

Approved: March 21, 1994  
Date

**MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.**

The meeting was called to order by Chairperson August Bogina at 11:00 a.m. on March 18, 1994 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Leah Robinson, Legislative Research Department  
Tim Colton, Legislative Research Department  
Pat Mah, Legislative Research Department  
Julian Efird, Legislative Research Department  
Carolyn Rampey, Legislative Research Department  
Norm Furse, Revisor of Statutes  
Judy Bromich, Administrative Assistant  
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Willie Martin, Sedgwick County  
Lewis (Bob) Rogers, Assistant County Manager, Sedgwick County

Others attending: See attached list

**SB 810 -- KPERS, VESTING AND 1-YEAR WAITING PERIOD FOR MEMBERSHIP**

Willie Martin, Sedgwick County Commission, introduced Mr. Lewis R. (Bob) Rogers, the Assistant County Manager and Mr. Terry Coltrain, Controller. Mr. Rogers reviewed his written testimony (Attachment 1) in support of SB 810. In answer to questions, he stated that under the provisions of SB 810 a retiree would receive pension benefits based on contributions made while under KPERS, not based on the total years of service in local government.

The Chairman referred SB 810 to the subcommittee on KPERS.

**HB 2641 -- APPROPRIATIONS FOR FY 95, OCCUPATIONAL AND HEALTH PROFESSIONS LICENSING AGENCIES AND FINANCIAL REGULATORY AGENCIES**

Senator Morris reviewed the FY 94 and FY 95 subcommittee reports of the following agencies:

Abstracter's Board of Examiners (Attachment 2)  
Board of Accountancy (Attachment 3)  
State Bank Commissioner (Attachment 4)  
Kansas Board of Barbering (Attachment 5)  
Behavioral Sciences Regulatory Board (Attachment 6)  
State Board of Healing Arts (Attachment 7)  
Kansas State Board of Cosmetology (Attachment 8)  
State Department of Credit Unions (Attachment 9)  
Kansas Dental Board (Attachment 10)  
State Board of Mortuary Arts (Attachment 11)  
Kansas Board of Examiners in Fitting & Dispensing of Hearing Aids (Attachment 12)  
Consumer Credit Commissioner (Attachment 13)  
Board of Nursing (Attachment 14)  
Board of Examiners in Optometry (Attachment 15)  
State Board of Pharmacy (Attachment 16)

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on March 18, 1994.

**Real Estate Appraisal Board** (Attachment 17)

**Kansas Real Estate Commission** (Attachment 18)

**Office of the Securities Commissioner of Kansas** (Attachment 19)

**State Board of Technical Professions** (Attachment 20)

**State Board of Veterinary Examiners** (Attachment 21)

In answer to a question, it was stated that no change in law is required to accommodate the cost increase of Physical Therapy and Physical Therapy Assistant examination in the State Board of Healing Arts.

Staff told members that a change in law that makes it illegal for optometrists to be employed by the manufacturer of lenses has resulted in increased litigation costs (Attachment 15).

Senator Vancrum expressed concern about the declining ending balances in the Kansas Real Estate Commission and the State Board of Veterinary Examiners.

It was moved by Senator Morris and seconded by Senator Lawrence that the FY 94 and FY 95 subcommittee reports for the above agencies be adopted. The motion carried on a voice vote.

Senator Morris moved, Senator Lawrence seconded, that HB 2641 as amended be recommended favorable for passage. The motion carried on a roll call vote.

Senator Rock offered a motion which was seconded by Senator Morris to approve the minutes of March 16 and 17. The motion carried on a voice vote.

### INTRODUCTION OF BILLS

It was moved by Senator Salisbury and seconded by Senator Kerr that bill draft 3 RS 2608 as requested by Secretary Whiteman be introduced and referred to the Committee of the Whole. Staff explained that the bill draft would change the number of persons on the Coordinating Council on Early Childhood Developmental Services from 15 to not less than 16 nor more than 25 and would designate the commissioner of insurance or a representative of the commissioner as a member of the council to comply with federal law. The motion carried on a voice vote.

The Chairman adjourned the meeting at 12:35 A.M.

The next meeting is scheduled for March 21, 1994.

## GUEST LIST

COMMITTEE: SENATE WAYS AND MEANS

DATE: March 18, 1994

[illegible]



## COUNTY MANAGER'S OFFICE

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**Lewis R. (Bob) Rogers, II**  
**Assistant County Manager**

**TO: Senator Bogina, Chairman**  
**Senate Ways and Means Committee**

**FROM: Bob Rogers, Assistant County Manager**  
**Sedgwick County**

**DATE: March 18, 1994**

**SUBJECT: Senate Bill 810**

Chairman Bogina and members of the Committee, I am Bob Rogers, Assistant County Manager, Sedgwick County. I am here today to speak in support of Senate Bill 810, relating to the Kansas Public Employees Retirement System, which was originated in response to Sedgwick County's request.

In an En Banc meeting last August, the governing bodies of Sedgwick County and the City of Wichita voted to consolidate the operation of the Wichita-Sedgwick County Emergency Communications Department totally under Sedgwick County. Previously, the department had been jointly funded by the City and the County, and day-to-day administration and management was a City responsibility. As such, the employees were considered City employees, subject to the City's pay and benefits. Since the City has its own retirement programs, these employees participated in those programs. On the other hand, Sedgwick County is a member of the Kansas Public Employees Retirement System (KPERs).

With the transfer of responsibility to Sedgwick County, effective January 1, 1994, the employees ceased being City employees on December 31, 1993, and became County employees.

In response to the August decision, Sedgwick County promptly convened a multi-department task force of some 23 department heads and senior personnel to ensure a smooth transition and maximum employee consideration. Our staff consulted with key City personnel and with outside employee benefits and legal professionals.

Without question, the most difficult item that had to be dealt with in this transition was the issue of pension coverage. Other items, such as vacation accruals, sick leave accruals, longevity, and

*SWAM*  
*March 18, 1994*  
*Attachment 1*



even deferred compensation, were portable. But there was no portability between pension plans.

Obviously, portability between pension plans would be an optimal change. Short of that, however, Sedgwick County is asking for legislation that will: (1) allow any employee who has prior service with another local governmental unit which has its own pension plan and who, by virtue of a merger or consolidation of services, becomes the employee of another local government unit having KPERS as its pension plan to count the prior service in meeting the one year of continuous service requirement required by KPERS; and (2) allow any employee of a local governmental unit which has its own pension plan to count his/her years of service in the previous plan toward the years of service needed to vest or retire under KPERS.

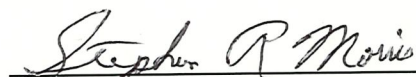
As indicated, these changes will not solve all of the problems that local units of government will encounter when employees are transferred as the result of a merger or consolidation of services. Essentially, these changes will allow these affected employees to be less adversely affected. First, by having first-day coverage under KPERS, there will be no gap in their pension plan participation if they have at least the minimum one year's previous local government employment. And second, their ability to more reasonably vest and subsequently retire under KPERS will be facilitated.

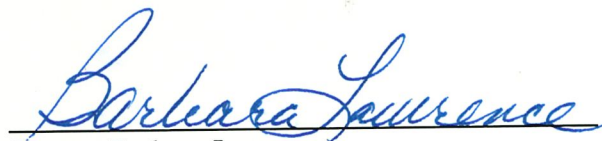
We have discussed these proposed changes with KPERS officials, and it is our understanding that they are supportive of the changes.

With me today is County Controller Terry Coltrain. We would be glad to respond to your questions. Thank you for this opportunity to speak to this issue.


**SUBCOMMITTEE REPORT**  
**1994 House Bill No. 2641**

- Sec. 2 -- Abstracters' Board of Examiners
- Sec. 3 -- Board of Accountancy
- Sec. 4 -- State Bank Commissioner
- Sec. 5 -- Kansas Board of Barbering
- Sec. 6 -- Behavioral Sciences Regulatory Board
- Sec. 7 -- State Board of Healing Arts
- Sec. 8 -- Kansas State Board of Cosmetology
- Sec. 9 -- State Department of Credit Unions
- Sec. 10 -- Kansas Dental Board
- Sec. 11 -- State Board of Mortuary Arts
- Sec. 12 -- Kansas Board of Hearing Aid Examiners
- Sec. 13 -- Consumer Credit Commissioner
- Sec. 14 -- Board of Nursing
- Sec. 15 -- Board of Examiners in Optometry
- Sec. 16 -- State Board of Pharmacy
- Sec. 17 -- Real Estate Appraisal Board
- Sec. 18 -- Kansas Real Estate Commission
- Sec. 19 -- Office of the Securities Commissioner of Kansas
- Sec. 20 -- State Board of Technical Professions
- Sec. 21 -- State Board of Veterinary Examiners

  
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Senator Steve Morris  
Subcommittee Chair

  
\_\_\_\_\_  
Senator Barbara Lawrence

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Senator Bill Brady

  
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Senator Marge Petty

  
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Senator Dave Kerr

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Senator Alicia Salisbury

## SUBCOMMITTEE REPORT

**Agency:** Abstracters Board of Examiners

**Bill No.** --

**Bill Sec.** --

**Analyst:** Mah

**Analysis Pg. No.** 1

**Budget Page No.** 2

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 16,944	\$ 16,632	\$ --
FTE Positions	0.0	0.0	--

### Agency Estimate/Governor's Recommendation

The Board estimates FY 1994 expenditures of \$16,944, an increase of \$51 from the authorized expenditure limitation of \$16,893. The Governor recommends FY 1994 expenditures of \$16,632, a reduction from the Board's estimate. The recommendation reduces salary expenditures by \$588 in anticipation of higher turnover savings. Other operating expenditures are increased by \$276 to cover the full cost of the agency's stationery and communication expenses.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 7,405	\$ 13,059
Net Receipts	15,792	19,980
Total Funds Available	\$ 23,197	\$ 33,039
Less: Expenditures	10,138	16,632
Ending Balance	<u>\$ 13,059</u>	<u>\$ 16,407</u>

### House Committee Recommendation

The House Committee concurs with the Subcommittee's recommendation.

**House Committee of the Whole Recommendation**

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

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.



## SUBCOMMITTEE REPORT

**Agency:** Abstracters' Board of Examiners

**Bill No.** 2641

**Bill Sec.** 2

**Analyst:** Mah

**Analysis Pg. No.** 1

**Budget Page No.** 2

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 18,055	\$ 18,055	\$ --
FTE Positions	0.0	0.0	--

### Agency Request/Governor's Recommendation

The Board requests \$18,055 in FY 1995, an increase of \$1,111 from the FY 1994 revised estimate. Most of the increase is for salary and office supply expenditures. The request contains no significant changes from the FY 1994 estimate.

The Governor concurs with the Board's expenditure request of \$18,055 in FY 1995, including an unclassified merit pool of 2.5 percent for the Executive Director.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 7,405	\$ 13,059	\$ 16,407
Net Receipts	15,792	19,980	19,980
Total Funds Available	\$ 23,197	\$ 33,039	\$ 36,387
Less: Expenditures	10,138	16,632	18,055
Ending Balance	<u>\$ 13,059</u>	<u>\$ 16,407</u>	<u>\$ 18,332</u>

### House Committee Recommendation

The House Committee concurs with the Subcommittee's recommendation.

**House Committee of the Whole Recommendation**

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

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

Agency: Board of Accountancy

Bill No. 2641

Bill Sec. 3

Analyst: Porter

Analysis Pg. No. 4

Budget Page No. 4

Expenditure Summary	Agency Req. FY 95	Gov. Rec. FY 95	Subcommittee Adjustments
State Operations:			
Special Revenue Fund	\$ 210,350	\$ 205,052	\$ —
FTE Positions	3.0	3.0	—

### Agency Request/Governor's Recommendation

The FY 1995 request of \$210,350 represents an increase of \$8,192 above the FY 1994 estimate. Of the increase, \$3,813 is for salary and fringe benefit rate increases for the agency's 3.0 FTE positions and \$4,379 is for other operating expenditures.

The Governor recommends FY 1995 expenditures of \$205,052, a reduction of \$5,298 from the agency request. Reductions are recommended from the agency request for salaries and wages (\$1,798) and contractual services (\$3,500). The Governor's recommendation also includes a downward adjustment to the agency's estimate of fee fund receipts.

