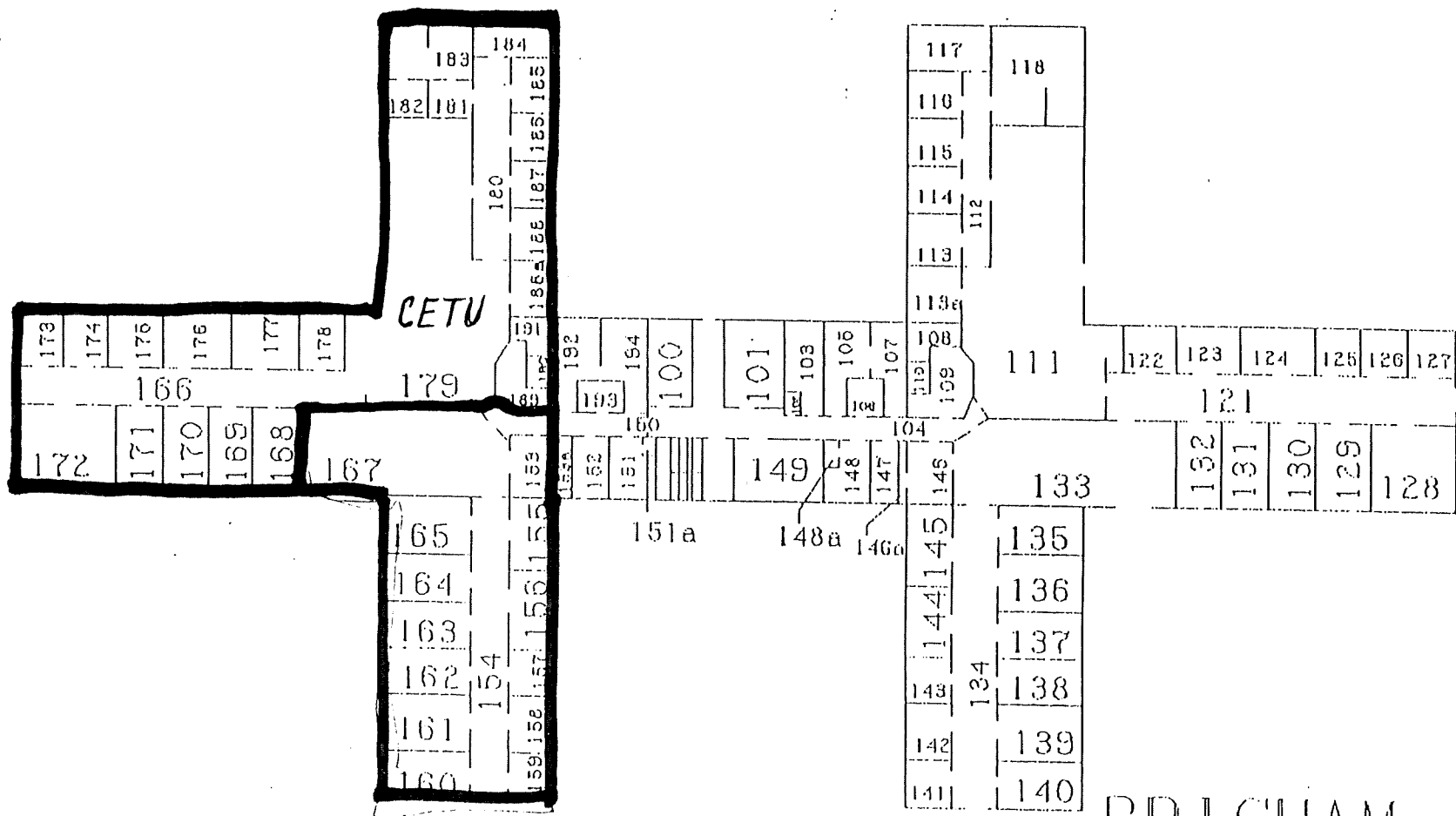
Representative Phil Kline
Subcommittee Chair



Representative Tim Carmody



Representative Delbert Gross

BRIGHAM
BUILDING

Youth Centers

**Public Policy
Goal**

To provide for public safety through juvenile correctional programs that protect the community and provide for habilitation of offenders.

**Outcome and
Objectives**

Provide a safe environment for youth and staff.

Facilitate the acquisition of life skills for youth.

Instill stable pro-social behavior in youth.

Ensure mental and physical health is maintained and preventative techniques are taught.

Increase the number of youth successfully returning to family and community.

Provide safe environment for community.

**Strategies to
Reach Goal**

Increase resources to enhance safety and security.

Increase the length of stay of youth admitted to youth centers.

Increase the skill level of staff and students in managing aggression.

Maintain or achieve American Correctional Association Accreditation.

Establish and maintain a data tracking system to measure level of achievement of outcome.

Remove restrictions to placing youth in any appropriate youth center to meet their needs..



Youth Centers -- Continued

Barriers

NON FINANCIAL

Rate of admissions to the Youth Centers results in reduced lengths of stay.

Difficulty in programing for the increasing number of youth with a psychiatric diagnosis, serious developmental disability and/or serious addiction to drugs or alcohol.

Gender restrictions for youth center placements.

FINANCIAL

Lack of funding for staff coverage to achieve safety and habilitation goals.

Lack of placement alternatives for communities and aftercare options for the Youth Center.

Lack of funding support for a family treatment component.

Physical plants need to be upgraded to meet the needs of the changing population.

Action Steps

NON FINANCIAL

Encourage passage of SB 584 with amendment restricting youth center placements to felony type offenders.

Continue collaboration with MH/RS and ADAS in developing alternative programing for youth with multiple problems.

Complete training of staff in Aggression Replacement Training (ART) and implement program with juvenile offenders.

Encourage removal of gender specific statutory languages.



Youth Centers -- Continued

FINANCIAL Advocate for obtaining and maintaining staffing standards.

Advocate for the "C" level budget request for staff in Youth Centers.

Advocate for the "C" level request in the Youth and Adult Services budget for community transition services for youth leaving the Youth Centers.

Advocate for the "C" level request for family treatment components in the youth centers.

Incorporate program needs into the five-year capital improvement plan.

**Outcome
Evaluation
Measures**

Incidents of assault will not increase.

Youth will make gains in academic achievement.

Incidents of escape from custody or while on pass will not increase.

Number of youth returned to a youth center on a new adjudicated offense within 6 months will not increase.

HOUSE SUBCOMMITTEE RECOMMENDATION

Juvenile Offender Issues

Agency Request/Governor's Recommendation

Sec. 7 -- Youth Center at Topeka

For FY 1995, YCAT requests \$11,259,093 for state operations, an increase of \$2,185,713 over the revised current year estimate. The request includes \$1,878,023 for the following new initiatives:

Senate Adjustments

The Senate concurs with the Governor's recommendation with the following adjustments:

1. Concur with the Governor's Budget Amendment No. 1 to delete \$1,464 from the State General Fund, and make other technical adjustments as necessary to reflect the recommendation of the Governor.

