

Approved: 4/21/94
Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairman Rochelle Chronister at 12:35 p.m. on March 30, 1994 in Room 514-S of the Capitol.

All members were present except: none

Committee staff present: Alan Conroy, Legislative Research Department
Debra Duncan, Legislative Research Department
Kathy Porter, Legislative Research Department
Jim Wilson, Revisor of Statutes
Jerry Cole, Committee Secretary
Sharon Schwartz, Administrative Assistant

Conferees appearing before the committee:

Marlin Rein, University of Kansas Medical Center (KUMC)

Others attending: See attached list

Rep. Teagarden made a motion to amend the provisions pertaining to biennial budget for fee agencies contained in HB 2564 into a House substitute for SB 652. Rep. Glasscock seconded the motion and it carried.

Chairman Chronister opened the hearing on **SB 736**. Marlin Rein, KUMC, testified in support of the bill. (See Attachment 1). Rep. Teagarden made a motion to pass and favorably recommend the bill. Rep. Mead seconded the motion and it carried.

Rep. Lowther asked Jim Wilson, Revisor of Statutes, to explain the recommendations of his subcommittee as amendments to **SB 778**. Wilson did so. (See Attachments 2 and 2a). Rep. Bradley moved to table the bill, seconded by Rep. Glasscock and carried.

Rep. Heinemann explained subcommittee recommended technical amendments to **SB 400**. (See Attachments 3 and 3a). Rep. Heinemann made a motion to adopt the technical amendments. Rep. Helgerson seconded the motion and it carried. Heinemann said other amendments considered by the committee could be considered in House Committee of the Whole. Rep. Heinemann moved to pass and favorably recommend the bill as amended. Rep. Helgerson seconded the motion and it carried.

Rep. Mead asked Revisor Wilson to explain the subcommittee recommendations for **SB 786** to committee members. Wilson explained the conceptual amendments to the bill which basically expanded the authority of the Drug Utilization and Review Committee. Rep. Mead moved to pass and favorably recommend the bill as it was proposed conceptually by the subcommittee. Rep. Helgerson seconded the motion and it carried.

No further business appearing before the committee, the meeting was adjourned at 1:32 p.m. No future meetings have been scheduled.

1994 Appropriation Committee Guest List

1	NAME	ORGANIZATION
2	Brook Quay	PECO
3	Lisa Unruh	DOB
4	Glenn M. Bailell	Corporation for Change
5	Duane Wakemuth	Division of the Budget
6	Dianna Mans	Judicial Administration
7	Bob Wunsch	KUMC
8	Linda McGill	PETE MCGILL & ASSOC.
9	Millie Walter	EDS
10	Steve Whitton	EDS
11	Dodie Lacey	Ks. Children's Service League
12	Susan Jefferson	Dept of Adm
13	B. Mariani	Dept of Adm.
14	Nancy Echols	Dept. of Adm., DPS
15	Chip Wheelen	KS Medical Society
16	Fuss Frey	KUMA
17	Don Pesmark	Highway Patrol
18	Fuss Baner	KAPE
19	Kelly Jennings	KAPE
20	Paul Dickhoff	KAPE
21	Brack Orchemel	South High
22	Shane Phillips	Page
23	Shawn Stevens	Page
24	Nathan McNeil	Page
25	Monica Davis	Page
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Wed, Mar 30, 1994

Marlin L. Rein
University of Kansas
Medical Center

Testimony on Senate Bill 736
House Appropriations Committee
March 30, 1994

Senate Bill 736 repeals KSA 76-827 related to the University of Kansas Hospital Fund. The request to have this legislation repealed is an effort to simplify the appropriations process through the elimination of an unnecessary fund. Abolishing this fund in no way lessens the prerogatives of the Kansas Legislature in the appropriations process.

The legislative purpose for creating the Kansas Hospital Fund was effectively lost the day it was signed into law. The act was established in Senate Bill 896 (an appropriations bill) in the 1980 session of the Legislature. The act was initiated by the Senate Ways and Means Committee which believed a need existed for the Medical Center to have the ability to set aside funds in a manner similar to other hospitals for depreciation and capital expansion. Monies in the University of Kansas Hospital Fund were subject to appropriation by the Kansas Legislature and were limited to purposes of renovation, reconstruction, and maintenance and for the acquisition and replacement of equipment.

The original subsection (a) provided for the transfer of monies by the University from the Hospital Revenue Fund to the University of Kansas Hospital Fund. The original version of the bill provided that, commencing in Fiscal Year 1982, \$2 million per year from the Hospital Revenue Fund would be transferred to this newly created fund. Commencing in Fiscal Year 1987 and thereafter, the transfer would be \$600,000 per year. Those statutory automatic transfers were vetoed by the Governor who allowed the rest of the bill to stand.

Over the years, the fund has been used for the purposes outlined in its original enactment, but transfers into the fund were subject to appropriation. In other words, if the Legislature wanted to appropriate monies from the University of Kansas Hospital Fund, they first had to authorize the transfer from the Hospital Revenue Fund. There is no reason to impede making those appropriations directly from the Hospital Revenue Fund. There has been no new appropriation from the University of Kansas Hospital Fund since Fiscal Year 1992.

In closure, I would like to reiterate that elimination of the fund is a technical issue and will simplify the appropriations process. I would be pleased to answer any questions.