### House Subcommittee Recommendation

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

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

The status of the fee fund, based on the recommendation of the House Subcommittee, is as follows:

Resource Estimate	Actual FY 93	Estimated FY 94	Estimated FY 95
Beginning Balance	\$ 80,412	\$ 77,006	\$ 64,638
Net Receipts	191,226	189,785	187,983
Total Funds Available	\$ 271,638	\$ 266,791	\$ 252,621
Less: Expenditures	194,632	202,153	205,052
Ending Balance	\$ 77,006	\$ 64,638	\$ 47,569
Ending Balance as Percentage of Expenditures	39.6%	32.0%	23.2%

### House Committee Recommendation

The House Committee concurs with the recommendations of the House Subcommittee.

*SWAM*  
March 18, 1994  
Attachment 3

**House Committee of the Whole Recommendation**

The House Committee of the Whole concurs with the recommendations of the House Committee.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the recommendations of the House Committee of the Whole.

## SUBCOMMITTEE REPORT

**Agency:** Bank Commissioner

**Bill No. --**

**Bill Sec. --**

**Analyst:** Mah

**Analysis Pg. No. 7**

**Budget Page No. 102**

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Bank Commissioner	\$ 3,188,463	\$ 3,207,257	\$ --
Savings and Loan Fee Fund	--	--	--
Other Fee Fund	300	--	--
	<u>\$ 3,188,763</u>	<u>\$ 3,207,257</u>	<u>\$ --</u>
FTE Positions	73.0	73.0	--

### Agency Estimate/Governor's Recommendation

The agency estimates \$3,188,763 for the current year, a reduction of \$238,197 from the expenditure limitation of \$3,426,960 approved by the 1993 Legislature. Salaries and wages are reduced by \$165,897 and other operating expenditures by \$72,300. The agency says that travel expenses are reduced by \$61,041 based on a re-estimate using actual prior year costs and capital outlay purchases are reduced by \$13,206 because moneys were available to shift approved current year purchases to the prior year. With regard to salaries, although reduced from the approved budget, the revised salary and wage estimate is an increase of \$315,165 over actual FY 1993 figures. Besides the additional moneys approved by the 1993 Legislature for the reclassification of the agency's Financial Examiners (61.0 of 73.0 agency employees) as well as for the annual promotions of some of these Financial Examiners, expenditures increase over actual FY 1993 to provide a salary increase for the unclassified Deputy Commissioner (from an annual base pay of \$45,828 to \$55,008 for an increase of \$9,180) and to fund positions vacant during part or all of the prior year. Finally, because of the enactment of 1993 legislation (1993 S.B. 58), regulation of savings and loan institutions is now under the jurisdiction of the Bank Commissioner instead of the abolished Savings and Loan Department. No expenditures are estimated from the Savings and Loan Fee Fund for regulating the savings and loan institutions. The expenditure limitation established by the 1993 Legislature for the Savings and Loan Fee Fund is \$0 because the agency said that expenditures could be assessed only after receipt and review of all records and materials from the Savings and Loan Department.

The Governor recommends expenditures of \$3,207,257 for the current year. Salaries and wages are reduced by \$26,647 while all other operating expenditures are increased by \$45,141, creating a net increase of \$18,494 from the agency's revised estimate of \$3,188,763. All financing in the current year would be from the Bank Commissioner Fee Fund.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

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Attachment 4

**Bank Commissioner Fee Fund Analysis.** The Bank Commissioner has three fee funds. The analysis below reflects the status of the agency's major fee fund, the Bank Commissioner Fee Fund.

Resource Estimate	Actual FY 93	Estimated FY 94
Beginning Balance	\$ 117,266	\$ 438,290
Net Receipts	3,242,827	3,370,165
Total Funds Available	<u>\$ 3,360,093</u>	<u>\$ 3,808,455</u>
Less: Expenditures	2,921,803	3,207,257
Ending Balance	<u><u>\$ 438,290</u></u>	<u><u>\$ 601,198</u></u>

**House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

**House Committee of the Whole Recommendation**

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

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.



# SUBCOMMITTEE REPORT

Agency: Bank Commissioner

Bill No. 2641

Bill Sec. 4

Analyst: Mah

Analysis Pg. No. 7

Budget Page No. 102

Expenditure Summary	Agency Req. FY 95	Gov. Rec. FY 95	Subcommittee Adjustments
State Operations:			
Bank Commissioner	\$ 3,529,401	\$ 3,502,321	\$ --
Savings and Loan Fee Fund	--	--	--
Other Fee Fund	--	--	--
	<u>\$ 3,529,401</u>	<u>\$ 3,502,321</u>	<u>\$ --</u>
FTE Positions	73.0	73.0	--

## Agency Request/Governor's Recommendation

The agency requests \$3,529,401 in FY 1995, an increase of \$340,638 (10.7 percent) over the revised current year estimate of \$3,188,763. A portion of the increase is to provide full-year funding for each of the agency's approved positions. Only partial funding for some of the agency's approved positions are included in the revised current year estimate. Additional moneys also are to be used to fund the agency's annual staff promotions as well as for position changes being requested in FY 1995. The agency is asking for moneys (\$27,796 including fringe benefit costs) to reclassify or reallocate some existing positions, including some of the recently reclassified Financial Examiner positions which were upgraded beginning in the current year as part of the final phase of a reclassification study by the Division of Personnel, Department of Administration for reviewing job classes within state agencies to determine appropriate pay relevant to labor market surveys. The agency asks for the further change in salary range for Financial Examiner positions because it believes that the market value of these positions are higher than what was established. Included in the requested position changes are reallocating an Administrative Officer II to Fiscal Officer (salary range 23 to 30); upgrading a Legal Assistant's salary range from 18 to 20 as proposed by the Division of Personnel to complete its final phase of the reclassification study; making further changes to the salary range for Financial Examiner III and IV positions approved for the current year (from 25 to 26 for Examiners III and 28 to 29 for Examiners IV); and reallocating the one Attorney I and one Attorney II positions within the agency to Financial Examiners (from 26 to 29 for the Attorney I and 28 to 31 for the Attorney II). The agency has received approval from the Division of Personnel for the reallocation of the Attorney positions to Financial Examiners, but is still awaiting approval for the other requested changes. The only other major increase (\$44,823) in FY 1995 from the agency's current year revised estimate is for travel and subsistence expenditures. Most of the added funds are for costs associated with sending the agency's staff to various training workshops. Regarding other expenditures, the agency says that each of its seven field offices will be added to the agency's new local area computer network. This will require an additional phone line for each field office along with charges to install the new phones (\$300 for installing each phone line) and the purchase of 14 microcomputers because the present computer equipment is not powerful enough to link to the agency's local area computer network or to run new updated computer software. Also, unbudgeted rent moneys may be needed to provide for the agency's Overland Park field office because the Federal Deposit Insurance Corporation may no longer

provide rent-free space to the state. Finally, like the current year, no expenditures are anticipated with regard to regulating the savings and loan institutions.

The Governor recommends expenditures of \$3,502,321 in FY 1995, a reduction of \$27,080 from the agency's request of \$3,529,401. Salaries and wages are reduced by \$108,745 while all other operating expenditures are increased by \$81,665. The additional funds support the agency's communication networking and travel requests. Like the current year, no financing is provided for oversight over the savings and loan institutions. All of the agency's FY 1995 financing would be from the Bank Commissioner Fee Fund. The Governor does not recommend financing for any of the requested position changes, including the Attorney positions which were recently approved for reallocation by the Division of Personnel. Included in the recommendation is salary step movement for classified employees and an unclassified employee merit pool of 2.5 percent. Also, the Governor recommends \$6,320 to acquire office space for the agency's Overland Park field office.

### **House Subcommittee Recommendation**

The House Subcommittee concurs with the Governor's recommendation, except for making a technical adjustment to the appropriations bill to reflect recommended expenditures of \$0 from the Savings and Loan Fee Fund and to accurately reflect the Governor's recommendation. The Subcommittee hesitates to recommend expenditure from this Fund since none was requested by the agency, but wishes to express the following concern about who is paying for the regulatory oversight of savings and loan institutions.

By law, moneys in the Savings and Loan Fund are to be used to pay for expenditures incurred for regulatory oversight of savings and loan institutions. This will be the second year that the agency reflects no anticipated expenditures with regard to regulatory oversight over savings and loan institutions. The current year recommendation also has a \$0 expenditure limitation on this Fund. Legislation last year abolished the state's Savings and Loan Department and gave the Bank Commissioner all powers and duties relating to regulating savings and loan institutions. The Subcommittee is concerned because information indicates that banks are being charged for regulating savings and loan institutions. Last year, the former Savings and Loan Department failed to assess savings and loan institutions for the Department's full operating costs. The Department's year-end expenditures exceeded available revenues by \$2,019. Incorrectly, the Division of Accounts and Reports of the Department of Administration covered the shortfall by using moneys collected by the Bank Commissioner from banks. Adding to the Subcommittee's concern is the fact that no moneys were collected from savings and loan institutions last year to provide for regulatory oversight in the current year. Had moneys been collected, revenues probably would have been available so that banks would not have been required to cover the shortfall. Based on the Governor's FY 1995 recommendation of \$0 from the Savings and Loan Fee Fund, which is in accordance to the agency's request, the Subcommittee must assume that no moneys will be collected from savings and loan institutions again this year. In order to guarantee that banks no longer will pick up the costs of regulating savings and loan institutions, the Subcommittee strongly recommends that the Bank Commissioner assess savings and loan institutions in the upcoming year so that revenues will be available should any regulatory oversight costs be incurred. Further, the Subcommittee encourages the Bank Commissioner to take any actions necessary to ensure that financial institutions regulated by the agency are charged for only the costs incurred for their respective regulation.

**Bank Commissioner Fee Fund Analysis.** The Bank Commissioner has three fee funds. The analysis below reflects the status of the agency's major fee fund, the Bank Commissioner Fee Fund.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 117,266	\$ 438,290	\$ 601,198
Net Receipts	3,242,827	3,370,165	3,533,225
Total Funds Available	<u>\$ 3,360,093</u>	<u>\$ 3,808,455</u>	<u>\$ 4,134,423</u>
Less: Expenditures	2,921,803	3,207,257	3,502,321
Ending Balance	<u><u>\$ 438,290</u></u>	<u><u>\$ 601,198</u></u>	<u><u>\$ 632,102</u></u>

#### **House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

#### **House Committee of the Whole Recommendation**

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

#### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

Agency: Kansas Board of Barbering

Bill No. --

Bill Sec. --

Analyst: Duncan

Analysis Pg. No. 16

Budget Page No. 104

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 89,693	\$ 89,607	\$ --
FTE Positions	2.0	2.0	--

### Agency Estimate/Governor's Recommendation

The agency estimates FY 1994 expenditures of \$89,693, a reduction of \$5,353 from the approved amount. The Governor recommends \$89,607 in FY 1994, a reduction of \$86 in fringe benefits from the agency's estimate.

### House Subcommittee Recommendation

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

1. For FY 1994, the Governor increased anticipated fee receipts from \$105,716 estimated by the agency to \$111,880. The agency expressed concern that it will not meet the Governor's estimate since receipts to date are slightly in excess of \$71,000. Based on the agency's testimony, the Subcommittee recommends that the resource estimate be revised to reflect the agency's concerns.

The status of the fee fund, based on the recommendation of the House Subcommittee is as follows:

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 61,053	\$ 74,675
Net Receipts	111,840	105,716
Total Funds Available	\$ 172,893	\$ 180,391
Less: Expenditures	98,218	89,607
Ending Balance	<u>\$ 74,675</u>	<u>\$ 90,784</u>
Ending Balance as Percentage of Expenditures	76.0%	101.3%

SWAM  
March 18, 1994  
Attachment 5

**House Committee Recommendation**

Concur.

**House Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ --	\$ 89,607	\$ --
FTE Positions	--	2.0	--

**Senate Subcommittee Recommendation**

Concur.

