

Approved 3-14-83
Date

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by BILL BUNTEN at
Chairperson

8:00 a.m./~~XXX~~ on Friday, March 4, 1983 in room 514-S of the Capitol.

All members were present except: Representative Wisdom -- excused

Committee staff present: Marlin Rein -- Legislative Research
Lyn Entrikin Goering -- Legislative Research
Bill Gilmore -- Legislative Research
Jim Wilson -- Office of the Revisor
LewJene Schneider -- Administrative Assistant
Charlene Wilson -- Committee Secretary

Conferees appearing before the committee:

Others present: (Attachment I).

The meeting was called to order at 8:00 a.m.

The Chairman indicated that the committee would recess at 9:00 and return upon adjournment of the House to finish up today's business.

The Chairman turned to consideration of subcommittee reports.

House Bill 2135, SCHOOL OF THE DEAF FY83.

Representative Duncan reported on this agency. The subcommittee concurs with the Governor's recommendations with some exceptions. (Attachment II). Representative Duncan moved the adoption of the subcommittee report. Seconded by Representative Shriver. The motion carried.

House Bill 2064, Section 2, SCHOOL OF THE DEAF FY84.

Representative Shriver reported on this section. The subcommittee concurs with the Governor's recommendation with some adjustments. (Attachment III). Representative Shriver moved adoption of the subcommittee report. Seconded by Representative Duncan. The motion carried.

House Bill 2135, SCHOOL OF THE VISUALLY HANDICAPPED FY83.

Representative Duncan reported on this area. The subcommittee concurs with the Governor's recommendation with some adjustments. (Attachment IV). Representative Duncan moved the adoption of the subcommittee report. Seconded by Representative Shriver. The motion carried.

House Bill 2064, Section 4, SCHOOL OF THE VISUALLY HANDICAPPED FY84.

Representative Shriver reported on this section. The subcommittee concurs with the Governor's recommendation with some exceptions. (Attachment V). A minority report was filed by Representative Duncan regarding this subcommittee report. (Attachment VI). Representative Shriver moved the adoption of the subcommittee report. Seconded by Representative Heinemann. Representative Duncan made a substitute motion that the minority report be adopted. Seconded by Representative Rolfs. The motion carried. Representative Shriver moved the adoption of the subcommittee report as amended. Seconded by Representative Duncan. The motion carried.

House Bill 2064, Section 2, STATE LIBRARY FY84.

Representative Louis reported on this section. The subcommittee concurs with the Governor's recommendation with some adjustments. (Attachment VII). Representative Louis moved the adoption of the subcommittee report. Seconded by Representative Solbach. The motion carried.

The Chairman turned to consideration of final action on HB2064.

House Bill No. 2064 -- "An Act making and concerning appropriations for the fiscal year ending June 30, 1984, for the state library, department of revenue--school district income tax fund, Kansas state school for the visually handicapped, Kansas state school for the deaf, department of education, advisory council for vocational education, and Kansas public television board; authorizing certain transfers, imposing certain restrictions and limitations, and directing

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,
room 514-S, Statehouse, at 8:00 a.m. ~~p.m.~~ on Friday, March 4, 1983

or authorizing certain receipts and disbursements and acts incidental to the foregoing."

Representative Shriver moved to recommend HB 2064 favorable for passage as amended. Seconded by Representative Meacham. Motion carried.

The Chairman turned to consideration of subcommittee reports on HB 2063.

House Bill 2063, Section 2, JUDICIAL COUNCIL FY84.

Representative Myers reported on this section. The subcommittee concurs with the Governor's recommendation with some exceptions. (Attachment VIII). Representative Myers moved the adoption of the subcommittee report. Seconded by Representative Holderman. Motion carried.

House Bill 2063, Section 3, BOARD OF INDIGENTS' DEFENSE SERVICES FY84.

Representative Myers reported on this section. The subcommittee concurs with the Governor's recommendation with some exceptions. (Attachment IX). Before taking action on this subcommittee report, Chairman Bunten indicated that the committee would recess until adjournment of the House.

The committee resumed business at 11:50 p.m. Following subcommittee explanation of the subcommittee report on Board of Indigents' Defense Services, Representative Myers moved the adoption of the subcommittee report. Seconded by Representative Holderman. Representative Rolfs expressed that he doesn't feel that the state has to pay for the legal services for someone who has committed a crime against the state. Representative Rolfs moved to amend the subcommittee report by the deleting 21% of the FY 84 funding for legal services. This motion was seconded by Representative Miller. Following some committee discussion on this motion the motion lost.

Representative Solbach made a substitute motion to strike item 2 from the subcommittee report. Seconded by Representative Luzzati. The motion lost.

The Chairman referred back to the original motion to adopt the subcommittee report. The motion carried. Representative Rolfs requested being recorded as voting "no" on the motion.

