

MINUTES OF THE House COMMITTEE ON Ways and Means

The meeting was called to order by Bill Bunten at
Chairperson

1:30 ~~xm~~/p.m. on Tuesday, February 14, 1984 in room 514-S of the Capitol.

All members were present except: Representative Wisdom (excused)

Committee staff present: Bill Gilmore, Legislative Research Dave Hanzlick, Administrative Assistant
Ray Hauke, Legislative Research
Lyn Goering, Legislative Research Nadine Young, Committee Secretary
Gloria Timmer, Legislative Research
Carolyn Rampey, Legislative Research
Lynne Holt, Legislative Research

Conferees appearing before the committee:

Michael Barbara, Secretary of Department of Corrections

Others present (Attachment I)

Chairman Bunten called the meeting to order at 1:30 p.m.

HB 2829, an act relating to a prerelease program for persons sentenced to the custody of the secretary of corrections; concerning operation of pre-release centers; requiring certain reports; amending section 1 of 1984 Senate Bill No. 496 and repealing the existing section.

Secretary of Corrections Michael Barbara addressed the committee concerning the requirements this bill makes for his department. Committee members were given a handout on "Selection Process and Transfer Procedures for Pre-Release" (Attachment II). Barbara told the committee that the information that would be provided in these reports could be obtained at any time, by pulling it from the computer, and he sees no real purpose for the bill. He said further that to comply with these instructions would require lots of record keeping and would necessitate extra office help.

Chairman turned to Subcommittee Reports

HB 2680, Section 6, BEHAVIORAL SCIENCES REGULATORY BOARD (Attachment III). Representative Chronister reported on this section. Subcommittee concurs with the Governor's recommendations with adjustments of \$3,924. Representative Chronister moved the report be adopted. Seconded by Representative Turnquist. Motion carried.

HB 2680, Section 3, BOARD OF ACCOUNTANCY (Attachment IV). Representative Lowther reported on this section. Subcommittee concurs with the Governor's recommendations with a few adjustments. Representative Lowther moved the report be adopted. Seconded by Representative Dyck. Motion carried.

HB 2680, Section 10, KANSAS DENTAL BOARD (Attachment V). Representative Bussman reported on this section. Subcommittee made several adjustments to the Governor's recommendations. Representative Bussman moved the report be adopted. Seconded by Representative Solbach. Motion carried.

HB 2680, Section 17, KANSAS REAL ESTATE COMMISSION. (Attachment VI). Representative Turnquist reported on this section. The subcommittee concurs with the governor's recommendation with a slight adjustment. Representative Turnquist moved the report be adopted. Seconded by Representative Chronister. Motion carried.

HB 2703, BOARD OF TECHNICAL PROFESSIONS (Attachment VII)

Representative Helgerson reported on this section. Subcommittee concurs with Governor's recommendation with several exceptions. Representative Helgerson moved the report be adopted. Seconded by Representative Hoy. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,
room 514-S, Statehouse, at 1:30 ~~am~~/p.m. on Tuesday, February 14, 1984.

HB 2680, Section 20, Board of Technical Professions (Attachment VIII)
Representative Helgerson reported on this section. Subcommittee concurs with Governor's recommendations with some adjustments. Representative Helgerson moved the report be adopted. Representative Miller seconded. Motion carried.

HB 2680, Section 18 - Savings and Loan Department (Attachment IX)
Representative Teagarden reported on this section. Subcommittee concurs with the Governor's recommendation with a few exceptions. Representative Teagarden moved the report be adopted. Seconded by Representative Chronister. Motion carried.

HB 2703, Board of Embalming (Attachment X).
Representative Louis reported on this section. The subcommittee concurs with the Governor's recommendations. Representative Louis moved the report be adopted. Seconded by Representative Bussman. Motion carried.

HB 2680, Section 11, Board of Embalming (Attachment XI)
Representative Louis reported on this section. The subcommittee concurs with the Governor's recommendation with a few exceptions. Representative Louis moved the report be adopted. Seconded by Representative Rolfs. Motion carried.

Meeting adjourned at 2:30 p.m.

2-14-84

GUESTS -- 1984

<u>Name</u>	<u>Address</u>	<u>Representing</u>
1. T.C. Anderson	Topoka	RSCFA
2. John Spurgeon	Lawrence	Budget
3. Gary Kemp	Topoka	KDoc
4. Donna Bergen	Topoka	KDoc
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KANSAS DEPARTMENT OF CORRECTIONS

INTERDEPARTMENTAL MEMORANDUM

TO: House Ways & Means Committee DATE: February 14, 1984

FROM: Michael A. Barbara, Secretary of Corrections

SUBJECT: HB 2829 - Requiring Pre-Release Reports

BILL SUMMARY

HB 2829 contains the following provisions:

- A. A pre-release plan of operations shall be submitted to the Governor, Attorney General, President of the Senate, and Speaker of the House prior to opening. It shall specify:
1. How and for what purpose pre-release inmates are selected.
 2. The procedures used to determine the custody status of pre-release inmates.
 3. The criteria used to select pre-release inmates.
 4. The programs and activities for pre-release inmates.
- B. A monthly report of current operations shall be submitted to the same individuals that:
1. Explains changes in the procedures used to determine the custody status of pre-release inmates and the criteria used to select pre-release inmates.
 2. Lists the following information on inmates currently housed in pre-release centers and those inmates scheduled to be housed:
 - names
 - offenses
 - prior convictions
 - institutional behavior record
 - anticipated period of pre-release confinement

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CUSTODY CLASSIFICATION

Inmates are classified in four categories (maximum, close, medium, minimum) using the Department's Custody Classification Manual. Inmates are initially classified at the time they come into the prison system. Their classification generally progresses as they move through the system from a high custody level to a low custody level. In order for an individual to qualify for participation in a pre-release center, they must be minimum custody.