## SUBCOMMITTEE REPORT

**Agency:** Kansas Board of Barbering

**Bill No.** 2641

**Bill Sec.** 5

**Analyst:** Duncan

**Analysis Pg. No.** 16

**Budget Page No.** 104

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations: Special Revenue Fund	\$ 95,052	\$ 92,843	\$ (396)
FTE Positions	2.0	2.0	--

### Agency Request/Governor's Recommendation

The Board of Barbering's FY 1995 request of \$95,052 is a net increase of \$5,359 (6.0 percent) over the FY 1994 estimate. Most of the increase, \$3,066, is for salary and fringe benefit adjustments for the agency's 2.0 FTE positions. The agency's request also includes \$1,500 to purchase a FAX machine to expedite communication between the Administrative Office and the barber colleges and \$300 for a cellular telephone for use by the Barber Shop Inspector.

The Governor recommends \$92,843 for state operations, a decrease of \$2,209 from the agency's request. The recommendation increases salaries and wages (\$221) and decreases commodities (\$630). The Governor does not recommend any capital outlay expenditures (\$1,800).

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation with the following adjustments and observations:

1. Delete \$696 in salaries and wages to accurately reflect the Governor's intent.
2. Add \$300 for the purchase of a cellular phone for the Barber Shop Inspector. According to the agency this Inspector spends the majority of his time on the road.
3. The Governor recommended the agency lower its barber shop license renewal fee from \$25 to \$15 and its barber license renewal fee from \$50 to \$40 in FY 1995. The Subcommittee notes that ending balances for the Barber Shop Fee Fund are high, but based on the agency's concern over current year receipts, believes that it may be premature to lower fees in FY 1995. The Subcommittee recommends that this issue be revisited during the 1995 Legislative Session.

The status of the fee fund, based on the recommendation of the House Subcommittee, is as follows:



Resource Estimate	Actual FY 93	Estimated FY 94	Estimated FY 95
Beginning Balance	\$ 61,053	\$ 74,675	\$ 90,784
Net Receipts	111,840	105,716	111,252
Total Funds Available	\$ 172,893	\$ 180,391	\$ 202,036
Less: Expenditures	98,218	89,607	92,447
Ending Balance	\$ 74,675	\$ 90,784	\$ 109,589
Ending Balance as a Percent of Expenditures	76.0%	101.3%	118.5%

### House Committee Recommendation

Concur.

### House Committee of the Whole Recommendation

Concur.

Expenditure Summary	House Adj. FY 95	House Rec. FY 95	Senate Subcommittee Adjustments
State Operations:			
Special Revenue Fund	\$ (396)	\$ 92,447	\$ --
FTE Positions	--	2.0	--

### Senate Subcommittee Recommendation

Concur.

## SUBCOMMITTEE REPORT

**Agency:** Behavioral Sciences  
Regulatory Board

**Bill No.** 2641

**Bill Sec.** 6

**Analyst:** Robinson

**Analysis Pg. No.** 19

**Budget Page No.** 106

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 631,680	\$ 456,265	\$ 59,262
FTE Positions	6.5	6.5	2.0

### Agency Request/Governor's Recommendation

The Board's FY 1995 budget request totals \$631,680, an increase of \$243,297 above the revised FY 1994 estimate. The request includes funding for the addition of 3.5 FTE positions. The Governor recommends FY 1995 expenditures of \$456,265, a reduction of \$176,415 from the agency's request. The recommendation includes a reduction of \$102,387 in salaries and wages and \$73,028 for other operating expenditures.

### House Subcommittee Recommendation

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

**FY 1995.** The Subcommittee concurs with the recommendation of the Governor, with the following adjustments:

1. Increase the expenditure limitation on the agency's fee fund by \$26,758 for the addition of 1.0 FTE Secretary III position. The position would be utilized to prepare minutes of meetings, correspondence, and free the Executive Director to devote more time to administrative activities.
2. Increase the expenditure limitation on the agency's fee fund by \$20,596 to allow the addition of 1.0 FTE Office Assistant III position. The position would be utilized to manage the clerical functions related to the two newest regulated professions (registered marriage and family therapists and registered alcohol and other drug counselors).
3. Increase the agency's expenditure limitation by \$11,908 for contractual services. Subsequent to the submission of its FY 1995 budget, the agency was informed that it would have to vacate its office space in the Landon State Office Building. The Board has located office space in downtown Topeka and requires an additional \$11,908 for that space in FY 1995.

*SWAM*  
*March 18, 1994*  
*Attachment 6*

The status of the fee fund, based on the recommendation of the House Subcommittee is as follows:

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 107,258	\$ 72,287	\$ 188,186
Net Receipts	<u>260,053</u>	<u>503,926</u>	<u>459,591</u>
Total Available	\$ 367,311	\$ 576,213	\$ 647,777
Less: Expenditures	<u>295,024</u>	<u>388,027</u>	<u>515,527</u>
Ending Balance	<u>\$ 72,287</u>	<u>\$ 188,186</u>	<u>\$ 132,250</u>
Ending Balance as a Percentage of Expenditures	24.5%	48.5%	25.7%

#### **House Committee Recommendation**

The House Committee concurs with the recommendation of the House Subcommittee.

#### **House Committee of the Whole Recommendation**

The House Committee of the Whole concurs with the recommendation of the House Committee.

#### **Senate Subcommittee Recommendation**

**FY 1994.** The Senate Subcommittee concurs with the recommendation of the House.

**FY 1995.** The Senate Subcommittee concurs with the recommendation of the House.

## SUBCOMMITTEE REPORT

**Agency:** Board of Healing Arts

**Bill No.** 2641

**Bill Sec.** 7

**Analyst:** Robinson

**Analysis Pg. No.** 22

**Budget Page No.** 232

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 1,483,569	\$ 1,447,360	\$ --
FTE Positions	26.0	26.0	--

### Agency Request/Governor's Recommendation

For FY 1995, the agency requests expenditures of \$1,483,569, an increase of \$152,806 above the revised FY 1994 estimate. The request includes \$821,388 for salaries and wages (an increase of \$76,952 over the revised FY 1994 estimate), \$472,640 for contractual services (an increase of \$15,460), \$135,355 for commodities (an increase of \$21,745), and \$54,186 for capital outlay (an increase of \$38,649). The request includes funding for 26.0 FTE positions, an increase of 2.0 FTE positions over the number approved for FY 1994. The positions requested include a 0.5 FTE Programmer II, a 0.5 FTE Keyboard Operator II, and 1.0 FTE Attorney position. In addition to salaries and wages expenditures of \$51,754 for the new positions, the agency is requesting \$2,353 in capital outlay for the new positions and \$1,000 for electrical and telephone work.

For FY 1995, the Governor recommends expenditures of \$1,447,360, a reduction of \$35,209 from the agency's request. The Governor recommends the addition of 2.0 FTE positions as requested by the agency.

### House Subcommittee Recommendation

**FY 1994.** The Subcommittee concurs with the recommendation of the Governor.

**FY 1995.** The Subcommittee concurs with the recommendation of the Governor.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 1,154,512	\$ 1,049,316	\$ 1,050,924
Net Receipts	<u>1,161,810</u>	<u>1,335,225</u>	<u>1,495,110</u>
Total Available	\$ 2,316,322	\$ 2,384,541	\$ 2,546,034
Less: Expenditures	<u>1,267,006</u>	<u>1,333,617</u>	<u>1,447,360</u>
Ending Balance	<u>\$ 1,049,316</u>	<u>\$ 1,050,924</u>	<u>\$ 1,098,674</u>
Ending Balance as a Percentage of Expenditures	82.8%	78.8%	75.9%

*SWAM*  
*March 18, 1994*  
*Attachment 7*

### House Committee Recommendation

The House Committee concurs with the recommendation of the House Subcommittee.

### House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the recommendation of the House Committee.

<u>Expenditure Summary</u>	<u>House Adj. FY 95</u>	<u>House Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Funds	\$ --	\$ 1,447,360	\$ 10,625
FTE Positions	--	26.0	--

### Senate Subcommittee Recommendation

**FY 1994.** The Senate Subcommittee concurs with the recommendation of the House.

**FY 1995.** The Senate Subcommittee concurs with the recommendation of the House, with the following adjustment:

1. Increase the expenditure limitation on the on the Board of Healing Arts fee fund by \$10,625. The agency has learned that the cost of Physical Therapy and Physical Therapy Assistant examination will be increasing from \$100 to \$185 effective January 1, 1995. This increase would pay for exams to be administered in March, 1995. The Board indicated that receipts to the fee fund would increase by approximately \$12,500 in FY 1995.

The status of the fee fund, based on the recommendations of the Subcommittee, is set out below.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 1,154,512	\$ 1,049,316	\$ 1,050,924
Net Receipts	1,161,810	1,335,225	1,507,610
Total Available	\$ 2,316,322	\$ 2,384,541	\$ 2,558,534
Less: Expenditures	1,267,006	1,333,617	1,457,985
Ending Balance	<u>\$ 1,049,316</u>	<u>\$ 1,050,924</u>	<u>\$ 1,100,549</u>
Ending Balance as a Percentage of Expenditures	82.8%	78.8%	75.5%

**TIM CARMODY**  
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TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS  
 VICE-CHAIR JUDICIARY  
 MEMBER APPROPRIATIONS  
 LABOR & INDUSTRY  
 KPERS STUDY COMMISSION

## KANSAS BOARD OF HEALING ARTS

**Mission:** The mission of the KBHA is to protect the public health, safety and welfare by regulating the practice of the healing arts and other types of conduct, the practice of which affects the public health, safety and welfare.

**Strategy:** Establish and administer programs to insure:

1. The quality of health care is of the highest practical level, and
2. The persons providing health care services are competent to do so.

### Programs:

1. Licensing and Renewal.
2. Disciplinary.
3. Impaired Provider Programs
4. "ICE", (Information, Communication, Education)

### Performance Measures:

1. Licensing and Renewal Program
  - a. Credentials are issued only to persons qualified to receive them. ("Zero tolerance")
  - b. Cancellation of credentials for non-renewal done within 30 days after expiration.
  - c. No deterioration in processing times for issuance and renewals due to increased number of persons regulated.
  - d. Respond within 48 hours to inquiries from individuals and public agencies about licensure status of regulated persons.
  - e. Continuing education requirements are met by all regulated persons. ("Zero tolerance")



## 2. Disciplinary Program

- a. Improve comparative ratings of BHA by outside organizations. (Eg., Federation of State Medical Boards Composite Index, Citizens Advisory Group, etc.)
- b. Investigations are initiated within 1-30 days (depending on seriousness) in response to report of possible violation of statute or regulation.
- c. Reports of possible violations of statute or regulation are prioritized by seriousness of potential harm to an individual and the public.
- d. Establish and maintain a system which provides multiple sources for reporting possible violation of statute or regulation. (Eg., peers, utilization review, patients, etc.)

## 3. Impaired Provider Programs

- a. No less than 90% impaired providers enter an IPP.
- b. 90% of impaired providers who successfully complete an IP program remain impairment free for three years thereafter.
- c. Impaired providers have credentials limited and are monitored to insure remain free of impairment.

## 4. ICE (Information, Communication, Education)

- a. Quarterly newsletter by KBHA is informative and widely distributed.
- b. Cultivate and sustain public support for the concept of licensure and regulation of those who practice the healing arts and other professions regulated by the Board as determined by surveys.

## Financial Barriers and Constraints:

### 1. Licensing and Renewal

- 0.5 FTE Programmer II and 0.5 FTE Keyboard Operator II will allow BHA to meet program goals.

### 2. Disciplinary

- Addition of 1.0 FTE Attorney will allow BHA to meet program goals.

## **Non-Financial Barriers and Constraints:**

- Kansas Administrative Procedure Act (KAPA) procedural protections hinder BHA action in non-adversarial matters. (Eg., Cancellation for non-renewal of a license still triggers a formal hearing process.)
- Evaluation and improvement of the skills of providers who do not measure up to the appropriate standard of care within a "complaint generated" system. Authority to refer providers to skill-enhancement programs does not exist outside the disciplinary process which by its nature is adversarial.
- The definition of what is "unauthorized practice of the healing arts" is vague and needs clarification. (Refer to the acquittal in Johnson County of several midwives.)
- KDHE and KUMC oppose staggering of M.D./D.O./D.C. renewals.

