

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND Means

The meeting was called to order by BILL BUNTEN at  
Chairperson

1:45 ~~xxx~~ p.m. on Monday, March 28, 1983 in room 514-S of the Capitol.

All members were present except:

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 by Chairman Bunten at 1:45 p.m.

The Chairman turned to consideration of subcommittee reports.

Senate Bill 110, Section 2, PENSIONS FY1984.

Representative Arbuthnot reported on this section. The House subcommittee concurs with the Governor's recommendations. (Attachment II). Representative Arbuthnot moved the adoption of the subcommittee report. Seconded by Representative Myers. The motion carried.

Senate Bill 153, HOMESTEAD PROPERTY TAX REFUNDS FY83.

Representative Miller reported on this section. The House subcommittee concurs with the Senate recommendation. (Attachment III). Representative Miller moved the adoption of the subcommittee report. Seconded by Representative Rolfs. The motion carried.

Senate Bill 110, Section 3, HOMESTEAD PROPERTY TAX REFUNDS FY84.

Representative Miller reported on this section. The House subcommittee concurs with the Senate recommendations. (Attachment IV). Representative Miller moved the adoption of the subcommittee report. Seconded by Representative Heinemann. The motion carried.

Senate Bill 153, SOCIAL AND REHABILITATION SERVICES FY83.

Representative Arbuthnot reported on this section. The House subcommittee concurs with the Senate recommendations with some adjustments. (Attachment V). Representative Arbuthnot moved the adoption of the subcommittee report. Seconded by Representative Hamm. The motion carried.

Senate Bill 110, Section 4, SOCIAL AND REHABILITATION SERVICES FY84.

Representative Arbuthnot reviewed this section for the committee. The House subcommittee concurs with the Governor's recommendations with some adjustments. The House subcommittee also adopted the Governor's Budget Amendment No. 3. (Attachment VI).

A minority report was also included with this subcommittee report by Representatives Luzzati and Hamm. Representative Hamm moved the adoption of the minority report. Seconded by Representative Luzzati. The Chairman ruled that voting on the minority report would be divided between item 1 and item 2.

Regarding item 1 of the minority report concerning deleting item 2 from the subcommittee report, the motion carried.

Regarding item 2 of the minority report concerning deleting item 7 from the subcommittee report, the motion carried.

Several concerns were expressed dealing with expenditures for substance abuse services given the increases to the general fund deposits from private club taxation in FY84. Representative Heinemann stated that he was of the opinion that services to alcohol abuse treatment programs should be given a higher

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,  
 room 514-S, Statehouse, at 1:45 ~~XXXX~~ p.m. on Monday, March 28, 1983

priority with this money than is indicated by this budget.

Due to these concerns expressed by several members of the committee, Chairman Bunten ruled that action on this subcommittee report would be deferred until later in the meeting to allow ample time to formulate appropriate recommendations to address these concerns.

Senate Bill 153, Section 7, DEPARTMENT OF HEALTH AND ENVIRONMENT FY83.  
Representative Shriver reported on this section. The House subcommittee concurs with the Senate recommendations with some adjustments. (Attachment VIII).  
Representative Shriver moved the adoption of the subcommittee report. Representative Heinemann seconded. The motion carried.

Senate Bill 110, Section 5, DEPARTMENT OF HEALTH AND ENVIRONMENT FY84.  
Representative Duncan reported on this section. The House subcommittee concurs with the Senate recommendations with some adjustments. (Attachment IX). The subcommittee also recommended the introduction of legislation, as indicated in item 21 of the subcommittee report. (Attachment X). With the adoption of this subcommittee report the legislation will be introduced.

Regarding item 21 of the subcommittee report, a copy of a letter that was sent to the Secretary of Health and Environment was provided for the members of the committee. (Attachment XI).

Following considerable committee discussion with regards to item 21 of the subcommittee report, Representative Farrar moved to delete item 21 from the report. Seconded by Representative Bunten. The motion lost.

Representative Duncan moved the adoption of the subcommittee report. Seconded by Representative Shriver. The motion carried.

The Chairman returned to consideration of the subcommittee report on SRS, FY84.

Representative Heinemann moved the addition of \$1.1 million from the General Fund to finance substance abuse treatment in hospitals on behalf of the general assistance population. The motion was seconded by Representative Wisdom.  
It should be noted that 1982 charges to private club beverage taxes will increase FY84 General Fund receipts by approximately \$2.3 million. The motion carried.

Having voted on the prevailing side in earlier consideration of the minority report on SRS, FY84, Representative Holderman moved that the \$3.5 million deleted in item 2 of the subcommittee report, be restored. Seconded by Representative Myers. The motion carried.

Representative Holderman moved that item 1 of the minority report be adopted. Seconded by Representative Luzzati. The motion lost. 11-10.

Representative Arbuthnot moved the adoption of the FY84 SRS subcommittee report as amended. Seconded by Representative Bunten. The motion carried.

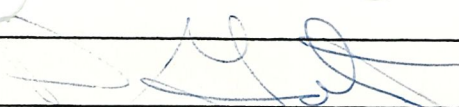
The Chairman turned to final action on SB 110.

Senate Bill No. 110 -- "An Act making and concerning appropriations for the fiscal year ending June 30, 1984, for pensions, the department of revenue--homestead property tax refunds, department of social and rehabilitation services, department of health and environment, and department on aging; authorizing certain transfers and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing."

Representative Dyck moved the SB 110 be reported favorable for passage as amended. Seconded by Representative Shriver. The motion carried.

The Chairman announced that the committee would be meeting tomorrow at 8:00 a.m. and again upon first adjournment of the House.

The meeting was adjourned at 4:00 p.m.

NAME	ADDRESS	REPRESENTING
1. 	HHS	
2. F. POPE JOY	E. M. S.	
3. Al Demmitt	Wichita	Responsible Ems Council
4. Ted McFarlane	Lawrence	Ks. Assn. of Ems Administrators
5. Darris T. McCauley	Hays	Region 1 EMS
6. Ruth Groves	Topeka	KCCy - A922
7. Lenn Messer	Topeka	K. U. H.E.
8. Barbara Sabel	Topeka	K. S. H.E.
9. Bruce Scherer	Lawrence	AP
10. Robert C. Hurd	Topeka	SRS
11. Chuck Stenerson	Topeka	SRS
12. Aileen Whitfill	Topeka	SRS
13. Rebecca Krupper	"	Ks. Hosp. Assoc.
14. Bill Henry	"	Ks. Engineers "
15. Dick Hummel	"	Ks. Health Care Assn
16. Julia Lambert	Topeka	KU Student
17. Don Unruh	Wichita	WSU Student
18. Vicky Raine	Wichita	WSU Student
19. Tara R. Oelkers	Wichita	WSU - SGA
20. Nikki Schrag	Wichita	WSU - SGA
21. Jeff Oakes	" "	WSU - SGA
22. Lisa H. Rybsha	Wichita	WSU - SGA
23. David Koh	Topeka	you - Intern
24. Sherman A. Pank, Jr.	Topeka	KANSAS Chiropractic Assn.
25.		

SUBCOMMITTEE REPORT

Agency: Pensions Bill No. 110 Bill Sec. 2

Analyst: Hauke Analysis Pg. No. 392 Budget Pg. No. 2-37

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
Other Assistance, Grants, and Benefits:			
All Funds	\$ 9,832	\$ 9,232	\$ —
State General Fund	9,832	9,232	—

Senate Subcommittee Recommendations


The Senate Subcommittee concurs with the Governor's recommendations.

Senate Committee Recommendation

The Senate Committee concurs with the Governor's recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the Governor's recommendation.

  
Representative Bob Arbuthnot,  
 Subcommittee Chairman

Atch. II

SUBCOMMITTEE REPORT

Agency: Homestead Property Tax Refunds Bill No. 153 Bill Sec. —  
 Analyst: Efird Analysis Pg. No. 393 Budget Pg. No. 2-39

<u>Expenditure Summary</u>	<u>Agency Req. FY 83</u>	<u>Governor's Rec. FY 83*</u>	<u>Subcommittee Adjustments</u>
State General Fund: Other Benefits	\$ 8,800,000	\$ 8,900,000	—

\* Includes funding recommended in Governor's Budget Amendment No. 1.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommended expenditures of \$8,900,000. That amount is \$500,000 higher than the amount appropriated by the 1982 Legislature. The Consensus Revenue Estimating Group estimates \$8,900,000 of refunds in the current fiscal year.

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee recommendation.

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendation.

  
 Rep. R. E. Arbuthnot, Subcommittee  
 Chairman

  
 Rep. Bill Bunten

  
 Rep. Lee Hamm

  
 Rep. Ruth Luzzati

  
 Rep. R. H. Miller

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SUBCOMMITTEE REPORT

Agency: Homestead Property Tax Refunds Bill No. 110 Bill Sec. 3  
 Analyst: Efird Analysis Pg. No. 393 Budget Pg. No. 2-39

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State General Fund:			
Other Assistance	\$ 8,600,000	\$ 8,600,000	—

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommended expenditures. The Consensus Revenue Estimating Group estimates \$8,600,000 of refunds in FY 1984.


Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee recommendation.

House Subcommittee Recommendation


The House Subcommittee concurs with the Senate recommendation.

