

3-28-84

MINUTES OF THE House COMMITTEE ON Ways and MeansThe meeting was called to order by Bill Buntten at
Chairperson1:30 ~~am~~ p.m. on Wednesday, March 21, 1984 in room 514-S of the Capitol.

All members were present except:

Committee staff present: Lyn Goering, Legislative Research
Gloria Timmer, Legislative Research
Alan Conroy, Legislative Research
Jim Wilson, Office of the Revisor
Dave Hanzlick, Administrative Assistant
Nadine Young, Committee Secretary

Conferees appearing before the committee:

Senator Francis Gordon
Sgt. Bill Jacobs, KHP
Representative Douville
Robb Hodges, KCCI
Wayne Maichel, AFL-CIOOthers present (Attachment 1)

Chairman Buntten called the meeting to order at 1:35 p.m.

SB 696 -- an act relating to purchases and sales of property by state agencies; concerning sales of retired highway patrol and central motor pool vehicles; amending K.S.A. 1983 Supp. 75-3739 and repealing the existing section.

Senator Gordon addressed the committee and explained the provisions of the bill. He referred to the primary change in the Bill on page 4, starting with Line 131 through Line 136.

Sgt. Bill Jacobs, representing Kansas Highway Patrol, testified in opposition to the bill. His main concern is the law that requires the bidding process on disposing of equipment. Many of the smaller departments require their personnel to purchase their own equipment such as belts and holsters and the purchase price of brand new equipment would be prohibitive for those new employees just getting started. The Highway Patrol is requesting a modification to the bill as it is written; or a change to another bill that would be assigned to this committee. Sgt. Jacobs requested that the words "highway patrol" be deleted altogether from Line 133, allowing them to sell used items to the local market on purchases of less than \$2,000. (Refer to Attachment 2).

Chairman announced that rather than try to amend the bill at this time, he would like for the committee to confer with the Highway Patrol people and perhaps Jim Wilson to try to work this out. He suggested an amendment be worked up and brought back to this committee and then take this bill up at that time.

Chairman then turned to SB 552 -- an act making and concerning appropriations for the fiscal year ending June 30, 1985 for the following agencies:ADJUTANT GENERAL (Attachment 3)

Representative Louis presented the FY 84 and FY 85 reports and moved the reports be adopted. Seconded by Representative Bussman. Motion carried.

STATE FIRE MARSHALL (Attachment 4).

Representative Louis presented the report and moved it be adopted. Seconded by Representative Solbach. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,
room 514-S, Statehouse, at 1:30 a.m./p.m. on Wednesday, March 21, 1984

KANSAS ADULT AUTHORITY (Attachment 5)

The report was presented by Representative Dyck and he moved it be adopted. Seconded by Representative Mainey. Motion carried.

DEPARTMENT OF CORRECTIONS (Attachment 6)

The report was presented by Representative Miller for both FY 84 and FY 85. There was considerable discussion regarding the Johnson County corrections program. There apparently is not much cooperation between the judges and the corrections people, which caused the program to be discontinued. However, there is a planning program to reinstitute the program at which time they will be funded. Representative Mainey said the Johnson County people will be in Topeka soon to start studying Shawnee County's program to use as a guideline in getting their program back on line.

Representative Louis made a motion to delete the last sentence of Section 6 of the subcommittee report. Representative Hoy seconded. Motion carried.

Representative Miller made a motion to add language that was inadvertently omitted from HB 2899 which provides for the state to reimburse the county for housing. He moved that this be added to the report. Seconded by Representative Dyck. Motion carried.

Representative Miller then moved for adoption of the report as amended. Seconded by Representative Mainey. Motion carried.

STATE CORRECTIONAL VOCATIONAL TRAINING CENTER (Attachment 7)

Subcommittee report was presented by Representative Mainey for both FY 84 and FY 85. Representative Mainey moved for adoption of the report. Seconded by Representative Miller. Motion carried.

KANSAS CORRECTIONAL INSTITUTION AT LANSING (Attachment 8)

The subcommittee report was presented by Representative Dyck for both FY 84 and FY 85. Representative Dyck moved the report be adopted. Seconded by Representative Mainey. Motion carried.

STATE INDUSTRIAL REFORMATORY (Attachment 9.)

This section was reported on by Representative Miller for both FY 84 and FY 85. Representative Miller moved the report be adopted. Seconded by Representative Dyck. Motion carried.

STATE PENITENTIARY (Attachment 10)

The subcommittee report was presented by Representative Mainey who commented that the medical costs for inmates have decreased considerably this year as compared to years past. Representative Mainey moved the report be adopted. Seconded by Representative Miller. Motion carried.

