

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Marc Rhoades at 9:15 a.m. on March 9, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative McLeland - excused

Committee staff present:

Jim Wilson, Office of the Revisor of Statutes
Nobuko Folmsbee, Office of the Revisor of Statutes
Alan Conroy, Kansas Legislative Research Department
J.G. Scott, Kansas Legislative Research Department
Jarod Waltner, Kansas Legislative Research Department
Shirley Morrow, Kansas Legislative Research Department
Cindy O'Neal, Administrative Assistant, Appropriations Committee
Kathy Holscher, Committee Assistant, Appropriations Committee

Others attending:

See attached list.

- Attachment 1 KNI Testimonial
- Attachment 2 FY 2012 Budget Committee Report – Highway Patrol, Kansas Bureau of Investigation and State Fire Marshal
- Attachment 3 Testimony – Kansas Association of Chiefs of Police
- Attachment 4 Testimony – Kansas Board of Emergency Medical Services
- Attachment 5 Testimony – Kansas Sheriffs Association
- Attachment 6 Testimony – Local Law Enforcement Agencies

Chairman Rhoades welcomed committee members and reviewed the committee agenda. He stated that a testimonial regarding a resident of KNI has been distributed to members, (Attachment 1).

Representative Peck, Chair, House Transportation and Public Safety Budget Committee, presented the Highway Patrol FY 2012 Budget Committee Report, (Attachment 2). The Budget Committee concurred with the Governor's recommendation with the following adjustment and notations: add \$862,000 for State General Fund (SGF) for trooper trainee classes, noted that the agency will have 64 positions eligible for retirement, discussed bomb technicians with the Fire Marshal's Office assistance, and discussed reducing the longevity bonus from \$50 to \$40 per year of service.

Representative Peck made a motion to adopt the FY 2012 Highway Patrol Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding class sizes and fund transfers from SGF, and troopers providing services on the Kansas Turnpike. Background information was provided on the 800Mhz conversion by a committee member.

Representative Gatewood made a substitute motion to include the Senate Subcommittee Recommendation directing the agency to use up to \$1.75 million in state forfeiture and seizure monies to complete the 800 MHz communications interoperability project, as referred to in item one of the report. The motion was seconded by Representative Schwartz.

Discussion continued by members regarding the communities served, the distribution of seizure monies and emergency response issues in sparsely populated areas.

The substitute motion was renewed. Motion carried.

CONTINUATION SHEET

House Appropriations Committee at 9:15 a.m. on March 9, 2011, in Room 346-S of the Capitol.

Committee members continued discussion regarding additional savings and public safety issues.

Kim Flory, Physical Officer, Highway Patrol, responded to questions from committee members regarding ranking and related wages for troopers.

Representative Kleeb made a motion for a conceptual amendment that would require a report to the House Appropriations and Senate Ways and Means committees regarding: cooperative efforts, cost saving measures to the state, and alleviated duplication of services identified within all state law enforcement agencies, by the beginning of the 2012 Legislative Session. The motion was seconded by Representative Brown.

Discussion continued by committee members. It was noted that the motion would provide an outline the coordination of activities between sheriff, State Highway Patrol in order to save resources at the local county & state level.

The motion was renewed. Motion carried.

The motion to adopt the FY 2012 Highway Patrol Budget Committee Report as amended was renewed. Motion carried.

Representative Peck stated that written testimony from the Kansas Association of Chief of Police (Attachment 3), Kansas Board of Emergency Medical Services (Attachment 4), Kansas Sheriffs Association (Attachment 5) and local law enforcement agencies (Attachment 6) have been distributed to committee members.

Representative Peck, Chair, House Transportation and Public Safety Budget Committee, presented the Kansas Bureau of Investigation FY 2012 Budget Committee Report, (Attachment 2). The Budget Committee concurred with the Governor's recommendation with the following adjustment and notations: add \$450,000 for SGF for clean up of meth labs, add \$326,670 for SFG to replace federal stimulus dollars for the Edward Byrne Memorial Justice Assistance Grant funding, add \$167,000 all form SGF to restore funding for investigative polygraph and digital forensic examination positions, add 12 FTE positions, noted that the agency generally loses forensic scientists often to higher paying positions, and discussed longevity bonuses reduced from \$50 to \$40 per year of service.

Representative Peck made a motion to adopt the Kansas Bureau of Investigation FY 2012 Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members. It was noted that of the 12 positions recommended, 3 positions are filled and funded, and 9 are unfilled and unfunded positions. These positions were recommended in order to meet the needs of law enforcement state-wide.

Representative Brown made a motion for an amendment to reduce the request to 6 FTE positions. The motion was seconded by Representative Crum.

It was noted that this would not be a savings to the agency as these are not funded positions, and this motion would allow the agency flexibility to hire staff through shrinkage.

The motion was renewed. Motion failed.

Representative Brown made a motion for an amendment to reduce the request to 5 FTE positions. The motion was seconded by Representative DeGraaf. Motion failed.

The motion to adopt the Kansas Bureau of Investigation FY 2012 Budget Report was renewed. Motion failed.

It was suggested that committee members receive additional information from the executive branch.

A recount of votes was requested by committee members.

The motion to adopt the Kansas Bureau of Investigation FY 2012 Budget Report was renewed. Motion

CONTINUATION SHEET

House Appropriations Committee at 9:15 a.m. on March 9, 2011, in Room 346-S of the Capitol.
carried.

The Chairman stated that information will be forthcoming from the Legislative Research Department regarding budget recommendations to date. The committee will continue meeting upon the adjournment of the House today, he added.

Meeting adjourned: 10:55 a.m.

Chairman Rhoades called the meeting to order at 12:07 p.m.

Noboko Folmsbee, Office of the Revisor of Statutes, provided information committee members requested regarding the forfeiture fund. She stated this fund is only for law enforcement purposes, which mirrors the federal requirements which prohibits these funds for hiring purposes.

Representative Peck, Chair, House Transportation and Public Safety Budget Committee, presented the State Fire Marshal FY 2012 Budget Committee Report. The Budget Committee concurred with the Governor's recommendation with the following adjustments and notations: Delete \$80,748 to reduced budgeted purchases for paper based supplies, the agency continues to provide trend date for safe cigarettes, recommends the suspension of 20% or up to a maximum of \$200,000 of the fee receipts to the State General Fund, discussed reducing the longevity bonus payments from \$50 to \$40 per year of service, encouraged the agency to pursue an agreement for assistance with the bomb technicians of Highway Patrol, it was noted that due to timing of the transfer and budget submission a request for replacement of equipment was not done but would have been requested, and review expenditures for possible reductions and savings for review next session.

Representative Peck made a motion to adopt the FY 2012 State Fire Marshal Budget Committee Report. The motion was seconded by Representative Gatewood.

Discussion followed by committee members regarding regulations and safety issues for children and the elderly population.

The motion was renewed. Motion carried.

Representative Gordon, Chair, House Education Budget Committee, presented the Department of Education FY 2011 Budget Committee Report, (Attachment 7). The Budget Committee concurred with the Governor's recommendation with the following adjustment: delete \$26.5 million from SGF from KPERS-School in FY 2011 for Special Education maintenance of effort, and add \$26.5 million from SGF to Special Education for FY 2011.

Representative Gordon made a motion to adopt the Department of Education FY 2012 Budget Committee Report. The motion was seconded by Representative Schwartz.

Discussion followed by committee members. It was noted that the delay in KPERS payment until July would meet the Special Education maintenance of effort requirements. In regards to longevity bonus issues, it was noted that recommendation was not made globally and could be done so at Omnibus.

The motion was renewed. Motion carried.

Representative Gordon, Chair, House Education Budget Committee, presented the Department of Education FY 2012 Budget Committee Report, (Attachment 7). The Budget Committee concurred with the Governor's recommendation with the following adjustments: delete \$26.5 million for SGF in FY 2012 reducing the Base State Aid Per Pupil approximately \$40, add \$26.5 million from SGF to KPERS-School for the maintenance of effort reduction in FY 2011, and add \$52,287 for SGF for school food assistance.

Representative Gordon made a motion to adopt the Education FY 2012 Budget Committee Report. The motion was seconded by Representative Schwartz.

Discussion followed by committee members regarding the matching fund requirements for the school food assistance program and IDEA maintenance of effort requirements. The increased funding for the school food assistance program was based on increased reimbursement factors based in September, more at-risk students who will be qualified for free or reduced lunches, as well as the maintenance of effort

CONTINUATION SHEET

House Appropriations Committee at 9:15 a.m. on March 9, 2011, in Room 346-S of the Capitol. requirements that were not addressed in the Governor's budget, it was noted.

The motion was renewed. Motion carried.

The meeting was adjourned at: 12:55 p.m.



Marc Rhoades, Chairman

APPROPRIATIONS COMMITTEE GUEST LIST

DATE: 3-9-11

[illegible]

APPROPRIATIONS COMMITTEE GUEST LIST

DATE: 3-9-11

[illegible]

KNI Closure Proposal – 2011

Subject: My son Kevin

Dear Commission Members:

My son Kevin, age 40, has been a resident of KNI for over 32 years. He was born with a rare neurological disease called Tuberous Sclerosis, causing profound mental retardation, seizures, behavioral issues (including extreme aggression) and brain tumors among many other debilitating effects. Despite having these significant problems and being given a life-expectancy of 16 years, he has lived many more years than we could have imagined. KNI gives round-the-clock care, provides highly trained professional staff, as well as the on-site medical facility, have all been life-saving for my son. Despite the emotional anguish and heartbreak this situation has brought to our family, we have felt nothing but gratitude for the care Kevin has received at KNI. However, now we are faced with the possibility that all of this might be taken away from him since the Governor issued an edict stating KNI must be closed, shuttered, dismantled. I understand deficits are a huge problem for the State of Kansas, however, KNI is a small part of a much larger fiscal problem and this closure surely isn't going to scratch the surface of the State's financial woes. Many strongly feel the unexpected exorbitant cost to the State for community group living, will in the long-run, be a disaster. Add to that, so many fragile lives being negatively impacted.