## **Initiatives for FY 1995:**

(with reference to program)

- Increase usage of national data banks to facilitate exchange of information on providers (1 & 2).
- Reevaluate the decentralization of the Impaired Provider Program (3).
- Increase cross-training of office personnel (1, 2 & 4)
- Establish a formal procedure for prioritizing reports and complaints (2).
- Reduce number of open investigations from 6/30/94 to 6/30/95 (2).
- Establish time standards for renewals (1).
- Implement USMLE (1).

## **Initiatives for FY 1996-97 (Biennial Budget):**

- Non-Kansas (BHA, KMS, KCA, etc.) evaluation of the effectiveness and efficiency of the Impaired Provider Program (3).
- Determine effectiveness of a skill-enhancement program modeled on CPEP (Colorado Personalized Education for Physicians) (1, 2, 3 & 4)
- Explore feasibility of regional and national licensure.

## SUBCOMMITTEE REPORT

**Agency:** Board of Cosmetology

**Bill No.** --

**Bill Sec.** --

**Analyst:** Duncan

**Analysis Pg. No.** 25

**Budget Page No.** 164

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 391,740	\$ 391,740	\$ --
FTE Positions	9.0	9.0	--

### Agency Estimate/Governor's Recommendation

The agency's estimate for FY 1994 is \$391,740, the amount approved by the 1993 Legislature as adjusted by State Finance Council action. The Governor concurs with the agency's estimate for FY 1994.

### House Subcommittee Recommendation

The House Subcommittee concurs with the recommendation of the Governor and makes the following observations:

1. The House Subcommittee learned that the three-year terms have expired for two members of the five-member Cosmetology Board. These two members, pursuant to K.S.A. 74-2701(b), are continuing to serve as Board members until their successors are appointed. The Subcommittee understands that all Board members and their staff will receive training, at a cost of \$2,000, relating to the National Exams given by the agency. The Subcommittee encourages the Governor to appoint new members to the Board as soon as possible so they can also receive this training.
2. The Subcommittee notes that the agency has located 535 tanning salons in the State of Kansas. The Subcommittee learned that the agency is continuing to search for additional salons and is working with the Attorney General's office to remind tanning facilities of the licensure requirements. The Subcommittee commends the agency for its diligence and encourages continued cooperation between the Board of Cosmetology and the Attorney General's office in this endeavor.

The status of the fee fund, based on the agency's recommendation, is as follows:

*SWAM  
March 18, 1994  
Attachment 8*

Resource Estimate	Actual FY 93	Estimated FY 94
Beginning Balance	\$ 79,275	\$ 49,744
Net Receipts	348,835	406,316
Total Funds Available	\$ 428,110	\$ 456,060
Less: Expenditures	378,366	391,740
Ending Balance	\$ 49,744	\$ 64,320
Ending Balance as a Percentage of Expenditures	13.2%	16.4%

#### House Committee Recommendation

Concur.

#### House Committee of the Whole Recommendation

Concur.

Expenditure Summary	House Adj. FY 94	House Rec. FY 94	Senate Subcommittee Adjustments
State Operations:			
Special Revenue Fund	\$ --	\$ 391,740	\$ --
FTE Positions	--	9.0	--

#### Senate Subcommittee Recommendation

Concur.

## SUBCOMMITTEE REPORT

**Agency:** Board of Cosmetology

**Bill No.** 2641

**Bill Sec.** 8

**Analyst:** Duncan

**Analysis Pg. No.** 25

**Budget Page No.** 164

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 414,041	\$ 403,589	\$ 4,475
FTE Positions	9.0	9.0	--

### Agency Request/Governor's Recommendation

The Board of Cosmetology's FY 1995 request of \$414,041 is a \$22,301 (5.7 percent) increase over the FY 1994 estimate. Most of the increase, 80.5 percent, is for salaries and wages. The salary and wage request provides for step movement, longevity and merit pay; and includes \$6,392 to increase the Director's base salary from \$31,224 to \$38,397. In addition, the request includes \$2,880 for three temporary employees 12 days a year. This would allow board members to miss six exams per year and would also provide six days for administrative duties. The FY 1995 request increases contractual services (\$2,224) and decreases commodities (\$920). The agency is also requesting \$3,038 to replace a 15 year old copy machine.

The Governor recommends FY 1995 expenditures of \$403,589, a decrease of \$10,452 from the agency's request. The recommendation reduces salaries and wages by \$6,669 and contractual services by \$3,783. The Governor concurs with the agency's request of \$29,930 for commodities and \$3,038 for a copy machine. Salary and wage adjustments include reductions in fringe benefits (\$1,272) and temporary salaries (\$1,440), and provide an increase to the Executive Director's base salary from \$31,224 to \$34,440, a reduction of \$3,957 from the agency's request. The Governor's recommendation includes routine step movement, longevity, and unclassified merit pay.

### House Subcommittee Recommendation

The House Subcommittee concurs with the recommendation of the Governor with the following adjustments and observations:

1. Add \$4,475 from the Cosmetology Executive Fee Fund to allow the Board to increase the Director's salary from \$34,440, recommended by the Governor, to \$38,397. The Subcommittee learned that the Board unanimously recommended this raise.
2. The Subcommittee reviewed the agency's performance objectives and performance indicators. The Subcommittee believes that the objectives are good but recommends that after the appointment of the new Board members, the Board of Cosmetology develop more specific measurable objectives for FY 1996 and FY 1997.

3. The Subcommittee notes that the agency is evaluating the feasibility of moving its test sites (in 1996) from the Board office in Topeka to the cosmetology schools or community colleges. The Subcommittee believes that moving the testing sites could result in substantial savings and strongly recommends that the agency pursue this avenue in its FY 1996 budget submission.

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

Resource Estimate	Actual FY 93	Estimated FY 94	Estimated FY 95
Beginning Balance	\$ 79,275	\$ 49,744	\$ 64,320
Net Receipts	348,835	406,316	425,925
Total Funds Available	\$ 428,110	\$ 456,060	\$ 490,245
Less: Expenditures	378,366	391,740	408,064
Ending Balance	<u>\$ 49,744</u>	<u>\$ 64,320</u>	<u>\$ 82,181</u>
Ending Balance as a Percentage of Expenditures	13.2%	16.4%	20.1%

#### House Committee Recommendation

Concur.

#### House Committee of the Whole Recommendation

Concur.

Expenditure Summary	House Adj. FY 95	House Rec. FY 95	Senate Subcommittee Adjustments
State Operations:			
Special Revenue Fund	\$ 4,475	\$ 408,064	\$ --
FTE Positions	--	9.0	--

#### Senate Subcommittee Recommendation

Concur.



## SUBCOMMITTEE REPORT

**Agency:** Department of Credit Unions

**Bill No.** --

**Bill Sec.** --

**Analyst:** Mah

**Analysis Pg. No.** 28

**Budget Page No.** 166

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 645,620	\$ 643,118	\$ --
FTE Positions	12.0	12.0	--

### Agency Estimate/Governor's Recommendation

The agency estimates expenditures of \$645,620 in FY 1994, a reduction of \$2,705 from the approved budget of \$648,325. The savings is from salary and wage expenditures, which are lower than originally anticipated for the reclassification action that took place at the beginning of FY 1994 for 9.0 of the agency's current 12.0 FTE positions. The revised estimate includes \$532,054 for salaries and wages and \$113,566 for all other operating expenditures.

The Governor recommends expenditures of \$643,118 in FY 1994, a reduction of \$2,502 from the agency's revised estimate of \$645,620. The recommendation deletes moneys that the agency had budgeted to hire temporary help.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation. The Subcommittee calls attention to the "CAMEL" rating, a measure of the soundness of financial institutions based on Capital, Assets, Management, Earnings, and Liquidity. In December, 1991, five credit unions in Kansas had CAMEL ratings of five, which is the lowest possible rating. Based on performance measures presented to the Subcommittee by the Department of Credit Unions, there currently are no credit unions in Kansas with a rating of five. This information indicates to the Subcommittee that there has been a marked improvement in the soundness of credit unions since 1991. Further, the Department reports a decline in the number of letters of understanding in effect citing deficiencies to credit unions. (For the most recent six-month period ending December, 1993, the Department had 13 letters of understanding in effect, compared to the six-month period ending in June, 1993, when 23 letters were in effect.) The Subcommittee believes that these measures will serve as the basis for ongoing review of the Department's performance in future years.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.

SWAM  
March 18, 1994  
Attachment 9

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 196,490	\$ 234,686
Net Receipts	642,074	623,175
Total Funds Available	<u>\$ 838,564</u>	<u>\$ 857,861</u>
Less: Expenditures	603,878	643,118
Ending Balance	<u><u>\$ 234,686</u></u>	<u><u>\$ 214,743</u></u>

#### **House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

#### **House Committee of the Whole Recommendation**

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

#### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

**Agency:** Department of Credit Unions

**Bill No.** 2641

**Bill Sec.** 9

**Analyst:** Mah

**Analysis Pg. No.** 28

**Budget Page No.** 166

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 670,889	\$ 653,667	\$ --
FTE Positions	12.0	12.0	--

### Agency Request/Governor's Recommendation

The agency requests \$670,889 for operating expenditures in FY 1995, an increase of \$25,269 (3.9 percent) over the FY 1994 revised estimate. The request includes \$546,378 for salaries and wages and \$124,511 for all other operating expenditures. Included in the request \$1,582 for reallocating an existing Financial Examiner position from level III to V; \$10,000 for a one time fee to cover the expense of an audit for agency certification by the National Association of State Credit Union Supervisors; and \$2,950 for one lap top computer with printer (\$2,173) and one facsimile (FAX) machine (\$777). With regard to the requested position reallocation, this is a Financial Examiner IV position that was changed to level III by the current year reclassification action of the Division of Personnel, Department of Administration. The agency is asking the Division of Personnel to reallocate the position to level V instead of letting it remain at level III for FY 1995.

The Governor recommends expenditures of \$653,667 in FY 1995, a reduction of \$17,222 from the agency's request of \$670,889. The recommendation deletes financing for the requested reallocation of a Financial Examiner position. Also, funding is not recommended for the expense of an audit for agency certification by the National Association of State Credit Union Supervisors (\$10,000) or a lap top computer with printer (\$2,173). Included in the recommendation is salary step movement for classified employees and an unclassified employee merit pool of 2.5 percent. The Governor also recommends \$3,000 for registration costs to send staff to various training workshops.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.

Resource Estimate	Actual FY 93	Estimated FY 94	Estimated FY 95
Beginning Balance	\$ 196,490	\$ 234,686	\$ 214,743
Net Receipts	642,074	623,175	621,220
Total Funds Available	<u>\$ 838,564</u>	<u>\$ 857,861</u>	<u>\$ 835,963</u>
Less: Expenditures	603,878	643,118	653,667
Ending Balance	<u><u>\$ 234,686</u></u>	<u><u>\$ 214,743</u></u>	<u><u>\$ 182,296</u></u>

#### **House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

#### **House Committee of the Whole Recommendation**

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

#### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

**Agency:** Kansas Dental Board

**Bill No.** 2641

**Bill Sec.** 10

**Analyst:** Robinson

**Analysis Pg. No.** 32

**Budget Page No.** 170

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 204,581	\$ 201,359	\$ --
FTE Positions	2.4	2.4	--

### Agency Request/Governor's Recommendation

The Board requests FY 1995 expenditures of \$204,581, an increase of \$6,678 from the revised FY 1994 estimate. The request includes: \$84,721 for salaries and wages (an increase of \$3,435 over the revised FY 1994 amount); and \$119,860 for other operating expenditures (an increase of \$3,243 over the revised FY 1994 amount). The Governor recommends FY 1995 expenditures of \$201,359, a reduction of \$3,222 from the agency's request.

### House Subcommittee Recommendation

**FY 1994.** The Subcommittee concurs with the recommendation of the Governor.

**FY 1995.** The Subcommittee concurs with the recommendation of the Governor.

The status of the fee fund, based on the recommendation of the House Subcommittee is as follows:

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 151,850	\$ 127,380	\$ 115,612
Net Receipts	<u>148,013</u>	<u>185,300</u>	<u>185,300</u>
Total Available	\$ 299,863	\$ 312,680	\$ 300,912
Less: Expenditures	<u>172,483</u>	<u>197,068</u>	<u>201,359</u>
Ending Balance	<u>\$ 127,380</u>	<u>\$ 115,612</u>	<u>\$ 99,553</u>
Ending Balance as a Percentage of Expenditures	73.9%	58.7%	49.4%

### House Committee Recommendation

The House Committee concurs with the recommendation of the House Subcommittee.