House Bill 2063, Section 5, CRIME VICTIMS REPARATIONS BOARD FY84.

Representative Holderman reported on this section. The subcommittee concurred with the Governor's recommendations with some exceptions. (Attachment X). Representative Holderman moved that the subcommittee report be adopted. Seconded by Representative Chronister. Motion carried.

JUDICIAL BRANCH FY83.

Representative Chronister reported on this section. The subcommittee identified additional reductions for the current year. (Attachment XI). Representative Chronister moved that the subcommittee report be adopted. Seconded by Representative Holderman. Motion carried.

House Bill 2063, Section 4, JUDICIAL BRANCH FY84.

Representative Chronister reported on this section. The subcommittee concurs with the Governor's recommendations with some exceptions. (Attachment XII). Representative Chronister moved the adoption of the subcommittee report. Seconded by Representative Holderman. Motion carried.

The Chairman turned to final action on HB 2063.

House Bill No. 2063 -- "An Act making and concerning appropriations for the fiscal year ending June 30, 1984, for the judicial council, state board of indigents' defense services, judicial branch and crime victims reparations board; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain disbursements and acts incidental to the foregoing."

Representative Arbuthnot moved that House Bill 2063 be reported favorable for passage as amended. Seconded by Representative Farrar. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,
room 514-S, Statehouse, at 8:00 a.m. ~~p.m.~~ on Friday, March 4, 1983.

The Chairman brought to the attention of the committee members a bill draft, 3RS1219, regarding County/City Revenueing Sharing Fund. (Attachment XIII). Representative Duncan moved that the bill be introduced by this committee and be referred back to this committee for consideration. Seconded by Representative Meacham. Motion carried.

The Chairman informed the members of the committee that meetings on Monday, Tuesday and Wednesday of next week will begin at 12:00 noon and run until 2:00. Then will resume following adjournment of the House if necessary. The meeting on Thursday will begin at 12:00 noon and run until 3:30, resuming again at 5:00 if necessary.

The meeting was adjourned at 12:40 p.m.

GUESTS

DATE 3-4-83 9:00

NAME	ADDRESS	REPRESENTING
1. Jim Hays	Topoka	Division of the Budget
2. Lois Snow	Topoka	State Library
3. Dennis F. Johnson	Topoka	✓
4. Cathy Estes	Topoka	St Bd Indignato Dept
5. Ron Hill	"	"
6. Ken Baker	"	CVRB
7. Marjorie VanBuren	"	SIT
8. Jennifer	"	"
9. Alvin Connor	"	Division of the Budget
10. Randy Starred	"	Insurance
11. Jean Harkley	Washburn	KAPS
12. Herb T. Duncan	Topoka	Bank of America
13. Chuck Eubank	"	Washburn
14. Ron Hill	"	Bids
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Atch. I

SUBCOMMITTEE REPORT

Agency: Kansas State School for the Deaf Bill No. 2135 Bill Sec. —
 Analyst: Brown Analysis Pg. No. 19 Budget Pg. No. 3-1

<u>Expenditure Summary</u>	<u>Agency Req. FY 83</u>	<u>Governor's Rec. FY 83</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 3,654,629	\$ 3,578,609	\$ 518
Capital Improvements	1,925,168	1,925,168	
TOTAL	<u>\$ 5,579,797</u>	<u>\$ 5,503,777</u>	<u>\$ 518</u>
State General Fund:			
State Operations	\$ 3,298,408	\$ 3,281,364	\$ (58,458)
Capital Improvements	—	—	
TOTAL	<u>\$ 3,298,408</u>	<u>\$ 3,281,364</u>	<u>\$ (58,458)</u>

Agency Request/Governor's Recommendations

In early February, the School submitted a request for an expenditure limitation increase of \$58,976, comprised of a \$19,175 increase in the Vocational Education Fund - Federal and a \$39,801 increase in the Elementary and Secondary Education Act - Federal Fund. These additional dollars represent both carry over balances and higher than anticipated receipts. The School proposes to use the funds for the purchase of two word processors and drafting equipment for the vocational program, library books, salaries, replacement of an audiometer and purchase of other equipment and materials. Because of the timing of this request, a Governor's budget amendment would be necessary to indicate his recommendation, but one has not yet been issued.

House Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendations with the following adjustments:

1. A \$40,000 reduction in salaries and wages based on anticipated savings.
2. A \$18,458 reduction for utilities; costs in this area have not been as high as the School previously projected.

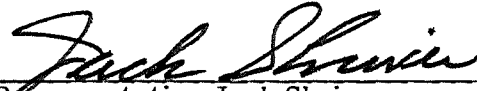
The Subcommittee recommends that these amounts be reappropriated to finance an 8 percent increase for the School's faculty in FY 1984.