There are some within the halls of the Kansas Congress who have felt that the residents of KNI should be **de**-institutionalized. Question: How can you de-institutionalize a care facility when it isn't an institution of old? The stigma of old!!! KNI residents enjoy a home-like environment, in a familiar neighborhood and an existing community. The mindset for closure seems to be that moving these very fragile people into the community will give them freedom. The truth is they will be isolated and missing the activities they had at their KNI home. It is my opinion the residents and families are being lured into something that isn't real. If this process should take place and the State finds the escalating expenditures to be too great, then what? Or this population just can't succeed in a transition? I ask these questions when I had a recent one-on-one discussion with the Governor. His response, "we'll just send 'em to Parsons!!!" Well now, I thought the moral compass was directed to **de**-institutionalization when the truth is they will be RE-INSTITUTIONALIZED if Parsons is the alternative. These residents will be set back 20 years from the gains they've made at KNI. So this whole effort seems to me to be without compassion and to be potentially regressive and not progressive.

Unfortunately, there are some who may not understand what KNI truly is. I would like to explain what KNI means to those of us who have been fortunate enough to have our loved ones cared for these many years and how stabilizing and life saving it has been to my son since he was eight-years old. To ours and other families it is not simply a budget line on a piece of paper, it's our children's home, the place where our children grew up. They know nothing else.

I would define KNI as a home that offers a safety net protecting all the residents in a close knit community campus; a place with exceptional caregivers who provide on-site 24/7 medical care, behavioral intervention, emotional support for both residents and their families; help with daily routines

Appropriations Committee

Date March 9, 2011

Attachment 1

(imperative to people with severe neurological impairments) keeping feeding tubes sterile, dispensing vital medications, seizure recovery, etc.

I also want to point out, KNI takes care of people who look and behave in ways that are uncomfortable for most of us. Their severe cognitive and physical disabilities are evident. Many like, my son, function equal to a 12 or 18 month old in terms of cognition/language development. KNI employees are highly trained and specialized on how to work with this unique population. I fear a community home setting, where my son and other KNI residents would have more access to the world, and the world will have more access to them, would be problematic at best, dangerous/fatal at worst. I also worry that inexperienced staff dealing with this challenging population would be at greater risk of abusive behaviors. Statistically, people with developmental disabilities are 4 to 10 times more likely to be victims of crime than other people. (Sobsey, Wells, Lucardie and Mansell. 1995. Violence and Disability: An Annotated Bibliography. Baltimore, MD. Brooks Publishing.) In addition, approximately 67 percent of perpetrators who abused individuals with severe cognitive disabilities accessed them through their work in disability services. (Sobsey, D. and T. Doe. 1991. "Patterns of sexual abuse and assault." Journal of Sexuality and Disability, 9(3): 243259.) I fear less oversight and supervision in a community setting would allow more opportunities for abuse.

I also strongly believe that the cost to the state is actually higher by placing Tier 1 level residents and others like him, in a community home setting. Because of his behavioral problems and extreme medical issues there will be a consistent 911 response team required for emergency care and an added burden to SVH since the vital medical unit at KNI will be shuttered. Parsons' hospital equivalent to SVH is one hour away or Wichita 98 miles away. That's a disaster.

Only God should decide when my son shall pass from this life, not the Governor. Kevin should have the honor of leaving us while in his home of these many years and while receiving abundant care at KNI. It is not anyone's right to determine or expedite his passing by placing him in a place which offers sub-standard and inadequate medical care and no safety net. If he passed due to neglect elsewhere, there simply are no words to explain the anguish it would cause all of his family forever.

We love all our children, even those who are handicapped and live in the shadows of life and have no voice. They need your compassion, wisdom and understanding.

Thank you,



Judy Ford

Email jnford@prodigy.net

Appropriations Committee

Date March 9, 2011

Attachment 1-2

FY 2011
FY 2012
FY 2013

HOUSE TRANSPORTATION AND PUBLIC SAFETY BUDGET COMMITTEE

Abstracters Board of Examiners
Board of Technical Professions
Highway Patrol
Kansas Bureau of Investigation
State Fire Marshal


Representative Virgil Peck, Jr., Chair

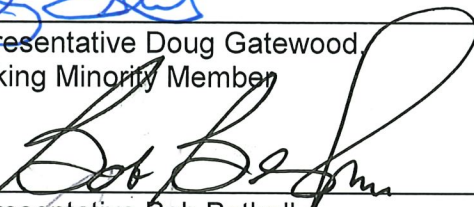

Representative Dan Kerschen


Representative JoAnn Pottorff, Vice-Chair


Representative Reynaldo Mesa


Representative Doug Gatewood
Ranking Minority Member


Representative Tom Moxley


Representative Bob Bethell


Representative Vince Wetta


Representative Ramon Gonzalez

Appropriations Committee
Date March 9, 2011
Attachment 2

Senate Subcommittee Report

Agency: Abstracter's Board of Examiners

Bill No. ---

Bill Sec. ---

Analyst: Morrow

Analysis Pg. No. 1631

Budget Page No. 476

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	23,385	23,385	0
Subtotal	\$ 23,385	\$ 23,385	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 23,385	\$ 23,385	\$ 0
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0

Agency Request

The **agency** requests FY 2012 expenditures of \$23,385, all from the Abstracter's Fee Fund, a decrease of \$34, or 0.1 percent, below the FY 2011 revised estimate. The request includes \$20,576 for salaries and wages for two employees, whose combined hours do not equal a full FTE position.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

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

Appropriations Committee

Date March 9, 2011

Attachment 2-2

House Budget Committee Report

Agency: Abstracter's Board of Examiners

Bill No. ---

Bill Sec. ---

Analyst: Morrow

Analysis Pg. No. 1631

Budget Page No. 476

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	23,385	23,385	0
Subtotal	\$ 23,385	\$ 23,385	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 23,385	 \$ 23,385	 \$ 0
 FTE positions	 0.0	 0.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0

Agency Request

The **agency** requests FY 2012 expenditures of \$23,385, all from the Abstracter's Fee Fund, a decrease of \$34, or 0.1 percent, below the FY 2011 revised estimate. The request includes \$20,576 for salaries and wages for two employees, whose combined hours do not equal a full FTE position.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment:

1. The Budget Committee recommends the suspension of the statutory requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts to the Appropriations Committee

Date March 9, 2011

Attachment 2-3

State General Fund for FY 2012. This would result in an estimated decrease of \$5,088 to the State General Fund in FY 2012.

Appropriations Committee
Date March 9, 2011
Attachment 2-4

Senate Subcommittee Report

Agency: Abstracter's Board of Examiners

Bill No. ---

Bill Sec. ---

Analyst: Morrow

Analysis Pg. No. 1631

Budget Page No. 476

Expenditure Summary	Agency Request FY 2013	Governor Recommendation FY 2013	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	24,742	24,742	0
Subtotal	\$ 24,742	\$ 24,742	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 24,742	\$ 24,742	\$ 0
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0

Agency Request

The **agency** requests FY 2013 expenditures of \$24,742, all from the Abstracter's Fee Fund, an increase of \$1,357, or 5.8 percent, above the FY 2012 request. The increase is attributable to budgeted salary increases.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

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

Appropriations Committee

Date March 9, 2011

Attachment 2-5

House Budget Committee Report

Agency: Abstracter's Board of Examiners

Bill No. ---

Bill Sec. ---

Analyst: Morrow

Analysis Pg. No. 1631

Budget Page No. 476

Expenditure Summary	Agency Request FY 2013	Governor Recommendation FY 2013	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	24,742	24,742	0
Subtotal	\$ 24,742	\$ 24,742	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 24,742	 \$ 24,742	 \$ 0
 FTE positions	 0.0	 0.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0

Agency Request

The **agency** requests FY 2013 expenditures of \$24,742, all from the Abstracter's Fee Fund, an increase of \$1,357, or 5.8 percent, above the FY 2012 request. The increase is attributable to budgeted salary increases.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment:

1. The Budget Committee recommends the suspension of the statutory requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts to the State General Fund for FY 2013. This would result in an estimated decrease of \$6,360 to the State General Fund in FY 2013.

Appropriations Committee

Date March 9 2011

Attachment 2-6

Senate Subcommittee Report

Agency: Board of Technical Professions

Bill No. --

Bill Sec. --

Analyst: Morrow

Analysis Pg. No. 1876

Budget Page No. 514

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	609,122	609,122	0
Subtotal	\$ 609,122	\$ 609,122	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 609,122	 \$ 609,122	 \$ 0
 FTE positions	 5.0	 5.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	5.0	5.0	0.0

Agency Request

The **agency** requests FY 2012 expenditures of \$609,122, all from the Technical Professions Fee Fund, the same as the revised FY 2011 estimate. The request includes an enhancement request of \$20,000 for a new database system.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following notations:

1. The Subcommittee thanks the agency for reducing fees. The fees were reduced due to the economic downturn to maintain licensees. The agency has sufficient revenue to allow for the fee reduction.
2. The Subcommittee recommends reviewing employee benefit costs next year

Appropriations Committee

Date March 9, 2014

Attachment 2-7

House Budget Committee Report

Agency: Board of Technical Professions

Bill No. --

Bill Sec. --

Analyst: Morrow

Analysis Pg. No. 1876

Budget Page No. 514

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	609,122	609,122	0
Subtotal	\$ 609,122	\$ 609,122	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 609,122	\$ 609,122	\$ 0
FTE positions	5.0	5.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	5.0	5.0	0.0

Agency Request

The **agency** requests FY 2012 expenditures of \$609,122, all from the Technical Professions Fee Fund, the same as the revised FY 2011 estimate. The request includes an enhancement request of \$20,000 for a new database system.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments:

Appropriations Committee
Date March 9, 2011
Attachment 2-8

1. The Budget Committee recommends the suspension of the statutory requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts to the State General Fund for FY 2012. This would result in an estimated decrease of \$147,280 to the State General Fund in FY 2012.
2. The Budget Committee had discussion on the statutory longevity bonuses for FY 2012. The current statutory provisions of the longevity bonus payment are \$40 per year of service, with a 10-year minimum (\$400), and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008 are not eligible for longevity bonus payments. For FY 2012, the Governor recommends the continuation of the longevity bonus payment program. The recommendation provides for a bonus of \$50 per year of service, with a 10-year minimum (\$500) and a 25-year maximum (\$1,250). The Budget Committee discussed the possibility of reducing the Governor's recommendation for longevity bonus payments from \$50 per year of service to the statutory level of \$40 per year of service for all state agencies for FY 2012.