*SWAM*  
*March 18, 1994*  
*Attachment 10*

### **House Committee of the Whole Recommendation**

The House Committee of the Whole concurs with the recommendation of the House Committee.

### **Senate Subcommittee Recommendation**

**FY 1994.** The Senate Subcommittee concurs with the recommendation of the House.

**FY 1995.** The Senate Subcommittee concurs with the recommendation of the House.

## SUBCOMMITTEE REPORT

**Agency:** State Board of Mortuary Arts

**Bill No.** --

**Bill Sec.** --

**Analyst:** Duncan

**Analysis Pg. No.** 34

**Budget Page No.** 456

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations: Special Revenue Fund	\$ 151,725	\$ 151,475	\$ 2,000
FTE Positions	3.0	3.0	--

### Agency Estimate/Governor's Recommendation

The Board of Mortuary Arts requests FY 1994 expenditures of \$151,725, an increase of \$2,029 over the amount approved by the 1993 Legislature, as adjusted by Finance Council action. The estimated increase includes \$1,641 for a temporary secretary to fill in for the agency's full-time secretary who has been on an extended sick leave; \$250 to cover a shortfall for copying expenses; and \$138 for retirement sick leave to correct a previous omission. The Governor recommends \$151,475 in FY 1994, a decrease of \$253, in contractual services, from the agency's request.

### House Subcommittee Recommendation

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

1. Increase the expenditure limitation by \$1,500 for salaries and wages to continue the services of a temporary secretary. The agency testified that its full-time secretary has been gone longer than anticipated; necessitating expenditures of over \$1,000 for temporary help to date. Without the temporary secretary the agency would be unable to perform its normal day to day functions.
2. Increase the expenditure limitation by \$500 for computer software which will allow the agency to track licensees.

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

*SWAM  
March 18, 1994  
Attachment 11*

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 43,147	\$ 40,878
Net Receipts	147,148	150,880
Total Funds Available	<u>\$ 190,295</u>	<u>\$ 191,758</u>
Less: Expenditures	149,417	153,475
Ending Balance	<u>\$ 40,878</u>	<u>\$ 38,283</u>
Ending Balance as a Percentage of Expenditures	27.4%	24.9%

### House Committee Recommendation

Concur.

### House Committee of the Whole Recommendation

Concur.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 2,000	\$ 153,475	\$ --
FTE Positions	--	3.0	--

### Senate Subcommittee Recommendation

Concur.



# SUBCOMMITTEE REPORT

**Agency:** State Board of Mortuary Arts

**Bill No.** 2641

**Bill Sec.** 11

**Analyst:** Duncan

**Analysis Pg. No.** 34

**Budget Page No.** 456

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 156,540	\$ 153,216	\$ --
FTE Positions	3.0	3.0	--

## Agency Request/Governor's Recommendation

The Board requests \$156,540 from the Mortuary Arts Fee Fund in FY 1995, an increase of \$4,815 (3.2 percent) over the revised current year estimate. The request would maintain current operations with the addition of 160 hours of temporary secretarial employment (\$1,474) to aid the office when the full-time Secretary is on annual and/or sick leave and during peak times. Travel and subsistence would also increase in FY 1995 by \$2,275 over the FY 1994 estimate of \$20,800. During FY 1993, the agency switched from state examinations to the national embalmers' examination which, according to the agency, resulted in a savings of over \$4,000 since the Board no longer has to purchase examinations. The agency is also requesting \$1,809 for a laptop computer to be used for complaint investigations, inspections and monitoring continuing education programs. The Governor recommends FY 1995 expenditures of \$153,216, a reduction of \$3,324 from the agency's request. The recommendation decreases salaries and wages (\$1,681) and contractual services (\$1,643). The Governor's salary recommendation includes routine step movement, longevity pay and a 2.5 percent merit pool salary adjustment for the unclassified Commissioner. The Governor does not recommend funding for a temporary secretary for FY 1995.

## House Subcommittee Recommendation

Concur.

The status of the fee fund, based on the recommendation of the House Subcommittee, is as follows:

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 43,147	\$ 40,878	\$ 38,283
Net Receipts	147,148	150,880	161,891
Total Funds Available	\$ 190,295	\$ 191,758	\$ 200,174
Less: Expenditures	149,417	153,475	153,216
Ending Balance	\$ 40,878	\$ 38,283	\$ 46,958
Ending Balance as Percentage of Expenditures	27.4%	24.9%	30.7%

**House Committee Recommendation**

Concur.

**House Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>House Adj. FY 95</u>	<u>House Rec. FY 95</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ --	\$ 153,216	\$ --
FTE Positions	--	3.0	--

**Senate Subcommittee Recommendation**

Concur.

## SUBCOMMITTEE REPORT

**Agency:** Board of Examiners  
for Hearing Aids

**Bill No.** --

**Bill Sec.** --

**Analyst:** Rampey

**Analysis Pg. No.** 38

**Budget Page No.** 271

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations: Special Revenue Fund	\$ 14,513	\$ 14,513	\$ 800
FTE Positions	--	--	--

### Agency Overview

The Board of Examiners for Hearing Aids is a five-member board comprised of three licensed hearing aid dispensers and two representatives of the general public. The Board regulates approximately 230 hearing aid fitters and dispensers. Its duties include administering an examination for applicants for licensure, investigating complaints against licensees, and verifying that licensees have met statutory continuing education requirements and that their audiometric equipment is in calibration. The Board holds meetings at least quarterly, including two meetings at which it gives examinations. In FY 1993, the Board renewed 233 licenses and gave 48 examinations to persons applying for licensure. That general level of activity is expected to continue through both FY 1994 and FY 1995.

### Agency Estimate/Governor's Recommendation

The Board of Examiners for Hearing Aids estimates expenditures of \$14,513, which is the approved amount. The Governor concurs.

### House Subcommittee Recommendations

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

1. Add \$500 for an answering machine and a fax machine and \$300 for expenses associated with the installation of a phone line dedicated to Board business, for a total of \$800.

For a number of years, the office of the Board has been in Wichita where the Board member who served as executive director lives. In January, the executive director was replaced on the Board. Because none of the Board members has the time, staff support, or office space to handle the Board business, the Board wishes to hire the former executive director to continue to serve as staff to the Board. The Board's rationale is that the former executive director is experienced in Board business, has

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the office space in Wichita to store Board files and other materials, and has an employee in her private sector business who would be assigned part-time to work with the Board, as has been the practice for several years.

The increases added to the Board's budget by the Subcommittee in both FY 1994 and FY 1995 (see the following report) reflect developments that were not known at the time the budget was prepared or reviewed by the Governor. Because the Board's staff will be in Wichita and the new Board Chairman lives in Topeka, the additions recommended by the Subcommittee are necessary because communications between Wichita and Topeka will increase.

### **House Committee Recommendations**

The House Committee concurs with the recommendations of the Subcommittee.

### **Senate Subcommittee Recommendations**

The Senate Subcommittee concurs with the recommendations of the House.

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Senator Steve Morris  
Subcommittee Chair

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Senator Bill Brady

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Senator Dave Kerr

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Senator Barbara Lawrence

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Senator Marge Petty

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Senator Alicia Salisbury

## SUBCOMMITTEE REPORT

**Agency:** Board of Examiners  
for Hearing Aids

**Bill No.** 2641

**Bill Sec.** 12

**Analyst:** Rampey

**Analysis Pg. No.** 38

**Budget Page No.** 271

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 17,778*	\$ 14,821	\$ 3,570
FTE Positions	--	--	--

\* Later revised to \$18,391.

### Agency Request/Governor's Recommendation

After submitting its FY 1995 request for \$17,778, the Board underwent changes that caused it to revise its budget for FY 1995 to \$18,391. The Governor, who reviewed the budget before the changes occurred, recommends an expenditure limitation of \$14,821.

### House Subcommittee Recommendations

The House Subcommittee concurs with the recommendations of the Governor, with the following exceptions and comments:

1. Add \$3,570, for a total of \$18,391, which is the Board's revised FY 1995 request.

As explained in the Subcommittee's FY 1994 report, the Board expects to incur expenses in FY 1994 and FY 1995 that are the result of making the transition to a new Board Chairman. Part of these expenses include additional communication and travel between Wichita and Topeka and an increase in the number of hours worked by the Board staff. These increases are among those recommended by the Subcommittee.

2. The Subcommittee notes that the mission of the Board, as stated in its budget document, is to insure that applicants for licensure are qualified to fit and dispense hearing aids in a manner consistent with the Board's obligation to protect the Kansas consumer. The Board accomplishes this by administering practical and written examinations to applicants for licensure; by reviewing complaints regarding licensees; and, when warranted, by taking disciplinary action against licensees.

Because the Board is in a period of transition from one chairperson to another, the Subcommittee encourages the Board to take the opportunity during the next year to

assess its own performance and to develop indicators that address the efficiency of its operation and its effectiveness in fulfilling its mission.

An analysis of the Board's fee fund based on the Subcommittee's recommendations is shown below. Although the Board is at the statutory maximum on all of its fees, its balances currently are adequate to support the increases recommended by the Subcommittee without a fee increase in the near future. Furthermore, the Subcommittee believes the recommended increases include one-time expenditures that will not be repeated and that, after FY 1995, the Board's budget will increase only to reflect inflationary costs.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Subcommittee Rec. FY 94</u>	<u>Subcommittee Rec. FY 95</u>
Beginning Balance	\$ 21,621	\$ 22,978	\$ 21,565
Net Receipts	<u>15,317</u>	<u>13,900</u>	<u>13,900</u>
Total Funds Available	\$ 36,938	\$ 36,878	\$ 35,465
Less: Expenditures	<u>13,960</u>	<u>15,313</u>	<u>18,391</u>
Ending Balance	<u>\$ 22,978</u>	<u>\$ 21,565</u>	<u>\$ 17,074</u>
Ending Balance as a Percentage of Expenditures	164.6%	140.8%	92.8%

#### House Committee Recommendations

The House Committee concurs with the recommendations of the Subcommittee, with the following exception:

1. The Board should be prepared to explain to the Legislature why it should be continued as an independent agency. Specifically, the Board is requested to consider the alternative that its functions could be performed by another state agency or board and report to the Legislature as to the advantages and disadvantages of that option.

#### Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the recommendations of the House, with the following exception:

1. For the first time in many years, the Chairperson of the Board of Examiners for Hearings Aids is not conducting all of the Board's business from the Chairperson's private sector office. Instead, the Board has hired the former Chairperson (who no longer is on the Board) as an employee and intends for her to conduct much of the Board's business from her office in Wichita.

The Subcommittee does not object to this arrangement, but asks the current Chairperson to keep detailed records as to how the arrangement is working, including a documentation of expenses that pertain to the Chairperson living in

Topeka and the Board staff being located in Wichita. In addition, the Subcommittee requests that the Chairperson survey licensees of the Board to determine whether they are satisfied with the Board's staffing arrangement. Information from the survey should be made available to the 1995 Legislature.

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Senator Steve Morris  
Subcommittee Chair

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Senator Bill Brady

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Senator Dave Kerr

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Senator Barbara Lawrence

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Senator Marge Petty

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Senator Alicia Salisbury

## SUBCOMMITTEE REPORT

**Agency:** Consumer Credit Commissioner

**Bill No.** --

**Bill Sec.** --

**Analyst:** Duncan

**Analysis Pg. No.** 42

**Budget Page No.** 132

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 347,132	\$ 347,132	\$ --
FTE Positions	7.0	7.0	--

### Agency Estimate/Governor's Recommendation

The Consumer Credit Commissioner's FY 1994 revised budget estimate is \$347,132, an increase of \$4,823 above \$342,290, the expenditure limitation approved by the 1993 Legislature. The revision is primarily due to a \$4,700 increase in capital outlay to complete the purchase of four notebook computers and portable printers. The computers will replace obsolete financial calculators. Other FY 1994 adjustments were in salaries and wages and travel. The Governor concurs with the agency's estimate of \$347,132 in FY 1994.

### House Subcommittee Recommendation

Concur.

