

SENATE SUBCOMMITTEE REPORT ON H.B. 2135 AND 2140

1983 and 1984 Appropriations

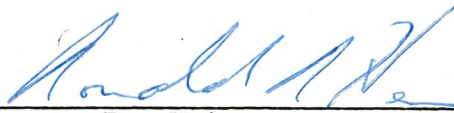
Sections Pertaining to:

Kansas Bureau of Investigation  
Kansas Energy Office  
Veterans of World War I



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Senator Joe Harder  
Subcommittee Chairman



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Senator Ron Hein



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Senator Billy McCray

## SUBCOMMITTEE REPORT

Agency: Kansas Bureau of Investigation Bill No. 2140 Bill Sec. 4  
 Analyst: McConnell Analysis Pg. No. 330 Budget Pg. No. 4-53

<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	\$ 5,643,024	\$ 5,024,955*	\$ (154,417)
Capital Improvements	195,845	--	--
TOTAL	<u>\$ 5,838,869</u>	<u>\$ 5,024,955</u>	<u>\$ (154,417)</u>
State General Fund:			
State Operations	\$ 5,608,024	\$ 4,989,955*	\$ (154,417)
Capital Improvements	195,845	--	--
TOTAL	<u>\$ 5,803,869</u>	<u>\$ 4,989,955</u>	<u>\$ (154,417)</u>
F.T.E. Positions	131.0	129.0	--

\* Includes a Governor's Budget Amendment in the amount of \$13,587 to correct a technical error.

#### Agency Request/Governor's Recommendation

The Bureau's FY 1984 request of \$5,643,024 represents a 20.7 percent increase above the revised estimate of expenditures for the current fiscal year. The increase is attributed in large part to operation of the Bureau at full staff. Additionally, the Bureau is requesting two new positions (a Computer Systems Analyst III and a Clerk Typist II), an expanded Crime Watch Program, a continued phased replacement of radios, laboratory equipment purchases, and installation of a telecommunications message switcher.

The Governor recommends \$5,024,955 for FY 1984 which will allow the Bureau to resume normal investigative and support operations in FY 1984. With the exception of one special agent position, sufficient funds have been recommended to finance salary and support costs for all positions presently held vacant in order to comply with the 4 percent budget reductions for the current fiscal year. Additionally, funds have been recommended in FY 1984 to restore the Community Crime Watch Program to the level authorized for FY 1983. The Governor's recommendation makes no provision for installation of a telecommunications message switcher. No additional positions are authorized for FY 1984.

#### House Subcommittee Recommendation

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

1. Deletion of the \$119,205 recommended for a 4 percent cost-of-living salary increase pending legislative determination of salary policy with respect to all state agencies.