3. Increase the expenditure limitation on the federal funds by \$58,976 as requested. The Subcommittee would note that during hearings held at the School, both staff and parents endorsed reinstatement of a summer program that the School conducted once before with federal funds. The Subcommittee believes that this program has merit and would encourage the School to reexamine the proposed use of the additional federal funding to determine if the necessary funds might be diverted to the summer program to better advantage and recommends that the program be internalized into the School's budget in future years. The Subcommittee wants to make it clear, however, that this decision should rest with the School administration and the parents, since the program that is envisioned requires a significant degree of parental involvement and support.

ALC II

Handwritten signature of J. Sanford Duncan in black ink, featuring a large 'JSD' and a long, sweeping underline.

Representative J. Sanford Duncan
Subcommittee Chairman

Handwritten signature of Jack Shriver in black ink, written in a cursive style.

Representative Jack Shriver

Handwritten signature of David Heinemann in black ink, written in a cursive style.

Representative David Heinemann

SUBCOMMITTEE REPORT

Agency: Kansas State School for the Deaf Bill No. 2064 Bill Sec. 5

Analyst: Brown Analysis Pg. No. 19 Budget Pg. No. 3-1

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustment</u>
All Funds:			
State Operations	\$ 4,086,844	\$ 3,800,512	\$ 3,963
Capital Improvements	790,800	737,800	
TOTAL	<u>\$ 4,877,644</u>	<u>\$ 4,538,312</u>	<u>\$ 3,963</u>
State General Fund:			
State Operations	\$ 3,812,554	\$ 3,526,222	\$ 3,963
Capital Improvements	—	—	
TOTAL	<u>\$ 3,812,554</u>	<u>\$ 3,526,222</u>	<u>\$ 3,963</u>
F.T.E. Positions	174.5	173.0	—

House Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendations with the following adjustments:


1. Addition of \$58,458 to finance an 8 percent salary increase for the School's faculty. The Subcommittee believes that teachers at the School should be paid comparably to teachers in surrounding school districts and the 8 percent represents an attempt to compensate for current discrepancies and to anticipate to some degree salary increases for school district teachers in the 1984-85 school year. The Subcommittee would note that this increase is financed through current year savings.
2. A reduction of \$54,495 to remove the 4 percent cost-of-living adjustment for nonfaculty personnel.



Representative J. Santford Duncan
Subcommittee Chairman



Representative Jack Shriver



Representative David Heinemann

Atch. III

SUBCOMMITTEE REPORT

Agency: School for the Visually Handicapped Bill No. 2135 Bill Sec. —

Analyst: Brown Analysis Pg. No. 15 Budget Pg. No. 3-87

<u>Expenditure Summary</u>	<u>Agency Req. FY 83</u>	<u>Governor's Rec. FY 83*</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 1,710,530	\$ 1,698,777	\$ (35,621)
Capital Improvements	69,700	112,500	
TOTAL	<u>\$ 1,780,230</u>	<u>\$ 1,811,277</u>	<u>\$ (35,621)</u>
State General Fund:			
State Operations	\$ 1,652,870	41,641,117	\$ (35,621)
Capital Improvements	—	—	
TOTAL	<u>\$ 1,652,870</u>	<u>\$ 1,641,117</u>	<u>\$ (35,621)</u>

* Includes Governor's Budget Amendment No. 1.

Agency Request/Governor's Recommendation

When the agency initially submitted its budget, it included an FY 1984 request for capital improvement funding to repair the kitchen drain. Subsequently, emergency repair was required to keep the kitchen in operation, at a cost in excess of the original FY 1984 request. These repairs were completed in December and the Governor recommends, in Budget Amendment No. 1, a supplemental appropriation of \$42,800 from the State Institutions Building Fund.

House Subcommittee Recommendation

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

1. Reduction of \$20,621 in salaries and wages, available due to a calculation error. This sum is to be reappropriated to finance an 8 percent teacher salary increase in FY 1984.
2. Reduction of \$20,000 for utilities, based on anticipated savings.
3. Addition of \$5,000 to provide continued student therapy services. The School has recently discontinued purchase of therapy services because it had already exceeded budgeted expenditures in this area.


 Representative J. Santford Duncan
 Subcommittee Chairman


 Representative Jack Shriver


 Representative David Heinemann

Atch. IV

SUBCOMMITTEE REPORT

Agency: School for the Visually Handicapped Bill No. 2064 Bill Sec. 4
 Analyst: Brown Analysis Pg. No. 15 Budget Pg. No. 3-87

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustment</u>
All Funds:			
State Operations	\$ 1,946,948	\$ 1,688,696	\$ 33,804
Capital Improvements	313,700	24,900	27,600
TOTAL	<u>\$ 2,260,648</u>	<u>\$ 1,713,596</u>	<u>\$ 61,404</u>
State General Fund:			
State Operations	\$ 1,900,898	\$ 1,642,646	\$ (9,347)
Capital Improvements	—	—	—
TOTAL	<u>\$ 1,900,898</u>	<u>\$ 1,642,646</u>	<u>\$ (9,347)</u>
F.T.E. Positions	82.4	75.3	2.6

House Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Addition of \$43,151 and 2.6 F.T.E. positions to reinstate the secondary level deaf-blind program. The Subcommittee believes that the School is the most appropriate placement for these students and does not think this program should be eliminated. The School anticipates unbudgeted carryover of federal funds (\$12,358) sufficient to finance one of the needed positions (0.8 F.T.E.). The Subcommittee recommends that the additional financing of \$30,793 be provided through a transfer from Special Education Services Aid and that a proviso be added to the Department of Education's appropriation to that effect. The Subcommittee notes that local school districts are not financially responsible for students who are attending the School and believes this financing mechanism provides appropriate "insurance" for the costs associated with serving this kind of exceptionality.
2. Addition of \$20,621 to finance an 8 percent salary increase for the School's faculty. The Subcommittee believes that teachers at the School should be paid comparably to teachers in surrounding school districts and the 8 percent represents an attempt to compensate for current discrepancies and to anticipate to some degree salary increases for school district teachers in the 1984-85 school year. The Subcommittee would note that this increase is financed through current year savings.
3. Deletion of \$29,968 to remove the 4 percent cost-of-living adjustment for non-teaching personnel.
4. Addition of \$27,600 from the State Institutions Building Fund to replace the stairway in the maintenance building and to provide for roof repair and repair to the retaining wall at the Health Center, as recommended by the Joint Committee on State Building Construction.

Atch. IV

Representative J. Santford Duncan
Subcommittee Chairman


Representative Jack Shriver


Representative David Heinemann

MINORITY REPORT

I concur with the subcommittee report with the following exception:

I concur with the restoration of the deaf-blind program at KSSVH but not the method used to finance this restoration. I disagree with the recommended financing plan for the following reasons:

1. It sets the precedent of paying for programs at a state school from special education funds designed to pay the excess cost of special education to USD's.
2. It appears to relieve school districts of their obligation under Kansas law to educate deaf-blind children in their district or coop or to provide some alternative placement.
3. It requires districts or coops who furnish their own deaf-blind education to pay a portion of the cost for those who do not, and,
4. Most importantly, it does not allow for the payment of full excess cost as previously endorsed by this committee thereby removing funds from programs for children in all areas of exceptionality to pay for children in a single category.

I would note that there are currently funds set aside in the SDOE for deaf-blind education. Of the \$86,400 available in this fund, \$50,400 remain unencumbered at this time. I therefore recommend that the state portion of the restoration be funded from these earmarked funds. I would further note that some method needs to be determined to fix a charge for local school districts who send children to the KSSVH. Two special education directors who attended the subcommittee hearing at the school supported this concept. One, the director from Pratt, noted that they had recently placed a child out-of state at a cost of \$25,000 per year and that this method would be much less costly for them while still providing a program superior to any that they could provide in the district. I therefore recommend that the SDOE investigate the establishment of such a charge during the interim and that they report their findings to the committee not later than January 9, 1984 so that the subcommittee will have this information available for its discussion of the FY 85 budget for the KSSVH.


J. Santriford Duncan

Atch. VI

SUBCOMMITTEE REPORT

Agency: State Library Bill No. 2064 Bill Sec. 2
 Analyst: Efird Analysis Pg. No. 10 Budget Pg. No. 3-45

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 1,186,062	\$ 1,055,840	\$ 2,031
Aid to Local Units	1,516,597	1,414,476	53,000
TOTAL	<u>\$ 2,702,659</u>	<u>\$ 2,470,316</u>	<u>\$ 55,031</u>
State General Fund:			
State Operations	\$ 948,507	\$ 762,492	\$ (19,728)
Aid to Local Units	792,588	744,545	—
TOTAL	<u>\$ 1,741,095</u>	<u>\$ 1,507,036</u>	<u>\$ (19,728)</u>
F.T.E. Positions	24.0	23.0	1.0

FY 1983

The Subcommittee recommends a total State General Fund reduction of \$29,622 in salaries and wages in the current fiscal year. Such savings will be realized, in large part, because of a vacancy in the assistant state librarian position (Librarian III) as well as additional turnover savings in the Reference Services Division. Estimated savings in salaries and wages shall be reappropriated to FY 1984 and the State General Fund appropriation shall be reduced by a like amount.

FY 1984

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

1. Deletion of the \$18,720 for a 4 percent cost-of-living salary increase pending legislative determination of salary policy with respect to all state agencies. Of that amount, \$16,656 is from the State General Fund.
2. Addition of \$750 in travel and subsistence expenses of the Library Reference Services Division. The increased amount will allow the staff the ability to conduct state document depository library inspections and training sessions which represent a responsibility that has been neglected in recent years.
3. Reduction of \$3,822 in the amount budgeted for rental of office space for the Services to the Blind and Physically Handicapped Division. This program will be moved to the School of Library Science at Emporia State University. The Subcommittee learned that a location has been chosen in the basement of the student union. This space will serve the program well in that it is conveniently located near both the post office and a loading dock. The program will acquire 5,000 square feet of space at \$6.50 per square foot as opposed to the budgeted 4,151 square feet of space at \$8.75 per square foot.