Appropriations Committee

Date March 9, 2011

Attachment 2-9

Senate Subcommittee Report

Agency: Board of Technical Professions

Bill No. --

Bill Sec. --

Analyst: Morrow

Analysis Pg. No. 1876

Budget Page No. 514

Expenditure Summary	Agency Request FY 2013	Governor Recommendation FY 2013	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	589,122	589,122	0
Subtotal	\$ 589,122	\$ 589,122	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 589,122	 \$ 589,122	 \$ 0
 FTE positions	 5.0	 5.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	5.0	5.0	0.0

Agency Request

The **agency** requests FY 2013 expenditures of \$589,122, all from the Technical Professions Fee Fund, a decrease of \$20,000, or 3.3 percent, from the FY 2012 request. The decrease is attributable to a decrease in the need for funding of the database system.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following notations:

1. The Subcommittee thanks the agency for reducing fees. The fees were reduced due to the economic downturn to maintain licensees. The agency has sufficient revenue to allow for the fee reduction.
2. The Subcommittee recommends reviewing employee benefit costs next year.

Appropriations Committee
Date March 9, 2011
Attachment 2-10

House Budget Committee Report

Agency: Board of Technical Professions

Bill No. --

Bill Sec. --

Analyst: Morrow

Analysis Pg. No. 1876

Budget Page No. 514

<u>Expenditure Summary</u>	<u>Agency Request FY 2013</u>	<u>Governor Recommendation FY 2013</u>	<u>House Budget Committee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	589,122	589,122	0
Subtotal	\$ 589,122	\$ 589,122	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	<u>\$ 589,122</u>	<u>\$ 589,122</u>	<u>\$ 0</u>
FTE positions	5.0	5.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>5.0</u>	<u>5.0</u>	<u>0.0</u>

Agency Request

The **agency** requests FY 2013 expenditures of \$589,122, all from the Technical Professions Fee Fund, a decrease of \$20,000, or 3.3 percent, from the FY 2012 request. The decrease is attributable to a decrease in the need for funding of the database system.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation with the following adjustments:

Appropriations Committee
Date March 9, 2011
Attachment 2-11

1. The Budget Committee recommends the suspension of the statutory requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts to the State General Fund for FY 2013. This would result in an estimated decrease of \$147,280 to the State General Fund in FY 2013.
2. The Budget Committee had discussion on the statutory longevity bonuses for FY 2012. The current statutory provisions of the longevity bonus payment are \$40 per year of service, with a 10-year minimum (\$400), and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008 are not eligible for longevity bonus payments. For FY 2012, the Governor recommends the continuation of the longevity bonus payment program. The recommendation provides for a bonus of \$50 per year of service, with a 10-year minimum (\$500) and a 25-year maximum (\$1,250). The Budget Committee discussed the possibility of reducing the Governor's recommendation for longevity bonus payments from \$50 per year of service to the statutory level of \$40 per year of service for all state agencies for FY 2012.

Appropriations Committee

Date March 9, 2011

Attachment 2-12

decrease of \$3,521,960, or 10.2 percent, below the FY 2012 request. The Governor does not recommend any of the agency's enhancement requests totaling \$2,015,843, including \$1,883,940 from the State General Fund, and 2.0 FTE positions, and recommends the agency's reduced resources budget to transfer \$1,638,020 from the Motor Vehicle Fund to the State General Fund. The Governor recommends reducing the agency's FTE limitation by 8.0, from 859.0 to 851.0 FTE positions, and recommends increasing the agency's shrinkage \$1,638,020, all from the State General Fund, for FY 2012.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following notations:

1. The Subcommittee directs the agency to use up to \$1.75 million in state forfeiture and seizure monies to complete the 800 Mhz communications interoperability project in order to update existing communications towers and to allow for communications between various 800 Mhz and non-800 Mhz radio systems that are used by emergency responders and public safety agencies statewide. It is estimated that it will take \$3.5 million to complete the remaining 14 towers in Northwest and Southwest Kansas. The states five homeland security regions have offered up half or \$1.75 million in homeland security funds if the state matches these funds to complete the project. If a state match were to be made, it would need to be determined by the 3rd week of March. If a state match is not made by the 3rd week of March, regions would still have enough time to submit alternative project plans for use of regional homeland security funds. The Subcommittee encourages public safety agencies to identify any other funds that might be available in order to meet the state match. The Subcommittee further noted that if adequate funds cannot be found, that any funds provided to meet the state match should be returned to the respective agencies from which they came. The Subcommittee also requests review during final consideration of the 2012 appropriations bill by Ways and Means, of state agency's forfeiture and seizure monies and any other funds available.
2. The Subcommittee notes with concern that public safety agencies have taken cuts, and for this agency, that without proper funding to train and maintain the patrol, process vehicle inspections, and to provide security and law enforcement that public safety within the state may be jeopardized.
3. The Subcommittee notes House Bill 2173, which was amended and passed out of the House Transportation and Public Safety Budget Committee, that would allow for the agency to enter into contracts with private entities for events in order to receive reimbursement for costs incurred when providing security and traffic services at events sponsored by private entities. The Subcommittee noted that private entities should pay for these services and all additional costs, and that collaborative discussions between the agency and respective private entity should include The Unified Government.

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation.

Appropriations Committee

Date March 9 2011

Attachment 2-13

Senate Subcommittee Report

Agency: Highway Patrol

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 1042

Budget Page No. 388

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 34,644,339	\$ 31,122,379	\$ 0
Other Funds	39,459,269	39,327,366	0
Subtotal	\$ 74,103,608	\$ 70,449,745	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	594,330	594,330	0
Subtotal	\$ 594,330	\$ 594,330	\$ 0
 TOTAL	 \$ 74,697,938	 \$ 71,044,075	 \$ 0
FTE positions	861.0	851.0	0.0
Non FTE Uncl. Perm. Pos.	39.0	39.0	0.0
TOTAL	900.0	890.0	0.0

Agency Request

The **agency** requests FY 2012 operating expenditures totaling \$74,103,608, which is a decrease of \$8,839,866, or 10.7 percent, below the FY 2011 revised estimate. The request includes State General Fund expenditures of \$34,644,339, which is an increase of \$2,580,956, or 8.0 percent, above the FY 2011 revised request. The request includes enhancement funding of \$2,015,843, including \$1,883,940 from the State General Fund.

Major all other funds adjustments include a decrease of approximately \$11.2 million in homeland security funds and federal funds not anticipated to re-occur for FY 2012. Additionally, the agency states that it will receive notice of awarded homeland security funds late in the fiscal year, and potential grant funds for federal fiscal year 2012 are not estimated in the budget.

The request includes 861.0 FTE positions, an increase of 2.0 FTE positions as part of the agency's request for two Kansas Criminal Justice Information System (KCJIS) auditors.

Governor's Recommendation

The **Governor** recommends FY 2012 operating expenditures of \$70,449,745, including \$31,122,379 from the State General Fund. The recommendation is an all funds decrease of \$12,322,035, or 14.9 percent, below the FY 2011 recommendation, and a decrease of \$3,653,863, or 4.9 percent, below the FY 2012 request. The recommendation is a State General Fund decrease of \$769,310, or 2.4 percent, below the FY 2011 recommendation and a

Appropriations Committee

Date March 9, 2011

Attachment 2-14

House Budget Committee Report

Agency: Highway Patrol

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 1042

Budget Page No. 388

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 34,644,339	\$ 31,122,379	\$ 862,000
Other Funds	39,453,269	39,327,366	0
Subtotal	\$ 74,097,608	\$ 70,449,745	\$ 862,000
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	594,330	594,330	0
Subtotal	\$ 594,330	\$ 594,330	\$ 0
TOTAL	\$ 74,691,938	\$ 71,044,075	\$ 862,000
FTE positions	861.0	851.0	0.0
Non FTE Uncl. Perm. Pos.	39.0	39.0	0.0
TOTAL	900.0	890.0	0.0

Agency Request

The **agency** requests an FY 2012 budget of \$74,103,608, which is a decrease of \$8,839,866, or 10.7 percent, below the FY 2011 revised estimate. The request includes State General Fund expenditures of \$34,644,339, which is an increase of \$2,580,956, or 8.0 percent, above the FY 2011 revised request. The request includes enhancement funding of \$2,015,843, including \$1,883,940 from the State General Fund.

Major all other funds adjustments include a decrease of approximately \$11.2 million in homeland security funds and federal funds not anticipated to re-occur for FY 2012. Additionally, the agency states that it will receive notice of awarded homeland security funds late in the fiscal year, and potential grant funds for federal fiscal year 2012 are not estimated in the budget.

The request includes 861.0 FTE positions, an increase of 2.0 FTE positions as part of the agency's request for two Kansas Criminal Justice Information System (KCJIS) auditors.

The agency requests FY 2012 capital improvement expenditures of \$594,330, all from special revenue funds. The request includes debt service principal payments of \$315,000 on the Fleet Center and the Vehicle Identification Number Facility in Olathe. The request includes \$147,330 for rehabilitation and repair for scales and buildings, and \$132,000 for scale replacement.