  
 Rep. R. E. Arbuthnot, Subcommittee  
 Chairman

  
 Rep. Bill Bunten

  
 Rep. Lee Hamm

  
 Rep. Ruth Luzzati

  
 Rep. R. H. Miller

Atch. IV

SUBCOMMITTEE REPORT

Agency: Social and Rehabilitation Services Bill No. 153 Bill Sec. —

Analyst: Hauke Analysis Pg. No. 393 Budget Pg. No. 2-41

<u>Expenditure Summary</u>	<u>Agency Req. FY 83</u>	<u>Governor's Rec. FY 83*</u>	<u>Subcommittee Adjustments</u>
<u>All Funds:</u>			
State Operations	\$ 85,910,217	\$ 84,551,916	\$ —
Other Assistance	405,794,395	407,543,032	1,975,115
Operating Expenditures	\$491,704,612	\$492,094,948	\$ 1,975,115
Capital Improvements	275,490	275,490	—
TOTAL	<u>\$491,980,102</u>	<u>\$492,370,438</u>	<u>\$ 1,975,115</u>
<u>State General Fund:</u>			
State Operations	\$ 35,706,349	\$ 34,722,937	\$ —
Other Assistance	193,361,260	197,861,436	761,000
Operating Expenditures	\$229,067,609	\$232,584,373	\$ 761,000
Capital Improvements	—	—	—
TOTAL	<u>\$229,067,609</u>	<u>\$232,584,373</u>	<u>\$ 761,000</u>
F.T.E. Positions	2,657.1	2,657.1	—

\* Includes Governor's Budget Amendment No. 2.

Senate Subcommittee Recommendations

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

1. The Subcommittee concurs with budgetary recommendations contained in Governor's Budget Amendment No. 2, although the Subcommittee's programmatic recommendations concerning General Assistance differ from those of the Governor. Specifically, adoption of that Budget Amendment includes the following items:
  - a. Supplemental appropriation of \$7,477,120 to finance shortfalls in General Assistance.
  - b. Supplemental appropriation of \$8,629,468 to finance shortfalls in Aid to Dependent Children, of which \$4,037,759 would be from the General Fund and \$4,591,709 would be from Federal Title IV-A funds.
  - c. Increased Medical Assistance expenditures of \$2,624,445, of which \$1,527,871 would be a State General Fund appropriation and \$1,948,098 would be from the SRS Fee Fund. Those increases are partially offset by a decrease of \$851,524 in estimated expenditures from Title XIX funds.
  - d. Authorization of \$22,863 in federal CETA funds to allow SRS to implement a Community Work Experience Program for public assistance clients.

*Atch. IV*

- e. Authorization of \$70,145 in federal U.S.D.A. funds to implement a job search program among food stamp recipients.
2. The Subcommittee does not concur with the Governor's recommendation that able bodied General Assistance clients, between ages 18 and 51, be terminated from assistance. The Subcommittee recommends that persons in this category receive a maximum monthly cash grant of \$100 and remain eligible for a limited program of Medical Assistance. The Subcommittee's recommendations concerning GA are discussed in additional detail as a part of the FY 1984 report. During FY 1983, the Subcommittee recommendations would require additional expenditures of \$1,320,000, for monthly grants of \$100 to approximately 4,400 persons. This increase is offset by deletion of \$559,000, which is contained in the Governor's recommendations to make an annual transitional payment of \$100 to those persons who would be removed from assistance. Consequently, the total increase to the Governor's recommendation is \$761,000, all of which is from the General Fund. This recommendation when combined with Governor's Budget Amendment No. 2 would result in total GA expenditures of \$20,948,432.
3. The Subcommittee learned that additional federal Low Income Energy Assistance Block Grant funds are anticipated to be available. It now appears that \$15.1 million will be available for LIEAP grants and weatherization. The Subcommittee recommends that the expenditure limitation on the LIEAP Block Grant be increased by \$1,214,115. This increase can be accomplished by changing the authorization on this fund to no limit.
4. The Subcommittee recommends inclusion of technical adjustments to S.B. 153, which will accurately reflect the Governor's recommendations. These technical adjustments were contained in a letter from the Division of the Budget, dated February 11, 1983 and are as follows:
  - a. increase the expenditure limitation on the Social Service Block Grant by \$859,516 (from \$26,610,198 to \$27,469,714); and
  - b. increase the expenditure limitation on the Alcohol, Drug Abuse and Mental Health Block Grant by \$82,777 (from \$1,898,802 to \$1,981,579).

Those expenditures were included in the Governor's budgetary recommendations but were inadvertently excluded from the appropriations bill.

#### Senate Committee Recommendations

The Senate Committee concurs with the Subcommittee recommendations.



House Subcommittee Recommendations

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1983</u>	<u>Senate Total Rec. FY 1983</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
<b>All Funds:</b>			
State Operations	\$ —	\$ 84,551,916	\$ 427,000
Other Assistance	1,975,115*	409,518,147	(4,102,073)
Subtotal - Operating	\$ 1,975,115	\$494,070,063	\$ (3,675,073)
Capital Improvements	—	275,490	—
<b>TOTAL</b>	<b>\$ 1,975,115</b>	<b>\$494,345,553</b>	<b>\$ (3,675,073)</b>
<b>State General Fund:</b>			
State Operations	\$ —	\$ 34,722,937	\$ —
Other Assistance	761,000	198,622,436	(1,030,344)
Subtotal - Operating	\$ 761,000	\$233,345,373	\$ (1,030,344)
Capital Improvements	—	—	—
<b>TOTAL</b>	<b>\$ 761,000</b>	<b>\$233,345,373</b>	<b>\$ (1,030,344)</b>

\* Includes \$1,150,000 in LIEAP Funds, which has subsequently been included in Governor's Budget Amendment No. 3.

The House Subcommittee concurs with the Senate recommendations with the following adjustments:

1. The Subcommittee reduces the estimated supplemental appropriation for Aid to Dependent Children by \$1,914,506, of which \$909,390 would be from the State General Fund and \$1,005,116 would be from federal Title IV-A funds. This recommendation is based upon 836,040 person months receiving and an average grant of \$108.01 per person.
2. The Subcommittee increases the estimated supplemental appropriation for General Assistance by \$458,770. This increase finances May 1 implementation of a transitional assistance program for able-bodied GA clients, who would be deleted from assistance in the Governor's recommendation. The recommendations contained in items 1 and 2 of this report are based upon preliminary March data. The Subcommittee recognizes that further updates may be necessary given additional months of actual expenditure data.
3. The Subcommittee learned that approximately \$520,000 in federal Work Incentive (WIN) funds will be available to offset expenditures budgeted from the General Fund in the revised FY 1983 budget. The Subcommittee recommends that the agency deposit those funds in the SRS Fee Fund. Those funds are included in a fee fund adjustment which the Subcommittee recommends in FY 1984 to offset State General Fund expenditures.

4. The Subcommittee decreases estimated FY 1983 foster care expenditures by \$1,389,168, of which \$345,592 would be from the General Fund, \$364,763 would be from the Social Service Block Grant, and the remainder from other federal funds. This recommendation is based upon expenditure trends to date. It is not the intent of this Subcommittee to interrupt previous foster care allocations. The Subcommittee also recognizes that the full impact of the new Juvenile Code is not known. Therefore, the Subcommittee recommends that the \$345,592 anticipated General Fund savings be reappropriated to FY 1984, allowing expenditure in FY 1983 if caseloads increase unexpectedly but allowing those funds to be expended in FY 1984 should the projected FY 1983 savings occur. The Subcommittee recommends that the anticipated savings of \$364,763 in Social Service Block Grant Funds be used to offset operating expenditures in SRS. This will result in a transfer to the SRS Fee Fund, which the Subcommittee considered in its FY 1984 adjustments.
5. The Subcommittee reviewed purchase of service expenditures from the Social Service Block Grant and learned that approximately \$825,593 has not been allocated to the area agencies for expenditure. The Subcommittee recommends that this balance be utilized as follows: (a) the budget be reduced by \$270,000 as congressional appropriations for this block grant are less than budgeted; (b) \$352,000 be transferred to the homemaker program to cover a funding deficit in that program; and (c) the remaining \$203,593 be allocated to administrative use. This will allow transfer to the SRS Fee Fund, which the Subcommittee considered in its FY 1984 adjustments.
6. The Subcommittee reviewed General Fund expenditures for the adult family home program and learned that expenditures during early FY 1983 were less than anticipated. The Subcommittee recommends that the FY 1983 budget be revised based upon expenditures to date but allowing expenditures in the final quarter of FY 1983, which would annualize to the FY 1984 level of \$361,014 (or \$30,987 per month).

Consequently the Subcommittee recommends a revised FY 1983 budget for alternate care of \$208,897, a reduction of \$152,117 to the approved budget, which the Subcommittee recommends be lapsed from the General Fund appropriation for adult services.

7. Review of the adoption support program indicates that expenditures will be less than budgeted during FY 1983 by \$104,459. Of those savings \$82,015 will be from the State General Fund, which the Subcommittee recommends be lapsed. Reduction of \$11,388 will also occur from the Social Service Block Grant. The Subcommittee recommends that the Block Grant funding be allocated to administrative use, allowing a transfer to the Fee Fund, which the Subcommittee considered in its FY 1984 adjustments.
8. The Subcommittee reviewed the Low Income Energy Assistance Program budget given the Senate recommendations and the Governor's Budget Amendment, which has been received subsequently. The Subcommittee learned that of the additional LIEAP Funds, \$175,000 will be expended for program administration. However, that increase in LIEAP administrative funding will partially offset expenditures from other funds and will allow a deposit to the SRS Fee Fund of \$100,000. The Subcommittee considered this deposit in its FY 1984 SRS Fee Fund adjustment.