House Subcommittee Adjustments

The House Subcommittee concurs with the recommendation of the Senate with the following adjustment:

1. Concur.

<u>Requested Initiatives -- FY 1995</u>	<u>Amount</u>	<u>Gov. Rec.</u>
Family Services Program (10.0 FTE)	\$ 674,190	\$ --
Double Coverage (40.0 FTE)	890,415	--
Security Officers (5.0 FTE)	103,770	--
Automobile Drivers (10.0 FTE)	75,144	--
Education Contract Enhancements	103,887	--
Local Area Network	18,300	--
Automated Time System	12,317	--
TOTAL	<u>\$ 1,878,023</u>	<u>\$ --</u>

The Governor recommends \$9,146,703 for state operations in FY 1995, a decrease of \$2,112,390 from the agency's request. The recommendation, which is based on an average daily population of 212, would fund 219.0 FTE positions, a reduction of one FTE (due to a retirement pursuant to 1993 H.B. 2211) from the agency's request. The Governor does not recommend any new initiatives for FY 1995. Aside from new initiatives, the Governor's recommendation decreases salaries and wages (\$132,430), teacher salary increases (\$59,332) and capital outlay (\$42,605).

2. Add a proviso exempting the agency's educational services contract from the competitive bidding requirements of K.S.A. 75-3739.

2. Concur.

Agency Request/Governor's RecommendationSenate AdjustmentsHouse Subcommittee Adjustments**Sec. 8 -- Youth Center at Beloit**

For FY 1995, the agency requests \$5,293,548, an increase of \$897,998 over the FY 1994 estimate. The request includes \$612,886 and 19 FTE positions associated with three systemwide initiatives:

<u>Requested Initiatives -- FY 1995</u>	<u>Amount</u>	<u>Gov Rec</u>
Family Services Program (4.0 FTE)	\$ 272,583	\$ --
Double Coverage (15.0 FTE)	328,303	--
Automated Time System	12,000	--
TOTAL	<u>\$ 612,886</u>	<u>\$ --</u>

The Governor recommends \$4,385,992 for FY 1995, a decrease of \$907,556 from the agency's request. The Governor does not recommend any new initiatives or FTE positions. The recommendation, which is based upon an average daily population of 82 individuals at the youth center and 10 at the screening unit, would maintain funding for the current 103 FTE positions.

The Senate concurs with the Governor's recommendation with the following adjustments:

1. Concur with the Governor's Budget Amendment No. 1 to delete \$1,642 from the State General Fund and make other technical adjustments as necessary to reflect the Governor's recommendation.

2. Add a proviso exempting the agency's educational services contract from the competitive bidding requirements of K.S.A. 75-3739.

3. The Subcommittee notes that the agency is still negotiating its FY 1995 educational services contract. Preliminary estimates indicate that the contract amount may substantially increase over the current year. In addition, the Governor's recommendation does not include funding for teacher salary increases. The Subcommittee recommends that funding for the school contract be revisited during the Omnibus Session.
4. Make technical adjustments to the bill as needed to reflect the recommendation of the Senate.

The House Subcommittee concurs with the recommendation of the Senate with the following adjustment:

1. Concur.
2. Concur.

Agency Request/Governor's Recommendation

Aside from new initiatives, the Governor's recommendation decreases salaries and wages (\$128,646); communications (\$711); travel and subsistence (\$3,121); professional fees (\$44,606); utilities (\$31,615); clothing (\$25,674); maintenance materials (\$20,167); professional supplies (\$9,677); office supplies (\$4,037); other supplies (\$4,491); and capital outlay (\$21,925).

Senate Adjustments

3. Add a proviso prohibiting the placement of boys (other than boys housed in the Comprehensive Screening Unit) at the Youth Center at Beloit.

House Subcommittee Adjustments

3. Concur.
4. The Subcommittee notes that the agency is still negotiating its FY 1995 educational services contract. Preliminary estimates indicate that the contract amount may substantially increase over the current year. In addition, the Governor's recommendation does not include funding for teacher salary increases. The Subcommittee recommends that funding for the school contract be revisited during the Omnibus Session.
5. Make technical adjustments to the bill as needed to reflect the recommendation of the Senate.

Sec. 9 -- Youth Center at Atchison

For FY 1995, the youth center requests \$6,097,133 for state operations, an increase of \$1,077,281 over the revised current year request. The request includes \$886,477 for the following six new initiatives:

The Senate concurs with the Governor's recommendation with the following adjustments:

1. Make technical adjustments as necessary to reflect the Governor's recommendation.

The House Subcommittee concurs with the Senate with the following adjustment:

1. Concur.

<u>Agency Priority</u>	<u>Requested Initiative</u>	<u>Amount</u>	<u>Gov. Rec.</u>
1	Family Services Program (7.0 FTE)	\$ 416,821	\$ --
2	Double Coverage (18.0 FTE)	392,116	--
3	Local Area Network	30,000	--
4	Fuel Oil	23,000	--
5	Turf Vehicle	9,540	--
6	Automated Time System	15,000	--
total		<u>\$ 886,477</u>	<u>\$ --</u>

Agency Request/Governor's Recommendation

The Governor recommends \$5,062,339 for state operations in FY 1995, a decrease of \$1,034,794 from the agency's request. The Governor does not recommend any new initiatives or new FTE positions. The recommendation, which is based upon an average daily population of 97, would maintain funding for the current 127.5 FTE. Aside from new initiatives, the Governor's recommendation decreases salaries and wages (\$105,059), professional fees (\$32,700), professional supplies (\$2,783) and capital outlay (\$7,775).

Sec. 10 -- Larned State Hospital

The Governor recommended \$1,670,355 for state operations for the Youth Center at Larned.

New Sec. -- Social and Rehabilitation ServicesSenate Adjustments

2. Add a proviso exempting the agency's educational services contract from the competitive bidding requirements of K.S.A. 75-3739.

Delete this item from the bill. Funding for the Youth Center at Larned is included in the appropriation for Larned State Hospital.

The Senate recommends the following:

1. Add a proviso directing the Department of SRS to utilize the provisions of Sec. 15 of H.B. 2759 (the SRS appropriation bill) to transfer \$73,219 to the Youth Center at Topeka, \$91,165 to the Youth Center at Beloit, and \$62,530 to the Youth Center at

House Subcommittee Adjustments

2. Concur.

3. The Subcommittee notes that the agency is still negotiating its FY 1995 educational services contract. Preliminary estimates indicate that the contract amount may substantially increase over the current year. In addition, the Governor's recommendation does not include funding for teacher salary increases. The Subcommittee recommends that funding for the school contract be revisited during the Omnibus Session.
4. Make technical adjustments to the bill as needed to reflect the recommendation of the Senate.

The House Subcommittee concurs.