The status of the fee fund, based on the recommendation of the House Subcommittee, is as follows:

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 223,732	\$ 173,347
Net Receipts	344,331	433,776
Total Available	\$ 568,063	\$ 607,123
Less: Expenditures	324,716	347,132
Nonreportable	70,000	70,000
Ending Balance	<u>\$ 173,347</u>	<u>\$ 189,991</u>
Ending Balance as Percentage of Expenditures	43.9%	45.6%

### House Committee Recommendation

Concur.

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**House Committee of the Whole Recommendation**

Concur.

<u>Expenditure Summary</u>	<u>House Adj. FY 94</u>	<u>House Rec. FY 94</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ --	\$ 347,132	\$ --
FTE Positions	--	7.0	--

**Senate Subcommittee Recommendation**

Concur.

## SUBCOMMITTEE REPORT

**Agency:** Consumer Credit Commissioner

**Bill No.** 2641

**Bill Sec.** 13

**Analyst:** Duncan

**Analysis Pg. No.** 42

**Budget Page No.** 132

Expenditure Summary	Agency Req. FY 95	Gov. Rec. FY 95	Subcommittee Adjustments
State Operations:			
Special Revenue Fund	\$ 355,787	\$ 350,053	\$ --
FTE Positions	7.0	7.0	--

### Agency Request/Governor's Recommendation

For FY 1995, the agency requests \$355,787, an increase of \$8,655 (2.5 percent) over the current year estimate. The request includes \$293,809 for salaries and wages (\$7,626 increase), \$59,703 for contractual services (\$5,725 increase, primarily to reprint the UCCC books), and \$2,275 for commodities (\$4 increase). No capital outlay is requested for FY 1995. The request would maintain the agency's current 7.0 FTE positions. The Commissioner also requests that a transfer of \$70,000 for consumer education be made to the Kansas Council on Economic Education in FY 1995. The Governor recommends state operations totaling \$350,053, a decrease of \$5,734 from the agency's request. The recommendation reduces salaries and wages by \$34, and contractual services by \$5,700. The FY 1995 salary and wage recommendation includes routine step movement, longevity and merit pay. The Governor does not recommend printing an update of the UCCC books. The Governor concurs with the agency's request for a \$70,000 transfer for consumer education.

### House Subcommittee Recommendation

Concur.

The status of the fee fund, based on the recommendation of the House Subcommittee, is as follows:

Resource Estimate	Actual FY 93	Estimated FY 94	Estimated FY 95
Beginning Balance	\$ 223,732	\$ 173,347	\$ 189,991
Net Receipts	344,331	433,776	433,776
Total Funds Available	\$ 568,063	\$ 607,123	\$ 623,767
Less: Expenditures	324,716	347,132	350,053
Nonreportable	70,000	70,000	70,000
Ending Balance	\$ 173,347	\$ 189,991	\$ 203,714
Ending Balance as Percentage of Expenditures	43.9%	45.6%	48.5%

### House Committee Recommendation

The House Committee concurs, with the following recommendation:

1. Introduce a bill to consolidate the Consumer Credit Commissioner into the Bank Commissioner's budget.

### House Committee of the Whole Recommendation

Concur.

<u>Expenditure Summary</u>	<u>House Adj. FY 95</u>	<u>House Rec. FY 95</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ --	\$ 350,053	\$ --
FTE Positions	--	7.0	--

### Senate Subcommittee Recommendation

Concur.

## SUBCOMMITTEE REPORT

**Agency:** Board of Nursing

**Bill No.** 2641

**Bill Sec.** 14

**Analyst:** Colton

**Analysis Pg. No.** 45

**Budget Page No.** 460

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Funds	\$ 907,280	\$ 878,013	\$ --
FTE Positions	17.5	17.0	--

### Agency Request/Governor's Recommendation

The agency requests FY 1995 expenditures of \$907,280, which is an increase of 6.9 percent over the revised current year estimate of \$847,580. The request includes funding for a 0.5 FTE Office Assistant II to aid in processing temporary practice permits, a 21.7-percent increase for fees-professional services and \$23,225 for a computer upgrade. The Governor recommends FY 1995 expenditures of \$878,013, an increase of 4.6 percent over the revised current-year recommendation of \$839,503. According to the Governor, the recommendation will allow the agency to maintain present service levels. The only enhancement recommended by the Governor is the computer upgrade.

### House Subcommittee Recommendation

**FY 1994.** The Subcommittee concurs with the Governor's recommendations.

**FY 1995.** The Subcommittee concurs with the Governor's recommendations.

### House Committee Recommendation

Concur.

### Senate Subcommittee Recommendation

Concur.

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## SUBCOMMITTEE REPORT

**Agency:** Board of Optometry Examiners

**Bill No.** 2641

**Bill Sec.** 15

**Analyst:** Colton

**Analysis Pg. No.** 48

**Budget Page No.** 462

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 45,670	\$ 41,245	\$ 2,000
FTE Positions	0.3	0.3	--

### Agency Request/Governor's Recommendation

#### A. FY 1994 -- Current Year

The agency estimates current year expenditures of \$43,397. This is four dollars less than the amount approved by the 1993 Legislature, as adjusted by the State Finance Council. The Governor recommends FY 1994 expenditures of \$40,641. This is \$2,760 less than was approved by the 1993 Legislature.

#### B. FY 1995 -- Budget Year

The agency requests FY 1995 expenditures of \$45,670. This is an increase of 5.2 percent over the agency's current year estimate. The increase is due mainly to the Board's wish to reprint a manual explaining optometry laws and regulations to its licensees. To do this, the Board is requesting \$1,958 for FY 1995 printing expenditures (compared to an estimated \$700 for FY 1994). The Board's request also provides for a 1½ percent increase for legal fees (from \$22,000 in FY 1994 to \$22,340 in FY 1995), and would allow for increases for utilities, professional supplies and fees for other services. Expenditures for all other object codes would be maintained at the FY 1994 level.

The Governor recommends FY 1995 expenditures of \$41,245, which is \$4,245 less than the agency request, and \$2,156 less than the FY 1994 approved amount. The bulk of the reduction can apparently be attributed to a reduction in funding for fees -- professional services (to \$20,000, or \$2,000 less than the FY 1994 approved amount), and to denial of funding for the requested reprinting of optometry statutes, rules and regulations.

### Subcommittee Recommendation

**FY 1994.** The Subcommittee concurs with the Governor's recommendations, with the following modification:

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1. Restore \$2,000 for legal fees. This action puts back part of the money that was added by the Legislature during the 1993 Session, but which was taken out by the Governor during current-year review. Review of year-to-date legal expenditures by the Subcommittee showed that the amount approved by last year's Legislature will, in all likelihood, be necessary, due to vigorous enforcement by the Board of the Kansas Optometry Act.

**FY 1995.** The Subcommittee concurs with the Governor's recommendations, with the following modification:

1. Add \$2,000 for legal fees. This will allow the Board legal expenditures at the same level as in FY 1994, and is necessary for the reason expressed above.

#### House Committee Recommendation

Concur.

Expenditure Summary	House Rec. FY 95	Senate Subcom. Adjustment	Senate Subcom. Rec. FY 95
State Operations: Special Revenue Fund	\$ 43,245	\$ 2,425	\$ 45,670
FTE Positions	0.3	--	0.3

#### Senate Subcommittee Recommendation

**FY 1994.** The Senate Subcommittee concurs with the House recommendations.

**FY 1995.** The Senate Subcommittee concurs with the House recommendations, with the following adjustment:

1. Add \$2,425 for legal fees. Based on year-to-date expenditures, it appears that the amount budgeted for FY 1994 legal fees will barely suffice, in light of enforcement litigation that the Board is currently involved in. The House recommends the same amount for legal fees in FY 1995 as in FY 1994, but the Board is expecting an increase in litigation, both in the form of enforcement activities and challenges to the Optometry Act. Because of the almost certain expansion in the volume of litigation that the Board is facing, the Senate Subcommittee made the recommended addition.

The status of the Optometry Fee Fund, reflecting the Subcommittee's recommendations, is as follows:

Resource Estimate	Actual FY 93	Com. Rec. FY 94	Com. Rec. FY 95
Beginning Balance	\$ 38,864	\$ 49,056	\$ 50,491
Projected Receipts	41,744	44,076	44,076
Total Available	\$ 80,608	\$ 93,132	\$ 94,567
Less: Expenditures	31,552	42,641	45,670
Ending Balance	<u>\$ 49,056</u>	<u>\$ 50,491</u>	<u>\$ 48,897</u>
Ending Balance as Percentage of Expenditures	156%	118%	107%

## SUBCOMMITTEE REPORT

**Agency:** Board of Pharmacy

**Bill No.** 2641

**Bill Sec.** 16

**Analyst:** Colton

**Analysis Pg. No.** 50

**Budget Page No.** 474

<u>Expenditure Summary</u>	<u>Agency FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Funds	\$ 432,108	\$ 412,229	\$ --
FTE Positions	6.0	6.0	--

### Agency Request/Governor's Recommendation

The agency requests FY 1995 expenditures of \$432,108, which is an increase of 9.7 percent over the revised current year estimate of \$393,868. The request includes enhanced travel funding that would allow all six members of the Board, all three Pharmacy Inspectors and the board's Executive Secretary to attend two national meetings, a regional meeting and several state meetings. The Governor recommends \$412,229 for FY 1995, an increase of 4.7 percent over revised current year expenditures. The Governor's recommendation does provide some enhanced funding for travel, although not as much as requested by the Board. According to the Governor, the recommendation should allow the agency to maintain current service levels.

### Subcommittee Recommendation

**FY 1994.** The Subcommittee concurs with the Governor's recommendations.

**FY 1995.** The Subcommittee concurs with the Governor's recommendations, with the following comment:

1. The ending balance of the Board of Pharmacy Fee Fund, under the Governor's recommendations, will decline from \$149,035 in FY 1994 (37.8 percent of expenditures) to \$111,706 in FY 1995 (27.1 percent of expenditures). The Board will begin during the summertime to have public hearings with regard to proposed fee increases that would allow the agency to continue to maintain both present levels of services and adequate ending balances in the Fee Fund. Any fee increases would fall within the limits set on the Board's authority by statute.

### House Committee Recommendation

Concur.

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Expenditure Summary	House Rec. FY 95	Senate Subcom. Adjustment	Senate Subcom. Rec. FY 95
State Operations: Special Revenue Fund	\$ 412,229	\$ 4,845	\$ 417,074
FTE Positions	6.0	--	6.0

### Senate Subcommittee Recommendation

**FY 1994.** The Senate Subcommittee concurs with the House recommendations.

**FY 1995.** The Senate Subcommittee concurs with the House recommendations, with the following adjustment:

1. Add \$4,845 in order to fund a staff reclassification at the agency. The Board of Pharmacy received approval for the reclassification after the House Committee had made its recommendations.

## SUBCOMMITTEE REPORT

**Agency:** Real Estate Appraisal Board

**Bill No.** --

**Bill Sec.** --

**Analyst:** Mah

**Analysis Pg. No.** 52

**Budget Page No.** 484

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 112,430	\$ 112,430	\$ --
FTE Positions	2.0	2.0	--

### Agency Estimate/Governor's Recommendation

The 1993 Legislature overrode the Governor's veto (1993 S.B. 269) to establish the Kansas Real Estate Appraisal Board as an independent state agency, separate from the Real Estate Commission. When the Board was created in 1990 pursuant to federal law requirements, the Legislature placed the Board within the Real Estate Commission for administrative purposes. The Board has functioned independent of the Real Estate Commission in that the Real Estate Commission had no jurisdiction over real estate appraisers nor was certification of real estate appraisers reviewed by the Real Estate Commission. The Board estimates expenditures of \$112,430 in FY 1994, the same as the approved budget. Expenditures increase significantly in the current year to provide for establishing the separate agency and hiring of a full-time director serving in the unclassified service. When the Board was attached to the Real Estate Commission, there were 1.3 classified employees consisting of a 0.3 FTE Administrative Officer III position and a full-time Office Assistant IV position. The Office Assistant IV employee has transferred employment from the Real Estate Commission to the Appraisal Board and, besides the unclassified director, is the other FTE position (totaling to 2.0 FTE positions) that has been approved for the Board.