STATE RECEPTION AND DIAGNOSTIC CENTER (Attachment 11)

The subcommittee report was presented by Representative Miller for both FY 84 and FY 85. Representative Miller moved for adoption of the report. Seconded by Representative Dyck. Motion carried.

CORRECTIONS OMBUDSMAN BOARD (Attachment 12)

This section was presented by Representative Dyck and he moved the subcommittee report be adopted. Seconded by Representative Mainey. Motion carried.

Representative Dyck also reported on the FY 85 subcommittee report and moved it be adopted. Seconded by Representative Mainey. Motion carried.

Representative Miller moved that SB 552 be recommended favorable for passage, as amended. Seconded by Representative Mainey. Motion carried.

Chairman turned to HB 2981 -- an act concerning the employment security law; relating to disqualification for benefits; amending K.S.A. 1983 Supp. 44-706 and repealing the existing section.

Representative Douville appeared and explained the bill. In answer to the committee's inquiry about unemployment compensation in surrounding states,

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,
room 514-S, Statehouse, at 1:30 a.m./p.m. on Wednesday, March 21, 1984

documentation was provided (Attachment 13). He also presented a proposed amendment to the bill (Attachment 14). It was mentioned that SB 721 is essentially the same as HB 2981. Representative Solbach suggested we wait and allow SB 721 to be received by this committee and work both bills together. However, Representative Douville objected to this idea, saying, let's get this one passed and then look at them - it's time for us to do something about the business sector for the state of Kansas.

Representative Arbuthnot moved the proposed amendment to HB 2981 be adopted. Seconded by Representative Rolfs. The motion carried.

Chairman recognized Robb Hodges, KCCI who briefly spoke in support of the changes presented in the amendment.

Wayne Maichel, AFL-CIO addressed the committee in opposition to HB 2981. He supports workman's compensation as it stands now on behalf of the labor people. He pointed out that Kansas is solvent whereas 30 states have gone bankrupt and that the maximum benefit a person can receive has been frozen for the past two fiscal years. He said that labor, management and the public members have never sat down and tackled this issue of voluntary quits. Consequently, he recommends that this committee take this issue and ask the employment advisory council to work on it this summer and come back with an agreed to decision next year for labor, management and this legislature.

Representative Shriver asked Maichel if in fact this does occur, would he support the recommendation next year. He answered yes, he certainly would. On that basis, then Representative requested a letter from AFL-CIO attesting to this agreement and made a motion to table the bill. Representative Luzzati seconded the motion. There was a division and a show of hands was taken. Those in favor. 8. Those opposed...8. The motion failed.

Representative Chronister moved that HB 2981 be recommended favorably for passage, as amended. Seconded by Representative Arbuthnot. Motion carried.

Turning to SB 506, the appropriations bill for DOT and HP, Representative Arbuthnot moved that the committee reconsider the action that was previously taken for the purpose of offering an amendment to the bill. He moved to change the proviso, on Line 124 by striking "in Kansas".

The motion to reconsider the action taken on SB 506 was seconded by Representative Rolfs. The motion carried.

Representative Arbuthnot then moved to amend SB 506 by striking the wording "in Kansas". Seconded by Representative Teagarden. Motion carried.

Representative Rolfs moved that SB 506, as amended, be reported favorable for passage. Seconded by Representative Meacham. Motion carried.

Chairman turned to HB 3103-concerning special education for final action. Representative Rolfs reiterated some of the concerns generated by this bill and moved that HB 3103, as amended, be reported favorable for passage. Seconded by Representative Meacham. After lengthy discussion, the consensus of the committee was that this is a very important issue and we need more time to discuss. On that basis, Representative Heinemann moved to table the bill. Seconded by Representative Hamm. On the vote, a division was called for and the vote was 8 to 8. The motion failed.

Chairman then adjourned the meeting and announced that we would take this bill up again tomorrow and proceed with the motion presently on the floor.

Meeting adjourned at 3:50 p.m.

Note Testimony from Connie Evans, Director of Special Education, Russell, Kansas, was passed out at the beginning of the meeting today re HB 3103 (Attachment 15).