SELECTION CRITERIA

The following selection criteria have been established. An inmate must:

- A. Be minimum custody (D and E felons).
- B. Have been minimum custody for 90 days prior to pre-release participation (B and C felons).
- C. Not have been convicted of an A felony.
- D. Not have a pattern of institutional violence.
- E. Not have been convicted of certain sex offenses.
- F. Not have an escape history.

Inmates eligible for pre-release are screened at the institutional level, by central office, and by the Kansas Adult Authority. One month prior to transfer to a pre-release center, inmates will go before the KAA.

The attached document "The Selection Process and Transfer Procedures for Pre-Release" sets out very specifically the steps through which an inmate must go before he or she can participate in pre-release.

PROGRAMS AND ACTIVITIES

The Department has developed a tentative curriculum for the pre-release centers. This list will be refined and completed as additional staff are hired. Examples of programs include: Job seeking skills, money management, substance abuse, and human relations.

MAB:DB:dja
Enclosure

**THE SELECTION PROCESS
AND TRANSFER PROCEDURES
FOR PRE-RELEASE**

Prepared by: Planning, Research,
Evaluation and Accreditation Unit

February 8, 1984

Introduction

As most everyone is now well aware, the Department of Corrections has proposed the establishment of two Pre-Release Centers. One such Center is to be located in Winfield and will provide pre-release programs for 125 inmates. The other Center is to be located in Topeka and will provide pre-release programs for 50 inmates.

Since swift legislative approval of funds for the operation of the Pre-Release Centers is anticipated, a target date of June 18, 1984 has been set for the transfer of the first group of inmates to the Pre-Release Centers. In order to meet this target date, we must begin immediately to identify the first two groups of potential participants and to establish procedures for the final selection and transfer for these and future participants.

The Flow of Inmates to Pre-Release

In developing the pre-release concept and in planning the number of beds needed, it was estimated that 63 inmates (57 males and 6 females) would become eligible for pre-release each month. Over the course of three months (the duration of the pre-release program), a total of 189 inmates will become eligible for pre-release. At the end of three months, a group of 63 inmates will complete pre-release and be paroled, thus opening up 63 beds for the next group of inmates eligible. In this way, the flow of inmates into and out of pre-release is continuous. (NOTE: The difference between the 189 inmates eligible over a three month period and the 175 actual beds available between the Topeka and Winfield Centers exists because a certain proportion of those eligible will, for various reasons, be screened out and will not participate in pre-release. Also the 63 per month figure is an estimate; actual numbers may vary slightly.)

While the monthly flow of inmates into and out of pre-release is estimated to be 63 per month, it is important to note that not all inmates completing pre-release will move directly to parole. The monthly flow of 63 inmates includes an estimated 9 inmates who will move from pre-release to work release.

The Selection Process

The identification and selection of inmates for participation in pre-release is, ideally, a 5 1/2 month process. In arriving at this 5 1/2 month timetable there were three primary considerations: 1) there had to be enough time allowed for a careful screening of potential participants; 2) enough time had to be allowed for the pre-parole investigation and KAA hearing processes; and 3) a pool of eligible inmates awaiting transfer to pre-release is needed to ensure a continuous flow and efficient utilization of pre-release bedspace. The critical steps and dates involved in the selection process are shown in Table A.

Faced with a June 18, 1984 target date for the transfer of the first group of inmates to pre-release and faced with a 5 1/2 month selection process, we immediately found ourselves about a month behind schedule. To overcome this and get back on schedule, it has become necessary for us to select the first two groups of pre-release inmates (those with projected parole eligibility dates of September and October, 1984) simultaneously. As a result, the critical dates shown in Table A for the September and October, 1984 groups are the same up until the issuing of the transfer order to pre-release step (6-10-84 for the September, 1984 group). At that point, the October, 1984 group becomes the eligible pool awaiting transfer.

Since the selection process for the September and October, 1984 groups is somewhat atypical of the usual process, it is difficult to discuss Table A using either September or October, 1984 as examples. For this reason, the selection process for those inmates with a projected parole eligibility date of

November, 1984 is used as an example in the discussion below, and the dates for this group are shown in parenthesis. In processing cases with a projected parole eligibility of September or October, 1984, however, please be sure to use the dates shown for those months in Table A.

Table A

Critical Dates for Processing Cases through Pre-Release to Parole
September, 1984 through September, 1985

Projected Parole Eligibility Date	Computer Listing of Potential Participants Is Generated:	Pre-Parole Material Compiled by:	Recommendations and Pre-Parole Material Submitted to DOC for Review by:	Tentative Parole Reviewed by Parole Coordinator	Parole Coordinator Review Completed by:	KAA Conducts Parole Hearing During the Month of:	KAA Reaches Tentative Decision Regarding Parole by:	Transfer Order to Pre-Release Prepared	Inmates Transferred to Pre-Release by:
Sep '84	ASAP	3-10-84	3-15-84	4-1-84	5-1-84	May '84	6-1-84	6-10-84	6-18-84
Oct '84	2-1-84	3-10-84	3-15-84	4-1-84	5-1-84	May '84	6-1-84	7-10-84	7-18-84
Nov '84	3-1-84	4-10-84	4-15-84	5-1-84	6-1-84	Jun '84	7-1-84	8-10-84	8-18-84
Dec '84	4-1-84	5-10-84	5-15-84	6-1-84	7-1-84	Jul '84	8-1-84	9-10-84	9-18-84
Jan '85	5-1-84	6-10-84	6-15-84	7-1-84	8-1-84	Aug '84	9-1-84	10-10-84	10-18-84
Feb '85	6-1-84	7-10-84	7-15-84	8-1-84	9-1-84	Sep '84	10-1-84	11-10-84	11-18-84
Mar '85	7-1-84	8-10-84	8-15-84	9-1-84	10-1-84	Oct '84	11-1-84	12-10-84	12-18-84
Apr '85	8-1-84	9-10-84	9-15-84	10-1-84	11-1-84	Nov '84	12-1-84	1-10-85	1-18-85
May '85	9-1-84	10-10-84	10-15-84	11-1-84	12-1-84	Dec '84	1-1-85	2-10-85	2-18-85
Jun '85	10-1-84	11-10-84	11-15-84	12-1-84	1-1-85	Jan '85	2-1-85	3-10-85	3-18-85
Jul '85	11-1-84	12-10-84	12-15-84	1-1-85	2-1-85	Feb '85	3-1-85	4-10-85	4-18-85
Aug '85	12-1-84	1-10-85	1-15-85	2-1-85	3-1-85	Mar '85	4-1-85	5-10-85	5-18-85
Sep '85	1-1-85	2-10-85	2-15-85	3-1-85	4-1-85	Apr '85	5-1-85	6-10-85	6-18-85