Atch. VII

4. An expenditure limitation increase of \$53,000 in federal Title III Library Services and Construction Act funds (LSCA). LSCA funds are somewhat restrictive and are intended to be used for interlibrary cooperation activities. The State Librarian proposes to use the fund for replacement of outdated interlibrary loan communications equipment at 12-15 locations (regional library system centers and city libraries). The equipment to be replaced is from five to ten years old and because the units are no longer being manufactured, service is expensive and operation of the terminals is increasingly unreliable. Modernization of this equipment would allow a more efficient use of interlibrary loan staff time in the participating libraries.

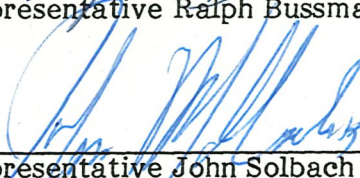
5. An expenditure limitation of \$20,823 for salary and benefits and \$3,000 for other expenses in federal Title III LSCA funds to finance a Librarian I to support the Kansas Library Network Board.



Representative David Louis
Subcommittee Chairman




Representative Ralph Bussman



Representative John Solbach

HOUSE SUBCOMMITTEE REPORT ON HOUSE BILL NO. 2063


Representative Rochelle Chronister
Subcommittee Chairman


Representative James Holderman


Representative John Myers

SUBCOMMITTEE REPORT

Agency: Judicial Council Bill No. 2063 Bill Sec. 2
 Analyst: Galligan Analysis Pg. No. 200 Budget Pg. No. 1-47

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 198,083	\$ 185,131	\$ (3,751)
State General Fund	198,083	185,131	(3,751)
F.T.E. Positions	3.0	3.0	—

Agency Request/Governor's Recommendation

The Council's request of \$198,083 would maintain current operations, allow for seven additional advisory committee meetings, and allow purchase of a desk and table for word processing equipment.

The Governor's recommendation deleted funding for the seven additional meetings, allowed for purchase of the requested table and a work station rather than a desk, and included a 4 percent cost-of-living adjustment to salaries.

House Subcommittee Recommendations

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

1. In accordance with Committee policy, the Subcommittee recommends deletion of \$3,751 budgeted for the 4 percent cost-of-living adjustment.

Additionally, the Subcommittee suggests that the Council determine whether its publications are a duplication of services provided by professional associations or other entities in the state. The Subcommittee also recommends that the Council explore and attempt to obtain alternative funding for publication of its regular and special bulletins. A report on these activities will be expected in the 1984 Session.

The Subcommittee encourages the Council to undertake a study of the appellate court caseload and recommend alternatives for alleviating the growing backlog in the Court of Appeals.

Atch. VIII

SUBCOMMITTEE REPORT

Agency: Board of Indigents' Defense Services Bill No. 2063 Bill Sec. 3
 Analyst: Galligan Analysis Pg. No. 201 Budget Pg. No. 1-135

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 3,908,217	\$ 2,634,898	\$ (37,603)
Other Assistance	254,481	208,100	(7,247)
TOTAL	<u>\$ 4,162,698</u>	<u>\$ 2,842,998</u>	<u>\$ (44,850)</u>
State General Fund:			
State Operations	\$ 3,908,217	\$ 2,634,898	\$ (37,603)
Other Assistance	254,481	208,100	(7,247)
TOTAL	<u>\$ 4,162,698</u>	<u>\$ 2,842,998</u>	<u>\$ (44,850)</u>
F.T.E. Positions	17.0	17.0	—

Agency Request/Governor's Recommendation

The agency's request for FY 1984 includes operation of the administrative office, three public defender offices, funding for assigned council and Legal Services for Prisoners, Inc. New requests include a memory typewriter and shelving for the administrative office, a brief binder and dictation equipment for the third district public defender office, and an additional attorney and associated operating expenses for the eighth district public defender office. The Board also requested funding to support an increase in the rates paid assigned council for defense of indigents. The request for Legal Services for Prisoners, Inc. includes addition of one full-time attorney at Kansas State Penitentiary and an increase from half-time to full-time of a secretary.

The Governor's recommendation did not include funding for the new positions either in the public defender office or Legal Services for Prisoners. Also deleted from the request was funding for the brief binder and dictation equipment. The Governor recommended \$2,081,599 for assigned council expenses, which is \$149,338 less than the FY 1983 recommendation. The Governor's total recommendation for the agency represents a 3.2 percent reduction from the FY 1983 recommended expenditure level.

House Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. In accordance with Committee policy, the Subcommittee recommends deletion of \$23,859 budgeted for the cost-of-living adjustment. Of that amount, \$7,247 was budgeted for employees of Legal Services for Prisoners, Inc.
2. Reduction of \$20,000 budgeted for assigned council.
3. Reappropriation of \$50,000 anticipated FY 1983 savings of assigned council expenditures to reduce the FY 1984 appropriation.

REH. IV

4. Deletion of \$2,271 from the amount budgeted for attorney and consultant services in administration.
5. Addition of \$1,280 for purchase of a memory typewriter.
6. Use of the \$3,408 budgeted for purchase of a word processor to continue purchase of computer services from DISC. The Subcommittee learned that the current program used to compile data and generate the agency's regular reports is inadequate and results in distortions of claims data. It was also noted that there is a need for more and better information on case types and costs for agency planning and budgeting purposes.

Additionally, the Subcommittee strongly recommends that the Board develop guidelines for indigency and partial indigency in order to allow recoupment of the maximum amount possible. The Subcommittee learned that in the current year the agency anticipates receiving approximately \$6,000 in repayment of defense expenditures on 6,500 claims. Even \$20 per claim collected on a portion of the total would be a significant step.

The Subcommittee supports passage of S.B. 83 during this legislative session. Enactment of the bill would make repayment of amounts spent by the Board on defense services a condition of probation or suspended sentence except in cases of severe hardship.

SUBCOMMITTEE REPORT

Agency: Crime Victims Reparations Board Bill No. 2063 Bill Sec. 5
 Analyst: Galligan Analysis Pg. No. 209 Budget Pg. No. 4-43

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 107,865	\$ 99,841	\$ (3,577)
General Fees Fund	—	—	—
Federal Preventive Health and Health Services Block Grant	—	—	—
Subtotal - Operating	<u>\$ 107,865</u>	<u>\$ 99,841</u>	<u>\$ (3,577)</u>
Other Assistance, Grants, and Benefits:			
State General Fund	\$ 42,135	—	—
General Fees Fund	288,615	\$ 330,750	—
Federal Preventive Health and Health Services Block Grant	—	30,816	—
Subtotal - Other Assistance	<u>\$ 330,750</u>	<u>\$ 361,566</u>	<u>—</u>
TOTAL	<u>\$ 438,615</u>	<u>\$ 461,407</u>	<u>\$ (3,577)</u>
F.T.E. Positions	3.0	3.0	—

Agency Request/Governor's Recommendation

The agency's FY 1984 request is a 26.9 percent increase over the current year estimate of expenditures. The request would maintain the current staffing level and number of board meetings and would allow for a 28 percent increase in claims payments. The request includes a 36.3 percent decrease in support from the State General Fund for claims payments. This decrease is possible because of a law enacted by the 1982 Legislature that earmarks \$1.00 of certain docket fees for the Crime Victims Reparation Fund.

The Governor's recommendation for FY 1984 includes adjustments to operating expenditures, payment of claims solely from the fee fund, and expenditure of federal Preventive Health and Health Services Block Grant funds. The federal funds are only to be used for services to rape victims and for rape prevention.

House Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Deletion of the \$2,617 budgeted for cost-of-living adjustment.
2. Deletion of \$960 budgeted for reclassification of the Investigator.
3. Reappropriation of an anticipated \$1,990 savings from FY 1983 operations to reduce the FY 1984 State General Fund appropriation.

AGH

Additionally, the Subcommittee notes that the current projection of receipts from docket fees indicates that the budgeted expenditures will deplete the fund by the end of FY 1984. This will result in a need to supplement the claims budget with State General Funds during FY 1985 in order to maintain the current level of payments.

Further, the Subcommittee strongly recommends that the Board monitor its administrative costs in order to ensure that expenditures are kept to a minimum.

SUBCOMMITTEE REPORT

Agency: Judicial Branch Bill No. _____ Bill Sec. _____
 Analyst: Galligan Analysis Pg. No. 204 Budget Pg. No. 1-49

<u>Expenditure Summary</u>	<u>Agency Req. FY 83</u>	<u>Governor's Rec. FY 83</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 34,273,829	\$ 33,732,545	\$ (233,000)
State General Fund	34,131,847	33,590,563	(233,000)
F.T.E. Positions:			
Appellate Court			
Justices and Judges	14.0	14.0	—
District Court			
Judges	212.5	212.5	—
Nonjudicial Personnel	1,328.5	1,328.5	—

Agency Request/Governor's Recommendation

The Court's revised estimate of FY 1983 expenditures is \$260,177 less than the level authorized by the 1982 Legislature. Areas of reduction identified by the Court include savings in health insurance premiums due to an overestimate of costs a year ago, and \$85,439 in other operating expenditures. Additional savings in the current year that were to be achieved through imposition of a hiring freeze were not identified in the estimate.