*Bob Arbuthnot*

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Representative Bob Arbuthnot,  
Subcommittee Chairman

*Bill Buntin*

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Representative Bill Buntin

*Lee Hamm*

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Representative Lee Hamm

*Ruth Luzzati*

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Representative Ruth Luzzati

*Robert H. Miller*

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Representative Robert H. Miller

SUBCOMMITTEE REPORT

Agency: Social and Rehabilitation Services Bill No. 110 Bill Sec. 4  
 Analyst: Hauke Analysis Pg. No. 393 Budget Pg. No. 2-41

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84*</u>	<u>Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 94,716,950	\$ 89,678,499	\$ (2,296,947)
Other Assistance	<u>432,687,070</u>	<u>387,226,250</u>	<u>8,279,200</u>
Operating Expenditures	\$527,404,020	\$476,904,749	\$ 5,982,253
Capital Improvements	<u>165,000</u>	<u>63,000</u>	<u>—</u>
TOTAL	<u>\$527,569,020</u>	<u>\$476,967,749</u>	<u>\$ 5,982,253</u>
<b>State General Fund:</b>			
State Operations	\$ 40,414,054	\$ 37,591,359	\$ (1,043,305)
Other Assistance	<u>212,238,930</u>	<u>182,789,337</u>	<u>8,279,200</u>
Operating Expenditures	\$252,652,984	\$220,380,696	\$ 7,235,895
Capital Improvements	<u>—</u>	<u>—</u>	<u>—</u>
TOTAL	<u>\$252,652,984</u>	<u>\$220,380,696</u>	<u>\$ 7,235,895</u>
F.T.E. Positions	2,672.0	2,619.1	—

\* Includes Governor's Budget Amendment No. 2.

Senate Subcommittee Recommendations

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

1. The Subcommittee does not concur with the Governor's programmatic recommendations to delete abled bodied persons between ages 18 and 51 from General Assistance. Related to General Assistance, the Subcommittee makes the following observations and recommendations:
  - a. The Subcommittee recommends that the "able bodied," who would be eliminated from assistance in the Governor's recommendations, be eligible for a maximum cash assistance grant of \$100 per month. This recommendation increases the Governor's budget by \$5,280,000 from the General Fund.
  - b. The Subcommittee recommends deletion of \$500,800 from the Governor's recommendations, which would have financed one-time transitional payments of \$100 to persons formerly eligible for General Assistance.
  - c. The Subcommittee recommends that SRS continue a program of limited medical assistance to those abled bodied persons who would be eliminated from medical benefits in the Governor's recommendations. This recommendation increases the Governor's budget by \$3,500,000, from the General Fund. The Subcommittee observes that this amount may not be sufficient to operate the range of services available to other GA clients and recommends that, if necessary, SRS tailor a medical plan to these GA clients which would remain within the \$3.5 million being recommended.

*Atch. VI*

- d. The Subcommittee recommends that technical adjustments be made to S.B. 110 to enact the Governor's recommendations. Specifically, transfer of \$4,660,128 from the medical assistance line item to the public assistance line item is necessary to allow certain families to remain eligible for GA. This shift restricts the medical services for GA clients to a program having fewer services than available to the remainder of Medicaid clients.
  - e. The Subcommittee notes that statutory amendments are necessary to enact any change to GA eligibility. The Subcommittee recommends passage of Substitute for H.B. 2084. This bill would provide SRS with authority to operate the program by regulations and would not statutorily mandate specific eligibility standards. Such a concept allows the Legislature to set the actual program level through appropriation.
  - f. The Subcommittee's combined FY 1983 and FY 1984 recommendations, concerning GA, increase the Governor's budget by \$9,040,200, all of which is from the General Fund. The Subcommittee is aware that financing of this recommendation is not available within existing General Fund balances. Therefore, the Subcommittee notes that its recommendation must be financed either by reductions elsewhere within the Governor's budget or by increased taxes.
  - g. The Subcommittee recommends that the proposed GA program be included as a separate line item appropriation in S.B. 110.
2. The Subcommittee learned that the Governor's FY 1984 recommendations for Medical Assistance include a rather dramatic decrease in the scope of covered chiropractic services (i.e., only \$57,976 is recommended for FY 1984, compared to \$200,766 during FY 1983). The Subcommittee is of the opinion that such a reduction in the chiropractic program will only increase utilization of other services (i.e., physicians and pharmacies). Therefore, the Subcommittee recommends that the chiropractic program be increased by \$100,000, of which \$50,000 would be deleted from the budget for physician services and \$50,000 would be deleted from the pharmaceutical budget. The Subcommittee recommends that SRS negotiate with representatives of this service provider group to agree upon a scope of services which would remain within a budget of \$157,976.
  3. The Subcommittee recommends that the budget for the Low Income Energy Assistance Block Grant (LIEAP) be appropriated at "no limit" during FY 1984. The Subcommittee is aware that federal funds for LIEAP have generally been increasing. Further, the demand for those funds is greatest during the early winter months, typically prior to legislative consideration of the entire SRS budget. Therefore, a no limit appropriation would allow maximum flexibility in expenditure of these funds. This recommendation is not designed to alter the past practice of transferring 10 percent of any LIEAP receipts to the Social Service Block Grant.

4. The Subcommittee reviewed collection of private club beverage taxes (K.S.A. 1982 Supp. 79-41a03 et seq.) and deposit of 25 percent of those collections to the General Fund. A proviso contained in the 1982 Omnibus Appropriations Bill (S.B. 898) provided a one time transfer of collections during Calendar 1982 from the General Fund to a special revenue fund within SRS. This transfer totaled \$938,500, of which \$910,000 is included in the Governor's FY 1984 recommendations and \$28,500 is budgeted as a balance forward to FY 1985. The Subcommittee makes the following recommendations concerning these funds:
  - a. The Subcommittee does not recommend further transfer of the General Fund share of beverage taxes to SRS Special Revenue Funds. The Subcommittee recommends that Alcohol and Drug Abuse Services (ADAS) compete with the remainder of the state's programs for available funds, rather than being guaranteed access to this fund.
  - b. The Subcommittee recommends that the unbudgeted balance of the original transfer (\$28,500) be expended during FY 1984 and that General Fund expenditures in ADAS be reduced by an equal amount.
5. The Subcommittee received a request that family planning services not be provided to minors, through the state Medical Assistance Plan, unless parental consent has been granted. The Subcommittee notes that an Attorney General's opinion has been requested concerning legalities surrounding this issue. The Legislature may wish to address this matter upon receipt of that Attorney General's opinion.
6. The Subcommittee concurs with FY 1984 items contained in Governor's Budget Amendment No. 2. Those items involve expenditure of \$145,319 from special revenue funds and are as follows:
  - a. Authorization of \$37,137 in federal CETA funds to allow implementation of a Community Work Experience Program for public assistance clients. This authorization would complete the grant, which will start in FY 1983.
  - b. Authorization of \$52,609 in federal U.S.D.A. funds to complete a grant for establishing a job search program among food stamp recipients.
  - c. Increased expenditures of \$36,000 from the Family and Children's Trust Fund for community based services to juveniles.
  - d. Increased expenditures of \$7,473 in federal funds for a Client Assistance Project in the Rehabilitation Services Section.
  - e. Authorization of \$12,100 in federal funds for vocational rehabilitation of juveniles at the Salina Vocational Rehabilitation Center.

7. Consistent with an earlier decision of the Senate Ways and Means Committee, this Subcommittee recommends removal of funds budgeted in SRS for a 4 percent salary increase for agency employees. Salary increases for state employees will be considered as a separate systemwide issue. Removal of salary increase funding from the SRS budget reduces FY 1984 expenditures by \$2,296,947, of which \$1,014,805 is from the State General Fund and \$1,282,142 is from special revenue funds. Exact detail of the reduction by account title can be obtained from the Legislative Research Department.

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee recommendations.

House Subcommittee Recommendations

<u>Expenditures Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1984</u>	<u>Senate Total Rec. FY 1984</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
<b>All Funds:</b>			
State Operations	\$ (2,296,947)	\$ 87,381,552	\$ (171,983)
Other Assistance	8,279,200	395,505,450	(3,364,899)
Operating Expenditures	<u>\$ 5,982,253</u>	<u>\$482,887,002</u>	<u>\$ (3,536,882)</u>
Capital Improvements	—	63,000	—
TOTAL	<u><u>\$ 5,982,253</u></u>	<u><u>\$482,950,002</u></u>	<u><u>\$ (3,536,882)</u></u>
<b>State General Fund</b>			
State Operations	\$ (1,043,305)	\$ 36,548,054	\$ (171,983)
Other Assistance	8,279,200	191,068,537	(2,180,925)*
Operating Expenditures	<u>\$ 7,235,895</u>	<u>\$227,616,591</u>	<u>\$ (2,352,908)</u>
Capital Improvements	—	—	—
TOTAL	<u><u>\$ 7,235,895</u></u>	<u><u>\$227,616,591</u></u>	<u><u>\$ (2,352,908)</u></u>
F.T.E. Positions	—	2,619.1	(1.0)

\* Includes addition of \$3,856,993 as recommended in Governor's Budget Amendment No. 3.

The House Subcommittee concurs with the Governors' recommendations with the following adjustments:

1. The House Subcommittee adopts Governors' Budget Amendment No. 3, which increases State General Fund expenditures by \$3,856,993, due to reductions in federal financial participation rates for Aid to Dependent Children and Medical Assistance. Of that increase \$1,084,157 is for Aid to Dependent Children and \$2,772,836 is for Medical Assistance. Those increases are offset by reductions in budgeted expenditures from federal funds.