Appropriations Committee

Date March 9, 2011

Attachment 2-15

Governor's Recommendation

The **Governor** recommends FY 2012 operating expenditures of \$70,449,745, including \$31,122,379 from the State General Fund. The recommendation is an all funds decrease of \$12,322,035, or 14.9 percent, below the FY 2011 recommendation, and a decrease of \$3,653,863, or 4.9 percent, below the FY 2012 request. The recommendation is a State General Fund decrease of \$769,310, or 2.4 percent, below the FY 2011 recommendation and a decrease of \$3,521,960, or 10.2 percent, below the FY 2012 request. The Governor does not recommend any of the agency's enhancement requests totaling \$2,015,843, including \$1,883,940 from the State General Fund, and 2.0 FTE positions, and recommends the agency's reduced resources package to transfer \$1,638,020 from the Motor Vehicle Fund to the State General Fund. The Governor recommends reducing the agency's FTE limitation by 8.0, from 859.0 to 851.0 FTE positions, and recommends increasing the agency's shrinkage \$1,638,020, all from the State General Fund, for FY 2012.

The Governor concurs with the agency's request for FY 2012 capital improvements.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment and notations:

1. Add \$862,000, all from the State General Fund, to provide for a trooper trainee class of 15 for FY 2012. This would increase the transfer from the State Highway Fund to the State General Fund by a corresponding amount for FY 2012.
2. The Budget Committee notes that the agency presented information stating that there are currently 39 positions eligible for retirement (18 Troopers, 21 Management), and that by FY 2015 the agency anticipates having 85 total positions eligible to retire (46 Troopers, 39 Management). For FY 2012 the agency will have 64 positions eligible to retire (34 Troopers and 30 Management).
3. The Budget Committee discussed bomb technicians and that the Highway Patrol was designated as the official bomb response agency for the state. The Committee noted that the Fire Marshal's Office currently has four bomb technicians who also serve as investigators, and encourages the agency to pursue a memorandum of understanding that would allow the Highway Patrol to be assisted by bomb technicians currently with the Fire Marshal's Office.
4. The Budget Committee had discussion on the statutory longevity bonuses for FY 2012. The current statutory provisions of the longevity bonus payment are \$40 per year of service, with a 10-year minimum (\$400), and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008 are not eligible for longevity bonus payments. For FY 2012, the Governor recommends the continuation of the longevity bonus payment program. The recommendation provides for a bonus of \$50 per year of service, with a 10-year minimum (\$500) and a 25-year maximum (\$1,250). The Budget Committee discussed the possibility of reducing the Governor's recommendation for longevity bonus payments from \$50 per year of service to the statutory level of \$40 per year of service for all state agencies for FY 2012.

Appropriations Committee

Date March 9, 2011

Attachment 2-16

Senate Subcommittee Report

Agency: Kansas Bureau of Investigation

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 986

Budget Page No. 400

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 15,356,680	\$ 15,356,680	\$ 0
Other Funds	13,617,714	13,617,714	0
Subtotal	\$ 28,974,394	\$ 28,974,394	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	15,657	15,657	0
Subtotal	\$ 15,657	\$ 15,657	\$ 0
TOTAL	\$ 28,990,051	\$ 28,990,051	\$ 0
FTE positions	221.0	221.0	0.0
Non FTE Uncl. Perm. Pos.	92.5	92.5	0.0
TOTAL	313.5	313.5	0.0

Agency Estimate

The **agency** estimates revised FY 2011 operating expenditures totals \$28,974,394, which is an increase of \$1,779,188, or 6.5 percent, above the current approved for FY 2011. The State General Fund estimate of \$15,356,680 is the same as the current approved for FY 2011. The revised estimate includes 221.0 FTE positions, no change from the current approved.

The all other funds revised estimate of \$13,617,714 is an increase of \$1,779,188, or 15.0 percent, above the current approved for FY 2011. This increase is largely attributable to a number of federal grants received and expended by the agency, which include \$772,000 in Justice Assistance Grant (JAG) funds, \$165,046 from a COPS Grant, \$188,061 from a DNA Backlog Grant, \$295,246 from a Convicted Offender Grant, and an increase of \$139,126 in salaries increases related to various grants.

Governor's Recommendation

The **Governor** concurs with the agency's FY 2011 estimate.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation

Appropriations Committee
Date March 9, 2011
Attachment 2-17

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation.

Appropriations Committee
Date March 9 2011
Attachment 278

House Budget Committee Report

Agency: Kansas Bureau of Investigation

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 986

Budget Page No. 400

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 15,356,680	\$ 15,356,680	\$ 150,000
Other Funds	13,617,714	13,617,714	0
Subtotal	\$ 28,974,394	\$ 28,974,394	\$ 150,000
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	15,657	15,657	0
Subtotal	\$ 15,657	\$ 15,657	\$ 0
TOTAL	\$ 28,990,051	\$ 28,990,051	\$ 150,000
FTE positions	221.0	221.0	0.0
Non FTE Uncl. Perm. Pos.	92.5	92.5	0.0
TOTAL	313.5	313.5	0.0

Agency Estimate

The **agency** requests revised FY 2011 operating expenditures totaling \$28,974,394, which is an increase of \$1,779,188, or 6.5 percent, above the current approved for FY 2011. The State General Fund estimate of \$15,356,680 is the same as the current approved for FY 2011. The revised estimate includes 221.0 FTE positions, no change from the current approved.

The all other funds revised estimate of \$13,617,714 is an increase of \$1,779,188, or 15.0 percent, above the current approved for FY 2011. This increase is largely attributable to a number of federal grants received and expended by the agency, which include \$772,000 in Justice Assistance Grant (JAG) funds, \$165,046 from a COPS Grant, \$188,061 from a DNA Backlog Grant, \$295,246 from a Convicted Offender Grant, and an increase of \$139,126 in salaries increases related to various grants.

For FY 2011, the agency requests \$15,657 in capital improvements expenditures, all from special revenue funds, for rehabilitation and repair.

Appropriations Committee

Date March 10, 2011

Attachment 2-19

Governor's Recommendation

The **Governor** concurs with the agency's FY 2011 revised estimate and for operating and capital improvements expenditures.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment:

1. Add \$150,000, all from the State General Fund, to provide funding for the cleanup of meth labs for the remainder of FY 2011. The Budget Committee heard testimony that the meth lab cleanups were originally funded by the State, but for the past several years funding had been shifted to the Drug Enforcement Agency (DEA) through a COPS Grant which was used to replace state funds. Information was provided that the COPS Grant funding was discontinued February 22, 2011, and while there are efforts to restore this funding source, there is no certainty that it will be restored even though the service will need to continue. The KBI noted that 140 to 150 labs are reported per year, and of this amount approximately 100 per year require hazardous materials cleanup. The average cost of these cleanups was estimated to be \$3,640, however larger labs cost significantly more. Testimony noted that state contracted negotiation and provision of this service would be the most effective in terms of coordination and cost. Testimony noted that: it would be difficult for every city and county to have an individual contract; the average cost of site cleanup would increase; and only about half of the agencies in the state will require these services.

Appropriations Committee

Date March 9, 2011

Attachment 2-20

Senate Subcommittee Report

Agency: Kansas Bureau of Investigation

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 986

Budget Page No. 400

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 17,515,614	\$ 14,894,872	\$ 0
Other Funds	11,773,722	12,001,065	0
Subtotal	\$ 29,289,336	\$ 26,895,937	\$ 0
Capital Improvements			
State General Fund	\$ 710,952	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 710,952	\$ 0	\$ 0
 TOTAL	 \$ 30,000,288	 \$ 26,895,937	 \$ 0
 FTE positions	 229.5	 197.0	 12.0
Non FTE Uncl. Perm. Pos.	82.5	89.0	0.0
TOTAL	312.0	286.0	12.0

Agency Request

The **agency** requests FY 2012 operating expenditures totaling \$29,289,336, which is an increase of \$314,942, or 1.1 percent, above the FY 2011 revised estimate. The request includes \$17,515,614 from the State General Fund, which is an increase of \$2,158,934, or 14.1 percent, above the FY 2011 revised estimate. This increase is largely due to the agency's enhancement requests totaling \$1,836,801, all from the State General Fund. The significant all other funds decrease is due to a large number of one-time federal grants received and expended in FY 2011 that are not anticipated to re-occur for FY 2012. The FY 2012 request includes 229.5 FTE positions, an increase of 8.5 FTE positions from the FY 2011 revised estimate. This increase is part of the agency's enhancement requests for Southeast Kansas Drug Enforcement Task Force (SEKDETF) Funding and the retention of 1.5 forensic scientist positions, these positions are being requested to be converted from non-FTE unclassified permanent positions to FTE positions.

Governor's Recommendation

The **Governor** recommends FY 2012 operating expenditures totaling \$26,895,937, including \$14,894,872 from the State General Fund. The recommendation is an all funds decrease of \$2,078,457, or 7.2 percent, and a State General Fund decrease of \$461,808, or 3.0 percent, below the FY 2011 recommendation. The recommendation is an all funds decrease of \$2,393,399, or 8.2 percent, and a State General Fund decrease of \$2,620,742, or 15.0 percent,

Appropriations Committee

Date March 9, 2011

Attachment 2-21

below the FY 2012 request. The reduction from the agency's request is due to the Governor's recommendation to not fund State General Fund enhancements totaling \$1,836,801, and the acceptance of a modified reduced resources package for FY 2012. The Governor accepts the agency's reduced resources package, but increases special revenue fund expenditures to replace funding for the Forensic's Laboratory portion of the package (\$227,343). The modified reduced resources package is an all funds reduction of \$556,598, and a State General Fund reduction of \$783,941. The Governor also recommends reducing the agency's FTE limitation by 24.0 vacant FTE positions, from 221.0 to 197.0 FTE positions for FY 2012.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following adjustments and notations:

1. Add 12.0 FTE positions, to add back half of the FTE positions reduced under the Governor's FY 2012 recommendation. This would allow the agency to keep 3.0 newly hired FTE positions and increase the agency's FTE limitation from the Governor's recommended 197.0 FTE positions to 209.0 FTE positions for FY 2012. The Subcommittee notes that this will allow the agency some flexibility in light of increasing workloads, and that the agency should pursue grants and other sources of funding to provide funding for these positions.
2. The Subcommittee directs the agency to use up to \$1.75 million in state forfeiture and seizure monies to complete the 800 Mhz communications interoperability project in order to update existing communications towers and to allow for communications between various 800 Mhz and non-800 Mhz radio systems that are used by emergency responders and public safety agencies statewide. It is estimated that it will take \$3.5 million to complete the remaining 14 towers in Northwest and Southwest Kansas. The states five homeland security regions have offered up half or \$1.75 million in homeland security funds if the state matches these funds to complete the project. If a state match were to be made, it would need to be determined by the 3rd week of March. If a state match is not made by the 3rd week of March, regions would still have enough time to submit alternative project plans for use of regional homeland security funds. The Subcommittee encourages public safety agencies to identify any other funds that might be available in order to meet the state match. The Subcommittee further noted that if adequate funds cannot be found, that any funds provided to meet the state match should be returned to the respective agencies from which they came. The Subcommittee also requests review during final consideration of the 2012 appropriations bill by Ways and Means, of state agency's forfeiture and seizure monies and any other funds available.
3. The Subcommittee notes that the 2010 Legislature added \$1.1 million, all from the State General Fund, in FY 2011 for new equipment, consumables, and computer and software licenses to assist in reducing the DNA backlog. The Subcommittee notes and commends the agency's reported success in reducing it's backlog by more than 35,000 arrestee samples to no backlog at all. The Subcommittee further notes that success of public safety in the state is dependent upon adequate funding being provided.
4. The Subcommittee requests review of the agency's funding requests review during final consideration of the mega bill by the Committee. The Subcommittee noted some of the agency's requests to: Replacement of laboratory funding reduced as part of the Governor's recommendation for a five percent reduction (\$227,343) which the agency states would result in more than 9,000 arrestee DNA samples not being profiled; funding

Appropriations Committee

Date March 9, 2011

Attachment 2-22

House Budget Committee Report

Agency: Kansas Bureau of Investigation

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 986

Budget Page No. 400

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 17,515,614	\$ 14,894,872	\$ 943,670
Other Funds	11,773,722	12,001,065	0
Subtotal	\$ 29,289,336	\$ 26,895,937	\$ 943,670
Capital Improvements			
State General Fund	\$ 710,952	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 710,952	\$ 0	\$ 0
TOTAL	\$ 30,000,288	\$ 26,895,937	\$ 943,670
FTE positions	229.5	197.0	12.0
Non FTE Uncl. Perm. Pos.	82.5	89.0	0.0
TOTAL	312.0	286.0	12.0

Agency Request

The **agency** requests FY 2012 operating expenditures totaling \$29,289,336, which is an increase of \$314,942, or 1.1 percent, above the FY 2011 revised estimate. The request includes \$17,515,614 from the State General Fund, which is an increase of \$2,158,934, or 14.1 percent, above the FY 2011 revised estimate. This increase is largely due to the agency's enhancement requests totaling \$1,836,801, all from the State General Fund. The significant all other funds decrease is due to a large number of one-time federal grants received and expended in FY 2011 that are not anticipated to re-occur for FY 2012.

The FY 2012 request includes 229.5 FTE positions, an increase of 8.5 FTE positions from the FY 2011 revised estimate. This increase is part of the agency's enhancement requests for Southeast Kansas Drug Enforcement Task Force (SEKDETF) Funding and the retention of 1.5 forensic scientist positions, these positions are being requested to be converted from non-FTE unclassified permanent positions to FTE positions.

For FY 2012, the agency requests capital improvements enhancements totaling \$710,952, all from the State General Fund.

Appropriations Committee

Date March 11, 2011

Attachment 2-23

to retain a trained part-time DNA scientist (\$41,640) which the agency states processed 109 cases in CY 2010 and if not retained would result in a backlog increase of the same amount; and replacement of American Reinvestment and Recovery Justice Assistance Grant (ARRA/JAG) funds (\$326,670) that would provide for 3.0 special agent FTE positions for case investigations and 1.0 special investigator FTE position to do statutory gubernatorial and judicial background investigations.

5. The Subcommittee notes with concern that all public safety agencies have taken cuts, and for this agency, that without the proper funding to process investigations, samples, criminals, and cases, that public safety within the state may be jeopardized.
6. The Subcommittee notes legislation introduced which would eliminate the State Fire Marshal and transfer statutory duties, responsibilities, and associated funding to other state agencies. The legislation would transfer functions and associated funding as follows: investigative duties to the Kansas Bureau of Investigation; inspection duties to the Division of Facilities Management within the Department of Administration; and hazardous material duties to the Division of Emergency Management within the Adjutant General's Department.

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation with the following adjustment:

1. The Senate Ways and Means Committee recommends a review of funding for meth lab cleanup before final consideration of the 2012 appropriations bill by the Senate Ways and Means Committee. The Committee heard testimony that the meth lab cleanups were originally funded by the State, but for the past several years funding had been shifted to the Drug Enforcement Agency (DEA) through a COPS Grant which was used to replace State funds. Information was provided that the COPS Grant funding was discontinued February 22, 2011, and while there are efforts to restore this funding source, there is no certainty that it will be restored even though the service will need to continue. The KBI noted that 140 to 150 labs are reported per year, and of this amount approximately 100 per year require hazardous materials cleanup. The average cost of these cleanups was estimated to be \$3,640, however larger labs cost significantly more. Testimony noted that state contracted negotiation and provision of this service would be the most effective in terms of coordination and cost. Testimony noted that: it would be difficult for every city and county to have an individual contract; the average cost of site cleanup would increase; and only about half of the agencies in the state will require these services. The Committee notes that cleanup of these meth labs is important for public safety in the State and to prevent further environmental hazards.

Appropriations Committee

Date March 11, 2011

Attachment 2-24

Governor's Recommendation

The **Governor** recommends FY 2012 expenditures totaling \$26,895,937, including \$14,894,872 from the State General Fund. The recommendation is an all funds decrease of \$2,078,457, or 7.2 percent, and a State General Fund decrease of \$461,808, or 3.0 percent, below the FY 2011 recommendation. The recommendation is an all funds decrease of \$2,393,399, or 8.2 percent, and a State General Fund decrease of \$2,620,742, or 15.0 percent, below the FY 2012 request. The reduction from the agency's request is due to the Governor's recommendation to not fund State General Fund enhancements totaling \$1,836,801, and the acceptance of a modified reduced resources package for FY 2012. The Governor accepts the agency's reduced resources package, but increases special revenue fund expenditures to replace funding for the Forensic's Laboratory portion of the package (\$227,343). The modified reduced resources package is an all funds reduction of \$556,598, and a State General Fund reduction of \$783,941. The Governor also recommends reducing the agency's FTE limitation by 24.0 vacant FTE positions, from 221.0 to 197.0 FTE positions for FY 2012.

The Governor does not recommend any of the agency's capital improvements enhancements, and does not recommend any capital improvements expenditures for FY 2012.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments and notations:

1. Add \$450,000, all from the State General Fund, to provide funding for the cleanup of meth labs for FY 2012. The Budget Committee heard testimony that the meth lab cleanups were originally funded by the State, but for the past several years funding had been shifted to the Drug Enforcement Agency (DEA) through a COPS Grant which was used to replace state funds. Information was provided that the COPS Grant funding was discontinued February 22, 2011, and while there are efforts to restore this funding source, there is no certainty that it will be restored even though the service will need to continue. The KBI noted that 140 to 150 labs are reported per year, and of this amount approximately 100 per year require hazardous materials cleanup. The average cost of these cleanups was estimated to be \$3,640, however larger labs cost significantly more. Testimony noted that state contracted negotiation and provision of this service would be the most effective in terms of coordination and cost. Testimony noted that: it would be difficult for every city and county to have an individual contract; the average cost of site cleanup would increase; and only about half of the agencies in the state will require these services.
2. Add \$326,670, all from the State General Fund, to replace American Reinvestment and Recovery Act: Federal Edward Byrne Memorial Justice Assistance Grant (ARRA/JAG) funding, to retain 3.0 special agent and 1.0 special investigator FTE positions for FY 2012. The agency provided testimony stating that retaining these special agents would enable the agency maintain investigations at the 2010 level of 1,033 investigations conducted. The special agent position would be used to conduct gubernatorial and judicial background investigations as required by statute.
3. Add \$167,000, all from the State General Fund, to restore funding for 2.0 of the 3.0 unclassified FTE investigative polygraph and digital forensic examination positions that were part of agency's reduced resources budget that was recommended by the Governor for FY 2012. The agency provided testimony detailing how this reduction

Appropriations Committee

Date March 11, 2011

Attachment 2-25

would significantly impact their ability to provide these services for Kansas law enforcement. Testimony indicated that the agency was able to perform 225 polygraphs and 246 digital forensic examinations in FY 2010. If they were to lose all of these positions, estimated polygraphs able to be performed would be reduced by 117, or 52.0 percent, and digital forensic examinations would be reduced by 98, or 40.0 percent below the FY 2010 level.

4. Add 12.0 FTE positions, to add back half of the FTE positions reduced under the Governor's FY 2012 recommendation. This would allow the agency to keep 3.0 newly hired FTE positions and increase the agency's FTE limitation from the Governor's recommended 197.0 FTE positions to 209.0 FTE positions for FY 2012.
5. The Budget Committee notes that the agency presented information that it has had problems retaining forensic scientist positions. The agency has seven newly hired forensic scientist positions, and commented that it takes about two years to train a forensic scientist and see a reduction in backlogged cases in their respective disciplines. The agency stated that it has generally lost forensic scientists within 2 to 5 years, often to higher paying positions in other labs.
6. The Budget Committee had discussion on the statutory longevity bonuses for FY 2012. The current statutory provisions of the longevity bonus payment are \$40 per year of service, with a 10-year minimum (\$400), and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008 are not eligible for longevity bonus payments. For FY 2012, the Governor recommends the continuation of the longevity bonus payment program. The recommendation provides for a bonus of \$50 per year of service, with a 10-year minimum (\$500) and a 25-year maximum (\$1,250). The Budget Committee discussed the possibility of reducing the Governor's recommendation for longevity bonus payments from \$50 per year of service to the statutory level of \$40 per year of service for all state agencies for FY 2012.