2. A reduction of \$15,000 in the amounts budgeted for the Crime Watch Program. Of that amount, a \$10,000 reduction is recommended in printing and advertising expenses which reduces the printing budget to \$34,925. The remaining \$5,000 reduction is made in the amounts budgeted for fee for instructors and consultants and reduces such budgeted amounts from \$10,000 to \$5,000.
3. Addition of \$5,000 in the amounts budgeted for the purchase of radios. The Subcommittee encourages the agency to ensure that all vehicles are properly equipped with radio communication devices that are in reasonably good working order.
4. The Subcommittee recommends creation of a special No Limit fund for education and training purposes. The Subcommittee encourages the agency to charge local law enforcement agencies a minimal fee for training services provided as part of the Bureau's new agent recruit classes. When conducting its eight-week special agent course for new recruits, the Bureau typically extends a limited number of invitations (approximately 15) to local law enforcement agencies requesting their participation. While the local law enforcement agency is required to pay all travel and subsistence expenses associated with participation in the course, no fee is charged for the course itself. Should the Bureau decide to charge a minimal fee for such training courses, receipts would be deposited to this fund and the Subcommittee recommends that expenditures from the fund be allowed without limitation. Expenditures could be made for any purpose and would not be restricted to costs associated with education and training programs.
5. The Subcommittee recommends creation of a revolving fund for "buy money" for narcotics investigators. Money from this fund would be used for purchase of controlled substances, "flash money" to make contacts, information leading to illicit drug outlets and contraband and stolen property. The agency reports that in the past, approximately 30 percent of this money is later recovered and returned to the State General Fund. Creation of a revolving fund would allow monies recovered to be deposited in this fund and available to the agency for expenditure.
6. The Subcommittee recommends deletion of one Special Agent position assigned to the Investigation Division. The Governor recommends a total agent staffing complement of 34.0 F.T.E. positions; however, funding is provided for only 33.0 F.T.E. positions with the understanding that the position can only be filled if turnover in the investigative staff provides sufficient funds to do so. Consequently, the Subcommittee's decision to eliminate this position does not generate any salary savings.
7. The Subcommittee wishes to express concern regarding the future possibility of relocation of this agency. The Subcommittee notes that the present lease expires at the close of FY 1984 at which time the lease will be renegotiated as it contains no provision for automatic renewal. The Subcommittee believes that should this lease be renegotiated, the state can anticipate a significant increase in rental costs associated with housing this agency. The Subcommittee also notes that decisions to relocate this agency also entail costly moving expenses related to laboratory equipment, data processing equipment, etc. Planning for the potential move of this

agency has not received appropriate consideration and if deferred indefinitely could place the agency at a distinct disadvantage if faced with renegotiating its lease. The Joint Committee on State Building Construction voiced similar concerns and requested that Committee staff and staff of the state architect's office discuss this matter further and report back to the Committee regarding available space and the degree to which this potential move has received consideration by the architect's office. The Subcommittee would urge the architect's office to make a concerted effort to keep the KBI apprised of its deliberations with regard to this matter.

8. The Subcommittee inquired about applied remote sensing capabilities as it relates to the potential for detection of marijuana fields. In response to this question, the Bureau made initial contact with staff of the remote sensing laboratory at the University of Kansas and learned that it might be possible to detect marijuana fields and perhaps differentiate cultivated from uncultivated. Laboratory staff indicated that it was their understanding that law enforcement agencies in other states were making use of this technology. The Subcommittee would encourage the agency to continue to investigate this matter further.
9. The Subcommittee recommends that the Bureau be given the authority to install a criminal justice message switching computer in FY 1984. The Subcommittee is convinced that this can be accomplished without increasing State General Fund support. The Subcommittee recognizes that the new system would not be operational July 1, 1983; consequently, the data processing budget recommended by the Subcommittee assumes continued reliance on services provided by the Division of Information Systems and Computing for the first four months of FY 1984. The recommendation also assumes the addition of a Computer Systems Analyst III position budgeted for 10 months. The Subcommittee's recommendation also assumes that the Bureau will charge the Kansas Highway Patrol \$29,000 for message switching services. The net effect of the Subcommittee's recommendation is a reduction of \$25,212 in the amounts budgeted for data processing. The Subcommittee believes this must be done as a cooperative effort between the KBI and the Highway Patrol and both sides must be included in formulating these plans.
10. The Subcommittee recommends retention of the prior legislative practice of providing in the appropriation act a separate line item appropriation for salaries and wages and for other operating expenditures as opposed to the format recommended by the Governor.

#### House Committee Recommendation

The Committee concurs with the Subcommittee's recommendation.

Senate Subcommittee Recommendations

FY 1983. The Subcommittee concurs with Governor's Budget Amendment No. 3 providing for a \$37,000 State General Fund supplemental appropriation. The increased costs are attributed to increased use of the ASTRA network by participating agencies and higher telephone and data processing costs. The recommendation requires amendment to H.B. 2135 to provide the supplemental appropriation.