3-21-84

Name	Address	Representing
1. <u>Art Hout</u>	5037 S. Rm 539	Ombudsman
2. <u>Al Duville</u>	State House	—
3. <u>John Spurgeon</u>		Budget
4. <u>Billy A03 B0W</u>	Wichita	Boeiting
5. <u>John Hayes</u>	Topeka	KCCW
6. <u>Bob Albert</u>	"	Dir. of Comm.
7. <u>Dennis Wilbame</u>	"	Div. of Budget
8. <u>Dick Davis</u>	"	DOC
9. <u>Pat Ireland</u>	Topeka	Doc
10. <u>Frank Dyer</u>	Emporia	LWR
11. <u>Leon Connor</u>	Emporia	LWV
12. <u>Susan Wood Aber</u>	Emporia	LWV
13. <u>James A. Todd</u>	Wichita	KS77A
14. <u>Dwight</u>	Topeka	KS77A
15. <u>Ed Pearson</u>	Topeka	State Fire Marshal
16. <u>Mary Riebel</u>	"	State Fire Marshal
17. <u>Paula McWhirter</u>	(Shoemaker Museum) Kansas City	LWVTC
18. <u>Gerald H. Mervyn</u>	Topeka	Division of Purch.
19. <u>Nick Poron</u>	Topeka	Division of Purchases
20. <u>Michael Hecox</u>	"	Self.
21. <u>M. E. L...</u>	Topeka	
22. <u>Jan Benker</u>	Topeka	A. & B. =
23. <u>MG Ralph Tree</u>	Topeka	TAG
24. <u>Jay D. Cole</u>	Topeka	the Adj. General's Dept
25. <u>Marsha Hutchinson</u>	Wichita	Beck Aircraft Corp.



DEPARTMENT OF ADMINISTRATION
Division of Purchases

JOHN CARLIN,
Governor
NICHOLAS B. ROACH,
Director of Purchases

Room 165-173 N.
State Office Building
Topeka, Kansas 66612-1573
(913) 296-2376

TO: Senator Francis Gordon
FROM: Nicholas B. Roach, Director of Purchases
DATE: March 21, 1984
RE: **Senate Bill 696**

As per our conversation, we view the above-captioned proposed legislation as pertinent to the sale of equipment.

Based upon its acquisition cost, the leather items purchased by the Highway Patrol would not be considered as equipment, but rather as consumable supplies. As such, they would not come within the scope of this legislation.

Thank you for the opportunity to clarify this concern on the part of the Highway Patrol.

SUBCOMMITTEE REPORT

Agency: Adjutant General 84 Bill No. NA Bill Sec. NA

Analyst: Monical Analysis Pg. No. 413 Budget Pg. No. 4-1

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 3,882,473	\$ 3,882,473	\$ —
Aid to Local Units	1,119,073	1,119,073	—
Other Assistance	4,519	4,519	—
Subtotal	<u>\$ 5,006,065</u>	<u>\$ 5,006,065</u>	<u>\$ —</u>
Capital Improvements	100,000	100,000	22,430
TOTAL	<u><u>\$ 5,106,065</u></u>	<u><u>\$ 5,106,065</u></u>	<u><u>\$ 22,430</u></u>
State General Fund:			
State Operations	\$ 2,246,628	\$ 2,246,628	\$ —
Aid to Local Units	74,073	74,073	—
Other Assistance	4,519	4,519	—
Subtotal	<u>\$ 2,325,220</u>	<u>\$ 2,325,220</u>	<u>\$ —</u>
Capital Improvements	100,000	100,000	22,430
TOTAL	<u><u>\$ 2,425,220</u></u>	<u><u>\$ 2,425,220</u></u>	<u><u>\$ 22,430</u></u>
 F.T.E. Positions	 112.5	 112.5	 —

Agency Request/Governor's Recommendation

The agency requests an \$18,288 increase in the FY 1984 expenditure limitation on the "Emergency Preparedness - RADEF Instrument Maintenance Fund." This would increase the expenditure limitation for the federally-funded Hazardous Material Radiological Systems Management section of the agency from \$110,890 to \$129,178. The request is to expend additional federal funds to engage in increased planning activities affecting both counties and the state.

The Governor recommends the requested \$18,288 expenditure limitation increase and includes his recommendation in S.B. 577 (the emergency supplemental appropriation bill).

On February 15, 1984, the Adjutant General requested a State General Fund supplemental appropriation of \$22,430 to replace the natural gas line at the Kansas City armory. A gas leak was discovered on February 13, 1984 which necessitates the complete replacement of the gas line.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the Governor's recommendation regarding the \$18,288 increase in expenditure authority of federal funds.

On February 15, 1984 the Subcommittee was informed of the need for a \$22,430 supplemental appropriation for emergency repairs of a gas line at the Kansas City armory. The Subcommittee has requested a Governor's Budget Amendment for this project and been informed one will be forthcoming. The Subcommittee endorses the requested project and has reduced its FY 1985 recommendations for capital improvement by an amount sufficient to finance the gas line repair in FY 1984.

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee recommendations.

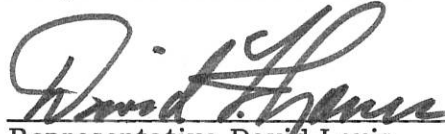
Senate Recommendations

The Senate concurs with the Committee recommendations.