The Governor concurs with the Board's FY 1994 expenditure estimate of \$112,430.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.

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<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 96,976	\$ 208,700
Net Receipts	173,030	157,620
Total Funds Available	<u>\$ 270,006</u>	<u>\$ 366,320</u>
Less: Expenditures	61,306	112,430
Ending Balance	<u><u>\$ 208,700</u></u>	<u><u>\$ 253,890</u></u>

#### **House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

#### **House Committee of the Whole Recommendation**

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

#### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

**Agency:** Real Estate Appraisal Board

**Bill No.** 2641

**Bill Sec.** 17

**Analyst:** Mah

**Analysis Pg. No.** 52

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<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 109,945	\$ 109,639	\$ --
FTE Positions	2.0	2.0	--

### Agency Request/Governor's Recommendation

The Board requests \$109,945 for operating expenditures in FY 1995, a reduction of \$2,485 from the current year estimate. A major difference is that no capital outlay expenditures are requested for FY 1995 (\$7,972 is estimated for the current year to buy office furniture and possibly a microcomputer and printer). The request includes \$69,171 for salaries and wages and \$40,774 for all other operating expenditures. Included in the request is an unclassified merit pool of 2.5 percent and step movement for the classified Office Assistant IV position.

The Governor recommends \$109,639 for the Board's operating expenditures in FY 1995, a reduction of \$306 from the Board's request of \$109,945. Salaries and wages are reduced because of using lower than originally anticipated rates for calculating health insurance costs. Included in the recommendation is salary step movement for the Board's one classified employee and an unclassified employee merit pool of 2.5 percent for the Board's director. The Governor concurs with the Board's request of \$40,774 for all other operating expenditures.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 96,976	\$ 208,700	\$ 253,890
Net Receipts	173,030	157,620	153,040
Total Funds Available	\$ 270,006	\$ 366,320	\$ 406,930
Less: Expenditures	61,306	112,430	109,639
Ending Balance	<u>\$ 208,700</u>	<u>\$ 253,890</u>	<u>\$ 297,291</u>

**House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

**House Committee of the Whole Recommendation**

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

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

**Agency:** Real Estate Commission

**Bill No.** --

**Bill Sec.** --

**Analyst:** Mah

**Analysis Pg. No.** 55

**Budget Page No.** 486

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 606,729	\$ 606,729	\$ --
Other Assistance	17,000	17,000	--
<b>TOTAL</b>	<u><u>\$ 623,729</u></u>	<u><u>\$ 623,729</u></u>	<u><u>\$ --</u></u>
 FTE Positions	 15.0	 15.0	 --

### Agency Estimate/Governor's Recommendation

The Real Estate Commission estimates expenditures of \$623,729 in FY 1994, of which \$606,729 is for state operations and \$17,000 is for claims against the Real Estate Recovery Revolving Fund to provide for reimbursing persons who suffer monetary damages caused by certain unlawful acts committed during transactions involving the sale of real estate. The current year estimate for expenditures is the same as that approved by the 1993 Legislature. Operating expenditures increase significantly over actual FY 1993 mostly because of salary and wage expenses and rent costs. Rent costs have increased with the recent (July, 1993) relocation of the Commission to a suite in a building called Three Townsite Plaza from the state's Landon Office Building. Salary costs increased because, when the 1993 Legislature enacted legislation (1993 S.B. 269) that separated the Real Estate Appraisal Board from the Real Estate Commission, the Commission was allowed to retain 1.3 FTE positions previously charged with Appraisal Board duties. Funding for these employees now shifts to the Real Estate Fee Fund instead of the Appraisal Fee Fund. In addition, less turnover savings is anticipated for the current year (\$13,497) as compared to actual FY 1993 (approximately \$50,640).

The Governor concurs with the Commission's FY 1994 expenditure estimate of \$623,729.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.

*SWAM  
March 18, 1994  
Attachment 18*

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>
Beginning Balance	\$ 496,195	\$ 479,060
Net Receipts	478,516	501,936
Total Funds Available	<u>\$ 974,711</u>	<u>\$ 980,996</u>
Less: Expenditures	495,651	606,729
Ending Balance	<u><u>\$ 479,060</u></u>	<u><u>\$ 374,267</u></u>

#### **House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

#### **House Committee of the Whole Recommendation**

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

#### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

**Agency:** Real Estate Commission

**Bill No.** 2641

**Bill Sec.** 18

**Analyst:** Mah

**Analysis Pg. No.** 55

**Budget Page No.** 486

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
Fee Fund:			
State Operations	\$ 601,301	\$ 599,243	\$ --
Other Assistance	17,000	17,000	--
	<u>\$ 618,301</u>	<u>\$ 616,243</u>	<u>\$ --</u>
FTE Positions	15.0	15.0	--

### Agency Request/Governor's Recommendation

The Real Estate Commission's state operations request for FY 1995 is a reduction of \$5,428 from the FY 1994 estimate. The request includes \$442,296 for salary and wage expenditures, an increase of \$5,879 over FY 1994 to provide for the classified employee step movement and an unclassified employee merit pool of 2.5 percent. The FY 1995 request also includes \$159,005 for all other operating expenditures, a reduction of \$11,307 from FY 1994. Mostly the Commission anticipates less printing costs and less in-state and out-of-state travel expenses. Claims from the Real Estate Recovery Revolving Fund are estimated to total \$17,000 in FY 1995, the same amount as the current year.

The Governor reduces the Commission's state operations request for FY 1995 by \$2,058. Salaries and wages are reduced by \$1,203 because of using lower than originally anticipated rates for calculating health insurance costs. The remaining operating expenditures are reduced by \$855. Included in the recommendation is salary step movement for classified employees and an unclassified employee merit pool of 2.5 percent. The Governor concurs with the Commission's request for \$17,000 for potential claims from the Real Estate Recovery Revolving Fund.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

**Fee Fund Analysis.** The fee fund analysis below reflects the status of the agency's fee fund.



<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Estimated FY 94</u>	<u>Estimated FY 95</u>
Beginning Balance	\$ 496,195	\$ 479,060	\$ 374,267
Net Receipts	478,516	501,936	452,704
Total Funds Available	<u>\$ 974,711</u>	<u>\$ 980,996</u>	<u>\$ 826,971</u>
Less: Expenditures	495,651	606,729	599,243
Ending Balance	<u><u>\$ 479,060</u></u>	<u><u>\$ 374,267</u></u>	<u><u>\$ 227,728</u></u>

#### **House Committee Recommendation**

The House Committee concurs with the Subcommittee's recommendation.

#### **House Committee of the Whole Recommendation**

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

#### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the House's recommendation.

## SUBCOMMITTEE REPORT

**Agency:** Office of the Securities  
Commissioner of Kansas

**Bill No.** --

**Bill Sec.** --

**Analyst:** Duncan

**Analysis Pg. No.** 59

**Budget Page No.** 526

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
Securities Act Fee Fund:			
State Operations	\$ 1,465,253	\$ 1,463,385	\$ --
Other Assistance	--	--	--
<b>TOTAL</b>	<u><u>\$ 1,465,253</u></u>	<u><u>\$ 1,463,385</u></u>	<u><u>\$ --</u></u>
 FTE Positions	 26.0	 26.0	 --

### Agency Estimate/Governor's Recommendation

The Securities Commissioner's revised FY 1994 budget estimate totals \$1,465,253 or \$330 less than the approved expenditure limitation of \$1,465,583. The Governor recommends \$1,463,385 in FY 1994, a reduction of \$1,868 in contractual services.

### House Subcommittee Recommendation

The House Subcommittee concurs, with the following observation:

1. For the last three months of FY 1994, after the expiration of its current lease agreement, the agency would like to rent an additional 600 square feet of office space (\$7,500) at ground level to make space accessible as required by the Americans with Disabilities Act. The Subcommittee addressed this issue with the agency and learned that, pursuant to state policy, the agency is accepting bids on alternative office space. This bidding process should be complete in the next two or three weeks. The Subcommittee notes that the agency's office is accessible only by outside stairs or by an elevator in a neighboring dentist's office and that the hallways would not easily accommodate a wheelchair bound individual. The Subcommittee believes that if the agency can contract for additional office space within its existing appropriation it should do so. The Subcommittee recommends that this issue be revisited during second house review.

The status of the fee fund, based on the recommendation of the House Subcommittee, is as follows:

*SWAM  
March 18, 1994  
Attachment 19*

Resource Estimate	Actual FY 93	Estimated FY 94
Beginning Balance	\$ 500,230	\$ 500,000
Net Receipts	3,871,375	4,416,586
Total Funds Available	\$ 4,371,605	\$ 4,916,586
Less: Expenditures	1,390,910	1,463,385
Transfer to SGF	2,470,695	2,953,201
Nonreportable	10,000	--
Ending Balance	\$ 500,000	\$ 500,000
Ending Balance as a Percentage of Expenditures	36.0%	34.2%

#### House Committee Recommendation

Concur.

#### House Committee of the Whole Recommendation

Concur.

Expenditure Summary	House Adj. FY 94	House Rec. FY 94	Senate Subcommittee Adjustments
State Operations:			
Special Revenue Fund	\$ --	\$ 1,463,385	\$ --
FTE Positions	--	26.0	--

#### Senate Subcommittee Recommendation

The Subcommittee concurs with the recommendation of the House with the following observation:

1. As recommended by the House, the Subcommittee discussed increasing the agency's office space. The Subcommittee learned that the agency's lease has been extended for another six months and due to a competitive market, the agency believes that it can contract for additional office space within its existing FY 1995 appropriation.

## SUBCOMMITTEE REPORT

**Agency:** Office of the Securities  
Commissioner of Kansas

**Bill No.** 2641

**Bill Sec.** 19

**Analyst:** Duncan

**Analysis Pg. No.** 59

**Budget Page No.** 526

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
Securities Act Fee Fund:			
State Operations	\$ 1,613,382	\$ 1,528,275	\$ --
Other Assistance	20,000	10,000	--
<b>TOTAL</b>	<u><u>\$ 1,633,382</u></u>	<u><u>\$ 1,538,275</u></u>	<u><u>\$ --</u></u>
 FTE Positions	 26.0	 26.0	 --

### Agency Request/Governor's Recommendation

The Securities Commissioner requests \$1,613,382 for state operations in FY 1995, an increase of \$148,129 (10.1 percent) over the revised FY 1994 estimate. The FY 1995 request includes \$47,176 to provide coverage under the Kansas Police and Fire (KP&F) retirement system for 9.0 FTE Investigator positions which, according to the agency, require qualification as law enforcement officers. KP&F coverage for these positions would require a statutory change. The FY 1995 request also includes a \$20,000 grant to the Kansas Council on Economic Education to support the "Stock Market Game" in public schools. This is a continuation of an initiative begun in FY 1993. The agency also anticipates expansion of other types of public education and awareness. Budget items including an educational video, educational brochures, a booth at the State Fair and travel and subsistence to allow agency staff to make presentations at conferences total \$32,900.

The Governor recommends \$1,528,275 for state operations in FY 1995, a reduction of \$85,107 from the agency's request. The recommendation decreases salaries and wages (\$64,707), contractual services (\$19,650), and commodities (\$750). The Governor recommends \$10,000 for the Stock Market Game, \$10,000 less than the agency's request. The Governor does not recommend participation in the KP&F retirement system for the agency's 9.0 investigator positions.

### House Subcommittee Recommendation

Concur.

The status of the fee fund, based on the recommendation of the House Subcommittee, is as follows:

Resource Estimate	Actual FY 93	Estimated FY 94	Estimated FY 95
Beginning Balance	\$ 500,230	\$ 500,000	\$ 500,000
Net Receipts	3,871,375	4,416,586	4,122,471
Total Funds Available	\$ 4,371,605	\$ 4,916,586	\$ 4,622,471
Less: Expenditures	1,390,910	1,463,385	1,528,275
Transfer to SGF	2,470,695	2,953,201	2,584,196
Nonreportable	10,000	--	10,000
Ending Balance	\$ 500,000	\$ 500,000	\$ 500,000
Ending Balance as a Percentage of Expenditures	36.0%	34.2%	32.5%

#### House Committee Recommendation

Concur.

#### House Committee of the Whole Recommendation

Concur.