FY 1984. The Senate Subcommittee concurs with the House recommendation with the following adjustments:

1. Delete the funding added by the House Committee to enable the agency to install a criminal justice message switching computer. The reasons for this recommendation are several. Were the KBI to install such equipment, the loss in revenue realized by DISC would likely not be offset by a commensurate reduction in cost and would result in those costs passed on to other agency users in the form of increased rates. The likely relocation of the KBI by the summer of 1984 would be an additional complicating factor. Were such a message switching computer to be authorized for the KBI, it would seem to be preferable to delay that action until after the agency has relocated. Finally, the Director of DISC has not recommended this action as of this time. By previous statutory enactments, the Legislature purposefully delegated authority in such matters to the Director of DISC and legislative intervention seems inappropriate. A task force has been established with representatives from DISC, the KBI, and the Highway Patrol to study the issue and make recommendations to the Director of DISC. Hopefully, that report will be available, together with a DISC recommendation, prior to adjournment. The net effect of the Subcommittee recommendation is an increase of \$51,008 in OOE, and a reduction of \$25,796 in salaries for a Computer Systems Analyst.
2. The Subcommittee wants to emphasize again the urgency in arriving at a resolve of the agency's space needs. The current leased facility is undersized and, beginning in FY 1985 when the lease must be renewed, prohibitive in cost.

SUBCOMMITTEE REPORT

Agency: Kansas Energy Office Bill No. 2140 Bill Sec. 18

Analyst: Efird Analysis Pg. No. 384 Budget Pg. No. 1-131

<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	\$ 697,652	\$ 635,966	\$ (176,532)
Aid to Local Units	62,275	60,665	400,000
TOTAL	<u>\$ 759,927</u>	<u>\$ 696,631</u>	<u>\$ 223,468</u>
 State General Fund:			
State Operations	\$ 233,830	\$ 43,947	\$ (2,126)
 F.T.E. Positions	8.0	5.5	1.0

\* The agency submitted an FY 1984 budget request for an independent Kansas Energy Office. The Governor's recommendations for funding apply to a proposed new agency, the Kansas Office of Federal Energy Grants Management, addressed in 1983 H.B. 2434.

House Subcommittee Recommendations

FY 1983. The Subcommittee concurs with the Governor's recommendations for a reduction of \$113,789 in the energy special projects fund expenditures because of a reduction in federal funds. The Subcommittee would point out that \$2,103,600 from the petroleum violation escrow fund administered by the U.S. Department of Energy has been deposited in the Kansas Energy Office's energy special projects fund for state use as of February 7, 1983. Recommendations by the Subcommittee for use of those funds are made in the FY 1984 section of this report.

In addition, the Subcommittee notes that an additional \$400,000 from the U.S. Department of Housing and Urban Development for an energy conservation loan subsidy program to be distributed through the state's financial lending institutions has been awarded the Kansas Energy Office and will be received in the near future. The Subcommittee recommends that no action be taken with regard to the HUD grant unless a Governor's budget amendment is forthcoming this Session. After the receipt of an amendment, the Subcommittee would urge careful consideration be given to how an estimated \$10,000 administrative match that is required by the federal program would be financed.

FY 1984. The Subcommittee concurs with the Governor's proposal that a new energy agency be established and with the Governor's recommended expenditures, with the following exceptions:

1. Delete the 4 percent cost-of-living increase of \$2,126 financed by the State General Fund and \$3,829 financed by all other funds.
2. Adopt Substitute for H.B. 2434 which would establish the Kansas Office of Energy Conservation Management to administer certain federal energy conservation programs in the state and to prepare a fuel resources emergency preparedness plan.