The House Subcommittee concurs with the recommendation of the Senate with the following adjustments:

1. Concur.

13-4

Agency Request/Governor's RecommendationSenate AdjustmentsHouse Subcommittee Adjustments

Atchison -- to lower the shrinkage rates imposed by the Governor.

2. Add \$50,000 from the Budget Stabilization Fund, \$400,000 from the State General Fund and 24 special projects positions to convert the 30-bed Comprehensive Evaluation and Transition Unit (CETU) at Topeka State Hospital into a transitional diagnostic and treatment center for juvenile offenders. The recommended funding level (which includes approximately \$1.5 million in operating funds already available for the CETU) would also allow SRS to open a 15-bed closed wing of Brigham Building, the building housing the CETU. The diagnostic and treatment center would be a pilot project targeting juvenile offenders on psychotropic drugs or with severe disruptive behaviors. SRS could place juvenile offenders for up to six months if necessary. Approximately \$829,044 in Title XIX funds would be available for this program.
3. Add \$750,000 from the Budget Stabilization Fund to provide aftercare community corrections intensive supervision programs (ISP) for juvenile offenders released from the four state operated youth centers. To capture federal funds under Title IV-E of the Social Security Act, the Senate's recommendation would fund the aftercare program through the SRS budget and direct SRS to contract with the Department of Corrections, in an amount of \$750,000, for community juvenile ISP. The terms of the contract shall enable the Department of Corrections to set criteria for the ISP.
4. Add \$1,500,000 from the Budget Stabilization Fund to provide an additional 80 to 100 beds for youth center bedspace. The Senate does not recommend a particular location for the additional beds. Rather, the Senate recommends the formation of a Super Conference Committee to address site location during the Omnibus Session. The Committee

2. Concur.

3. Concur.

4. Delete \$1,500,000 from the Budget Stabilization Fund for additional youth center beds. The Subcommittee concurs with the Senates' assessment of the overcrowding, length of stay, and safety and security issues faced by the youth centers. However, the Subcommittee believes that money could more effectively be utilized by

Agency Request/Governor's RecommendationSenate Adjustments

recommends the Super Conference Committee be comprised of members of the Senate Ways and Means and the House Appropriations Committees, including, but not limited to, members of the Subcommittees on the youth center budgets and the Chairs of the Senate and House Judiciary Committees.

House Subcommittee Adjustments

expanding sentencing options in the community rather than augmenting youth center beds. The Subcommittee notes the nationwide trend of downsizing residential facilities for juvenile offenders while broadening community care. Overcrowding at the youth centers is a pressing and immediate concern, however, we believe that expansion of beds is a temporary "fix"; not a long term solution. According to SRS, there are over 9,000 juvenile offenders in the state. Most are released to their parent's custody. Fewer than 400 annually are placed in day reporting, ISP or some other type of community program. The youth centers house 463 juvenile offenders. If options (other than placement in a youth center or parole) existed, many of the juvenile offenders sentenced to the youth centers could be served in the community. Unfortunately, J.O.'s receive either no penalty for their crimes or an extreme penalty -- a sentence to a youth center. The Subcommittee therefore recommends that the focus of the Super Conference Committee be extended to include possible funding for expanded juvenile ISP or day reporting programs, electronic monitoring, group homes, and various other combinations of treatment or services which could be provided in the community. We believe that a "menu" of items should be developed for both judges and SRS to choose from. If these options were available in the community, the number of juvenile offenders assigned to the youth centers should drop and consequently the stay would lengthen. This should obviate the necessity of additional youth center beds.

5. The Subcommittee notes that, based on the recommendation of the Senate, the Super Conference Committee would primarily be comprised of members of the majority party. The Subcommittee recommends that this Committee also include minority party members.

Agency Request/Governor's RecommendationSenate AdjustmentsHouse Subcommittee Adjustments**New Sec. -- Department of Corrections**

The Senate recommends the following:

1. To enable the Department to receive federal funds which may be available to SRS under Title IV-E of the Social Security Act, add a no limit fund entitled "Federal funds - juvenile community corrections."

New Sec. -- Judicial Branch

1. Add \$1,500,000 from the Budget Stabilization Fund for grants to district courts to create and implement community juvenile dispositional alternatives for juvenile offenders. The recommendation includes a proviso requiring the judicial administrator to award the grants pursuant to guidelines adopted by the Supreme Court.

The House Subcommittee concurs with the recommendations of the Senate.

1. Concur.

1. Delete \$1,500,000 and the associated proviso from the Budget Stabilization Fund for grants to district courts. Although the Subcommittee agrees with the premise of this recommendation we believe that this alternative should be considered, along with the others, by the Super Conference Committee.

SUBCOMMITTEE REPORT

Agency: Youth Center at Atchison

Bill No. --

Bill Sec. --

Analyst: Duncan

Analysis Pg. No. 963

Budget Page No. 642

Expenditure	Agency Est. FY 94	Governor's Rec. FY 94	Senate Sub. Adjustments
State Operations:			
State General Fund	\$ 4,783,906	\$ 4,859,578	\$ 1,581
YCAA Fee Fund	130,000	130,000	--
Oil Overcharge Funds	23,700	23,700	--
Fed. Education Fund	71,242	71,242	--
Subtotal - Operating	\$ 5,008,848	\$ 5,084,520	\$ 1,581
Capital Improvements:			
SIBF	11,004	11,004	--
TOTAL	\$ 5,019,852	\$ 5,095,524	\$ 1,581
Budgeted Census	94	94	--
FTE Positions	127.5	127.5	--

Agency Estimate/Governor's Recommendation

For FY 1994 the agency requests \$5,008,848 for state operations, an increase of \$56,357 over the amount approved by the 1993 Legislature, as adjusted by State Finance Council action. The estimate increases State General Fund financing by \$39,506 and special revenue funds by \$16,851. During the 1993 Legislative Omnibus Session, the Legislature approved \$313,069 and 14.5 FTE Youth Service Specialists I positions to increase double coverage. At the same time, the Legislature approved a 2.5 percent teacher salary increase for YCAA's contractual teachers. Both of these items were financed from the State General Fund and both were grouped together in one line item. The Governor vetoed the line item. In her veto message, the Governor stated "Also included in this appropriation is 2.5 percent for teacher salary increases, which are vetoed along with the funding for double coverage. I intend to restore these amounts . . . \$21,843 for the Youth Center at Atchison in my revisions to the FY 1994 budget during the next budget cycle."

Also during the 1993 Legislative Session, the Senate Subcommittee reviewing YCAA's budget noted that the agency was holding open positions during FY 1993 to achieve its recommended shrinkage of 6.5 percent, the same rate recommended for FY 1994. The Subcommittee noted that Section 15 of H.B. 2047 (the SRS appropriation bill) allows SRS to transfer, with the Governor's approval, any part of any FY 1994 SRS appropriation from the State General Fund to any facility under the general management of SRS. The Subcommittee directed SRS to examine the agency's staffing. If SRS perceived that shrinkage should be reduced, the Subcommittee recommended that funds be transferred from the SRS State General Fund appropriation to YCAA.