Senate Subcommittee Report

Agency: Fire Marshal

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 923

Budget Page No. 386

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,579,845	4,524,645	0
Subtotal	\$ 4,579,845	\$ 4,524,645	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 4,579,845	\$ 4,524,645	\$ 0
FTE positions	53.0	48.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	53.0	48.0	0.0

Agency Request

The **agency** requests FY 2012 operating expenditures of \$4,579,845, an increase of \$55,202, or 1.2 percent, above the FY 2011 revised estimate. Of the FY 2012 expenditures, \$3,681,827 are financed by the Fire Marshal Fee Fund, an increase of \$55,202, or 1.5 percent, above the FY 2011 revised estimate. This increase is due to the agency's enhancement request for four replacement vehicles (\$55,200). The entire budget is funded from fee funds and federal funds. The request includes 53.0 FTE positions, no change from the FY 2011 revised estimate.

Governor's Recommendation

The **Governor** recommends FY 2012 expenditures totaling \$4,524,645, which is a decrease of \$55,200, or 1.2 percent, below the agency's request. The decrease is due to the Governor not recommending any of the agency's enhancements. The Governor also recommends reducing the agency's FTE limitation by 5.0 FTE positions, from 53.0 to 48.0 FTE positions for FY 2012. The Governor's recommendation is an increase of \$2, or less than 0.1 percent, above the FY 2011 recommendation.

Appropriations Committee

Date March 9, 2011

Attachment 2-27

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation with the following notation:

1. The Subcommittee notes legislation introduced which would eliminate the State Fire Marshal and transfer statutory duties, responsibilities, and associated funding to other state agencies. The legislation would transfer functions and associated funding as follows: investigative duties to the Kansas Bureau of Investigation; inspection duties to the Division of Facilities Management within the Department of Administration; and hazardous material duties to the Division of Emergency Management within the Adjutant General's Department.

Senate Committee Recommendation

The **Committee** concurs with the Subcommittee's recommendation.

Appropriations Committee

Date March 9, 2011

Attachment 2-28

House Budget Committee Report

Agency: Fire Marshal

Bill No. - -

Bill Sec. - -

Analyst: Klaassen

Analysis Pg. No. 923

Budget Page No. - -

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,579,845	4,524,645	(80,748)
Subtotal	\$ 4,579,845	\$ 4,524,645	\$ (80,748)
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 4,579,845	\$ 4,524,645	\$ (80,748)
FTE positions	53.0	48.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	53.0	48.0	0.0

Agency Request

The **agency** requests FY 2012 operating expenditures of \$4,579,845, an increase of \$55,202, or 1.2 percent, above the FY 2011 revised estimate. Of the FY 2012 expenditures, \$3,681,827 are financed by the Fire Marshal Fee Fund, an increase of \$55,202, or 1.5 percent, above the FY 2011 revised estimate. This increase is due to the agency's enhancement request for four replacement vehicles (\$55,200). The entire budget is funded from fee funds and federal funds. The request includes 53.0 FTE positions, no change from the FY 2011 revised estimate.

Governor's Recommendation

The **Governor** recommends FY 2012 expenditures totaling \$4,524,645, which is a decrease of \$55,200, or 1.2 percent, below the agency's request. The decrease is due to the Governor not recommending any of the agency's enhancements. The Governor also recommends reducing the agency's FTE limitation by 5.0 FTE positions, from 53.0 to 48.0 FTE positions for FY 2012. The Governor's recommendation is an increase of \$2, or less than 0.1 percent, above the FY 2011 recommendation.

Appropriations Committee

Date March 9, 2011

Attachment 2-29

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment and notations:

1. Delete \$80,748, all from the Fire Marshal Fee Fund, to reduce budgeted purchases for paper based supplies from \$150,748 to \$70,000 for FY 2012. The Budget Committee encourages that the agency pursue providing electronic versions of training materials, fire regulations, and other code books to reduce expenditures made to supply and replace these paper based materials.
2. The Budget Committee requests that the agency continue to provide trend data for the safe cigarettes program. The Budget Committee is interested in tracking the progress of the program to see that it is achieving the intended purpose. The agency provided details noting that since July 1, 2010, the agency has completed 1,856 non-fire safe cigarette (Non-FSC) compliance checks, found Non-FSC packages at 565 retailers and 5 wholesalers, and seized a total of 28,946 Non-FSC packages.
3. The Budget Committee recommends the suspension of the statutory requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts to the State General Fund for FY 2012. This would result in an estimated decrease of \$200,000 to the State General Fund for FY 2012. The estimated reduction is based upon funding for the Fire Marshal, Board of Emergency Medical Services, and the KU Fire and Rescue Training Institute. These three agencies each receive part of the 1.25 percent levy on fire insurance premiums. The Fire Marshal receives 0.8 percent, the Board of Emergency Medical Services receives 0.25 percent, KU Fire and Rescue Training Institute receives 0.2 percent, and the \$200,000 is remitted from the total 1.25 percent levy received. House Bill 2368 would eliminate the requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts to the State General Fund.
4. The Budget Committee had discussion on the statutory longevity bonuses for FY 2012. The current statutory provisions of the longevity bonus payment are \$40 per year of service, with a 10-year minimum (\$400), and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008 are not eligible for longevity bonus payments. For FY 2012, the Governor recommends the continuation of the longevity bonus payment program. The recommendation provides for a bonus of \$50 per year of service, with a 10-year minimum (\$500) and a 25-year maximum (\$1,250). The Budget Committee discussed the possibility of reducing the Governor's recommendation for longevity bonus payments from \$50 per year of service to the statutory level of \$40 per year of service for all state agencies for FY 2012.
5. The Budget Committee discussed bomb technicians and that the Highway Patrol was designated as the official bomb response agency for the state. The Committee noted that the Fire Marshal's Office currently has four bomb technicians who also serve as investigators, and encourages the agency to pursue a memorandum of understanding that would allow the Highway Patrol to be assisted by bomb technicians currently with the Fire Marshal's Office.
6. The Budget Committee notes that some equipment that was transferred with the bomb unit to the Highway Patrol was also used for training and other agency operations at the Fire Marshal's Office. The Budget Committee also notes that the agency testified that replacement of some of this equipment would have been requested as an enhancement, but due to the timing of the transfer and submission of the budget request it was not

Appropriations Committee

Date *March 9, 2011*

Attachment: *2-30*

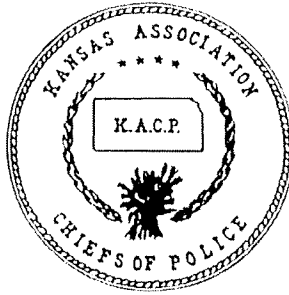
included. The budget request was completed prior to when the current acting State Fire Marshal was appointed to the position.

7. The Budget Committee encourages the agency to review expenditures and find areas in which reductions can be made and savings can be found. The Budget Committee notes that these items should be discussed as part of the budget review next session.

Appropriations Committee

Date March 9, 2011

Attachment 2-31



OFFICERS

Jim Daily
President
Newton Police Dept.

Mike Keller
Vice President
Andover Police Dept.

Sean Wallace
Sergeant at Arms
Ark City Police Dept.

Bob Sage
Treasurer
Rose Hill Police Dept.

James Hill
SACOP Representative
Salina Police Dept.

Todd Ackerman
Immediate Past President
Marysville Police Dept.

Doyle King
Executive Director
KACP

REGIONAL REPRESENTATIVES

Ralph Oliver
Region I
KU Public Safety Dept.

Sam Budreau
Region II
Chanute Police Dept.

Ronnie Grice
Region III
KSU Public Safety Dept.

John Daily
Region IV
Bel Aire Police Dept.

James Braun
Region V
Hays Police Dept.

Vernon Ralston
Region VI
St. John Police Dept.

Kansas House Appropriations Committee
Rep. Mark Rhoades, Chair

REF: Meth Lab Cleanup Funds

Mr. Chairman and Committee Members,

We recently were informed by the Drug Enforcement Agency that COPS Grant funding they have been able to use for the past several years to pay for local meth lab cleanups is no longer available. Effective February 22 there is no federal or state funding for disposing of or cleaning up this critical public health hazard.

Years ago the state funded this cleanup. However, when the federal funding became available through the DEA and the COPS Grants it was possible shift this cost from the state budget. Now, we find ourselves in a position of needing state funding once again. While there is an effort to restore federal funding, we are told that is not likely to happen. As a result, your local agencies need state funding support for these cleanups. It is our intent to continue to assist in pursuing the restoration of federal funds. However, by the time we know if that is successful or not, we will likely be past the point state funds can be authorized.

We are asking for your consideration to provide budgetary authority and the allocation of funding for this purpose. It is our intent that these funds would not be used if we can access federal funding in the future. But we need your help now so we can have an alternative in the likely event the federal funding is not restored. This means we need immediate funding for the remainder of FY2011 and additional funding for FY2012.

The DEA reports they cleaned up 100 labs in Kansas during the last fiscal year at an average cost of \$3640. Clearly this cost will be higher without the benefit of a negotiated contract. It is not reasonable to expect every law enforcement agency in Kansas to negotiate such a contract. About half the agencies can expect to require these services in a given year. The state is clearly in the best position to negotiate the contracts to provide this necessary public safety service. We also believe a statewide contract will reduce the cost much more than local contracts will achieve.

We are aware that this is a difficult time to ask for funding for this need. However, we believe this is clearly a public safety issue of high importance and directly relates to the public safety of all Kansans.

We respectfully request the committee consider support for these funds. The amount needed can best be addressed by the KBI and/or the KDHE. Both have experience in this area and have the data necessary to predict the needs.