2. The Subcommittee recommends deletion of \$3,500,000, from the General Fund, which was added by the Senate to finance medical assistance for "able bodied" persons between the ages of 18 and 51.
3. As discussed in the FY 1983 report, the Subcommittee recommends that unexpended foster care funds reappropriate to FY 1984. The budgeted reappropriation is \$345,592 from the State General Fund. The Subcommittee is recommending this reappropriation, which increases the FY 1984 budget by the aforementioned amount, due to the uncertainty of the impact of the revised Juvenile Code.
4. The Subcommittee recommends that Emergency Assistance be budgeted at 50 percent federal funds, as allowed by prevailing federal statute. This revision allows a reduction in State General Fund appropriations of \$94,661, which is accompanied by an equal increase in federal funds.
5. The Subcommittee recommends that the FY 1984 budget for the adoption support program be reduced by \$210,491 (of which \$164,183 would be from the General Fund, \$23,154 would be from federal Social Service Block Grant and \$23,154 would be from Title IV-B funds). The Subcommittee's recommendations would finance an adoption support program totaling \$924,300 during FY 1984, which would allow supports for approximately 390 persons. Approximately 290 persons are being served during FY 1983.
6. The Subcommittee reviewed expenditures for the SRS Blind Workshops and revenue from sales of workshop products. The Subcommittee notes that expenditures are budgeted to exceed receipts by approximately \$400,000 during FY 1984. The Subcommittee recommends that the agency work toward achieving equity between expenditures and receipts for this program. Further, the Subcommittee encourages SRS to develop procedures to increase sales of the blind made products.
7. The Subcommittee recommends deletion of a Guardianship grant program, recommended by the Governor for implementation during FY 1984. This deletion is \$171,983 from the State General Fund. The Subcommittee understands that S.B. 11 may substantially revise guardianship statutes in the state and that this issue may be reconsidered in conjunction with that legislation.
8. As discussed throughout the FY 1983 report, the Subcommittee is recommending an FY 1984 adjustment to expenditures from the SRS Fee Fund, which is used as an offset to General Fund expenditures. The Subcommittee's recommendations increase projected Fee Fund expenditures by \$2,624,666 and decrease State General Fund expenditures for Medical Assistance by an equal amount. The Subcommittee recommendations are as follows:



- a. FY 1983 recommendations of the Subcommittee will result in increased Fee Fund deposits of \$1,199,744, due to a projected fiscal year settlement with the federal government. The Subcommittee recommends this be utilized as an offset to FY 1984 General Fund expenditures.
- b. The Subcommittee notes a projected FY 1984 ending balance of \$3,424,922. The Subcommittee notes that in several recent fiscal years the ending balance in this fund has been budgeted at \$2.0 million. The Subcommittee recommends that the FY 1984 ending balance be budgeted at \$2.0 million. This increases FY 1984 Fee Fund expenditures by \$1,424,922 and decreases General Fund by an equal amount.

*Bob Arbuthnot*

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Representative Bob Arbuthnot  
Subcommittee Chairman

*Bill Bunten*

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Representative Bill Bunten

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Representative Lee Hamm

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Representative Ruth Luzzati

*Robert H. Miller*

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Representative Robert H. Miller

MINORITY REPORT

We concur with the House Subcommittee report with the exception of items 2 and 7.

1. We recommend that item 2 be deleted from the House Subcommittee report. Having accepted the Senate recommendations for cash payments to transitional assistance clients, we believe it is not appropriate to delete medical coverage to those persons. Therefore, we do not concur in the recommendation to delete \$3.5 million for medical coverage to the transitional General Assistance population.
2. We recommend that item 7 be deleted from the House Subcommittee report. We believe that the proposed Guardianship grant program will be cost effective and allow better service to elderly persons who are in need of a guardian and that it should not be deleted from the FY 1984 budget.

  
Representative Ruth Luzzati

  
Representative Lee Hamm

SUBCOMMITTEE REPORT

Agency: Department of Health and Environmen Bill No. 153 Bill Sec. 7  
 Analyst: Goering Analysis Pg. No. 415 Budget Pg. No. 6-1

<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	\$ 19,912,689	\$ 19,706,753	\$ (64,607)
Aid to Local Units	5,410,789	5,370,155	—
Other Assistance	6,752,692	6,752,692	17,003
TOTAL	<u>\$ 32,076,170</u>	<u>\$ 31,829,600</u>	<u>\$ (47,604)</u>
State General Fund:			
State Operations	\$ 10,818,709	\$ 10,681,547	\$ (47,604)
Aid to Local Units	1,015,858	975,224	—
Other Assistance	—	—	—
TOTAL	<u>\$ 11,834,567</u>	<u>\$ 11,656,771</u>	<u>\$ (47,604)</u>
F.T.E. Positions	593.2	594.2	(1.0)

Agency Request/Governor's Recommendation

The agency requests an increase of \$4,500 in expenditure authority for the Federal Resource Conservation and Recovery Act Fund to finance costs related to an evaluation of factors associated with unusually high mortality rates from lung cancer among residents of Cherokee County. The Governor concurs with the requested expenditure, but the necessary authority is more than offset by recommended deletion of \$4,986 in expenditures from the federal fund for FY 1983 merit increases. Therefore, no additional expenditure authority for the fund is recommended by the Governor.

The agency also requests a total of \$970,211 in additional expenditure authority for the federal Supplemental Food Program for Women, Infants, and Children, better known as the WIC program. Of the total request \$848,208 is requested to provide additional food assistance to WIC beneficiaries. An additional \$60,000 in expenditure authority is requested to provide grants to local health agencies for administration of the WIC program. The remaining \$62,003 is requested for state operating expenditures associated with the program. Of this sum, \$45,000 is requested to offset expenditures from the Federal Migrant Health Program Fund now supporting salary costs of personnel who are also directly involved in administration of the WIC program. The remaining \$17,003 in expenditure authority is requested to finance ten months of salary support for an additional Nutritionist position to be located in the Garden City Migrant Health Office. The agency does not specifically request an increase in its position limitation to allow employment of such a new staff person. The Governor concurs with all requested supplemental expenditures associated with the WIC program, and recommends an increase in the agency's position limitation by 1.0 F.T.E. position effective FY 1983. However, the total increase recommended by the Governor is offset by savings of \$1,137 in WIC expenditures due to indefinite deferral of all FY 1983 merit salary increases. The total supplemental expenditure authority recommended by the Governor is \$969,074, to be financed entirely from the federal WIC program fund.

Senate Subcommittee Recommendations

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

*Atch. VIII*

1. Deletion of \$17,003 in additional expenditure authority and 1.0 F.T.E. authorized position associated with the requested new Nutritionist to be located in Garden City. The Subcommittee is of the opinion that maximum available federal funds under the WIC program should be made available to WIC beneficiaries in the form of food assistance. The Subcommittee therefore recommends deletion of the new position and associated salary costs recommended by the Governor, enabling an additional \$17,003 to be passed on to clients in the form of food assistance. The Subcommittee also recommends a technical revision to the bill to incorporate deletion of the \$1,137 merit salary expenditure authority as recommended by the Governor.
  
2. Reduction of \$47,604 in expenditures budgeted in the current fiscal year for contracted printing and advertising costs. The reduction would retain \$140,195 for such costs, an amount which is identical to the Governor's recommendation for FY 1984 and is substantially higher than the total of \$108,058 spent to meet such costs during FY 1982. The reduction is to be made as follows:

<u>Program/Subprogram</u>	<u>Amount</u>	<u>Funding Source</u>
<b>Administration:</b>		
Executive Administration	\$ 533	State General Fund
Central Administration	623	State General Fund
Personnel Administration	100	State General Fund
Data Processing	2,603	State General Fund
Subtotal	<u>\$ 3,859</u>	
<b>Research and Planning:</b>		
Health Planning	\$ 1,000	State General Fund
Technical Services and Training	4,900	State General Fund
Subtotal	<u>\$ 5,900</u>	
<b>Facilities and Service Regulation:</b>		
Health Facility Licensure/Certification	\$ 3,550	State General Fund
Child Care Licensure	1,600	State General Fund
Subtotal	<u>\$ 5,150</u>	
<b>Community Health Services:</b>		
Maternal and Child Health	\$10,760	State General Fund
Disease Control and Investigation	7,196	State General Fund
Health Education	2,604	State General Fund
Subtotal	<u>\$20,560</u>	
<b>Personal Health Services:</b>		
Crippled Children's Services	<u>\$ 5,434</u>	State General Fund
Groundwater Pollution Control	<u>\$ 3,600</u>	State General Fund
<b>Laboratory Services:</b>		
Records and Reports	\$ 2,400	State General Fund
Chemistry	701	State General Fund
Subtotal	<u>\$ 3,101</u>	
<b>TOTAL</b>	<u><u>\$47,604</u></u>	State General Fund

The Subcommittee recommends that such savings be reappropriated to reduce State General Fund appropriations necessary for FY 1984.

3. Insertion of language in the appropriation bill authorizing the transfer of an additional \$34,800 in federal grant moneys from the Department of Health and Environment to the Department of Education during FY 1983. Such transfer was recommended by the Governor in Budget Amendment No. 2 and would not affect budgeted expenditures in either agency.

Senate Committee Recommendations

The Committee concurs with the Senate Subcommittee recommendations.

Senate Committee of the Whole Recommendation

The Senate concurs with the Senate Committee recommendations.

House Subcommittee Recommendation

<u>Expenditure Summary</u>	<u>Senate Adjustments</u>	<u>Total Senate Recommendation</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ (64,607)	\$ 19,642,146	\$ 190,000
Aid to Local Units	—	5,370,155	69,000
Other Assistance	17,003	6,769,695	—
TOTAL	<u>\$ (47,604)</u>	<u>\$ 31,781,996</u>	<u>\$ 259,000</u>
State General Fund:			
State Operations	\$ (47,604)	\$ 10,633,943	\$ —
Aid to Local Units	—	975,224	—
Other Assistance	—	—	—
TOTAL	<u>\$ (47,604)</u>	<u>\$ 11,609,167</u>	<u>\$ —</u>
F.T.E. Positions	(1.0)	593.2	—

The House Subcommittee concurs with the Senate recommendations with the following adjustments:

1. Decrease in expenditure authority for the Federal Migrant Health Fund of \$45,000 originally budgeted for salaries and wages. This amount of expenditure authority has been recommended by the Governor and the Senate to be financed instead from Federal WIC Funds, due to anticipated declines in revenues to the Federal Migrant Health Fund.