In response to this recommendation, SRS requested an executive directive to transfer \$126,539 (State General Fund) from the Youth and Adult Services Commission to the Youth Center at Atchison to reduce YCAA's shrinkage rate from 6.5 percent to 3.0 percent. The executive directive was signed in October 1994, bringing the agency's FY 1994 approved budget to \$5,090,034.

The Governor recommends \$5,095,524 in FY 1994, an increase of \$75,672 over the agency's estimate. As requested by the agency, the Governor's recommendation allows for a special revenue increase of \$16,851. The Governor does not restore funds vetoed for the 2.5 percent salary increase. Instead, she reduced the agency's school contract estimate by \$30,546. It appears that the Governor took this action because the agency identified some State General Fund savings that it carried forward from FY 1993. The agency stated that the savings would be used to purchase classroom supplies. Other adjustments include an increase of \$112,878 for salaries and wages, and reductions in communications (\$2,060), and fees-other services (\$1,600) and professional fees (\$3,000).

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendation of the Governor with the following adjustment:

1. Concur with the Governor's Budget Amendment No. 1 which adds \$1,581 from the State General Fund and make other technical adjustments as necessary.

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

Expenditure	Senate Adj. FY 94	Senate Rec. FY 94	House Sub. Adjustments
State Operations:			
State General Fund	\$ 1,581	\$ 4,861,159	\$ --
YCAA Fee Fund	--	130,000	--
Oil Overcharge Funds	--	23,700	--
Fed. Education Fund	--	71,242	--
Subtotal - Operating	\$ 1,581	\$ 5,086,101	\$ --
Capital Improvements:			
SIBF	--	11,004	--
TOTAL	\$ 1,581	\$ 5,097,105	\$ --
Budgeted Census	--	94	--
FTE Positions	--	127.5	--

House Subcommittee Recommendation

Concur.

SUBCOMMITTEE REPORT

Agency: Youth Center at Atchison

Bill No. 585

Bill Sec. 9

Analyst: Duncan

Analysis Pg. No. 963

Budget Page No. 642

Expenditure	Agency Req. FY 95	Governor's Rec. FY 95	Senate Sub. Adjustments
State Operations:			
State General Fund	\$ 5,925,891	\$ 4,891,097	\$ --
YCAA Fee Fund	100,000	100,000	--
Oil Overcharge Funds	0	0	--
Fed. Education Fund	71,242	71,242	--
Subtotal - Operating	\$ 6,097,133	\$ 5,062,339	\$ --
Capital Improvements:			
SIBF	0	0	--
TOTAL	\$ 6,097,133	\$ 5,062,339	\$ --
Budgeted Census	97	97	--
FTE Positions	152.5	127.5	--

Agency Request/Governor's Recommendation

For FY 1995, the youth center requests \$6,097,133 for state operations, an increase of \$1,077,281 over the revised current year request. The request includes \$886,477 for the following six new initiatives:

Agency Priority	Requested Initiative	Amount	Gov. Rec.
1	Family Services Program (7.0 FTE)	\$ 416,821	\$ --
2	Double Coverage (18.0 FTE)	392,116	--
3	Local Area Network	30,000	--
4	Fuel Oil	23,000	--
5	Turf Vehicle	9,540	--
6	Automated Time System	15,000	--
Total		\$ 886,477	\$ --

The Governor recommends \$5,062,339 for state operations in FY 1995, a decrease of \$1,034,794 from the agency's request. The Governor does not recommend any new initiatives or new FTE

positions. The recommendation, which is based upon an average daily population of 97, would maintain funding for the current 127.5 FTE. Aside from new initiatives, the Governor's recommendation decreases salaries and wages (\$105,059), professional fees (\$32,700), professional supplies (\$2,783) and capital outlay (\$7,775).

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendation of the Governor with the following adjustments:

1. Make technical adjustments as necessary to reflect the Governor's recommendation.
2. During the 1993 Legislative Session, the Senate Subcommittee reviewing YCAA's budget noted that the agency was holding open positions during FY 1993 -- to achieve its recommended shrinkage of 6.5 percent, the same rate recommended for FY 1994. The Subcommittee noted that language in the SRS appropriation bill allowed SRS to transfer, with the Governor's approval, any part of any FY 1994 SRS appropriation from the State General Fund to any facility under the general management of SRS. The Subcommittee directed SRS to examine the agency's staffing. If SRS perceived that shrinkage should be reduced, the Subcommittee recommended that funds be transferred from the SRS State General Fund appropriation to YCAA.

In response to this recommendation, SRS requested an executive directive to transfer \$126,539 from the Youth and Adult Services Commission to the Youth Center at Atchison to reduce YCAA's shrinkage rate from 6.5 percent to 3.0 percent.

Although the Executive Directive reduced shrinkage to 3.0 percent for FY 1994, the Governor recommends a 4.7 percent shrinkage rate for FY 1995. To achieve this forced shrinkage rate, the agency will again have to hold open positions. The Subcommittee recommends a proviso directing SRS to utilize the provisions of Sec. 15 of H.B. 2759 to transfer \$62,530 (the amount required to restore the agency to a 3.0 percent shrinkage rate) from its State General Fund appropriation.

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

Expenditure	Senate Adj. FY 95	Senate Rec. FY 95	House Sub. Adjustments
State Operations:			
State General Fund	\$ --	\$ 4,891,097	\$ --
YCAA Fee Fund	--	100,000	--
Oil Overcharge Funds	--	--	--
Fed. Education Fund	--	71,242	--
Subtotal - Operating	\$ --	\$ 5,062,339	\$ --
Capital Improvements:			
SIBF	--	0	--
TOTAL	\$ --	\$ 5,062,339	\$ --
Budgeted Census	--	97	--
FTE Positions	--	127.5	--

House Subcommittee Recommendation

The House Subcommittee concurs, with the following recommendations:

1. The Subcommittee notes that the agency is still negotiating its FY 1995 educational services contract. Preliminary estimates indicate that the contract amount may substantially increase over the current year. In addition, the Governor's recommendation does not include funding for teacher salary increases. The Subcommittee recommends that funding for the school contract be revisited during the Omnibus Session.
2. Make technical adjustments to the bill as needed to reflect the recommendation of the Senate.