Ed Klumpp
Legislative Committee Chair

Appropriations Committee

Date March 9, 2011

Attachment 3

Landon State Office Building
900 SW Jackson Street, Room 1031
Topeka, KS 66612-1228



phone: 785-296-7296
fax: 785-296-6212
www.ksbems.org

Dennis Allin, M.D., Chair
Steven Sutton, Executive Director

**Board of
Emergency Medical Services**

Sam Brownback, Governor

Testimony

Date: March 7, 2011

To: House Appropriations Committee
The Honorable Marc Rhoades, Chairman

From: Steve Sutton, Executive Director

Re: FY 2012 Budget

Chairman Rhoades and members of the House Appropriations Committee, thank you for the opportunity to provide testimony on behalf of the Kansas Board of Emergency Medical Services for the FY 2012 Budget. My name is Steve Sutton, and I am the Executive Director for the Kansas Board of Emergency Medical Services (KBEMS).

Funding Source

SB 312 passed by the 2004 Kansas Legislature gave the Board of EMS permanent funding in the amount of .25% from Premiums from Fire Insurance Premium Receipts. Along with this amount, the Board of Emergency Medical Services through 2008 SB 534, is allowed to keep all fees collected throughout the fiscal year.

Budget Adjustments

As the Executive Director of the Kansas Board of Emergency Medical Services and on their behalf, I am requesting that this Committee give further consideration to the Governor's recommendation of reducing 1.00 FTE position from the Board beginning in FY 2012, which would bring the total number of FTE positions for the Board to 13.00 FTE positions in FY 2012. I would ask that this position be retained.

In February of 2010, the KBEMS' Executive Director resigned. The Board immediately appointed the Deputy Director to serve as Interim Director. As this was a temporary appointment, the Deputy Director position stood vacant during the period of time that the Board conducted a National search for a new Executive Director. This process took approximately eight months.

The duties of this vacant position were prioritized, and high priority tasks were disseminated to other staff. But in doing that, many other tasks including technical assistance and support to ambulance services, training programs, governing entities or the communities that they serve have not received the attention they need during this time of transition. As KBEMS is a small agency, each staff member is responsible for a unique segment. No one else performs the same job. Even though many are cross-trained, losing a position would be detrimental to the functionality of the Board.

Appropriations Committee

Date March 9, 2011

Attachment 4

Since 2009, the Board has been working on revisions to EMS attendants Scope of Practice and the implementation of those changes. The transition from authorized activities to the new scope of practice involves review and revisions of both statutes and regulations that effect EMS education, training, certification, and service operations. The duration of these changes will extend through CY 2015 for individual attendants, EMS Services and EMS educational entities. KBEMS staff is committed to maintaining the level of assistance, support and oversight, in addition to planning, developing implementing and analyzing these industry changes, and having this 14th position is more critical than ever to meet our current and expected obligations.

Legislation

- SB216 - KBEMS Scope of Practice

Regulations

- Education – approximately 28 regulations revised
- Certification – approximately 5 regulations revised
- Operations – approximately 11 regulations revised, 4 new regulations

Thank you for your consideration of maintaining the current level of 14.00 FTE positions for KBEMS in FY 2012. I would be glad to answer any questions or concerns you may have with regard to our request.



Kansas Sheriffs Association

PO Box 1122, Pittsburg, KS 66762

Phone: (620)230-0864

Fax: (620)230-0866

E-mail: ksa@mobill.net

Sheriff Sandy Horton, Executive Director

March 2, 2011

House Appropriations Committee

State Capital

Topeka, Kansas

Attn: Chairman Mark Rhoades

Subject: Meth Lab Cleanup Funding

Dear Chairman Rhoades,

My name is Sheriff Sandy Horton and I am the Executive Director of the Kansas Sheriff's Association. I have also served as the Sheriff of Crawford County for the past 16 years. I am writing today to encourage the approval of State funding for meth lab cleanup in Kansas. As I'm sure you are aware the DEA abruptly, virtually without notice, advised law enforcement nationwide that they no longer had the funds to provide the cleanup service. According to the reports from the KBI, there are about 140-150 meth labs per year reported in Kansas. Information from the DEA indicates about 100 per year require haz-mat cleanup with the average cost per lab cleanup in Kansas of \$3640. Some cost a little less and the cost of larger labs is much higher.

Kansas Sheriffs have experienced the issues with meth labs for over a decade now and have seen the lab clean up funds shift from Federal to State back to Federal and now nothing. A prime example of what we face occurred on February 22nd, 2011 in Pittsburg, Kansas. Two Deputies went to a residence to serve an arrest warrant. What they found, besides the individual with the warrant, was a full working meth lab. Because chemicals had been mixed and were in liquid form it was necessary to call for a haz-mat cleanup crew to remove the liquids. This was a small lab. The cost for the removal service was \$4,000.00. Labs of larger size obviously will cost much, much more.

The costs reported by the DEA will be much higher if local governments have to hire haz-mat disposal companies without contract. The average cost reported by the DEA will be higher and timeliness of the response might also suffer. It is impractical for each city and county to individually negotiate separate contracts. The KBI data indicates about half the counties in Kansas will report a meth lab during a given year. A state contract will provide maximum efficiency and the lowest cost. Since the DEA/COPS Grant funding ended as of February 22, 2011, we respectfully request any FY2011 funding include the ability for retroactive reimbursement for lab cleanups after that date.

Kansas Sheriffs respectfully request funding is provided by the State of Kansas to perform lab cleanup services. Since the DEA/COPS Grant funding ended as of February 22, 2011, we respectfully request any FY2011 funding include the ability for retroactive reimbursement for lab cleanups after that date. No local agency has the resources to do this and without it a **HUGE** public safety and environmental issue will exist.

Respectfully submitted,

Sheriff Sandy Horton

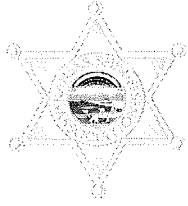
Crawford County Sheriff

Executive Director, Kansas Sheriffs Association

Appropriations Committee

Date March 9, 2011

Attachment 5



Kansas Sheriffs
Association



Kansas Association of
Chiefs of Police



Kansas County & District
Attorneys Association



Kansas Peace Officers
Association

March 1, 2011

To the Kansas Senate Ways and Means and House Appropriations Committee members,

The Kansas County and District Attorneys Association, the Kansas Association of Chiefs of Police, the Kansas Sheriffs Association, and the Kansas Peace Officers Association are growing increasingly concerned about the negative impact to local public safety of reduced funding proposals on the budget of the Kansas Bureau of Investigation. Specifically, we in public safety are concerned about the ability of the KBI to continue a long tradition of supporting local law enforcement. The Kansas Bureau of Investigation's primary law enforcement role is the support of local law enforcement. This is contained in the KBI Mission Statement: "The Kansas Bureau of Investigation is dedicated to providing professional investigative and laboratory services to criminal justice agencies, and the collection and dissemination of criminal justice information to public and private agencies, for the purpose of promoting public safety and the prevention of crime in Kansas." (Emphasis added.)

The KBI was established on July 1, 1939, by an act of the Kansas Legislature. It was clear from the beginning that local law enforcement agencies held the responsibility to investigate criminal activity. In fact, the KBI was born on the premise it would enter local crime investigations only by invitation of the local agencies. It was recognized that many law enforcement agencies in Kansas are not large enough to have the resources necessary to efficiently investigate some types of crimes. Complex crimes do not occur on a regular basis in every law enforcement jurisdiction in Kansas. The KBI has for years been the resource local law enforcement can call on when a criminal investigation requires expertise, personnel, and investigative support beyond local capacity.

Half of Kansas law enforcement agencies have 5 or fewer officers. Seventy-three percent of Kansas law enforcement agencies have ten or fewer officers. Those agencies lack the financial and personnel resources to conduct lengthy complicated investigations. Drug investigations, financial crime investigations, cyber crime investigations, and even some homicide cases, sex offenses, and organized criminal activity exceed the capacity of many local Kansas law enforcement agencies to investigate.

There are only two local law enforcement criminal forensics laboratories in Kansas. While the two largest metropolitan areas have the resources to build and staff their own criminal laboratory capabilities, the other 103 counties in Kansas do not. We must rely on the KBI, regardless of the lack of speed, for laboratory services. And if those services are not there, some criminals will go unpunished.

Appropriations Committee

Date March 9, 2011

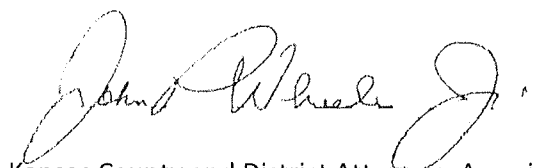
Attachment 4

Over the past several years we have watched as the capacity of the KBI to assist local law enforcement has dwindled to a near catastrophic level. A lack of sufficient field agents to respond quickly to assist in investigations and the lack of timely laboratory criminal forensic examinations and results are just two of the areas where we have seen diminished KBI support. Now we hear rumors of no longer offering local law enforcement the much needed polygraph assistance, cyber crime investigation assistance, and even assistance in drug trafficking investigations other than in task force areas. The backlog of laboratory analysis continues to be problematic. In some cases results are not available when a case is going to trial. Criminal cases must proceed to avoid a dismissal due to the lack of a speedy trial, with or without such evidence. Suspects remain at large awaiting their identification through forensic examination of evidence; free to victimize more Kansans before their eventual identification and arrest. DNA analysis of evidence is backlogged. Firearm forensic examinations are running behind. And latent print analysis results are slow.

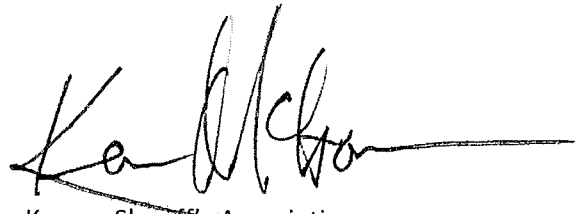
We are aware of the shortage of tax dollars and the never ending requests for what few dollars are available. However, public safety is one of the most primary priorities of government. We ask you to carefully consider funding the KBI at a level that will continue their long tradition of supporting local law enforcement. . . supporting the people of Kansas who live in the less urbanized areas of the state. . . helping local law enforcement respond to victimized Kansans from the areas many of you represent.