2. Increase of \$150,000 in expenditures financed from the Maternal and Child Health Block Grant Fund, to allow the use of balances carried forward from FY 1982 to pay unusually high treatment billings for certain clients served by the Crippled Children's Services Program.
3. Increase of \$6,000 in expenditures financed from the Preventive Health and Health Services Block Grant Fund, to permit the agency to meet higher than originally anticipated costs associated with administration of examinations for EMS attendants. The Subcommittee is aware that such costs generally are financed from a transfer of EMS education fees from the University of Kansas Medical Center. However, the Subcommittee learned that balances in this fund at KUMC are depleted for the current fiscal year.
4. Increase of \$79,000 in expenditures financed from the Federal Air Quality Program Fund, to allow use of additional federal funds for special equipment purchases. The agency indicated to the Subcommittee that the additional federal grant moneys may be used only for proposed equipment purchases and may not be used to supplant State General Fund expenditures authorized for the current fiscal year.
5. Increase of \$69,000 in expenditures financed from the Preventive Health and Health Services Block Grant Fund for grants to local health departments in Wyandotte, Shawnee, Sedgwick, and Geary counties. The additional expenditure authority was requested by the agency in order to enhance efforts to reduce unusually high infant mortality rates in these four Kansas counties.
6. The Subcommittee reviewed in detail the expenditure reductions made by the agency and the Governor under the January 1 allotment. The Subcommittee notes with concern that State General Fund expenditures for aid to local units were reduced by 23.1 percent from the level of budgeted expenditures approved by the 1982 Legislature. In contrast, state operating expenditures financed from the State General Fund were reduced by only 1.7 percent. Overall, the State General Fund budget of the agency was reduced by 3.9 percent. The Subcommittee is aware that some reduction of local aid expenditures would have been made in any case due to changes in program fiscal requirements. Nevertheless, the Subcommittee does not believe that the Department's state operating expenditures have been reduced to the extent requested by the Governor in early FY 1983. The Subcommittee is of the opinion that state operations costs should have been reduced to a larger extent and local health department state aid to a lesser extent, given the legal flexibility of the agency during FY 1983 to use state aid to local units for a wide variety of program efforts. The Subcommittee wishes to document its concern with the apparent priority established by the agency and by the Governor by approving such reductions. In the opinion of the Subcommittee, local health programs provide important direct public health services to the people of Kansas and should be given a higher priority if an allotment is required during FY 1984.



Representative J. Sanford Duncan,  
Subcommittee Chairman



Representative David Heinemann



Representative Jack Shriver

SUBCOMMITTEE REPORT

Agency: Department of Health and Environment Bill No. 110 Bill Sec. 5  
 Analyst: Goering Analysis Pg. No. 415 Budget Pg. No. 6-1

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84*</u>	<u>Subcommittee Adjustments</u>
<u>All Funds:</u>			
State Operations	\$ 22,796,971	\$ 20,125,399	\$ (591,898)
Aid to Local Units	7,939,608	5,327,974	(39,000)
Other Assistance	8,126,416	8,126,416	11,693
Subtotal - Operating	<u>\$ 38,862,995</u>	<u>\$ 33,579,789</u>	<u>\$ (619,205)</u>
Capital Improvements	5,443,512	—	—
TOTAL	<u><u>\$ 44,306,507</u></u>	<u><u>\$ 33,579,789</u></u>	<u><u>\$ (619,205)</u></u>
<u>State General Fund:</u>			
State Operations	\$ 14,093,670	\$ 11,408,162	\$ (973,729)
Aid to Local Units	3,568,858	975,224	(39,000)
Other Assistance	—	—	—
Subtotal - Operating	<u>\$ 17,662,528</u>	<u>\$ 12,383,386</u>	<u>\$ (1,012,729)</u>
Capital Improvements	5,443,512	—	—
TOTAL	<u><u>\$ 23,106,040</u></u>	<u><u>\$ 12,383,386</u></u>	<u><u>\$ (1,012,729)</u></u>
F.T.E. Positions	597.2	573.2	(1.0)

\* Includes Governor's Budget Amendment No. 1, Item 4.

Senate Subcommittee Recommendations

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

1. Deletion of expenditures associated with the 4 percent cost-of-living increase. The adjustment of \$511,912, of which \$333,260 is in State General Fund expenditures, is to be financed as shown in the attached Table I.
2. Deletion of \$39,000 in State General Fund expenditures recommended for grants to local air pollution monitoring agencies.
3. Reduction of \$6,000 in State General Fund expenditures for per diem compensation and \$426 for associated fringe benefits budgeted for the Statewide Health Coordinating Council. It is not the Subcommittee's intent that meetings of the Council should be reduced in number. Rather, the Subcommittee learned that actual expenditures in past years have been substantially less than the \$12,000 annually budgeted for per diem compensation for the Council. The Subcommittee is of the opinion that \$6,000 plus fringe benefits should allow sufficient funding for the current frequency of SHCC meetings.

*Alch. IV*



4. Deletion of 1.0 F.T.E. Clerk-Typist II recommended by the Governor for the WIC program. The Subcommittee is of the opinion that maximum funding should be passed on by the agency to WIC beneficiaries, and recognizes that this goal can be accomplished by retaining minimal state staffing. The adjustment allows savings of \$9,264 for salaries and \$2,429 for fringe benefits, allowing a total increase of \$11,693 in the amount of expenditure authority for provision of food assistance to WIC beneficiaries.
5. Deletion of \$25,000 in State General Fund expenditures budgeted for first-year costs of participation in the interstate compact for low-level radioactive waste management. The Subcommittee notes that the required Congressional approval has not yet been sought for the Compact, and is therefore of the opinion that appropriation of such an amount is premature at this time.
6. Deletion of \$36,867 in expenditures budgeted for capital outlay to be financed from the Power Generating Facility Fee Fund. The Subcommittee notes that a total of \$85,000 was transferred from the State General Fund to the Power Generating Facility Fee Fund in past years, and that the Legislature intended that such amounts be repaid to the State General Fund when sufficient revenues were available. The Subcommittee recommends insertion of language into S.B. 110 authorizing the Division of Accounts and Reports to transfer \$36,867 from the Power Generating Facility Fee Fund to the State General Fund on July 1, 1983 or as soon as sufficient moneys are available. Furthermore, the Subcommittee recommends that similar transfers be made in FY 1985 and FY 1986 until the full \$85,000 previously advanced has been repaid to the State General Fund.
7. Shift of \$253,296 in recommended expenditures for the Facilities and Service Regulation Program from State General Fund financing to Title XIX financing. The Subcommittee learned that during FY 1983 and FY 1984, the Department of Health and Environment can be expected to receive \$253,296 more in federal funds from SRS than has been projected in the Department's budget recommendations.

The Subcommittee reviewed the Governor's recommendations regarding initiation of several new fees and increases in existing fees assessed by the Department of Health and Environment. The Subcommittee notes that the Governor's recommendations directly impact the agency's revenues only with regard to increases proposed for two special revenue funds. The remaining new fees and fee increases proposed would generate additional revenues to the State General Fund under the Governor's recommendation, and therefore do not directly impact the agency's budget recommendations. The Subcommittee adopts the Governor's proposal with the following adjustments:

1. A provision in the legislation authorizing fees for certificate of need applications to allow the Secretary of Health and Environment to waive such fees for applications related to the reduction or termination of services.
2. Deletion of a proposal to initiate annual license fees for hospital facilities.

3. Deletion of a proposal to increase fees assessed on oil and gas production which are currently levied at the rate of 6 mills per barrel of oil produced and 0.18 mills per MCF gas produced.
4. Deletion of proposals to institute annual fees for salt solution mining and underground hydrocarbon storage wells, and deletion of a proposal to initiate fees for review and inspection of petroleum storage plans.
5. Revision of the proposed increase in annual fees assessed for adult care home licenses from the present \$1 per bed to \$4 per bed, rather than the proposed \$8 per bed.
6. Deletion of the proposed increase in license fees paid by adult care home administrators.
7. Revision of the proposed increase in fees charged for copies of certified vital statistics records to \$5 for the first copy and \$4 for additional copies requested at the same time. Current fees assessed are \$3 and \$2 respectively. An increase of \$2 per certified record issued would generate increased total revenues of \$623,480 based on projected issuance of 311,740 certified copies during FY 1984. Based upon the current fee structure, the agency's budget submission projected total revenues of \$780,085, of which 80 percent or \$624,068 would have been credited to the Vital Statistics Fee Fund. Because the Vital Statistics Fee Fund is subject to a statutory \$200,000 maximum in the amount of revenues to be credited to the State General Fund, only \$43,983 of the increase in revenues would be credited to the State General Fund. The remainder of \$579,497 would be credited 100 percent to the Vital Statistics Fee Fund. Such revenues exceed the Governor's projection by \$355,747. The Subcommittee recommends that additional revenues be utilized to offset an equivalent amount of expenditures recommended for State General Fund financing in the Research and Planning Program.

Table II, attached to this report, summarizes the revenue impact of such recommendations in comparison to the Governor's recommendation.

The Subcommittee recommends technical revision to the appropriation bill to reflect approval of Governor's Budget Amendment No. 1 and to coincide with the Governor's intended recommendation to approve other budget amendments submitted by the agency. Such technical adjustments have no impact on budgeted expenditures recommended by the Governor.