The Governor's recommendation for FY 1983, as implemented by S.B. 54, reduced the Court's appropriation by \$801,460, which is \$541,283 more than the savings identified in the estimate. The bulk of the additional reduction was the FY 1983 merit pool and vacancy savings resulting from the hiring freeze.

House Subcommittee Recommendation

After reviewing seven month's expenditure data, the Subcommittee identified the following additional reductions in the current year:

<u>Subprogram</u>	<u>Amount</u>	<u>Object</u>
Office of Judicial Administration	\$ 12,000	Data processing
	27,000	Salaries and wages
	25,000	Other operating expenses
Clerk of Appellate Courts	10,000	Salaries and wages
	5,000	Other operating expenses
Appellate Reporter	30,000	Printing and advertising
Judges of the District Court	100,000	Salaries and wages
	24,000	Assigned judges' pay*
TOTAL	<u>\$233,000</u>	

* This amount is shown in the Court's budget document as salaries and wages, but was included in the line item appropriation for other operating expenses. The Subcommittee learned that the Court, while making numerous assignments during the current year, has paid retired judges serving temporarily on the bench from the salaries and wages appropriation. Thus, it appears that this amount will not be needed during the current year and its deletion will not adversely effect the Court's ability to utilize retired judges.

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The Subcommittee recommends that the amounts identified above be reappropriated to reduce the FY 1984 appropriation. The Subcommittee commends the Court for its efforts toward voluntary compliance with the Governor's request for a 4 percent reduction in expenditures. However, the Subcommittee notes that the actual reductions were less than 4 percent and that some additional savings can be achieved during the current fiscal year.

SUBCOMMITTEE REPORT

Agency: Judicial Branch Bill No. 2063 Bill Sec. 4
 Analyst: Galligan Analysis Pg. No. 204 Budget Pg. No. 1-49

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 39,874,880	\$ 35,806,435	\$ (1,333,193)
State General Fund	39,662,252	35,594,402	(1,358,282)
F.T.E. Positions:			
Appellate Court Justices and Judges	17.0	14.0	—
District Court Judges	214.5	212.5	—
Nonjudicial Personnel	1,342.5	1,328.5	(3.0)

Agency Request/Governor's Recommendation

The Court's request for FY 1984 includes three new judges of the Court of Appeals, two new district court judges, and 14 new nonjudicial employees. The request also includes expansion of services provided by the Supreme Court Law Library, new projects in judicial education, development of a microcomputer software program for the district courts, and reclassifications and upgrades for certain district court personnel.

The Governor's recommendation would allow a 6.1 percent increase in expenditures over the FY 1983 level. The Governor did not recommend funding of any of the requested new positions, nor were the library, computer or education projects recommended. Funding for reclassification of 21 district court personnel was recommended, but the funding for upgrades was deleted.

House Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. A reduction of \$25,000 from State General Funds budgeted for the Supreme Court Law Library, other operating expenditures. In order to offset this reduction, the Subcommittee is recommending an equal increase in the expenditure limitation of the Library Report Fee Fund. The Subcommittee notes that the prices for the Kansas Reports were increased prior to the start of FY 1983 and that there is no apparent necessity for a large balance in this fee fund. The adjustment recommended should leave a balance of \$19,659 in the fund at the end of FY 1984 if receipts equal the Court's estimate of \$120,000 during FY 1984. The Subcommittee notes that the Governor's recommendation for the Law Library includes \$10,000 for the reprinting of two volumes of the Kansas Reports, and specifically endorses that project.
2. Deletion of 3 F.T.E. Court Service Officer positions.

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3. In accordance with Committee policy, a reduction of \$1,251,593 budgeted for cost-of-living adjustments. Of this amount \$1,251,368 is State General Funds and \$225 is from the Bar Admission Fee Fund.
4. A reduction of \$32,963 from the amount budgeted for travel and subsistence in the Appellate and District Court programs. The reduction will allow an aggregate increase of 7 percent over the Governor's recommended FY 1983 levels in each of the programs. This increase is recommended, despite the fact that no reimbursement rate increases are anticipated for FY 1984, in recognition of the Court's apparent need to increase cross assignment of active judges and utilization of retired judges in both district and appellate courts. The recommended travel and subsistence expenditures by subprogram are as follows:

<u>Program/ Subprogram</u>	<u>Governor's Rec. FY 83</u>	<u>Subcommittee Rec. FY 84</u>
Supreme Court	\$ 11,265	\$ 16,082
Court of Appeals	27,391	29,308
Office of Judicial Administration	13,945	12,145
Clerk of Appellate Courts	3,760	3,000
Appellate Reporter	--	713
Law Library	2,400	1,627
District Court	280,744	300,396

