

SENATE BILL No. 18

By Senator Hensley

1-10

9 AN ACT requiring information regarding services for seniors and their
10 families as part of budget estimates of state agencies and the governor's
11 budget report; amending K.S.A. 2004 Supp. 75-3717 and 75-3721 and
12 repealing the existing sections.
13

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

15 Section 1. K.S.A. 2004 Supp. 75-3717 is hereby amended to read as
16 follows: 75-3717. (a) As provided in this section, each state agency, not
17 later than October 1 of each year, shall file with the division of the budget
18 its budget estimates for the next fiscal year, and all amendments and
19 revisions thereof, except that, in lieu of such annual filing, each agency
20 listed in subsection (f), not later than October 1, 2000, and every two
21 years thereafter, shall file budget estimates for the next fiscal year and
22 for the ensuing fiscal year thereafter. Each agency listed in subsection (f)
23 may file adjustments to such agency's budget that was approved by the
24 legislature during a prior fiscal year. All such budget estimates shall be
25 in the form provided by the director of the budget. Each agency's budget
26 estimates shall include:

27 (1) A full explanation of the agency's request for any appropriations
28 for the expansion of present services or the addition of new activities,
29 including an estimate of the anticipated expenditures for the next fiscal
30 year and for each of the three ensuing fiscal years which would be re-
31 quired to support each expansion of present services or addition of new
32 services as requested by the state agency;

33 (2) a listing of all programs of the agency that provide services for
34 children and their families and the following information regarding each
35 such program: Of the amount of the agency's request for appropriations
36 to fund the program, that amount which will be spent on services for
37 children or families with children and the number of children or families
38 with children who are served by the program; ~~and~~

39 (3) a listing of the sources and amounts of all federal funds received
40 or budgeted for by a state agency for the purpose of homeland security
41 or for the purpose of sustaining, enhancing or improving the safety and
42 security of the state, the amount of such funds budgeted for expenditure
43 on administrative cost and the amount of such funds budgeted for ex-

1 penditure on aid to each unit of local government; *and*

2 (4) *a listing of all programs of the agency that provide services for*
3 *seniors and their families and the following information regarding each*
4 *such program: Of the amount of the agency's request for appropriations*
5 *to fund the program, that amount which will be spent on services for*
6 *seniors or families who provide caregiving for seniors and the number of*
7 *seniors or families who provide caregiving for seniors and the number of*
8 *seniors or families who provide caregiving who are served by the*
9 *program.*

10 (b) At the same time as each state agency submits to the division of
11 the budget a copy of its budget estimate, and all amendments and revi-
12 sions thereof, each such state agency shall submit a copy of such estimate,
13 and all amendments and revisions thereof, directly to the legislative re-
14 search department for legislative use.

15 (c) The director of the budget shall require the agencies to submit a
16 sufficient number of copies of their budget estimates, and all amendments
17 and revisions thereof, to the director's office to satisfy the requirements
18 of such office and one additional copy for legislative use which shall be
19 retained in the division of the budget until the budget of the governor is
20 submitted to the legislature. On or before the day that such budget is
21 submitted to the legislature such legislative use copy, posted to reflect
22 the governor's budget recommendations, shall be submitted to the leg-
23 islative research department for use by the ways and means committee
24 of the senate and the committee on appropriations of the house of rep-
25 resentatives. Following presentation of the governor's budget report to
26 the legislature, the legislative research department may request and shall
27 receive detailed information from the division of the budget on the gov-
28 ernor's budget recommendations.

29 (d) The director of the budget may prepare budget estimates for any
30 state agency failing to file a request.

31 (e) As used in this section, "services for children and their families"
32 includes but is not limited to any of the following services, whether pro-
33 vided directly or made accessible through subsidies or other payments:

34 (1) Financial support for children and families with children or en-
35 forcement of the obligation to support a child or a family with one or
36 more children;

37 (2) prenatal care, health care for children or immunizations for
38 children;

39 (3) mental health or retardation services for children;

40 (4) nutrition for children or families with children or nutritional coun-
41 seling or supplements for pregnant or nursing women;

42 (5) child care, early childhood education or parenting education;

43 (6) licensure or regulation of child care or early childhood education

- 1 programs;
- 2 (7) treatment, counseling or other services to preserve families;
- 3 (8) care, treatment, placement or adoption of children without func-
- 4 tioning families;
- 5 (9) services to prevent child abuse and to treat and protect child
- 6 abuse victims;
- 7 (10) services for children who are pregnant, substance abusers or oth-
- 8 erwise involved in high risk behavior;
- 9 (11) services related to court proceedings involving children; and
- 10 (12) youth employment services.
- 11 (f) *As used in this section, "senior" means an individual 60 years of*
- 12 *age or older and "services for seniors and their families" includes, but is*
- 13 *not limited, to any of the following services, whether such services are*
- 14 *provided directly or made accessible through subsidies or other payments:*
- 15 (1) *Home and community-based services for seniors of relatives pro-*
- 16 *viding caregiving services for seniors;*
- 17 (2) *transportation for seniors or relatives providing caregiving serv-*
- 18 *ices for seniors;*
- 19 (3) *medicaid expenditures for seniors or relatives who provide care-*
- 20 *giving for seniors;*
- 21 (4) *pharmacy expenditures or pharmacy assistance for seniors;*
- 22 (5) *nursing facility expenditures for seniors;*
- 23 (6) *ombudsman expenditures for seniors;*
- 24 (7) *health care for seniors or immunizations for seniors;*
- 25 (8) *mental health or retardation services for seniors;*
- 26 (9) *housing and housing assistance for seniors;*
- 27 (10) *nutrition for seniors or families who provide caregiving for sen-*
- 28 *iors or nutritional counseling;*
- 29 (11) *regulation of senior education programs;*
- 30 (12) *treatment, counseling or other services to preserve families;*
- 31 (13) *services to prevent senior abuse and to treat and protect senior*
- 32 *abuse victims;*
- 33 (14) *services for seniors who are substance abusers or otherwise in-*
- 34 *volved in high-risk behavior;*
- 35 (15) *services related to court proceedings involving seniors; and*
- 36 (16) *senior employment services.*
- 37 (g) On a biennial basis, the following state agencies shall file budget
- 38 estimates under the provisions of subsection (a): Abstracters' board of
- 39 examiners, behavioral sciences regulatory board, board of accountancy,
- 40 board of examiners in optometry, board of nursing, consumer credit com-
- 41 missioner, Kansas board of barbering, Kansas board of examiners in fitting
- 42 and dispensing of hearing aids, Kansas dental board, Kansas real estate
- 43 commission, Kansas state board of cosmetology, office of the securities