The Subcommittee notes that the Governor did not recommend funding for distribution to local health departments pursuant to 1982 S.B. 758, although support was expressed for financing such formula assistance when sufficient revenues become available. The Subcommittee would encourage the Department of Health and Environment to develop a proposal for phasing in the formula state aid program over a period of several years. The Subcommittee strongly encourages the agency to study the possibility of shifting State General Fund appropriations currently made available for certain categorical aid programs to initiate formula assistance to local health departments, prior to requesting additional State General Fund appropriations for financing 1982 S.B. 758.

Senate Committee Recommendation

The Committee concurs with the Senate Subcommittee recommendations.

Senate Committee of the Whole Recommendation

The Senate concurs with the Senate Committee recommendations.

House Subcommittee Recommendation

<u>Expenditure Summary</u>	<u>Senate Adjustments</u>	<u>Total Senate Recommendation</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ (591,898)	\$ 19,533,501	\$ 36,892
Aid to Local Units	(39,000)	5,288,974	(25,000)
Other Assistance	11,693	8,138,109	—
Subtotal - Operating	\$ (619,205)	\$ 32,960,584	\$ 11,892
Capital Improvements	—	—	—
TOTAL	\$ (619,205)	\$ 32,960,584	\$ 11,892
State General Fund:			
State Operations	\$ (973,729)	\$ 10,434,433	\$ (75,965)
Aid to Local Units	(39,000)	936,224	—
Other Assistance	—	—	—
Subtotal - Operating	\$ (1,012,729)	\$ 11,370,657	\$ (75,965)
Capital Improvements	—	—	—
TOTAL	\$ (1,012,729)	\$ 11,370,657	\$ (75,965)
F.T.E. Positions	(1.0)	572.2	—

The House Subcommittee concurs with the recommendations of the Senate with the following adjustments and comments:

1. The Subcommittee concurs with the Senate's deletion of \$25,000 for first-year costs of participation in the interstate compact for low-level radioactive waste management. However, the Subcommittee notes that a supplemental appropriation may be necessary for FY 1984 if Congressional approval of the compact is secured during calendar year 1983.
2. The Subcommittee also concurs with the Senate's recommendation to initiate in FY 1984 repayment to the State General Fund of a total of \$85,000 transferred in the past to initiate the Power Generating Facility Fee Fund. The Subcommittee anticipates that the agency's budget submissions for fiscal years 1985 and 1986 will propose additional amounts to be so transferred to the State General Fund in order to fully repay the costs to the state of initiating programs for the monitoring of power generating facilities in Kansas.

3. The Subcommittee wishes to note that the relationship between Title XIX expenditures made by SRS under its contractual agreement with the Department of Health and Environment and Title XIX revenues available to the latter agency from SRS must be analyzed annually, and the Subcommittee is of the opinion that budget adjustments of the magnitude recommended by the Senate in regard to this relationship are unlikely to occur in forthcoming budget recommendations. Nevertheless, the Subcommittee views the Senate's recommendation on this matter for FY 1984 to be appropriate and therefore concurs with this adjustment.
4. The Subcommittee notes its concurrence with the Governor's recommendation of \$10,200 plus associated fringe benefits for reclassifying Environmental Geologist positions in the Groundwater Pollution Control Program. The Subcommittee, however, wishes to express its intent that such expenditures are recommended for a specific purpose, and would view with disfavor any attempt on the part of the Department to utilize a disproportionate amount of these expenditures to meet any allotment savings which may be required during FY 1984.
5. Deletion of \$29,517 recommended by the Governor for increased State General Fund costs associated with creation of the new Bureau of Environmental Health/Toxicology. The Subcommittee learned that the concept of creating this new Bureau was developed prior to the appointment of the new Secretary. Furthermore, the Subcommittee learned that the new Secretary plans to reorganize the Department. The Subcommittee therefore believes it would be premature to approve the creation of a new Bureau at this time. However, the Subcommittee would strongly encourage the Secretary in her stated intention to focus in particular on reducing the present number of Bureaus through consolidation. The amount deleted by the Subcommittee is intended to include all amounts recommended by the Governor for reclassification associated with this proposed Bureau.
6. Deletion is recommended of \$1,475 in State General Fund expenditures for capital outlay associated with a new clerical position proposed for the Radiation Control Program.
7. Deletion is recommended of \$5,616 in State General Fund expenditures for travel and subsistence costs incurred by the Radiation Control Program, retaining a total sum of \$22,000 for such purposes. The Subcommittee notes that this adjustment provides for a slight increase in travel levels for FY 1984 over the amount recommended by the Governor for FY 1983, but believes the increase is warranted due to the recent increases in the number of personnel assigned to this program.
8. The Subcommittee recommends a shift in financing for health planning activities to retain the current financing structure for these functions. This adjustment allows savings in State General Fund expenditures of \$175,922 with an equivalent increase in expenditure authority for the National Health Planning Fund. The Subcommittee is aware that the

continued availability of these federal revenues at current levels is highly uncertain. However, the Subcommittee is of the opinion that it should not be presumed that the Legislature would choose to replace declines in federal funds with an equal amount of State General Fund support. Should inadequate federal revenues be available in FY 1984 to finance the current program, this recommendation would require the agency to reduce program expenditures as necessary to remain within available federal grant revenues. The Subcommittee notes that the Governor's recommendations assume an anticipated decline in federally-financed expenditures, totaling \$183,441 agencywide, would be replaced with State General Fund and State Fee Fund expenditures effective FY 1984. The Subcommittee's adjustment assumes the same level of federally-financed health planning related expenditures in FY 1984 as are budgeted for FY 1983. The recommendation does assume inflationary program growth in expenditures will be financed from the State General Fund and other state funds.

9. An increase is recommended in expenditures financed from a transfer of EMS attendant training fees from the University of Kansas Medical Center of \$2,500, to allow an inflationary increase beyond the \$25,000 currently authorized for FY 1983 and recommended by the Governor for FY 1984. The Subcommittee also recommends that expenditures from such special revenue funds for testing EMS attendants should be categorized as state operating costs rather than as aid to local units, to more accurately reflect the current manner by which such tests are being administered by the agency.
10. The Subcommittee is supportive of the agency's request to computerize the laboratory analysis reporting system, but notes that the \$50,000 request for several microcomputers has apparently not been approved or reviewed in detail by DISC. The Subcommittee encourages the agency to work closely with DISC on a definitive proposal to computerize laboratory reports, and anticipates inclusion of such a proposal in the FY 1985 budget request. The Subcommittee is of the opinion that long term staff savings would be possible were the agency to proceed with efforts to update this largely manual agency function.
11. The Subcommittee concurs with the Governor's recommended elimination of State General Fund support specifically for the Renal Disease Program. However, the Subcommittee is of the opinion that it is inappropriate to delete this funding without repealing the statutory mandate that such a program be operated by the Secretary. Therefore, the Subcommittee recommends introduction of legislation to repeal K.S.A. 65-198 et seq.
12. The Subcommittee is of the opinion that savings in state operating costs would be incurred if moneys were available to enable the agency to initiate contracts with additional local health departments to carry out the Secretary's legal responsibilities in the area of food service and lodging licensure inspection. The Subcommittee requests the agency prepare a

proposal for inclusion in the FY 1985 budget which would phase in, over a two to three year period, additional contractual arrangements with local health departments. It is the Subcommittee's understanding that several local health departments other than those formally contracting with the Department are conducting such inspections under local auspices at the present time. The Subcommittee also expects appropriate proposals for deleting state inspector positions, subsequent to a reasonable transition period necessary for full implementation of any new contractual arrangements.

13. The Subcommittee learned that the State Building Construction Committee made no recommendations for funding of numerous capital improvement projects requested by the Department of Health and Environment, and concurs with that recent recommendation. However, the Subcommittee views the vital statistics subprogram to be of great concern given its current location in Building 321. The Subcommittee agrees that it would be inappropriate to invest sums for major repairs to this leased facility, and discussed with the Secretary the possibility of relocating the vital statistics records activity to Building 740. The Subcommittee learned that the Secretary is now working closely with the Department of Administration to locate space in the downtown area for this function. The Subcommittee recommends that any necessary budget adjustments to address possible relocation of this activity, either to Building 740 or to downtown space, be considered for inclusion in the Omnibus Bill.
14. The Subcommittee recommends introduction of legislation to change the name of the Crippled Children's Services Program to the Crippled and Chronically Ill Children's Program. The Subcommittee is of the opinion that this revision will more accurately describe persons who may be eligible for services currently provided under this program.
15. The Subcommittee notes with concern that the Department initiated the Life, Interest, and Vigor Entering Later Years (LIVELY) Program in conjunction with four local health departments in Kansas beginning May 1, 1982, without seeking or receiving legislative approval to do so. The Subcommittee also learned that the agency encumbered \$100,000 in federal Preventive Health and Health Services Block Grant Funds in late June, 1982 to continue the program throughout FY 1983. The Subcommittee is of the opinion that the program concept has merit, but disagrees with the agency's initiation of a new long-term state aid program without requesting legislative approval in regard to the program's fiscal requirements. The Subcommittee therefore recommends deletion of \$75,000 of the Governor's recommended amount of \$100,000 in new State General Fund appropriations for FY 1984, retaining \$25,000 to continue LIVELY as a demonstration project to be conducted by the current grant recipient which, in the opinion of the Secretary, has the greatest likelihood of developing a successful, self-supporting program by the end of FY 1984. The Subcommittee recommends that the savings of \$75,000 be used instead to provide additional State General Fund support for general public health

programs operated by local health departments, which were traditionally supported largely by the federal 314(d) Health Incentive Grant Fund. The Subcommittee intends the amount to be expended for such general health program grants in FY 1984 to total \$423,419, of which \$203,419 would be financed from the State General Fund and \$220,000 from the Preventive Health and Health Services Block Grant Fund.