DRAFT OF AMENDMENTS TO SB 778

For Consideration By House Appropriations Comm 2e
(3-30-94)

Session of 1994

SENATE BILL No. 778

By Committee on Ways and Means

2-15

8 AN ACT concerning ~~the department of administration~~ relating to
9 rules and regulations of the secretary of administration pertaining
10 to overtime compensation for state employees.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. Except as otherwise required by federal law, any rule
14 and regulation relating to overtime compensation for state employees
15 adopted by the secretary of administration shall provide that only
16 hours actually worked may be considered in determining whether
17 overtime compensation is due and the amount of overtime compen-
18 sation due, whether in the form of overtime pay or compensatory
19 time off in lieu of overtime pay. ~~To~~ the extent that any rule and
20 regulation adopted by the secretary of administration prior to the
21 effective date of this act contains a provision contrary to this section,
22 that portion of the rule and regulation, and documents pertaining
23 to such portion of the rule and regulation, shall have no effect and
24 shall not be enforced.

25 Sec. ~~2~~ 3 This act shall take effect and be in force from and after
26 its publication in the Kansas register.

state officers and employees

salaries and compensation;

commencing with the first day of the first payroll
period which is chargeable to the fiscal year ending
on June 30, 1995,

and legal holidays, for which holiday credit or
compensation is granted as provided by rules and
regulations of the secretary of administration,

Commencing with the first day of the first payroll
period which is chargeable to the fiscal year ending
on June 30, 1995, to

Insert Sec. 2. ATTACHED

ATTACHMENT 2

New Sec. 2. (a) The governor is hereby authorized and directed to modify the pay plan adopted for fiscal year 1995 in accordance with this subsection and to adopt such pay plan as so modified. The existing pay plan shall be modified to provide for an increase of .5% adjusted to the nearest \$1 in each monthly step of the schedule of salary and wage ranges and steps of such pay plan or the equivalent increase for payroll periods other than monthly. The pay plan adopted by the governor under this subsection shall be the pay plan for the classified service under the Kansas civil service act and shall be effective on the first day of the first payroll period which is chargeable to the fiscal year ending June 30, 1995, and which commences after March 31, 1995. Such pay plan shall be subject to modification and approval as provided under K.S.A. 75-2938, and amendments thereto, and to any enactments of the legislature applicable thereto.

(b) Each state agency of the executive branch of state government shall prepare and submit a budget estimate for such salary increases, and all amendments and revisions of such estimates, to the director of the budget on forms prescribed by the director of the budget. At the same time as each such state agency submits such estimate, and all amendments and revisions thereof, each such state agency shall submit a copy of such estimate, and all amendments and revisions thereof, directly to the legislative research department.

FY 1995 COST OF LIVING ALLOWANCE CALCULATIONS
(IN MILLIONS)

Includes Classified, Unclassified, and Regents

1% COLA

	12 Months	6 Months	3 Months
State General Fund	\$5.1	\$2.6	\$1.3
All Funds	\$9.6	\$4.8	\$2.4

1/2% COLA

	12 Months	6 Months	3 Months
State General Fund	\$2.6	\$1.3	\$0.7
All Funds	\$4.8	\$2.4	\$1.2

SENATE BILL No. 400

By Committee on Ways and Means

3-2

DRAFT OF AMENDMENTS TO SB 400

For Consideration By House Appropriations Committee
(3-30-94)

AN ACT amending the Kansas juvenile offenders code; relating to certain out-of-home placements; amending K.S.A. 1992 Supp. 38-1664 and repealing the existing section.

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

Section 1. K.S.A. 1992 Supp. 38-1664 is hereby amended to read as follows: 38-1664. (a) Prior to placing a juvenile offender in the custody of the secretary and recommending out-of-home placement, the court shall consider ~~evidence~~ and determine that, where consistent with the need for protection of the community:

(1) Reasonable efforts have been made to prevent or eliminate the need for out-of-home placement or ~~an emergency exists~~ threatening the safety of the juvenile offender or the community ~~and requiring the juvenile offender's immediate removal out of home placement~~; and

(2) out-of-home placement is in the best interests of the juvenile offender.

(b) When a juvenile offender has been placed in the custody of the secretary, the secretary shall notify the court in writing of the initial placement of the juvenile offender as soon as the placement has been accomplished. The court shall have no power to direct a specific placement by the secretary, but may make recommendations to the secretary. The secretary may place the juvenile offender in an institution operated by the secretary, a youth residential facility or a community mental health center. If the court has recommended an out-of-home placement, the secretary may not return the juvenile offender to the home from which removed without first notifying the court of the plan.

(b) (c) During the time a juvenile offender remains in the custody of the secretary, the secretary shall report to the court at least each six months as to the current living arrangement and social and mental development of the juvenile offender. If the juvenile offender is placed outside the juvenile offender's home, a hearing shall be held not more than 18 months after the juvenile offender is placed outside the juvenile offender's home and every 12 months thereafter. If the

← [title amendments]

[Insert New Section 1]
And by renumbering sections

reasonable efforts are not possible due to

ATTACHMENT 3

SB 400

The amendment recommended by the Subcommittee would:

1. Require SRS to certify receipt of title IV-E funds received, after consultation with the Judicial Branch, Department of Corrections and the Corporation for Change.
2. SRS, DOC and the Judicial Branch shall report to the Division of Budget and the Corporation for Change the amount of displaced SGF.
3. Division of the Budget shall certify displaced SGF to Accounts and Reports who shall transfer said amount to the "Juvenile Offenders Alternative Placement Fund" in the budget of the Corporation for Change.
4. The purposes of the "Juvenile Offenders Alternative Placement Fund" shall include, but not be limited to:
 1. Intake/Assessment
 2. Intermediate Sanctions
 3. Reduce CSO caseloads and social worker caseloads
 4. Expand mental health services
 5. Comprehensive collaborative community programs
5. Agencies may vie for the funds through the appropriation process for juvenile offender programs. Corporation for Change will make recommendations for use of the funds. Appropriations will be made in a manner analogous to the State Water Plan Fund.