5. A reduction of \$2,642 from the amount budgeted for computer assigned legal research. The Subcommittee learned that this service is seldom utilized by the research attorneys. The reduction will leave \$500 available for the service in FY 1984.
6. A reduction of \$32,400 from the amount budgeted for printing in the Appellate Reporter's office. This will allow expenditure of \$162,447 during FY 1984 for the printing of the appellate courts' opinions, an 8 percent increase over the amount recommended by the Subcommittee for FY 1983.
7. A reduction of \$16,875 from the amount budgeted for automated data processing expenses of the Office of Judicial Administration. This amount will allow a 15 percent increase over the amount recommended by the Subcommittee for FY 1983. The Subcommittee learned that DISC revised its estimate of rate increases downward to 12-15 percent from the 20 percent that agencies were directed to use in developing their budgets.
8. A technical adjustment that results in an increase of \$314 in the amount budgeted for salaries and wages from the Bar Admission Fee Fund for the half-time clerk's salary.
9. That the 1982 appropriation bill format be utilized as opposed to the format recommended by the Governor. The Subcommittee recommends that the appropriation for assigned judges' pay be included as a separate line item.

Additionally, the Subcommittee makes the following recommendations:

1. That the balance in the Court Reporter Fee Fund be examined in light of its apparent decline, in order to determine whether a change in the fee schedule will be necessary during FY 1984.
2. That the Judicial Branch complete its study of the use of electronic recording devices in the district courts as soon as possible so that a systematic evaluation of their cost effectiveness can be made. The Subcommittee will expect to review the study during the 1984 Session. The Subcommittee encourages the Legislature to consider appropriating funds for FY 1985 for the purchase of electronic recording equipment for the district courts as a means of reducing personnel costs. The Subcommittee recognizes that these costs would usually be borne by the counties, but feels that potential savings for the State General Fund may justify the expenditure for equipment.
3. That the legislature consider establishing a means of generating revenue adequate to ensure an ongoing program of judicial education. The Subcommittee recognizes the impact of the loss of federal funds formerly available for judicial education and the fact that currently 23 new judges have not had an opportunity to receive any intensive training. The Subcommittee also recommends that the Court develop specific plans for providing various kinds of judicial education both in-state and by sending members of the judiciary to out-of-state training.
4. The Subcommittee is concerned that the partial hiring freeze that the Court will apparently maintain during FY 1984 may have an adverse impact on the operations of the judicial system. The Subcommittee notes that nearly all of the cuts in the Judicial Branch came from a nonjudicial personnel hiring freeze. The Subcommittee suggests that the Court undertake an in-depth evaluation of its nonjudicial personnel needs across the state with special attention directed toward possible reorganizations or reassignments, necessary to maintain essential services and functions.

PROPOSED BILL NO. _____

For Consideration by House Committee on Ways and Means

AN ACT relating to the county and city revenue sharing fund; concerning the use of population figures in the allocation of moneys therefrom; amending K.S.A. 1982 Supp. 79-2965 and repealing the existing section.

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

Section. 1. K.S.A. 1982 Supp. 79-2965 is hereby amended to read as follows: 79-2965. (a) The state treasurer shall make a determination of the total amount of each county's entitlement from the county and city revenue sharing fund for each year prior to the first distribution from ~~said~~ the fund in that year.

(b) In making ~~said~~ the determination, the state treasurer shall allocate the total amount to be transferred to the county and city revenue sharing fund for distribution in that year, exclusive of ~~six-hundred--thousand--dollars--(\$600,000)~~ \$600,000 which amount shall be designated ~~hereinafter~~ as the deficiency equalization amount, in the following manner: (1) Sixty-five percent ~~(65%)~~ of ~~said~~ such amount shall be allocated on the basis of the population figures of the counties ~~as-reported-in-the-last~~ preceding--annual--enumeration--of-the-state-board-of-agriculture certified to the secretary of state pursuant to K.S.A. 11-201 and amendments thereto on July 1 of the preceding year, and (2) the remaining ~~thirty-five-percent-(35%)~~ 35% shall be allocated on the basis of the equalized assessed tangible valuations on the tax rolls of the counties on November 1 of the preceding year as certified by the director of property valuation.

(c) In any year when a county's portion determined under the ~~following~~ formula in subsection (b) added to the amount that county receives from the local ad valorem tax reduction fund for such year is less than the total of each distribution made to

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said that county in the state's fiscal year 1977 from the local ad valorem tax reduction fund, the alcoholic liquor control enforcement fund and revenue collected from the sale of cigarette tax indicia, the difference between said such amounts shall be allocated to that county from the deficiency equalization amount.

(d) Any portion of the deficiency equalization amount not allocated as provided in ~~the foregoing provision~~ subsection (c) shall be allocated among all of the counties according to the formula using population and equalized assessed tangible valuation as ~~hereinbefore~~ prescribed in subsection (b).

(e) The total amount allocated to a county under the provisions of this section for any year shall be deemed to be that county's entitlement from the county and city revenue sharing fund for that year.

Sec. 2. K.S.A. 1982 Supp. 79-2965 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.