Step 1 - Computer Listing of Potential Participants is Generated

On the first working day of each month (March 1, 1984) Data Processing will produce a listing for each institution and Honor Camp of inmates eligible for parole release in 8 months. The Honor Camps will receive this listing by mail. The listing will be transmitted to the institutions via the computer lines and will be printed at each institution. The listing is produced in this way, rather than as a Menu option, to ensure that the listings are produced on the same day for all concerned. (NOTE: Work release facilities will not receive a listing because inmates already in work release will not be transferred to pre-release.)

The listing received is based solely upon OBSCIS Item 79. All inmates eligible for parole release during the month specified, regardless of offense or custody level, are included; no inmates have been "screened out" at this point. In screening the cases listed, most of those found eligible for pre-release will be in the group currently classified as minimum custody. Given the structure of our classification system, however, it is quite possible that an inmate currently classified as something other than minimum might achieve minimum custody by the time of transfer to pre-release. If it is possible for an inmate's custody to be reduced to minimum through the usual classification process by the time of transfer to pre-release, the inmate should be screened just as if he/she was currently a minimum custody inmate. While this might prove fruitless if an inmate does not achieve minimum custody as expected, this must be done to ensure that all potentially eligible inmates are considered for pre-release.

If it is discovered that the listing omits inmates which other records suggest it should include, the institution records officer should immediately contact the Community Corrections Administrator at the Central Office and explain the particulars

of the case(s) omitted. It is important that all omissions be reported, even if the inmate(s) omitted will be screened out. This will help ensure that the inmate's OBSCIS records are corrected. The final determination as to whether or not the omitted inmate(s) is eligible for parole release during the specified month will be made by the Community Corrections Administrator after consultation with Central Office records staff and/or the KAA. Facility staff will be advised of this decision as soon as possible after the determination has been made.

Each institution should begin screening the cases listed immediately. If an inmate listed is not felt to be a candidate for pre-release, a statement of the reason(s) why should be sent to the Community Corrections Administrator within five working days. The pre-release recommendation form shall be used for this purpose. (NOTE: Until such time as a pre-release recommendation form is developed and made available, the work release recommendation form shall be used.) This will allow time for a case review at the Central Office level. The final decision as to whether or not an inmate will be excluded from pre-release rests with the Deputy Secretary for Community Services. Notification to the Central Office of cases recommended for exclusion within five working days will ensure that institution staff have enough time to complete pre-parole material, if the final decision is in favor of pre-release.

Step 2 - Pre-Parole Material Compiled and Completed

Each institution should complete the pre-release recommendation form and the usual pre-parole report by the 10th of the month following the month in which the original list was generated (April 10, 1984). The recommendation should include a suggestion as to the most feasible Pre-Release Center (i.e. Topeka or Winfield). If an inmate is going to pre-release based upon the decision of the Deputy Secretary for Community Services, the pre-release recommendation form does not need to be completed

again. The original form, which at this time point reflects the final decision, will be used and is already in the Central Office.).

Since the inmate's actual release is still several months away, it is recognized that in a few cases the pre-parole report will be sketchy, with regard to the inmate's employment and residential plans. If the inmate's plans are not definite at the time the pre-parole report is prepared, those portions of the plan should be stated in general terms (e.g. ... is planning to find an apartment or ... hopes to find work as a cook in ...). More precise information or changes in the inmate's plan will be developed with the assistance of pre-release center staff.

The completion of the pre-release recommendation and pre-parole report by the 10th of the month will allow each institution a few days for a final review of the material before the next critical step.

Step 3 - Recommendations and Pre-Parole Material Submitted to DOC for Review

Recommendations for Pre-Release, along with the pre-parole report, must be forwarded to the Community Corrections Administrator in the Central Office by the 15th of the month following the month in which the original list was generated (April 15, 1984). This will allow for a two week review of the material submitted before the next critical step. During this review period, the final decision regarding an inmates participation in pre-release will be made, and any deficiencies in the material submitted will be worked out between the Central Office and institution staff. If an inmate is at this point determined to be a candidate for Pre-Release participation, the material submitted will be forwarded to the parole administrator who will assign the case to a parole coordinator for review. If a decision is made during this review period to exclude an inmate from pre-release, the material submitted will be returned to the

institution, along with two copies of a statement of the reason(s) why. A copy of the statement shall be given to the inmate, and a copy shall be placed in the inmate file.