The ability of the KBI to support local law enforcement with timely laboratory services, support in complicated and technical investigations, and support in cases where additional resources are needed to stop a criminal from continued attacks on the people of Kansas is key to public safety in Kansas. We know they have to share some level of burden of the shrinking budgets. But we also know we cannot always provide timely and quality investigations Kansans expect in order to bring many of the criminals in Kansas to justice without adequate state law enforcement assistance.

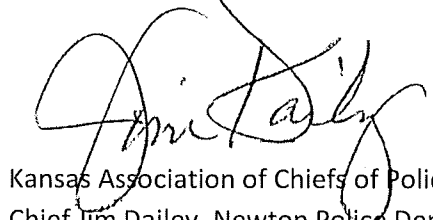
We appreciate your consideration in this matter as you face the monumental fiscal challenges of our state budget.



Kansas County and District Attorneys Association
Finney County Attorney John P. Wheeler, Jr.
President



Kansas Sheriff's Association
Ken McGovern, Douglas County Sheriff
President



Kansas Association of Chiefs of Police
Chief Jim Dailey, Newton Police Department
President



Kansas Peace Officers Association
Steve Culp, Executive Director CPOST
President

FY 2012

HOUSE EDUCATION BUDGET COMMITTEE

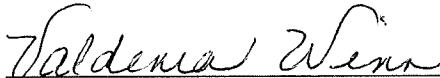
Department of Education



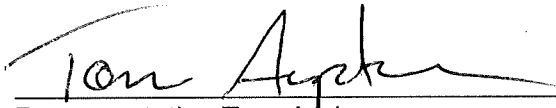
Representative Lana Gordon, Chair



Representative Clay Aurand, Vice-Chair



Representative Valdenia Winn,
Ranking Minority Member



Representative Tom Anke

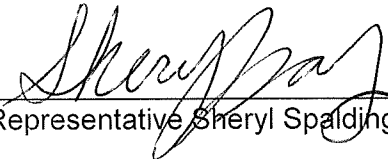


Representative Ward Cassidy

Representative Bill Feuerborn

Representative Brenda Landwehr

Representative Connie O'Brien



Representative Sheryl Spalding

Appropriations Committee

Date March 9, 2011

Attachment 7

House Budget Committee Report

Agency: Department of Education

Bill No. --

Bill Sec. --

Analyst: Cussimano

Analysis Pg. No. --

Budget Page No. 270

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 3,177,419,110	\$ 3,019,278,324	\$ 0
Other Funds	752,971,072	859,959,232	0
Subtotal	\$ 3,930,390,182	\$ 3,879,237,556	\$ 0
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 3,930,390,182	\$ 3,879,237,556	\$ 0
FTE positions	210.3	210.3	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	210.3	210.3	0.0

Agency Estimate

The **agency** estimates an FY 2011 budget of \$3.9 billion, including \$3.2 billion from the State General Fund. This is an all funds increase of \$229.0 million, or 6.2 percent, and a State General Fund increase of \$204.2 million, or 6.9 percent, above the amount approved by the 2010 Legislature. Included in the estimate is a supplemental request of \$72.2 million, all from the State General Fund, for General State Aid, Supplemental General State Aid, and state aid for educational services provided to students confined in juvenile detention facilities and other institutions. Absent the supplemental request, the estimate is an all funds increase of \$156.8 million, or 4.2 percent, and a State General Fund increase of \$132.0 million, or 4.4 percent, above the amount approved by the 2010 Legislature. The State General Fund increase is due to reappropriations totaling \$132.0 million. Of that amount, \$131.8 million was reappropriated in General State Aid, Supplemental General State Aid, and KPERS-School employer contribution payments. Due to the state's financial condition, the payments which were scheduled for June 2010 were delayed and subsequently paid to school districts in July 2010. The increase also includes \$184,882, all from the State General Fund, in reappropriations for Special Education, the Governor's Teaching Award program, and agency operations. The estimate includes funding for 210.3 FTE positions, which is the same as the amount approved by the 2010 Legislature.

Appropriations Committee

Date March 9, 2011

Attachment 7-2

Governor's Recommendation

The **Governor** recommends an FY 2011 budget of \$3.9 billion, including \$3.0 billion from the State General Fund. This is an all funds decrease of \$51.2 million, or 1.3 percent, and a State General Fund decrease of \$158.1 million, or 5.0 percent, below the agency revised FY 2011 estimate. The State General Fund decrease is mainly attributed to the Governor's recommendation to lapse \$85.9 million, all from the State General Fund, for General State Aid and offset the reduction with \$85.9 million in federal Education Jobs (EduJobs) funds. Overall, the state received \$92.5 million in EduJobs funds. Of this amount, \$60,000 is for administrative expenses associated with the funds. The remaining \$6.4 million in EduJobs funds will be distributed directly to school districts under the General State Aid formula. The Governor did not recommend any of the agency's supplemental requests, which total \$72.2 million, all from the State General Fund.

The Governor also recommends deleting \$300,000, all from the Children's Initiatives Fund, to keep the fund solvent due to a decrease in revenues. Of this amount, \$119,630 is from the Kansas Pre-School program, formerly known as the Pre-K Pilot, and \$180,370 is from the Parent Education (Parents As Teachers) program.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments:

1. Delete \$26.5 million, all from the State General Fund, from KPERS-School in FY 2011 for Special Education maintenance of effort under the Individuals with Disabilities Education Act (IDEA) 612(a)(18). Section 612(a)(18) states that a state may not reduce the amount of state financial support for Special Education below the amount of support for the preceding year. Even if a waiver is granted, the higher year of support is still applicable when calculating the maintenance of effort requirement. If the State cannot meet the amount of state financial support for education, a waiver may be requested. The calculation to reach the above dollar amount assumes that in FY 2011 the Department of Education will apply for and be granted a waiver for special education in the same manner in which the application was made, and granted, for FY 2010.
2. Add \$26.5 million, all from the State General Fund, to Special Education for maintenance of effort in FY 2011.

Appropriations Committee

Date March 9, 2011

Attachment 7-3

House Budget Committee Report

Agency: Department of Education

Bill No. --

Bill Sec. --

Analyst: Cussimano

Analysis Pg. No. --

Budget Page No. 270

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 3,573,557,762	\$ 3,010,888,775	\$ 52,287
Other Funds	594,649,538	611,973,938	0
Subtotal	\$ 4,168,207,300	\$ 3,622,862,713	\$ 52,287
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 4,168,207,300	\$ 3,622,862,713	\$ 52,287
FTE positions	210.3	173.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	210.3	173.0	0.0

Agency Request

The **agency** requests an FY 2012 budget of \$4.2 billion, including \$3.6 billion from the State General Fund. This is an all funds increase of \$237.8 million, or 6.1 percent, and a State General Fund increase of \$396.1 million, or 12.5 percent, above the revised FY 2011 estimate. The agency request includes an enhancement request totaling \$457.7 million, including \$457.6 million from the State General Fund. Absent the enhancement, the request would be \$3.7 billion, including \$3.1 billion from the State General Fund. This is an all funds decrease of \$219.8 million, or 5.6 percent, and a State General Fund decrease of \$61.5 million, or 1.9 percent, below the revised FY 2011 estimate. The revised FY 2011 estimate includes \$107.6 million in federal American Recovery and Reinvestment Act (ARRA) funds which are not included in the FY 2012 budget. In addition, the agency included a supplemental request totaling \$72.2 million, all from the State General Fund, in the revised FY 2011 estimate which does not carry forward. These reductions are offset by an increase of \$28.3 million, all from the State General Fund, to cover increases in KPERS-School employer contributions and \$8.3 million, all from the State General Fund, for employee health insurance increases. The request includes 210.3 FTE positions, the same as the revised FY 2011 estimate.

Governor's Recommendation

The **Governor** recommends an FY 2012 budget of \$3.6 billion, including \$3.0 billion from the State General Fund. This is an all funds decrease of \$545.3, or 13.1 percent, and a

Appropriations Committee

Date March 9, 2011

Attachment 7-4

State General Fund decrease of \$562.7 million, or 15.7 percent, below the agency request. The Governor did not recommend any of the agency's enhancement request totaling \$457.7 million, including \$457.6 million from the State General Fund. The Governor also recommended implementing a 5.0 percent reduction in operating expenditures totaling \$554,933, all from the State General Fund. Included in the agency's FY 2011 budget was \$111.3 million in federal ARRA funds which were used to supplant State General Funds in FY 2011. The Governor does recommend replacing any federal ARRA funds with State General Funds in FY 2012. Based on the current estimate of 666,428 for weighted enrollment, the Base State Aid Per Pupil would be reduced from \$3,937 in FY 2011 to \$3,780 in FY 2012. The Governor did recommend an additional \$5.9 million, all from the State General Fund, for special education in order to meet federal maintenance of effort requirements. In addition, the Governor recommends deleting 37.3 vacant FTE positions.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments:

1. Delete \$26.5 million, all from the State General Fund, from General State Aid in FY 2012. This would result in a reduction to Base State Aid Per Pupil of approximately \$40 from \$3,780 to \$3,740 in FY 2012.
2. Add \$26.5 million, all from the State General Fund, to KPERS-School to account for the reduction made in FY 2011 to meet the Special Education maintenance of effort requirement.
3. Add \$52,287, all from the State General Fund, for school food assistance in FY 2012. During FY 2010, \$75,315, all from the State General Fund, was lapsed from the program due to budget reductions. This resulted in a balance of \$2,435,171, all from the State General Fund, in school food assistance for FY 2011 and FY 2012. Based on the matching requirements set forth by the National School Lunch Program, \$2,487,458 is necessary to meet the match requirement for FY 2012. The state match allows approximately \$97.0 million in national school lunch funds to be drawn down from the U.S. Department of Agriculture.

Appropriations Committee

Date March 9, 2011

Attachment 7-5