3. Increase staffing from 5.5 to 6.5 F.T.E. positions to provide a Chief Energy Analyst to manage the fuel resources emergency preparedness planning; add \$28,956 for salary and benefits for the additional position and \$7,045 for other operating costs related to such duties, to be financed by a transfer from the Conservation Fee Fund of the Kansas Corporation Commission. The Governor has recommended the position be established in the Kansas Corporation Commission special division. The Subcommittee concurs with the Governor's suggested funding out of a fee fund of the Kansas Corporation Commission but recommends the position to be established in the Energy Conservation Management Office.
4. Shift federal State Energy Conservation Program funds amounting to \$22,000 from the weatherization program to the residential energy conservation program at Kansas State University for continuing a toll-free energy "hot-line" and the "Energy Ingenuity" publication. (This recommendation has no fiscal impact of increasing or decreasing expenses, only how funds are to be used.)
5. Transfer the weatherization program funds of up to \$206,578 that will be financed by State Energy Conservation Program monies to the Department of Social and Rehabilitation Services instead of contracting with SRS. (This results in a decrease in expenditures by the agency of up to \$206,578.)
6. Transfer \$1,703,600 of the petroleum violation escrow funds to SRS for use only in the weatherization program. (This has no fiscal impact on agency spending.)
7. Authorize expenditure of \$400,000 of the petroleum violation escrow funds for capital improvement grants under the authority of the Institutional Building Conservation Program for energy conservation at schools and hospitals. The Subcommittee would strongly urge administrators of the schools and hospitals program to assign a high priority to cycle five energy conservation programs. The Subcommittee would note quite a significant number of technical energy audits have been completed and that those audits are required before actual energy conservation measures can be implemented with matching federal funds. The Subcommittee is of the strong opinion that with the completion of the significant number of technical audits, the focus of the schools and hospitals program should, as far as is allowed under federal regulations, be shifted to the implementation of energy conservation measures.

<u>Expenditure Summary</u>	<u>Subcommittee Recommendation</u>
All Funds:	
State Operations	\$ 459,434
Aid to Local Units	460,665
TOTAL	<u>\$ 920,099</u>
State General Fund:	
State Operations	\$ 41,821
F.T.E. Positions	6.5

House Committee Recommendations

The Committee concurs with the Subcommittee recommendations and recommends Substitute for H.B. 2434 be reported favorably.

Senate Subcommittee Recommendations

FY 1983 and 1984. The Subcommittee concurs with the House adjustments with the following changes:

1. Amend Substitute for H.B. 2434 to create a Division of Energy Conservation Management within the State Corporation Commission to administer certain federal energy conservation programs in the state and to prepare a fuel resources emergency preparedness plan. This recommendation will supercede House Subcommittee Recommendation No. 2.
2. Provide staffing of 6.5 F.T.E. within the new KCC division, with State General Fund financing for the 2.0 F.T.E. positions associated with the schools and hospitals program and Conservation Fee Fund financing for the 1.0 fuel allocation position. All other positions would be federally funded, except for \$4,000 addressed in item 5.
3. Continue a toll-free energy "hot-line" with federal funds of \$22,000, but allow its implementation to be determined by the KCC as to the agency performing the function. This recommendation will supercede House Subcommittee Recommendation No. 4.
4. In regard to the weatherization program, the Subcommittee commends SRS for "Operation Volunteer" and notes its approval of future weatherization transfers in the House report.
5. Add \$400,000 in federal funds and \$4,000 State General Fund match for the new loan program recommended by the Governor in Budget Amendment No. 4 for residents of single and multi-family dwellings to make energy conserving modifications.

A summary of the fiscal impact resulting from these recommendations is shown below:

<u>Expenditure Summary</u>	<u>Subcommittee Recommendation</u>
All Funds:	
State Operations	\$ 463,434
Aid to Local Units	460,665
Other Assistance	400,000
TOTAL	<u>\$1,324,099</u>
State General Fund:	
State Operations	\$ 45,821
F.T.E. Positions	6.5



SUBCOMMITTEE REPORT

Agency: Veterans of World War I Bill No. 2140 Bill Sec. 18  
 Analyst: Hauke Analysis Pg. No. — Budget Pg. No. 1-197

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Recommendation</u>
Other Assistance:			
All Funds	\$ 2,000	\$ 2,000	--
State General Fund	2,000	2,000	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs with the Governor's recommendation.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.