Step 4 - Tentative Parole Plan Reviewed by Parole Coordinator

The case material on inmates determined to be candidates for Pre-Release in Step 3 will be assigned to the appropriate parole coordinator two months after the original list is generated (May 1, 1984). This will allow the parole coordinators one month to review the tentative parole plan and prepare a report on the case for the KAA. Questions which arise during the course of the parole coordinator's review will be resolved between the parole coordinator and institution staff.

Step 5 - Parole Coordinator Review Completed

The review of the tentative parole plan by the parole coordinator will be completed and a report of the case will be submitted to the KAA three months after the original list was generated (June 1, 1984).

Step 6 - KAA Conducts Tentative Parole Hearing

The KAA will conduct a tentative parole hearing with inmates recommended for pre-release during the month which is three months after the month in which the original list was generated (June 1984). These hearings will be held at the time of the KAA's regularly scheduled hearings at each institution

Step 7 - KAA Reaches Decision Regarding Parole

The purpose of the KAA hearing held in Step 6 above is for the KAA to determine whether or not they (KAA) would be willing to grant the inmate a parole release during the month in which the inmate is eligible for such a release. The KAA will make this determination by the 1st of the month following the

hearing (July 1, 1984). If the KAA decision is favorable toward parole, the inmate, institution staff, and Central Office will be notified. If the KAA decision is that the KAA is not inclined to grant parole at the time the inmate is eligible, all concerned will be notified, and the inmate will no longer be considered a candidate for pre-release.

Step 8 - Transfer Order to Pre-Release Prepared

Upon notification of the KAA's decision, preparations will begin for the transfer of the inmate to pre-release. An important decision to be made is which Center will the inmate be transferred to. In making this decision, the Center suggested in the pre-release recommendation will be considered; however, the final placement decision will be made by the Deputy Secretary for Community Services. Placement decisions will be made well enough in advance so as to allow for a pool of inmates awaiting transfer. If for some reason it becomes necessary or feasible, some inmates from the available pool may be transferred earlier than the timetable calls for. In any case, however, the transfer order (Minutes of Transfer) will be prepared and distributed by the Security Specialist at least seven days before the actual transfer (August 10, 1984).

Step 9 - Inmates Transferred to Pre-Release

Transfers to pre-release will be made no later than 90 days prior to parole eligibility (August 18, 1984).

As noted earlier, some inmates will participate in pre-release prior to being transferred to work release. The timetable for processing such cases is outlined in Table B. In reviewing Table B, two major differences can be seen between this group of inmates and those described above in the Table A discussion. First, inmates going to work release after pre-release enter pre-release no later than 7 months prior to their parole eligibility, rather than three months prior as is the case if the

inmate is not going to work release. Secondly, inmates going to work release after completing pre-release are not interviewed by the KAA prior to their transfer to pre-release.

The timetable shown in Table B is constructed so as to allow for an inmate to spend 3 months in pre-release followed by 4 months in work release. If more than 4 months work release participation is anticipated, the entry date into pre-release must be adjusted accordingly. The following is a discussion of the critical steps shown in Table B. For purposes of discussion, the timetable for inmates eligible for parole release in January, 1985 is used as an example. Critical dates for this group (assuming 4 months in work release) are shown in parenthesis. It should, however, be noted that the discussion of Table B is less detailed than the Table A discussion in order to avoid redundancies. Except for the time at which certain steps are taken, what is discussed in regard to Table A also applies to the parallel step in Table B.

Table B

Critical Dates for Processing Cases through Pre-release to Work Release to Parole
January, 1985 through December, 1985

Projected Parole Eligibility Dates	Pre-Release/Work Release Application Submitted to DOC by:	DOC Makes Decision Regarding Pre-Release Work Release by:	Transfer Order to Pre-Release Issued by:	Transfer to Pre-Release Takes Place by:	Transfer to Work Release Center Issued by:	Transfer to Work Release Takes Place by:	Pre-Parole Material Sent Out by:	Pre-Parole Report Received by:	KAA Hearing and Decision in:
Jan '85	3-1-84	6-1-84	6-10-84	6-18-84	9-10-84	9-18-84	12-1-84	1-1-85	Jan '85
Feb '85	4-1-84	7-1-84	7-10-84	7-18-84	10-10-84	10-18-84	1-1-85	2-1-85	Feb '85
Mar '85	5-1-84	8-1-84	8-10-84	8-18-84	11-10-84	11-18-84	2-1-85	3-1-85	Mar '85
Apr '85	6-1-84	9-1-84	9-10-84	9-18-84	12-10-84	12-18-84	3-1-85	4-1-85	Apr '85
May '85	7-1-84	10-1-84	10-10-84	10-18-84	1-10-85	1-18-85	4-1-85	5-1-85	May '85
Jun '85	8-1-84	11-1-84	11-10-84	11-18-84	2-10-85	2-18-85	5-1-85	6-1-85	Jun '85
Jul '85	9-1-84	12-1-84	12-10-84	12-18-84	3-10-85	3-18-85	6-1-85	7-1-85	Jul '85
Aug '85	10-1-84	1-1-85	1-10-85	1-18-85	4-10-85	4-18-85	7-1-85	8-1-85	Aug '85
Sep '85	11-1-84	2-1-85	2-10-85	2-18-85	5-10-85	5-18-85	8-1-85	9-1-85	Sep '85
Oct '85	12-1-84	3-1-85	3-10-85	3-18-85	6-10-85	6-18-85	9-1-85	10-1-85	Oct '85
Nov '85	1-1-85	4-1-85	4-10-85	4-18-85	7-10-85	7-18-85	10-1-85	11-1-85	Nov '85
Dec '85	2-1-85	5-1-85	5-10-85	5-18-85	8-10-85	8-18-85	11-1-85	12-1-85	Dec '85

Step 1 - Work Release Application Submitted to Central Office

Although most inmates could benefit from the pre-release program prior to work release, it is not feasible to expect pre-release to always precede work release. For this reason, facility staff must decide when it is and when it is not feasible to recommend an inmate for pre-release prior to work release. At a minimum, recommendations for pre-release participation prior to work release must be submitted at least 10 months before the inmate's projected parole eligibility date (March 1, 1984). The procedure for making such a recommendation is the same as the procedure for work release without pre-release; however, it should be clearly specified in the recommendation that work release is not to begin until the pre-release program has been completed.