SUBCOMMITTEE REPORT

Agency: Youth Center at Beloit

Bill No. --

Bill Sec. --

Analyst: Duncan

Analysis Pg. No. 972

Budget Page No. 646

Expenditure	Agency Est. FY 94	Governor's Rec. FY 94	Senate Sub. Adjustments
State Operations:			
State General Fund	\$ 4,161,358	\$ 4,103,729	\$ --
YCAB Fee Fund	156,392	156,392	--
Oil Overcharge Fund	--	--	--
Federal Education Fund	77,800	77,800	--
Subtotal -- Operating	\$ 4,395,550	\$ 4,337,921	\$ --
Capital Improvements:			
SIBF	--	--	--
TOTAL	\$ 4,395,550	\$ 4,337,921	\$ --
Budgeted Census			
Youth Center	82	82	--
Screening Unit	10	10	--
TOTAL	92	92	--
FTE Positions	103.0	103.0	--

Agency Estimate/Governor's Recommendation

The agency requests \$4,395,550 for state operations in FY 1994, an increase of \$40,367 over \$4,355,183, the amount approved by the 1993 Legislature, as adjusted by State Finance Council action. The request includes an increase of \$21,760 from the State General Fund and \$18,607 from special revenue funds. During the 1993 Legislative Omnibus Session, the Legislature approved \$116,347 and 5.5 FTE Youth Service Specialists I positions to increase double coverage. At the same time, the Legislature approved a 2.5 percent teacher salary increase for YCAB's contractual teachers. Both of these items were financed from the State General Fund and both were grouped together in one line item. The Governor vetoed the line item. In her veto message, the Governor stated "Also included in this appropriation is 2.5 percent for teacher salary increases, which are vetoed along with the funding for double coverage. I intend to restore these amounts, \$21,760 for the Youth Center at Beloit . . . in my revisions to the FY 1994 budget during the next budget cycle."

The Governor recommends \$4,337,921 for state operations in FY 1994, a decrease of \$57,629 from the agency's request. The Governor concurs with the agency's request for an additional \$21,760 for the education contract; however, the Governor does not recommend the requested supplemental funding either from the State General Fund or special revenue funds. Instead, the Governor shifts other funds to cover the education contract and decreases salaries and wages (\$1,251), utilities (\$31,166) and clothing (\$25,212).

ATTACHMENT 15

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor.

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

Expenditure	Senate Adj. FY 94	Senate Rec. FY 94	House Sub. Adjustments
State Operations:			
State General Fund	\$ --	\$ 4,103,729	\$ --
YCAB Fee Fund	--	156,392	--
Oil Overcharge Fund	--	--	--
Federal Education Fund	--	77,800	--
Subtotal -- Operating	\$ --	\$ 4,337,921	\$ --
Capital Improvements:			
SIBF	--	--	--
TOTAL	<u>\$ --</u>	<u>\$ 4,337,921</u>	<u>\$ --</u>
Budgeted Census			
Youth Center	--	82	--
Screening Unit	--	10	--
TOTAL	<u>--</u>	<u>92</u>	<u>--</u>
FTE Positions	--	103.0	--

House Subcommittee Recommendation

Concur.

SUBCOMMITTEE REPORT

Agency: Youth Center at Beloit

Bill No. 585

Bill Sec. 8

Analyst: Duncan

Analysis Pg. No. 972

Budget Page No. 646

Expenditure	Agency Req. FY 95	Governor's Rec. FY 95	Senate Sub. Adjustments
State Operations:			
State General Fund	\$ 5,080,261	\$ 4,173,183	\$ (1,642)
YCAB Fee Fund	137,137	136,659	--
Oil Overcharge Fund	--	--	--
Federal Education Fund	76,150	76,150	--
Subtotal -- Operating	\$ 5,293,548	\$ 4,385,992	\$ (1,642)
Capital Improvements:			
SIBF	--	--	--
TOTAL	\$ 5,293,548	\$ 4,385,992	\$ (1,642)
Budgeted Census			
Youth Center	82	82	--
Screening Unit	10	10	--
TOTAL	92	92	--
FTE Positions	122.0	103.0	--

Agency Request/Governor's Recommendation

For FY 1995, the agency requests \$5,293,548, an increase of \$897,998 over the FY 1994 estimate. The request includes \$612,886 and 19 FTE positions associated with three systemwide initiatives:

Requested Initiatives -- FY 1995	Amount	Gov Rec
Family Services Program (4.0 FTE)	\$ 272,583	\$ --
Double Coverage (15.0 FTE)	328,303	--
Automated Time System	12,000	--
TOTAL	\$ 612,886	\$ --

The Governor recommends \$4,385,992 for FY 1995, a decrease of \$907,556 from the agency's request. The Governor does not recommend any new initiatives or FTE positions. The recommendation, which is based upon an average daily population of 82 individuals at the youth center and 10 at the screening unit, would maintain funding for the current 103 FTE positions. Aside from new initiatives, the Governor's recommendation decreases salaries and wages (\$128,646); communications

(\$711); travel and subsistence (\$3,121); professional fees (\$44,606); utilities (\$31,615); clothing (\$25,674); maintenance materials (\$20,167); professional supplies (\$9,677); office supplies (\$4,037); other supplies (\$4,491); and capital outlay (\$21,925).

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor with the following adjustments:

1. Concur with the Governor's Budget Amendment No. 1 to delete \$1,642 from the State General Fund and make other technical adjustments as necessary to reflect the Governor's intent.
2. Testimony from the Youth Center at Beloit indicates that the agency anticipates a \$156,000 shortfall in FY 1995. The agency indicates that this level of shortage would require holding seven to eight position vacant for the entire fiscal year. Although shortages in other operating expenditures exist, the majority of the shortfall is caused by shrinkage. For FY 1995, the Governor recommends a 4.5 percent shrinkage rate. Actual shrinkage at the youth center runs between 1.4 and 1.5 percent. The Subcommittee recommends a proviso directing SRS to utilize the provisions of Sec. 15 of H.B. 2759 to transfer \$91,165 (the amount required to restore the agency to a 1.5 percent shrinkage rate) from its State General Fund appropriation.

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

Expenditure	Senate Adj. FY 95	Senate Rec. FY 95	House Sub. Adjustments
State Operations:			
State General Fund	\$ (1,642)	\$ 4,171,541	\$ --
YCAB Fee Fund	--	136,659	--
Oil Overcharge Fund	--	--	--
Federal Education Fund	--	76,150	--
Subtotal -- Operating	\$ (1,642)	\$ 4,384,350	\$ --
Capital Improvements:			
SIBF	--	--	--
TOTAL	\$ (1,642)	\$ 4,384,350	\$ --
Budgeted Census			
Youth Center	--	82	--
Screening Unit	--	10	--
TOTAL	--	92	--
FTE Positions	--	103.0	--

House Subcommittee Recommendation

The House Subcommittee concurs, with the following recommendations:

1. The Subcommittee notes that the agency is still negotiating its FY 1995 educational services contract. Preliminary estimates indicate that the contract amount may substantially increase over the current year. In addition, the Governor's recommendation does not include funding for teacher salary increases. The Subcommittee recommends that funding for the school contract be revisited during the Omnibus Session.
2. Make technical adjustments to the bill as needed to reflect the recommendation of the Senate.