Expenditure Summary	House Adj. FY 95	House Rec. FY 95	Senate Subcommittee Adjustments
State Operations:			
Special Revenue Fund	\$ --	\$ 1,528,275	\$ --
Other Assistance	--	10,000	--
TOTAL	\$ --	\$ 1,538,275	\$ --
FTE Positions	--	26.0	--

#### Senate Subcommittee Recommendation

Concur.

## SUBCOMMITTEE REPORT

**Agency:** Board of Technical Professions

**Bill No.** --

**Bill Sec.** --

**Analyst:** Rampey

**Analysis Pg. No.** 64

**Budget Page No.** 567

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 342,431	\$ 338,418	\$ --
FTE Positions	4.0	4.0	--

### Agency Overview

The Board of Technical Professions is a 13-member board that regulates approximately 11,500 persons who are licensed to practice the technical professions -- architecture, engineering, land surveying, and landscape architecture. It has a four-person staff and contracts for legal and investigative services. FY 1994 is the first full fiscal year for Board operations under 1992 legislation that expanded the size of the Board, redefined terms associated with the practice of the technical professions, changed the statutory requirements for licensure of the technical professions, strengthened the Board's enforcement powers, and increased some of its fees. The growth in the Board's budget from FY 1993 to FY 1994 is largely attributable to consequences of the new legislation.

### Agency Estimate/Governor's Recommendation

The Board of Technical Professions estimates expenditures of \$342,431, which are \$1,515 less than the approved amount. The Governor recommends expenditures of \$338,418, a reduction of \$4,013 from the Board's estimate. The reduction is in the category of contractual services.

### House Subcommittee Recommendations

The House Subcommittee concurs with the recommendations of the Governor.

### House Committee Recommendations

The House Committee concurs with the recommendations of the Subcommittee.

*SWAM*  
*March 18, 1994*  
*Attachment 20*

**Senate Subcommittee Recommendations**

The Senate Subcommittee concurs with the recommendations of the House.

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Senator Steve Morris  
Subcommittee Chair

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Senator Bill Brady

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Senator Dave Kerr

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Senator Barbara Lawrence

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Senator Marge Petty

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Senator Alicia Salisbury

## SUBCOMMITTEE REPORT

**Agency:** Board of Technical Professions

**Bill No.** 2641

**Bill Sec.** 20

**Analyst:** Rampey

**Analysis Pg. No.** 64

**Budget Page No.** 567

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 378,124	\$ 358,474	\$ --
FTE Positions	4.0	4.0	--

### Agency Request/Governor's Recommendation

The Board of Technical Professions requests authority to spend \$378,124. The Board's budget includes additional fees for attorneys and investigators. The Board estimates that it will investigate 40 complaints and discipline ten licensees in both FY 1994 and FY 1995, an increase over FY 1993 that is due to new enforcement powers granted it under legislation enacted in 1992. The Governor recommends expenditures of \$358,474, a reduction of \$19,650 from the Board's request. Most of the reduction is in the category of contractual services.

### House Subcommittee Recommendations

The House Subcommittee concurs with the Governor's recommendations, with the following comments and observations:

1. The Board is to be commended for its clearly defined mission, which is to "provide maximum protection to the health, safety, and welfare of the general public by the practitioners of architecture, engineering, landscape architecture, and land surveying." According to the Board's mission statement, the Board does this by establishing a high standard of qualification to enter the professions it regulates and by enforcing statutes that ensure that licensees demonstrate competence and integrity in their professional conduct.

As a next step, the Subcommittee encourages the Board to regularly review and discuss its mission so that Board members are sensitive to the Board's role and make a conscious effort to link their activities to the public purpose they serve, as articulated in the mission statement.

2. The Subcommittee notes that the Board has developed several performance indicators. The Subcommittee expresses a particular interest in ways to measure the efficiency of the Board and encourages the Board to develop indicators that pertain to the turnaround time it takes to process items such as applications for licensure renewals. In addition, the Subcommittee is interested in an analysis of the pass-fail



rate for persons taking licensure examinations in order to determine whether there are any trends that can be attributed to specific policies that have been implemented by the Board or by the Legislature, such as increased educational requirements contained in 1992 legislation that affected the professions regulated by the Board.

3. The Subcommittee does not recommend the addition of \$3,728, as requested by the Board, to print and mail to its 11,500 licensees copies of booklets that contain the Board's statutes and rules and regulations. According to information presented to the Subcommittee, the Board has the money to print and mail booklets to licensees in the current year. The booklet it will send out contains new rules and regulations to implement the statutory changes that were enacted by the 1992 Legislature. The money requested for FY 1995 would be used to reprint the booklets to include any minor changes of a cleanup nature that may need to be made in rules and regulations.

The Subcommittee suggests that, since the major changes in rules and regulations will be included in the booklets that will be printed this year, it should not be necessary for the Board to reprint the booklets every year. If the Board makes changes in its rules and regulations next year, it can request expenditure authority to reprint new booklets in FY 1996.

4. An analysis of the Board's fee fund based on the Subcommittee's recommendation is shown below. The Subcommittee notes that the Board is at its statutory maximum on all fees and currently has a healthy balance. Because almost two-thirds of the Board's revenues are received during the last four months of the fiscal year, the Board must maintain a balance from the prior year that is sufficient to carry it through the current year until its major revenues are generated.

<u>Resource Estimate</u>	<u>Actual FY 93</u>	<u>Subcommittee Rec. FY 94</u>	<u>Subcommittee Rec. FY 95</u>
Beginning Balance	\$ 128,006	\$ 152,571	\$ 196,023
Net Receipts	<u>332,156</u>	<u>381,870</u>	<u>383,266</u>
Total Funds Available	\$ 460,162	\$ 534,441	\$ 579,289
Less: Expenditures	<u>307,591</u>	<u>338,418</u>	<u>358,474</u>
Ending Balance	<u>\$ 152,571</u>	<u>\$ 196,023</u>	<u>\$ 220,815</u>
Ending Balance as a Percentage of Expenditures	49.6%	57.9%	61.6%

#### House Committee Recommendations

The House Committee concurs with the recommendations of the Subcommittee.

### Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the recommendations of the House.

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Senator Steve Morris  
Subcommittee Chair

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Senator Bill Brady

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Senator Dave Kerr

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Senator Barbara Lawrence

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Senator Marge Petty

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Senator Alicia Salisbury

## SUBCOMMITTEE REPORT

**Agency:** State Board of Veterinary Examiners    **Bill No.** 2752    **Bill Sec.** New  
**Analyst:** Colton    **Analysis Pg. No.** 68    **Budget Page No.** 608

<u>Expenditure Summary</u>	<u>Agency Est. FY 94</u>	<u>Gov. Rec. FY 94</u>	<u>Subcommittee Adjustments</u>
State Operations: Special Revenue Fund	\$ 172,142	\$ 115,893	\$ 12,094
FTE Positions	1.0	1.0	--

### Agency Estimate/Governor's Recommendation

The Board of Veterinary Examiners estimates Fiscal Year 1994 expenditures in the amount of \$127,142. This is \$11,249 more than the expenditure limitation on the Board of Veterinary Examiners Fee Fund established by the 1993 Legislature as adjusted by the State Finance Council.

The Governor recommends FY 1994 expenditures of \$115,893, which is the approved amount.

### House Subcommittee Recommendation

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

1. Add \$11,219 for salaries and wages. The Governor approved a salary increase for the Board's Executive Director on January 4, 1994. Approval was given for the salary increase after the Governor's budget recommendations were formulated, and so funding for the increase was not included in the budget.
2. Add \$875 for printing and mailing costs. The money will finance a printing of the revised Veterinary Practice Act (the revisions were made by the 1993 Legislature) for the Board's licensees. The added funding is also necessary to mail a jurisprudence examination to all of the Board's licensees; the examination is required by the revised Veterinary Practice Act.

### House Committee Recommendation

Concur.

*SWAM  
March 18, 1994  
Attachment 21*

Expenditure Summary	House Rec. FY 95	Senate Subcom. Adjustment	Senate Subcom. Rec. FY 95
State Operations: Special Revenue Fund	\$ 127,987	\$ 3,000	\$ 130,987
FTE Positions	1.0	--	1.0

### Senate Subcommittee Recommendation

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

1. Add \$3,000 for printing and mailing costs. The money will finance a printing of the Veterinary Practice Act (substantial revisions were made by the 1993 Legislature) for the Board's licensees. Some extra funding for mailing and printing was recommended by the House. However, accurate cost estimates for printing were not available to the House subcommittee. Based on information that recently became available, the Subcommittee's recommendation will be necessary to allow the printing and mailing of the Veterinary Practice Act and the mandatory jurisprudence examination for practitioners.

The following table shows the status of the Board's fee fund, reflecting the Subcommittee recommendations:

Expenditure	Actual FY 1993	Subcom. Rec. FY 1994
Beginning Balance	\$ 167,261	\$ 162,205
Projected Receipts	85,324	110,000
Total Available	\$ 252,585	\$ 272,205
Less: Expenditures	90,380	130,987
Ending Balance	<u>\$ 162,205</u>	<u>\$ 141,218</u>
Ending Balance as a Percentage of Expenditures	179.5%	107.8%

## SUBCOMMITTEE REPORT

**Agency:** State Board of Veterinary Examiners **Bill No.** 2641

**Bill Sec.** 21

**Analyst:** Colton

**Analysis Pg. No.** 68

**Budget Page No.** 608

<u>Expenditure Summary</u>	<u>Agency Req. FY 95</u>	<u>Gov. Rec. FY 95</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 136,749	\$ 119,966	\$ 30,900
FTE Positions	1.0	1.0	--

### Agency Request/Governor's Recommendation

The Board requests FY 1995 expenditures of \$136,749. This is an increase of 7.6 percent over estimated FY 1994 expenditures. Increases are requested in the following expenditure categories vis-à-vis the agency's FY 1994 estimate, and are attributed in large part to revisions in the Veterinary Practice Act made by the 1993 Legislature.

<u>Expenditure</u>	<u>Estimate FY 1994</u>	<u>Request FY 1995</u>	<u>Rationale</u>
Salaries and Wages	\$ 32,392	\$ 35,099	Expansion of Board from 5 to 7 Members
Travel and Subsistence	8,800	11,700	Expanded Board; Increased Enforcement Activity
Fees--Other Services	2,000	4,000	Hiring of Budgeting and Accounting Services
Professional and Scientific Supplies	27,000	30,000	Possible Fluctuation in Number of Examinees

The Governor recommends FY 1995 expenditures of \$119,966. This is a reduction of \$16,783 from the amount requested by the agency. The Governor does not recommend the enhancements that the agency requested for other operating expenditures. OOE funding recommended by the Governor for FY 1995 is 3 percent greater than that recommended for FY 1994; the recommendation apparently results from the application of an inflation factor to the FY 1994 recommendation.

### House Subcommittee Recommendation

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

1. Add \$23,000 for salaries and wages. The Governor approved a salary increase for the Board's Executive Director on January 4, 1994. Approval was given for the salary increase after the Governor's budget recommendations were formulated, and so funding for the increase was not included in the budget.

2. Add \$7,900 for OOE associated with the Board's increased responsibilities under the revised Veterinary Practice Act (the revisions were made by the 1993 Legislature). The Governor's recommendations apparently seek to maintain current levels of services by the Board, and evidently do not take into account the Board's statutory obligations under the revised Veterinary Practice Act.

#### House Committee Recommendation

Concur.

#### Senate Subcommittee Recommendation

Concur.

The following table shows the status of the Board's fee fund, reflecting the Committee's recommendations:

<u>Expenditure</u>	<u>Actual FY 1993</u>	<u>Subcom. Rec. FY 1994</u>	<u>Subcom. Rec. FY 1995</u>
Beginning Balance	\$ 167,261	\$ 162,205	\$ 141,218
Projected Receipts	<u>85,324</u>	<u>110,000</u>	<u>110,000</u>
Total Available	\$ 252,585	\$ 272,205	\$ 251,218
Less: Expenditures	<u>90,380</u>	<u>130,987</u>	<u>150,866</u>
Ending Balance	<u>\$ 162,205</u>	<u>\$ 141,218</u>	<u>\$ 100,352</u>
Ending Balance as a Percentage of Expenditures	179.5%	107.8%	66.5%