Step 2 - Central Office Makes Decision

The Central Office reviews the pre-release/work release application and notifies the inmate and facility staff of the decision within 3 months of receiving the application and recommendation (June 1, 1984).

Step 3 - Transfer Order to Pre-Release Issued

If the inmate's participation in pre-release/work release has been approved, the Security Specialist will issue the transfer order (Minutes of Transfer) at least 7 days before the transfer to pre-release (June 10, 1984).

Step 4 - Transfer to Pre-Release

The inmate is transferred to pre-release no later than 7 months before the projected parole eligibility date (June 18, 1984).

Step 5 - Transfer Order to Work Release Issued

The Security Specialist will issue the transfer order to work release no later than 7 days before the inmate is scheduled to complete the pre-release program (September 10, 1984).

Step 6 - Transfer to Work Release

The inmate will complete the pre-release program 3 months after beginning the program and is transferred to work release as soon thereafter as possible (September 18, 1984).

Step 7 - Pre-Parole Material Sent Out for Investigation

Staff at the work release center are responsible for preparing and submitting the usual pre-parole material. This material must be submitted no later than the 1st day of the month before the inmates projected parole eligibility date (December 1, 1984). This allows field service staff one month to conduct and complete the pre-parole investigation.

Step 8 - Pre-Parole Investigation Report Received

Field service staff must submit the pre-parole investigation report by the 1st day of the month during which the inmate is eligible for parole release (January 1, 1985).

Step 9 - KAA Hearing Conducted and Decision Rendered

The inmate will be interviewed by the KAA for parole consideration during the month in which he/she is eligible for parole release (January, 1985).

In referencing Table A and Table B, it is important to remember that the dates shown represent cut off or latest possible dates by which the specified steps must be taken. There

is nothing to preclude earlier action. These tables are intended to be guidelines to help ensure timely case processing and to avoid unnecessary delays.

SUBCOMMITTEE REPORT

Agency: Behavioral Sciences Regulatory Board

Bill No. 2680

Bill Sec. 6

Analyst: Hauke

Analysis Pg. No. 8

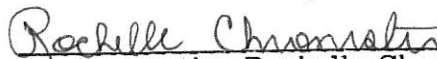
Budget Pg. No. 1-197

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 122,279	\$ 111,249	\$ (3,924)
State General Fund	—	—	
F.T.E. Positions	3.0	3.0	—

House Subcommittee Recommendation

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

1. The Subcommittee recommends deletion of \$3,360 budgeted for cost-of-living salary adjustments of 5 percent plus \$17 monthly, as salary adjustments will be considered separately.
2. The Subcommittee recommends that the budget for Board member compensation be decreased by \$564 (\$525 gross salaries and \$39 fringes). This reduction would allow a budget of \$2,835 for Board member compensation, which would finance full attendance at regular quarterly two-day meetings; full attendance at three special one-day meetings; and 15 extra days of Board member activity.
3. The Subcommittee learned that the Governor's FY 1985 recommendations include \$4,500 to finance special investigator and attorney fees. The agency has experienced an increasing number of complaints, several of which require investigation and hearings. Although the Subcommittee concurs with the \$4,500, the Subcommittee recommends that this Board continue to obtain legal representation from the Attorney General's office whenever possible. Additionally, the Subcommittee wishes to note that the agency must absorb within its budget any expenditures for court reporter fees, as no funding was specifically budgeted for that purpose.
4. The Subcommittee learned that the Board has been notified of an increase in amounts charged by Professional Examination Service for purchase of the examination given to psychology applicants. The Board is presently charging the maximum allowed by statute (\$100) for this examination. Consequently, an increase in the examination charge would result in a net loss for the Board, if the limitation contained in K.S.A. 74-5311 is not increased. H.B. 2852 would provide an increase in the maximum allowable examination fee and the Subcommittee endorses that bill.


 Representative Rochelle Chronister
 Subcommittee Chairperson

III

Agency: Board of Accountancy Bill No. 2680 Bill Sec. 3
 Analyst: Timmer Analysis Pg. No. 2 Budget Pg. No. 1-193

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 154,760	\$ 140,514	\$ (3,157)
F.T.E. Positions	3.0	2.7	—

House Subcommittee Recommendations

FY 1984. The Subcommittee concurs with the Governor's recommendations. The Subcommittee notes that the agency revised its FY 1984 budget downward in several areas resulting in a savings of \$5,906 from the approved expenditure limitation of \$137,294. The Subcommittee also notes that due to the late posting of FY 1983 permit fee receipts, the FY 1983 Fee Fund balance is approximately \$15,000 lower than projections; however, the Fee Fund balance for FY 1984 will be approximately \$15,000 higher than originally projected.

FY 1985. The Subcommittee concurs with the Governor's recommendations with the following adjustments:

1. Delete the recommended salary adjustment increase of \$3,054.
2. Increase funding for temporary clerical staff by \$997.
3. Delete \$1,000 from the purchase of CPA exams and related grading services.
4. Delete \$100 from court reporter services.