SUBCOMMITTEE REPORT

Agency: Youth Center at Topeka

Bill No. --

Bill Sec. --

Analyst: Duncan

Analysis Pg. No. 981

Budget Page No. 650

Expenditure	Agency Est. FY 94	Governor's Rec. FY 94	Senate Sub. Adjustments
State Operations:			
State General Fund	\$ 8,610,175	\$ 8,545,808	\$ --
YCAT Fee Fund	292,483	292,483	--
Fed. Education Fund	170,722	170,722	--
Oil Overcharge Fund	--	--	--
Subtotal - Operating	\$ 9,073,380	\$ 9,009,013	\$ --
Capital Improvements:			
State Inst. Bldg. Fund	492,356	492,356	--
TOTAL	\$ 9,565,736	\$ 9,501,369	\$ --
Budgeted Census	219	219	--
FTE Positions	220	219	--

Agency Estimate/Governor's Recommendation

The agency requests \$9,073,380 for state operations in FY 1994, an increase of \$3,542 over \$9,069,838, the amount approved by the 1993 Legislature, as adjusted by State Finance Council action.

The Governor recommends \$9,009,013 in FY 1994, a decrease of \$64,367, in salaries and wages, from the agency's estimate.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor.

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

ATTACHMENT 16

Expenditure	Senate Adj. FY 94	Senate Rec. FY 94	House Sub. Adjustments
State Operations:			
State General Fund	\$ --	\$ 8,545,808	\$ --
YCAT Fee Fund	--	292,483	--
Fed. Education Fund	--	170,722	--
Oil Overcharge Fund	--	--	--
Subtotal - Operating	\$ --	\$ 9,009,013	\$ --
Capital Improvements:			
State Inst. Bldg. Fund	--	492,356	--
TOTAL	\$ --	\$ 9,501,369	\$ --
Budgeted Census	--	219	--
FTE Positions	--	219	--

House Subcommittee Recommendation

Concur.

SUBCOMMITTEE REPORT

Agency: Youth Center at Topeka

Bill No. 585

Bill Sec. 7

Analyst: Duncan

Analysis Pg. No. 981

Budget Page No. 650

Expenditure	Agency Req. FY 95	Governor's Rec. FY 95	Senate Sub. Adjustments
State Operations:			
State General Fund	\$ 10,845,888	\$ 8,733,498	\$ (1,464)
YCAT Fee Fund	242,483	242,483	--
Fed. Education Fund	170,722	170,722	--
Oil Overcharge Fund	--	--	--
Subtotal - Operating	\$ 11,259,093	\$ 9,146,703	\$ (1,464)
Capital Improvements:			
State Inst. Bldg. Fund	--	--	--
TOTAL	\$ 11,259,093	\$ 9,146,703	\$ (1,464)
Budgeted Census	219	219	--
FTE Positions	280	219	--

Agency Request/Governor's Recommendation

For FY 1995, YCAT requests \$11,259,093 for state operations, an increase of \$2,185,713 over the revised current year estimate. The request includes \$1,878,023 for the following new initiatives:

Requested Initiatives -- FY 1995	Amount	Gov. Rec.
Family Services Program (10.0 FTE)	\$ 674,190	\$ --
Double Coverage (40.0 FTE)	890,415	--
Security Officers (5.0 FTE)	103,770	--
Automobile Drivers (10.0 FTE)	75,144	--
Education Contract Enhancements	103,887	--
Local Area Network	18,300	--
Automated Time System	12,317	--
TOTAL	\$ 1,878,023	\$ --

The Governor recommends \$9,146,703 for state operations in FY 1995, a decrease of \$2,112,390 from the agency's request. The recommendation, which is based on an average daily population of 212, would fund 219.0 FTE positions, a reduction of one FTE (due to a retirement pursuant to 1993 H.B. 2211) from the agency's request. The Governor does not recommend any new initiatives

for FY 1995. Aside from new initiatives, the Governor's recommendation decreases salaries and wages (\$132,430), teacher salary increases (\$59,332) and capital outlay (\$42,605).

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendation of the Governor with the following adjustments:

1. Concur with the Governor's Budget Amendment No. 1 to delete \$1,464 from the State General Fund, and make other technical adjustments as necessary to reflect the intent of the Governor.
2. For FY 1995, the Governor recommends a 5.2 percent shrinkage rate for the Youth Center at Topeka. According to the agency, actual shrinkage is approximately 3.0 percent. The agency states that during the past four fiscal years, it has had to address high shrinkage by either holding open a cottage (FY 1993) or holding positions open (FY 1990, FY 1991, FY 1993). To achieve the 4.1 percent shrinkage rate estimated in its budget submission, the agency would need to hold open at least four positions during FY 1995. The Subcommittee recommends a proviso directing SRS to utilize the provisions of Sec. 15 of H.B. 2759 to transfer \$73,219 (the amount required to restore the agency to a 4.1 percent shrinkage rate) from its State General Fund appropriation.

Senate Committee Recommendation

Concur.

Senate Committee of the Whole Recommendation

Concur.

Expenditure	Senate Adj. FY 95	Senate Rec. FY 95	House Sub. Adjustments
State Operations:			
State General Fund	\$ (1,464)	\$ 8,732,034	\$ --
YCAT Fee Fund	--	242,483	--
Fed. Education Fund	--	170,722	--
Oil Overcharge Fund	--	--	--
Subtotal - Operating	\$ (1,464)	\$ 9,145,239	\$ --
Capital Improvements:			
State Inst. Bldg. Fund	--	--	--
TOTAL	\$ (1,464)	\$ 9,145,239	\$ --
Budgeted Census	--	219	--
FTE Positions	--	219	--

House Subcommittee Recommendation

The House Subcommittee concurs, with the following recommendations:

1. The Subcommittee notes that the agency is still negotiating its FY 1995 educational services contract. Preliminary estimates indicate that the contract amount may substantially increase over the current year. In addition, the Governor's recommendation does not include funding for teacher salary increases. The Subcommittee recommends that funding for the school contract be revisited during the Omnibus Session.
2. Make technical adjustments to the bill as needed to reflect the recommendation of the Senate.