16. The Subcommittee recommends a total of \$16,000 in State General Fund expenditures to be added to the FY 1984 salaries and wages budget for the agency. This sum is intended to provide additional overtime pay and associated fringe benefits to allow existing clerical staff to initiate coding and analysis of occupational and industrial data which has been collected for many years on Kansas death certificates.
17. The Subcommittee recommends an additional amount of \$10,000 from the State General Fund to allow the agency to contract for litigation attorneys as necessary. The Subcommittee is of the opinion that the Department's legal staff is presently inadequate given the breadth of statutory responsibilities carried out by the agency. The Subcommittee therefore recommends addition of 1.0 F.T.E. Attorney III position, offset by reduction of equivalent position authority and salaries and wages expenditures for other currently authorized positions at the Secretary's discretion. It is the Subcommittee's intention that the Secretary's adjustments remain within budgeted amounts for salaries and wages as recommended by this Subcommittee.
18. The Subcommittee recommends elimination of the Rabies Vaccine Fee Fund, initially authorized by the 1981 Legislature in response to the production of a new human diploid cell vaccine which at that time was not commercially available to Kansas residents. The Subcommittee learned that distribution of the new vaccine is no longer limited to state health authorities, and therefore recommends deletion of the fund and the associated authority to assess fees to recover the cost of the vaccine. The Subcommittee recommends addition of language to S.B. 110 to allow current balances of \$14,128.35 to be transferred to the State General Fund and to abolish the special revenue fund.
19. The Subcommittee recommends creation of a gift and donation fund for the Governor's Council on Fitness to allow expenditures of such donations for projects promoted by the Council, such as the Governor's Lifestyle Conference, Kansas Fitness Week, and Fitness Focus. The Subcommittee recommends that the fund be established without expenditure limitation, but estimates additional FY 1984 expenditures of \$20,000 for budgetary purposes.
20. The Subcommittee recommends a shift in the financing of \$110,565 in state operations costs, from the Vital Statistics Fee Fund to the State General Fund, based upon revised agency projections of the number of copies to be issued during FY 1984. The Subcommittee's anticipated level of revenues to be credited to the Vital Statistics Fee Fund under current law is

\$1,093,000, based upon fees of \$6 for the first copy and \$1 for each additional copy requested at the same time. The Senate's recommended fees of \$5 and \$4 respectively were anticipated to generate a total of \$1,203,565 in fee fund revenues. The \$6/\$1 fee structure, among others, was proposed to the Subcommittee by the Secretary. It is incorporated into the Subcommittee's recommended adjustments to the Governor's fee proposal for the Department, described in other sections of this report.

21. The Subcommittee recommends introduction of legislation to place certain currently authorized classified positions in the unclassified service. The Subcommittee strongly believes that the Department's Secretary should have the administrative authority to utilize policy oriented positions, at the level of Bureau Director and above, to the maximum extent possible to accomplish the broad and very important statutory responsibilities assigned to this agency. The Subcommittee also considers this agency to have been fraught with a variety of administrative problems in past years. It is the strong opinion of this Subcommittee that the Secretary should be held accountable for the crucial policy administration functions of the Department of Health and Environment. In the Subcommittee's opinion, the placement of all positions having significant policy making responsibilities in the unclassified service requires such personnel to be more highly accountable to the chief executive of the agency for the merit of their performance as individual employees. The Subcommittee is confident of the Secretary's intentions and ability to use unclassified positions prudently, but wishes to express its intent that this recommendation enhances the responsibility of the Secretary to correct the agency's administrative problems which have caused the Legislature significant concern over a number of years. It is the Subcommittee's intent that no more than 15 positions in the agency shall serve in the unclassified service. The Subcommittee has discussed this recommendation with the Secretary and believes that the Subcommittee's concerns about appropriate use of this enhanced executive authority have been thoroughly understood. Finally, the Subcommittee intends to review the functioning of this agency in detail during the 1984 Session and anticipates substantial progress to have been made by that time in the resolution of the agency's internal management problems.
22. The Subcommittee recommends revisions to the structure of the appropriations bill to establish separate line items for salaries and wages, other operating expenditures, and each of the categorical state aid programs. The Subcommittee, by making this recommendation, intends to eliminate separate line items for each agency program as recommended by the Governor.
23. The Subcommittee makes the following recommended adjustments to the fee proposal recommended by the Governor, as adjusted by the Senate:



- a. Revision of the proposed ceiling to be established on fees assessed to certificate of need applicants from \$20,000 to \$15,000. The Subcommittee recommends establishment of this fee ceiling in statute, with actual fees to be established by rule and regulation. The Subcommittee concurs with the Governor's proposal to assess a fee of 0.3 percent of the proposed project cost, up to a maximum of \$15,000. The Subcommittee also concurs with the Senate Committee that rules and regulations adopted by the Secretary should permit waiver of such fee for certificates of need associated with reducing or terminating health care services.
  
- b. Implementation of an annual fee for hospital licenses, a proposal developed by the agency and recommended by the Governor, but deleted by the Senate Subcommittee. The House Subcommittee, however, does not recommend establishment of the fees in the manner originally proposed. Rather, the Subcommittee recommends establishment of such fees by rules and regulations based upon statutory categories contingent on the number of beds per facility, and that the statutory categories be established as follows:

<u>Statutory Category</u>	<u>Current Number of Facilities</u>	<u>Anticipated Fee</u>
0-50 Beds	70	\$ 126
51-100 Beds	43	378
101 or more Beds	44	759

The Subcommittee notes that no differentiation is recommended in fee assessments against Joint Commission on Accreditation of Hospitals (JCAH) accredited facilities in comparison to those fees assessed against non-JCAH accredited hospitals. It is the Subcommittee's intent that hospital license fees are to be established at a level which recovers the state's cost of regulating these facilities.

- c. With regard to the proposed increases in oil and gas fees and new fees for salt solution mining petroleum storage plan review and inspection, and underground hydrocarbon storage, the Subcommittee notes that K.S.A. 65-171d currently requires such groundwater pollution control fees to be established by the Secretary at levels which recover the state's cost in implementing groundwater pollution control programs. The Subcommittee assumes that the Department will establish such fees in accordance with current statutory requirements.

- d. Revision of fee increases recommended by the Senate for adult care home licenses to a phased increase over a three-year period as follows:

<u>Fiscal Year</u>	<u>Base Fee</u>	<u>Per Bed Fee</u>
1984	\$ 50	\$ 3
1985	50	5
1986	50	7

The Subcommittee proposes that the above fee structure is to be established by rules and regulations adopted by the Secretary.

- e. Concurrence with the Governor's proposal to increase adult care home administrator license fees from \$60 to \$72 for initial licenses and from \$50 to \$56 for renewal licenses. The Senate has not recommended this proposed fee increase.
- f. As noted in a previous section of this report, the Subcommittee proposes that fees for vital statistics documents be established by rule and regulation at \$6 for initial copies and \$1 each for duplicate copies requested at the same time. The Subcommittee recommends deletion of current statutory language requiring provision of such documents free of charge to other state and federal agencies, but does recommend language authorizing the Secretary to waive fee payments by rule and regulation under specific circumstances. The Subcommittee also recommends deletion of a current statutory requirement that second copies requested must be assessed the same fee charged for the initial copy requested.
- g. In addition to the proposal of the Governor and the agency, the Subcommittee recommends that legislation on fees include the appropriate amendments to require the following fee revenues to be deposited entirely to the credit of the State General Fund rather than the current procedure of depositing only 20 percent to the State General Fund:
  - 1. Vital Statistics Fee Fund
  - 2. Waterwell Contractors Licensing Fund
  - 3. Food Service and Lodging Fee Fund
  - 4. Certification of Wastewater and Water Supply Facility Operator Fund

The Subcommittee believes that such changes will enhance the Legislature's oversight of the expenditures for these programs.

The Subcommittee also recommends that power generating facility fee revenues be deposited entirely to the agency's Power Generating Facility Fee Fund, and recommends deletion of the statutory requirement that 20 percent of such revenue be credited to the State General Fund. The Subcommittee is of the opinion that retaining this special revenue fund for the present is warranted in order to foster legislative oversight regarding the appropriate coordination of agency responsibilities in this area with those of other public and private entities pursuant to K.S.A. 65-3022, as well as the repayment of the State General Fund transfers mentioned earlier in this report.

The Subcommittee notes that the fee proposals of the Governor, as adjusted by the Senate, directly impact budgeted expenditures only with regard to proposed increases in fees credited presently to the Vital Statistics Fee Fund and the Waterwell Contractors Licensing Fund. All other proposed fees impact revenues to the State General Fund. S.B. 414 was introduced by the Senate Ways and Means Committee to provide statutory authorization for its recommended fee revisions. The recommendations of the House Subcommittee related specifically to the comprehensive fee proposal are intended to be amendments to the Senate version of S.B. 414. Any budget adjustments necessitated upon passage of S.B. 414 are recommended by this Subcommittee for inclusion in the Omnibus Bill. The House Subcommittee's recommended adjustments to the Governor's fee proposal are summarized in Table III (attached) for purposes of comparison to the Senate's recommended adjustments.