The Subcommittee notes that the Fee Fund balance has risen significantly since FY 1983 when the fees for exams were raised. The Subcommittee recommends that the board examine the appropriateness of the fee structure for permit holders in light of the increasing fee fund balances. A reduction in biennial permit fees over a two-year period to reduce the fee fund balance to 30 percent of estimated net receipts is recommended. Shown below is a fee fund analysis for the Board of Accountancy based on the Subcommittee's adjustments.

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Estimated FY 1984</u>	<u>Estimated FY 1985</u>
Beginning Balance	\$ 61,156	\$ 46,534	\$ 64,911
Net Receipts	103,938	149,765	144,189
Total Funds Available	\$ 165,094	\$ 196,299	\$ 209,100
Less: Expenditures	118,560	131,388	137,357
Ending Balance	\$ 46,534	\$ 64,911	\$ 71,743

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A handwritten signature in black ink, appearing to read "Jim Lowther", written over a horizontal line.

Representative Jim Lowther
Subcommittee Chairman

SUBCOMMITTEE REPORT

Agency: Kansas Dental Board Bill No. 2680 Bill Sec. 10
 Analyst: Rampey Analysis Pg. No. 17 Budget Pg. No. 1-201

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 125,091	\$ 105,689	\$ (1,336)
State General Fund	—	—	—
F.T.E. Positions	2.0	1.0	.5

House Subcommittee Recommendations

FY 1984. The Subcommittee concurs with the Governor's recommendation for FY 1984.

FY 1985. The Subcommittee makes the following adjustments to the Governor's recommendations:

- a. Delete \$1,336 for the Governor's salary plan revision.
- b. Increase the Board's position limitation from 1.0 F.T.E. to 1.5 F.T.E. Presently, administrative activities of the Board are performed by a member of the Board who is designated Secretary-Treasurer who works approximately 20 hours per week and is paid an annual salary. Because that person is a Board member, the Secretary-Treasurer position has not been shown as part of the Board's position authorization. (The only position shown is the Board's full-time clerical person who is in the classified service.)

In May of 1984, the term of the Board member who performs the Board's administrative duties will expire. The Board is concerned that, in the future, Board members may not be appointed who are able to devote considerable amounts of time to Board activities. In that event, the Board may wish to employ an administrator who is not a Board member.

By increasing the Board's position limitation from 1.0 F.T.E. to 1.5 F.T.E., the Subcommittee wishes to recognize the statutory authority of the Board to either hire an administrator in the unclassified service or to operate, as it does now, by designating a Board member to perform administrative duties. The position limitation increase does not involve an increase in funding because the budget, as recommended by the Governor, contains funds for the salary of the Board member who serves as Secretary-Treasurer. If the Board chooses to employ an administrator who is not a Board member, the salary currently budgeted for the Board member would be used to pay the employee's salary. It is the Subcommittee's intention that only one part-time administrator be employed — either a Board member or an unclassified employee, but not both.

Based upon the Subcommittee's recommendation, the balance remaining in the Dental Board Fee Fund will be \$137,123 at the end of FY 1984 and \$128,930 at the end of FY 1985. The fee fund analysis is shown below:

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Estimated FY 1984</u>	<u>Estimated FY 1985</u>
Beginning Balance	\$ 118,302	\$ 145,133	\$ 137,123
Net Receipts	96,445	93,520	96,160
Total Funds Available	\$ 214,747	\$ 238,653	\$ 233,283
Less: Expenditures	69,614	101,530	104,353
Ending Balance	<u>\$ 145,133</u>	<u>\$ 137,123</u>	<u>\$ 128,930</u>


Representative Ralph Bussman, Subcommittee
Chairman

SUBCOMMITTEE REPORT

Agency: Kansas Real Estate Commission Bill No. 2680 Bill Sec. 17
 Analyst: Gilmore Analysis Pg. No. 30 Budget Pg. No. 1-215

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 389,405	\$ 391,001	\$ 2,672
State General Fund	—	—	—
F.T.E. Positions	12.0	12.0	—

House Subcommittee Recommendation

FY 1984. The Subcommittee concurs with the Governor's FY 1984 recommendation of \$361,302.

FY 1985. The Subcommittee recommends total expenditures of \$393,673 for FY 1985 which is \$2,672 more than the Governor's recommendation. The Subcommittee adjustments to the Governor's recommendations are as follows:

1. Deletion of \$13,586 for the recommended salary adjustment.
2. Addition of \$4,000 in capital outlay to purchase a copier with a reduction capability. The Subcommittee learned that the Commission had not completed a survey comparing the costs of buying a copier, as recommended by the 1983 Legislature, due to an improved rental agreement with the current contractor. In response to a Subcommittee request, the Commission found that additional savings could be achieved through the purchase of a copier, with a payback period of no more than two years.
3. Addition of \$14,258 to improve data processing services. The Commission is required by statute (K.S.A. 58-3048) to provide an annual update of names and addresses of all persons licensed by the agency, together with other information relative to the enforcement of K.S.A. 58-3001 et seq. Data processing errors currently average 11.0 percent of all information received and require the Commission to submit frequent corrections before notices can be posted for each renewal period. The agency's proposal, approved by DISC, includes two initiatives. First, it would locate a computer terminal in the Commission's central office and would allow direct access to the data file to correct errors and to reduce turnaround time. The proposal includes a one-time development cost of \$5,096 to initiate the on-line data entry replacement system and annual maintenance charges of \$4,162. Secondly, a study would be conducted to determine how the Commission's future data processing needs would best be met with hardware and software tools currently available. The study would also determine the best alternative to correct the problems which exist in the Commission's current programming language and would not be alleviated by the stop gap measure discussed above. The study would be done by DISC services and is estimated to cost \$5,000.
4. Reduction of \$2,000 in data processing charges resulting from the deletion of processing services provided by the Division of Accounts and Reports with the initiation of the on-line data entry replacement system.