EXPENDITURES FROM THE RESOURCES OF THE STATE WATER PLAN FUND

<u>Bill No.</u>	<u>Agency/Program</u>	<u>Governor's Rec. FY 94</u>	<u>Governor's Rec. FY 95</u>	<u>House Rec. FY 95</u>	<u>Senate Rec. FY 95</u>
H.B. 2753	State Conservation Commission				
	Conservation District Aid	\$ 778,700	\$ 780,171	\$ 780,171	\$ 780,171
	Watershed Dam Construction	1,261,102	1,865,000	1,865,000	1,865,000
	Multipurpose Small Lakes	1,171,151	--	--	--
	Nonpoint Source Pollution Asst.	1,687,327	1,000,000	1,400,000	1,163,513
	Land Treatment Cost Share	5,725,896	5,400,000	5,400,000	5,400,000
	Riparian and Wetland Program	100,000	150,000	150,000	150,000
	Conservation District Prog. Coord.	--	--	--	39,121
	Total - Conservation Commission	\$ 10,724,176	\$ 9,195,171	\$ 9,595,171	\$ 9,397,805
H.B. 2753	Kansas Water Office				
	Water Related Research	\$ 557,700	\$ 495,000	\$ 495,000	\$ 495,000
	GIS Resource Manager	47,815	50,103	50,103	50,103
	GIS Data Base Development	300,000	280,000	280,000	280,000
	GIS Data Support Center	120,000	120,000	120,000	120,000
	Geography Resource Center	50,000	--	--	--
	Natural Resource Education	--	50,000	50,000	50,000
	Conservation Educational Assist.	--	75,000	75,000	75,000
	Conservation Plan Technical Asst.	75,000	150,000	150,000	150,000
	Stream Gaging Program	3,928	--	--	294,372
	Total - Kansas Water Office	\$ 1,154,443	\$ 1,220,103	\$ 1,220,103	\$ 1,514,475
H.B. 2753	Wildlife and Parks				
	Cheyenne Bottoms Renovation	\$ 1,839,568	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
	Hillsdale Reservoir Facilities	29,651	--	--	--
	Dam Maintenance & Repair	--	500,000	--	--
	Cheney Reservoir Riprap	275,000	--	--	--
	Lake Crawford Dam	39,108	--	--	--
	Easement Aquisition	100,000	50,000	50,000	50,000
	Biological Assessment	13,400	74,200	74,200	74,200
	Total - Wildlife and Parks	\$ 2,296,727	\$ 1,624,200	\$ 1,124,200	\$ 1,124,200
S.B. 590	University of Kansas				
	Dakota Aquifer Study	\$ 200,000	\$ 200,000	\$ 200,000	\$ 200,000
H.B. 2753	Board of Agriculture				
	Conservation Plan Coordination	\$ 118,640	\$ --	\$ --	\$ --
	Interstate Water Issues	136,071	142,959	133,641	133,641
	Subbasin Management Plan	575,286	904,759	697,801	697,801
	Water Res. Info. Sys. Conversion	--	--	216,276	216,276
	Total - Board of Agriculture	\$ 829,997	\$ 1,047,718	\$ 1,047,718	\$ 1,047,718
S.B. 633	Health and Environment				
	Contamination Remediation	\$ 2,489,579	\$ 1,500,000	\$ 1,500,000	\$ 1,500,000
	Local Environmental Protection	1,620,000	2,150,000	2,150,000	2,100,000
	Nonpoint Source Program	256,352	466,661	466,661	466,661
	Total - Health and Environment	\$ 4,365,931	\$ 4,116,661	\$ 4,116,661	\$ 4,066,661
TOTAL EXPENDITURES		\$ 19,571,274	\$ 17,403,853	\$ 17,303,853	\$ 17,350,859

* Includes expenditures from prior year allocations from the State Water Plan Fund

STATUS OF THE STATE WATER PLAN FUND

	<u>Governor's Rec. FY 94</u>	<u>Governor's Rec. FY 95</u>	<u>House Rec. FY 95</u>	<u>Senate Rec. FY 95</u>
BEGINNING BALANCE	\$ 857,433	\$ 947,752	\$ 947,752	\$ 947,752
RECEIPTS:				
State General Fund	\$ 5,760,000	\$ 5,932,800	\$ 6,000,000	\$ 5,932,800
EDIF	1,980,000	2,000,000	2,000,000	2,000,000
Public Water Supply Fees	3,000,000	3,200,000	3,200,000	3,200,000
Industrial Water Use Fees	1,300,000	1,300,000	1,300,000	1,300,000
Stock Water Use Fees	275,000	275,000	275,000	275,000
Fertilizer Inspection Fees	2,300,000	2,012,500	2,012,500	2,012,500
Pesticide Registration Fees	764,500	749,200	749,200	749,200
Fines	57,277	51,541	51,541	51,541
Subtotal – Receipts	\$ 15,436,777	\$ 15,521,041	\$ 15,588,241	\$ 15,521,041
TOTAL AVAILABLE	\$ 16,294,210	\$ 16,468,793	\$ 16,535,993	\$ 16,468,793
LESS TRANSFERS:				
State Conservation Commission	\$ 9,654,544	\$ 8,495,171	\$ 8,731,658	\$ 8,534,292
Kansas Water Office	1,152,981	1,219,731	1,219,731	1,514,103
Wildlife and Parks	995,000	1,574,200	1,074,200	1,074,200
University of Kansas	200,000	200,000	200,000	200,000
Board of Agriculture	600,000	1,047,718	1,047,718	1,047,718
Health and Environment	2,743,933	3,616,661	3,616,661	3,566,661
Subtotal – Transfers	\$ 15,346,458	\$ 16,153,481	\$ 15,889,968	\$ 15,936,974
ENDING BALANCE	\$ 947,752	\$ 315,312	\$ 646,025	\$ 531,819