1 commissioner of Kansas, real estate appraisal board, state bank commis-
2 sioner, state board of healing arts, state board of mortuary arts, state board
3 of pharmacy, state board of technical professions, state board of veterinary
4 examiners, governmental ethics commission and state department of
5 credit unions.

6 Sec. 2. K.S.A. 2004 Supp. 75-3721 is hereby amended to read as
7 follows: 75-3721. (a) On or before the eighth calendar day of each regular
8 legislative session, the governor shall submit the budget report to the
9 legislature, except that in the case of the regular legislative session im-
10 mediately following the election of a governor who was elected to the
11 office of governor for the first time, that governor shall submit the budget
12 report to the legislature on or before the 21st calendar day of that regular
13 legislative session.

14 (b) The budget report of the governor shall be set up in three parts,
15 the nature and contents of which shall include the following:

16 (1) Part one shall consist of a budget message by such governor, in-
17 cluding the governor's recommendations with reference to the fiscal pol-
18 icy of the state government for the current fiscal year and the ensuing
19 fiscal year, describing the important features of the budget plan for each
20 of the fiscal years included, embracing a general budget summary setting
21 forth the aggregate figures of the budget so as to show the balanced
22 relation between the total proposed expenditures and the total anticipated
23 income for the current fiscal year and the ensuing fiscal year, with the
24 basis and factors upon which the estimates were made, and the means of
25 financing the budget plan for the each of the fiscal years included, com-
26 pared with the corresponding figures for at least the last completed fiscal
27 year, and the director of the budget shall prepare the figures for the
28 governor for such comparisons.

29 (A) The budget plan shall not include (i) any proposed expenditures
30 of anticipated income attributable to proposed legislation that would pro-
31 vide additional revenues from either current or new sources of revenue,
32 or (ii) any proposed expenditures of moneys in the ending balance in the
33 state general fund required by K.S.A. 75-6702, and amendments thereto.

34 (B) The general budget summary may be supported by explanatory
35 schedules or statements, classifying the expenditures contained therein
36 by state agencies, objects, and funds, and the income by state agencies,
37 funds, sources and types. The general budget summary shall include all
38 special or fee funds as well as the state general fund, and shall include
39 the estimated amounts of federal aids, for whatever purpose provided,
40 together with estimated expenditures therefrom.

41 (2) Part two shall embrace the detailed budget estimates for each of
42 the fiscal years included, both of expenditures and revenues, showing the
43 requests of the state agencies, if any, and the incoming governor's rec-

1 ommendations thereon. It shall also include statements of the bonded
2 indebtedness of the state, showing the actual amount of the debt service
3 for at least the last completed fiscal year, and the estimated amount for
4 the current fiscal year and for each of the ensuing fiscal years included,
5 the debt authorized and unissued, and the condition of the sinking funds.

6 (3) Part three shall consist of a draft of a legislative measure or meas-
7 ures reflecting the incoming governor's budget for all of the fiscal years
8 included in the budget report.

9 (c) The division of the budget shall compile a children's budget docu-
10 ment consisting of the information contained in agency budget estimates
11 regarding programs that provide services for children and their families.
12 Such document shall be provided to the Kansas children's cabinet estab-
13 lished by K.S.A. 38-1901, and amendments thereto, and other persons or
14 entities on request.

15 (d) The division of the budget, upon request, shall furnish the gov-
16 ernor or the legislature with any further information required concerning
17 the budget.

18 (e) Nothing in this section shall be construed to restrict or limit the
19 privilege of the governor to present supplemental budget messages or
20 amendments to previous budget messages, which may include proposals
21 for expenditure of new or increased sources of revenue derived from
22 proposed legislation.

23 (f) The budget estimate for the judicial branch of state government
24 as submitted to the director of the budget pursuant to K.S.A. 20-158, and
25 amendments thereto, shall be included in the governor's budget report.

26 (g) The division of the budget shall compile a Kansas homeland se-
27 curity budget document consisting of the information contained in agency
28 budget estimates under subsection (a)(3) of K.S.A. 75-3717, and amend-
29 ments thereto. Such document shall be provided to the house of repre-
30 sentatives committee on appropriations, the senate committee on ways
31 and means and such other committees upon request.

32 (h) *The division of the budget shall compile a seniors' budget docu-*
33 *ment consisting of the information contained in agency budget estimates*
34 *regarding programs that provide services for seniors and their families.*
35 *Such document shall be provided to the senate committee on public health*
36 *and welfare, the house of representatives committee on health and human*
37 *services, and to the department on aging, and the department on social*
38 *and rehabilitation services and to other persons and entities on request.*

39 Sec. 3. K.S.A. 2004 Supp. 75-3717 and 75-3721 are hereby repealed.

40 Sec. 4. This act shall take effect and be in force from and after its
41 publication in the statute book.