5. The Subcommittee concurs with the Governor's recommendation to raise the statutory fee limitations from \$30 for salespersons and \$50 for brokers to \$60 and \$100, respectively. However, the Subcommittee recommends a \$5 reduction in the Governor's fees increase which would reduce the estimated receipts from \$495,640 to \$453,368, a difference of \$42,272. The Subcommittee recommendation would provide a fee increase for salespersons and brokers from \$30 and \$60 to \$45 and \$75, respectively. The Subcommittee is of the opinion that revenue estimates should reflect the projected demands of Commission operations. For this reason, the Subcommittee does not recommend that the carryforward balance in the Real Estate Fee Fund be maintained at a level sufficient to meet a demand to replenish the Real Estate Recovery Revolving Fee Fund to \$200,000 if its balance should fall below \$100,000. The Commission should charge a \$5 and \$10 assessment on salespersons and brokers, respectively, as provided by K.S.A. 58-3066, who are potentially responsible for depleting the balance of the fund if they are adversely charged for unlawful acts made during transactions involving the sale of real estate.

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Estimated FY 1984</u>	<u>Estimated FY 1985</u>
Beginning Balance	\$ 139,775	\$ 61,126	\$ 15,029
Net Receipts	258,795	315,205	453,368
Total Funds Available	<u>\$ 398,570</u>	<u>\$ 376,331</u>	<u>\$ 468,397</u>
Less: Expenditures	337,444	361,302	393,673
Ending Balance	<u>\$ 61,126</u>	<u>\$ 15,029</u>	<u>\$ 74,724</u>



Representative Larry Tunquist
Subcommittee Chairman

SUBCOMMITTEE REPORT

Agency: Board of Technical Professions Bill No. 2703 Bill Sec. --
 Analyst: Holt Analysis Pg. No. 39 Budget Pg. No. 1-217

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 173,953	\$ 173,963	\$ 10,503
State General Fund	—	—	—
F.T.E. Positions	3.0	3.0	—

House Subcommittee Recommendations

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

1. Addition of \$3,264 in capital outlay expenditures. The sum of \$414 would be applied toward expenditures related to the Board's move to new office quarters. The Board has already exceeded its capital outlay expenditure estimate by \$414 for the current fiscal year because of that move. In addition, in December 1983, the Board entered into an installment-purchase agreement with the vendor for a word processing system that it had previously rented. Since the Board had not budgeted for this purchase in its FY 1984 revised estimate, an additional \$2,850 would be needed to cover its monthly installment payments.
2. Addition of \$411 in repairing and servicing expenditures. The Board needs \$411 for a service maintenance agreement for the IBM word processing system to be purchased in accordance with general state practice.
3. Addition of \$803 for freight and express expenditures. The Board underbudgeted for these items because it did not anticipate increased costs of freight due to changes in the architectural examination, which correspondingly increased the weight of those examinations. The Board has already exceeded by \$303 its expenditure estimate for those items.
4. Addition of \$13,475 for fees-professional services. Pursuant to the Board's submittal of the FY 1984 budget, the Board was informed that costs for examinations would increase. This increase is not reflected in the FY 1984 revised estimate. An additional \$13,475 would be needed to defray expenses associated with those increased costs.
5. Addition of \$893 for office supply expenditures. The Board is presently splitting the cost of a copy machine with another agency and has an arrangement to pay upfront costs for copier supplies for itself and the other agency. The Board is reimbursed for the other agency's share of these supplies but the upfront cost is expected to exceed by \$893 the \$2,000 recommended by the Governor for FY 1984.
6. Deletion of \$3,000 in printing expenditures. The Board plans to postpone until FY 1985 the printing of its revised rules and regulations, to become effective May 1, 1984.

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7. Deletion of \$2,993 in rental expenditures. Prior to the Board's decision to enter into an installment purchase agreement, it had planned to continue rental of the IBM word processor. Therefore, the Governor's recommendation reflects an expenditure of \$8,000 for rental of the IBM equipment in the current fiscal year. Because of its decision not to continue rental of the IBM system, only \$5,007 of that amount will be expended in FY 1984 for that purpose.
8. Deletion of \$2,350 for reclassification expenditures in FY 1984.
9. Note is made that the Board can only estimate the number of examinations to be given in the current fiscal year. If the Board were to underestimate the number of examinations given, expenditures might exceed the limitation and Finance Council action might prove necessary.


Representative Henry Helgersen
Subcommittee Chairperson

SUBCOMMITTEE REPORT

Agency: Board of Technical Professions Bill No. 2680 Bill Sec. 20
 Analyst: Holt Analysis Pg. No. 39 Budget Pg. No. 1-217

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 220,618	\$ 208,014	\$ (9,317)
State General Fund	—	—	—
F.T.E. Positions	3.0	3.0	—

House Subcommittee Recommendations

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

1. In accordance with Committee policy, deletion of \$3,632 recommended for salary plan revision.
2. Addition of \$300 for freight and express expenditures because increased weight of the architects' examinations will increase freight costs.
3. Addition of \$200 for repairing and servicing to defray costs of repairing and servicing office equipment other than the word processing unit.
4. Deletion of \$3,560 for travel and subsistence expenditures to approximate estimated expenditures for this purpose in FY 1984.
5. Deletion of \$1,500 for fees-other services.
6. Deletion of \$625 for fees-professional services to adjust for computational errors made by the Board in estimating the cost of examinations.
7. Deletion of \$500 for stationery and office supplies expenditures.
8. The Board is authorized by statute to collect license fees which are based on the cost of examinations plus a \$5 administrative charge per exam. Of the total amount charged for examinations, 20 percent is credited to the State General Fund. This statute has in effect caused the Board to lose money on its most expensive type of examination — the examination given to architects. This loss is presently offset by proceeds from license renewals. Note is made that the Subcommittee is aware of this situation; so as not to increase the fees charged for examinations, however, the Subcommittee recommends no statutory change in the method by which license fees may be determined.