STATUS OF THE ECONOMIC DEVELOPMENT INITIATIVES FUND

Bill No.	Agency/Program	Governor's Rec. FY 94	Governor's Rec. FY 95	House Rec. FY 95	Senate Rec. FY 95
H.B.2731	Department of Commerce and Housing				
	Salaries and Wages	\$ 1,364,250	\$ 1,411,335	\$ 1,705,435	\$ 1,411,335
	Other Operating Expenditures	3,693,640	3,755,737	3,830,737	3,870,737
	Small Business Development Centers	321,750	325,000	325,000	325,000
	Certified Development Companies	470,250	475,000	475,000	475,000
	Kansas Industrial Training/Retraining	2,227,500	2,227,500	2,727,500	2,727,500
	Trade Show Promotion Grants	272,420	247,420	247,420	247,420
	Strategic Planning/Action Grants	440,550	440,550	440,550	690,550
	Kansas Quality Improvement Network	64,300	65,000	65,000	65,000
	Capital Resource Network	5,000	--	--	--
	Economic Initiative Opportunity Fund	1,485,000	--	--	1,500,000
	High Performance Incentive Grants	--	--	75,000	75,000
	Boot Hill Tourism Grant	--	--	--	100,000
	Tourism Grants	1,029,600	279,600	279,600	429,600
	Kansas Partnership Fund	990,000	--	--	--
H.B.2653	Travel Information Center Repairs	--	24,000	24,000	--
H.B.2653	Olathe Travel Center	267,300	750,000	750,000	--
	Subtotal - KDCH	\$ 12,631,560	\$ 10,001,142	\$ 10,945,242	\$ 11,917,142
H.B.2731	Kansas Technology Enterprise Corporation				
	Agency Operations	\$ 764,736	\$ 830,681	\$ 830,681	\$ 830,681
	Centers of Excellence	4,392,333	4,267,386	4,267,386	4,267,386
	Research Matching Grants	1,259,613	1,259,613	1,259,613	1,259,613
	Business Innovative Research Grants	25,000	25,000	50,000	75,000
	Training Equipment Grants	150,000	150,000	150,000	150,000
	Industrial Liaison Program	300,000	300,000	300,000	300,000
	Seed Capital	1,500,000	1,500,000	1,500,000	1,500,000
	Special Projects	173,000	103,000	103,000	103,000
	Commercialization	500,000	520,218	900,000	900,000
	Innovative Technology Program (ITEC)	50,000	120,000	95,000	95,000
	Agricultural Value Added Center	875,048	880,281	880,281	880,281
	Mid-America Manufact. Tech. Center	990,000	1,000,000	1,000,000	1,000,000
	Telecommunications Grants	125,000	125,000	125,000	100,000
	EPSCoR	See Kan Inc	See Kan Inc	See Kan Inc	2,000,000
	Subtotal - KTEC	\$ 11,104,730	\$ 11,081,179	\$ 11,460,961	\$ 13,460,961
H.B.2731	Kansas, Inc.				
	Agency Operations	\$ 104,935	\$ 116,889	\$ 116,889	\$ 123,480
	EPSCoR	1,500,000	2,000,000	2,000,000	See KTEC
	Subtotal - Kansas, Inc.	\$ 1,604,935	\$ 2,116,889	\$ 2,116,889	\$ 123,480
H.B.2731	Department of Revenue - Appraisal Aid	\$ 2,970,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000
H.B.2753	Board of Agriculture				
	Market Promotion and Development	\$ 321,744	\$ 321,707	\$ 321,707	\$ 321,707
	Equine Industry Survey	--	--	--	45,000
	Hog Marketing	24,750	--	--	--
	Subtotal - Agriculture	\$ 346,494	\$ 321,707	\$ 321,707	\$ 366,707
H.B.2753	State Fair - Agency Operations	\$ 99,000	\$ 99,000	\$ 99,000	\$ 134,000
H.B.2753	Dept. of Wildlife and Parks - Cap. Improv.	\$ 1,393,511	\$ 402,337	\$ 602,337	\$ 602,337
H.B.2701	Department of Education				
	At-Risk/Innovative Program Assist.	\$ 1,485,000	\$ 1,485,000	\$ 1,485,000	\$ 1,485,000
	Matching Grants - AVTS	495,000	495,000	495,000	495,000
	Postsecondary Aid - AVTS	4,962,870	11,850,000	11,850,000	5,000,000
	Capital Outlay Aid - AVTS	990,000	1,500,000	1,500,000	1,500,000
	Cultural Arts Center	24,750	--	25,000	25,000
	Foundation for Agriculture	24,750	--	25,000	25,000
	Subtotal - Education	\$ 7,982,370	\$ 15,330,000	\$ 15,380,000	\$ 8,530,000
H.B.2640	School for the Blind - Accessible Arts	\$ 148,500	\$ 150,000	\$ 150,000	\$ 150,000
H.B.2640	Kansas Arts Commission - Prog. Grants	\$ 1,024,650	\$ 1,024,650	\$ 1,024,650	\$ 1,124,650
H.B.2640	Historical Society				
	Agency Operations	\$ 29,700	\$ 19,700	\$ 19,700	\$ 19,700
	Funston Home	--	--	24,500	24,500
	Capital Improvements	682,959	--	--	--
	Humanities Council Grant	--	--	--	80,000
	Subtotal - Historical	\$ 712,659	\$ 19,700	\$ 44,200	\$ 124,200
H.B.2640	State Library				
	Literacy Grants	\$ 277,200	\$ 277,200	\$ 277,200	\$ 277,200
	Library Grants	973,077	--	429,965	973,077
	Talking Book Equipment Grant	105,668	--	--	--
	Operating Grant	3,663	--	--	--
	Kansas Library Catalog Grant	--	429,965	--	--
	Subtotal - State Library	\$ 1,359,608	\$ 707,165	\$ 707,165	\$ 1,250,277

-- Difference between House and Senate Recommendations

STATUS OF THE ECONOMIC DEVELOPMENT INITIATIVES FUND

H.B.2640	Dept. of Administration – Public Broadcasting Grants	\$	420,327	\$	--	\$	588,776	\$	588,776
S.B. 590	Board of Regents and Regents Institutions								
	Council on Economic Education	\$	39,600	\$	--	\$	40,000	\$	40,000
	Centers of Excellence		642,391		--		664,535		664,535
	KSU – ESARP		1,355,200		--		1,395,856		--
	University General Research		942,187		--		967,580		--
	Subtotal – Regents Institutions	\$	2,979,378	\$	--	\$	3,067,971	\$	704,535
79–4804	State Water Plan Fund	\$	1,980,000	\$	2,000,000	\$	2,000,000	\$	2,000,000
	Other State Agencies (details below)	\$	4,049,100	\$	--	\$	--	\$	--

TOTAL TRANSFERS AND EXPENDITURES	\$	50,806,822	\$	46,253,769	\$	51,508,898	\$	44,077,065
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EDIF Resource Estimate	Governor's Rec. FY 94	Governor's Rec. FY 95	House Rec. FY 95	Senate Rec. FY 95
Beginning Balance	\$ 12,571,409	\$ 4,183,795	\$ 7,110,380	\$ 7,110,380
Lottery Transfers	36,506,914	33,971,538	34,871,538	34,421,538
Racing Transfers	5,266,501	4,860,000	4,471,967	4,471,967
Other Income	645,793	125,000	125,000	125,000
Total Available	\$ 54,990,617	\$ 43,140,333	\$ 46,578,884	\$ 46,128,884
Less: Expenditures and Transfers	50,806,822	46,253,769	51,508,898	44,077,065
ENDING BALANCE	\$ 4,183,795	\$ (3,113,436)	\$ (4,930,014)	\$ 2,051,819

OTHER STATE AGENCIES (NO FY 1995 EDIF FINANCING)

<u>Agency/Program</u>	<u>Governor's Rec. FY 94</u>
Dept. of Social and Rehab. Services – KanWork	\$ 2,475,000
KDFA – Enterprise Loan Guarantee Fund	\$ 990,000
Board of Regents and Regents Institutions	
Study of KUMC	\$ 49,500
KUMC Integrated Computer System	346,500
KSU – Forest Survey	188,100
Subtotal – Regents Institutions	\$ 584,100
TOTAL – OTHER STATE AGENCIES	\$ 4,049,100

FY 1994 SUPPLEMENTAL APPROPRIATIONS

	Governor's Rec. FY 94	House Rec. FY 94	Senate Rec. FY 94
Department of Commerce and Housing			
Kansas Industrial Training/Retraining	\$ --	\$ 300,000	\$ 300,000
Kansas, Inc.			
EPSCoR	\$ 15,000	\$ 15,000	\$ 15,000

– Difference between House and Senate Recommendations