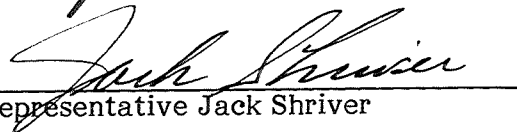
24. The Subcommittee learned, during its review of the Governor's recommended budget for the Department, that more than 20 existing positions are recommended for deletion. The Subcommittee notes that the deleted positions were proposed by the agency in its level A budget, and is of the opinion that the new Secretary should have the opportunity to review these positions for possible changes in program priority. The Subcommittee recommends that the Secretary be permitted the discretion to reduce expenditures and delete the positions in order to remain within the salaries and wages budget and position authority recommended by this Subcommittee.



Representative J. Sanford Duncan  
Subcommittee Chairman



Representative David Heinemann



Representative Jack Shriver

TABLE I

FY 1984 DEPARTMENT OF HEALTH AND ENVIRONMENT  
FOUR PERCENT COST-OF-LIVING FINANCING

(As Adjusted for Turnover Savings)

<u>Fund/Account</u>	<u>Amount</u>
State General Fund:	
Administration	\$ 58,380
Research and Planning	12,428
Facilities and Service Regulation	63,325
Community Health Services	45,911
Personal Health Services	14,878
Waste Management	14,455
Surface Water Pollution Control	14,855
Air Pollution Control	11,763
Groundwater Pollution Control	23,206
Radiation Control	14,076
Public Drinking Water	10,964
Laboratory Services	49,019
Registration and Records	—
Subtotal - State General Fund	<u>\$333,260</u>
All Other Funds:	
Vital Statistics Fee Fund	\$ 20,530
Food Service and Lodging Fee Fund	12,345
Power Generating Facility Fee Fund	3,393
Conservation Fee Fund	3,146
Waterwell Contractors Licensing Fund	898
Federal Medicare Fund	5,186
Federal Migrant Health Fund	1,573
Federal Occupational Health Statistics	558
Federal WIC Fund	6,958
Federal Air Quality Fund	13,979
National Health Planning Fund	7,519
Federal Water Supply Fund	9,597
Federal RCRA Fund	11,635
Federal EPA 106 Fund	14,170
Federal EPA 208 Fund	5,991
Federal EPA 205g Fund	23,293
Federal EPA UIC Fund	6,278
Federal Family Planning Fund	4,152
Federal M.C.H. Block Grant	21,080
Federal Preventive Health Block	4,517
National Center Health Statistics	1,854
Subtotal - All Other Funds	<u>\$178,652</u>
TOTAL ADJUSTMENT	<u>\$511,912</u>

TABLE II

## SENATE SUBCOMMITTEE RECOMMENDATION

Revenue Impact of Adjustments to Governor's  
Proposed Fee IncreasesFY 1984

	<u>State General Fund</u>	<u>Special Revenue</u>
Vital Statistics	\$ +43,983	\$+355,747
Certificate of Need Application	—	—
Hospital Facilities	(59,136)	—
Oil and Gas	(49,500)	—
Salt Solution Mining	(25,000)	—
Petroleum Storage Plans	(2,400)	—
Underground Hydrocarbon Storage	(35,000)	—
Adult Care Home License Fees	(106,088)	—
Adult Care Home Administrators	(7,950)	—
TOTAL	<u>\$ (241,091)</u>	<u>\$ 355,747</u>

TABLE III

## HOUSE SUBCOMMITTEE RECOMMENDATIONS

Revenue Impact of Adjustments to  
Governor's Proposed Fee IncreasesFY 1984

	<u>State General Fund</u>	<u>Special Revenue</u>
Vital Statistics	\$ 43,983	\$ 245,182
Certificate of Need Application	(27,000)	—
Hospital Facilities	(666)	—
Adult Care Home License Fees	(132,098)	—
Adult Care Home Administrators	—	—
Revisions in Fee Credits:		
Vital Statistics*	1,129,932	(1,093,000)
Waterwell Contractors Fees*	35,104	(22,000)
Food Service and Lodging Fees*	684,468	(528,128)
Certification of Facility Operators Fees*	32,358	(14,800)
Power Generating Facility Fees	(37,739)	37,739
TOTAL	<u>\$ 1,728,342</u>	<u>\$ (1,375,007)</u>

\* Note: \$223,934 would be gained in State General Fund revenues by transferring balances in four special revenue funds.

DRAFT BILL NO. \_\_\_\_\_

For Consideration by House Committee on Ways and Means

AN ACT concerning the department of health and environment; placing certain offices and positions within the unclassified service under the Kansas civil service act; amending K.S.A. 65-2405 and K.S.A. 1982 Supp. 75-5610 and 75-5631 and repealing the existing sections.

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

Section 1. K.S.A. 65-2405 is hereby amended to read as follows: 65-2405. The secretary shall appoint a state registrar of vital statistics who shall be qualified in the unclassified service under Kansas civil service law and the state registrar shall be certified to the secretary of state. ~~His--compensation will-be-fixed-in-accordance-with-the-salary-schedules-established as-authorized-by-the-Kansas-civil-service-act-and-acts-amendatory thereof--and--supplemental--thereto~~ The state registrar shall receive an annual salary fixed by the secretary of health and environment and approved by the governor.

Sec. 2. K.S.A. 1982 Supp. 75-5610 is hereby amended to read as follows: 75-5610. (a) Except as otherwise specifically provided prescribed by law, the secretary of health and environment shall appoint, subject to the Kansas civil service act, all subordinate officers and employees of the respective divisions, sections or other units of the department of health and environment, and all such subordinate officers and employees shall be within the classified service under the Kansas civil service act.

(b) On and after July 1, 1983, except as otherwise specifically prescribed by law, each assistant or deputy director of the division of health or the division of environment and the chief administrative officer of any bureau, section, office or

Atch. I

other unit of the department of health and environment which are in existence on July 1, 1983, or which are organized thereafter by the secretary of health and environment under K.S.A. 75-5619 and amendments thereto, shall be in the unclassified service under the Kansas civil service act.

Sec. 3. K.S.A. 1982 Supp. 75-5631 is hereby amended to read as follows: 75-5631. (a) There is hereby established under the supervision of the secretary of health and environment an office of emergency medical services, the chief administrative officer of which shall be the head of the office of emergency medical services. The secretary shall appoint the head of the office of emergency medical services, who shall be in the ~~classified~~ unclassified service under the Kansas civil service act. ~~The person-employed-as-the-head-of-the-office--of--emergency--medical services--immediately--prior--to--the--effective-date-of-this-act shall-continue-as-the-head-of-the--office--of--emergency--medical services--and--shall--attain--permanent--status-in-the-classified position-of-head-of-the--office--of--emergency--medical--services without--examination--and-without-a-probationary-period-and-shall retain-all-retirement-benefits-earned-prior-to-the-effective-date of-the-act,-and-such-person's-service-shall--be--deemed--to--have been-continuous-~~

(b) Under the supervision of the secretary of health and environment, the head of the office of emergency medical services shall administer the office of emergency medical services. The secretary of health and environment shall appoint other officers and employees as may be necessary to carry out the functions of the office of emergency medical services. All such other officers and employees shall be within the classified service under the Kansas civil service act.

Sec. 4. K.S.A. 65-2405 and K.S.A. 1982 Supp. 75-5610 and 75-5631 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the statute book.

JOHN F (JACK) SHRIVER  
 REPRESENTATIVE, 79TH DISTRICT  
 COWLEY COUNTY  
 115 NO. B  
 ARKANSAS CITY, KANSAS 67005



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COMMITTEE ASSIGNMENTS  
 NUMBER WAYS AND MEANS  
 PENSIONS AND INVESTMENTS

HOUSE OF  
 REPRESENTATIVES

March 26, 1983

Secretary Barbara Sabol  
 Department of Health and Environment  
 Forbes Field  
 Topeka, Kansas

Dear Secretary Sabol:

As you know, the House Ways and Means Subcommittee intends to recommend introduction of legislation which would place all policy-making positions in your Department in the unclassified service. I believe it is a recommendation which warrants a clear understanding between the executive and legislative branches of government as to the intended outcome.

In proposing this recommendation to the Subcommittee, it is my personal intent that the Secretary of Health and Environment should be ultimately responsible for the management of the Department. Over the past decade, many of my legislative colleagues have shared my perception that the Department has been less than responsive to legislative actions and concerns. I am sure you are keenly aware of the broad and diverse charges which by statute have been given the Department. Its responsibilities include the regulation of Kansas nursing homes, the administration of family planning clinics, the prevention of surface and groundwater pollution, and the regulation and control of hazardous and toxic wastes. The organization and activities of the Department are as complex as are the public health and environmental regulatory responsibilities with which it has been charged. Due to the breadth of very important public policy issues addressed by the agency you head, I am of the strong conviction that the positions charged with policy-making responsibilities in your agency should be responsive to your direction. In my opinion, placing such key positions in the unclassified service will ensure maximum accountability to you, as the Department's chief executive, and to the Legislature, as the representative of the people of Kansas.

I do not make this recommendation without recognition of the possibility that the broadened authority you would be granted could be misinterpreted. This letter is intended to clarify that you will be held responsible for the consequences, whether positive or negative, of your increased executive flexibility

Attch. XI



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as a result of this legislation. It is my expectation that any personnel changes which might result in the Department would be made solely to achieve the goal of improvement of the agency's ability to carry out its very important statutory responsibilities. In my opinion, changes in personnel are not necessarily in order, nor is the possibility of such changes the issue. Rather, my goal is to ensure that the positions changes with broad policy authority in the Department recognize that the chief executive of the agency is responsible and accountable to the Legislature, and ultimately to the people of Kansas, for their actions.

I look forward to reviewing in detail the progress which I am confident will have been made toward this end by the time the 1984 Legislature convenes.

Sincerely,

Jack Shriver  
Representative, 79th District

JS/rh

cc: The Honorable John Carlin  
Governor of Kansas