Based on the Subcommittee's adjustments in fiscal years 1984 and 1985, the fee fund analysis is as follows:

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7. Deletion of \$2,993 in rental expenditures. Prior to the Board's decision to enter into an installment purchase agreement, it had planned to continue rental of the IBM word processor. Therefore, the Governor's recommendation reflects an expenditure of \$8,000 for rental of the IBM equipment in the current fiscal year. Because of its decision not to continue rental of the IBM system, only \$5,007 of that amount will be expended in FY 1984 for that purpose.
8. Deletion of \$2,350 for reclassification expenditures in FY 1984.
9. Note is made that the Board can only estimate the number of examinations to be given in the current fiscal year. If the Board were to underestimate the number of examinations given, expenditures might exceed the limitation and Finance Council action might prove necessary.


Representative Henry Helgerson
Subcommittee Chairperson

SUBCOMMITTEE REPORT

Agency: Savings and Loan Department Bill No. 2680 Bill Sec. 18

Analyst: Galligan Analysis Pg. No. 33 Budget Pg. No. 1-167

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 188,223	\$ 188,817	\$ (8,244)
State General Fund	—	—	—
F.T.E. Positions	6.5	6.5	(1.0)

Agency Request/Governor's Recommendation

The request for FY 1985 would provide salaries and benefits for 5.5 F.T.E. positions, one less than the level approved for the current year, and other operating expenditures that would provide for examination of 23 of the projected 35 state-chartered savings and loan associations. The amount requested for FY 1985 is 2.5 percent less than the estimated expenditure for operations during the current fiscal year. The estimate of receipts for FY 1985 totals \$170,816 which is \$41,429 less than the amount received during FY 1983. This decline is anticipated, despite an increase of the examination fee during the current fiscal year, in large part because of the anticipated decline in the number of state-chartered associations.

The Governor's recommendation for FY 1985 differs from the request by the amount of the salary and health insurance adjustments. The Governor concurs with the estimate of receipts for FY 1985.

House Subcommittee Recommendation

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

1. In accordance with Committee policy, deletion of \$8,244 budgeted for the proposed pay plan adjustment.
2. Reduction of one F.T.E. to allow the Department 5.5 positions for FY 1985. The Subcommittee learned that there are currently two vacancies in the Department and acknowledges the possibility that one of those vacancies may need to be filled during FY 1985. However, the Commissioner did not request funds to support the sixth position.

In addition, the Subcommittee makes the following observations:

1. The current year estimate of expenditures for rents includes \$2,450 that was provided a year ago to relocate the office to larger quarters. The Subcommittee learned that the Commissioner does not intend to pursue obtaining larger space, so it anticipates that the funds will not be expended and the fee fund balance increased by that amount.

2. The amount budgeted for Board members' per diem and travel and subsistence would allow for seven meetings of all seven members. While this number of meetings has not been held for the past several years, the Subcommittee recognizes the need for this amount as a contingency and does not recommend any adjustment. However, it is expected that these funds will not be expended for other purposes.

3. The Subcommittee notes the decrease in the number of state-chartered associations from 42 in FY 1983 to 34 in the current fiscal year and the associated decrease in anticipated revenue despite the adjustment of the examination fees. The Commissioner is commended for holding an examiner position open in light of the revenue reduction and the Subcommittee expects that the position will not be filled unless necessary to meet workload demands. Further, the Subcommittee notes that the fee increase brings this department into line with the other financial regulatory agencies.



Representative George Teagarden
Subcommittee Chairman

SUBCOMMITTEE REPORT

Agency: Board of Embalming Bill No. 2703 Bill Sec. NA
 Analyst: Holt Analysis Pg. No. 19 Budget Pg. No. 1-203

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 88,166	\$ 88,166	\$ (575)
State General Fund	—	—	—
F.T.E. Positions	3.0	3.0	—

House Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendations for FY 1984 with the following exceptions:

1. Reduction of \$800 in travel and subsistence expenditures because the Board's expenditures to date suggest that no greater amount is warranted.
2. Addition of \$225 in rental expenditures to cover the amount needed for office rent in the current fiscal year as a result of the Board's move to other quarters.



 Representative David Louis
 Subcommittee Chairman

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SUBCOMMITTEE REPORT

Agency: Board of Embalming Bill No. 2680 Bill Sec. 11
 Analyst: Holt Analysis Pg. No. 19 Budget Pg. No. 1-203

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 101,149	\$ 92,289	\$ (4,774)
State General Fund	—	—	—
F.T.E. Positions	3.0	3.0	—

House Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendations for FY 1985 with the following exceptions:

1. In accordance with Committee policy, reduction of \$3,424 in salary plan revision.
2. Reduction of \$100 in printing expenditures.
3. Reduction of \$1,250 in travel and subsistence expenditures because the Board's expenditures to date suggest that no greater amount for this purpose is warranted.

The Subcommittee adjusts the Governor's fee fund analysis in fiscal years 1984 and 1985 as follows:

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Estimated FY 1984</u>	<u>Estimated FY 1985</u>
Beginning Balance	\$ 35,719	\$ 32,709	\$ 30,334
Net Receipts	78,133	85,216	89,530
Total Funds Available	\$ 113,852	\$ 117,925	\$ 119,864
Less: Expenditures	81,143	87,591	87,515
Ending Balance	<u>\$ 32,709</u>	<u>\$ 30,334</u>	<u>\$ 32,349</u>


 Representative David Louis
 Subcommittee Chairman

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