House Subcommittee Recommendations

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

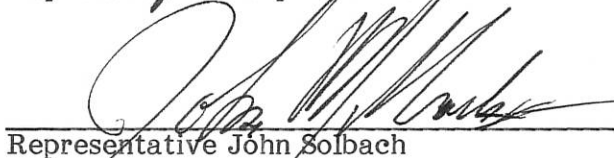
1. The House Subcommittee recommends adoption of that portion of Governor's Budget Amendment No. 2 which provides a State General Fund supplemental appropriation of \$22,430 for emergency natural gas line repairs at the Kansas City armory.
2. The House Committee recommends adoption of that portion of Governor's Budget Amendment No. 2 which provides for a \$30,000 State General Fund supplemental appropriation to fully fund the state's share of disaster assistance associated with flooding in Jackson County in June of 1982. This is in addition to the \$74,073 provided for disaster relief by the 1983 Legislature and fulfills the state obligation to provide 10 percent of reconstruction costs (along with 15 percent local and 75 percent federal).



Representative David Louis,
Subcommittee Chairman



Representative Ralph Bussman



Representative John Solbach

SUBCOMMITTEE REPORT

Agency: Adjutant General (85) Bill No. 552 Bill Sec. 2

Analyst: Monical Analysis Pg. No. 413 Budget Pg. No. 4-1

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 6,808,279	\$ 6,468,769	\$ (158,222)
Aid to Local Units	1,775,000	1,775,000	—
Other Assistance	4,519	4,519	—
Subtotal	<u>\$ 8,587,798</u>	<u>\$ 8,248,288</u>	<u>\$ (158,222)</u>
Capital Improvements	297,040	300,000	(22,500)
TOTAL	<u><u>\$ 8,884,838</u></u>	<u><u>\$ 8,548,288</u></u>	<u><u>\$ (180,722)</u></u>
State General Fund:			
State Operations	\$ 2,846,019	\$ 2,589,107	\$ (60,793)
Aid to Local Units	—	—	—
Other Assistance	4,519	4,519	—
Subtotal	<u>\$ 2,850,538</u>	<u>\$ 2,593,626</u>	<u>\$ (60,793)</u>
Capital Improvements	297,040	300,000	(22,500)
TOTAL	<u><u>\$ 3,147,578</u></u>	<u><u>\$ 2,893,626</u></u>	<u><u>\$ (83,293)</u></u>
F.T.E. Positions	130.5	129.5	—

Agency Request/Governor's Recommendation

The agency requests an FY 1985 budget of \$8,884,838 of which \$3,147,578 is requested from the State General Fund. Of the amount requested from the State General Fund, \$297,040 is requested for armory roof repairs. The request includes the addition of 18.0 F.T.E. positions of which one position, an Auditor I, would be totally financed from the State General Fund. Of the remaining 17.0 F.T.E. positions requested, 13.0 F.T.E. positions are 100 percent federally funded and would be used to expand the fire protection program at Forbes Field, 2.0 F.T.E. positions are requested for maintenance support at the McConnell facility in Wichita and would be funded 15 percent by the state and 85 percent from federal funds; and 2.0 F.T.E. positions would be assigned to the area of nuclear civil protection planning and supported totally by federal funds.

The Governor recommends FY 1985 expenditures of \$8,548,288 of which \$2,893,626 is recommended from the State General Fund. Included in the recommendation is \$300,000 from the State General Fund for armory roof repairs. With the exception of the state-supported Auditor I position, the Governor recommends the other 17.0 F.T.E. positions as requested by the agency.

Senate Subcommittee Recommendations

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

1. Pursuant to Committee policy, deletion of \$156,182 for the Governor's recommended salary increases. Of the amount deleted, \$55,491 is from the State General Fund, \$79,527 from the Military Fees Fund, and \$21,164 from various federal funds supporting the Division of Emergency Preparedness.
2. Reduction of \$3,262 in the State General Fund appropriation for Physical Plant Operations and a corresponding increase in the expenditure limitation on the Military Fees Fund. This corrects minor errors in the Governor's recommendation regarding the split between state and federal funding sources.
3. Deletion of \$2,040 in the State General Fund appropriation for operational management to eliminate excess funding of health insurance premiums.
4. The Subcommittee recommends funding for roof replacements of \$277,500. This is \$22,500 below the level recommended by the Governor and the reduction reflects the amount required for emergency gas line repairs in FY 1984 at the Kansas City armory.

Senate Committee Recommendations

The Senate Committee concurs with the Subcommittee recommendations.

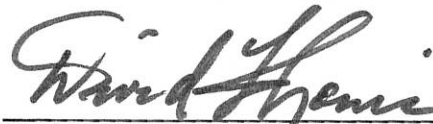
Senate Recommendations

The Senate concurs with the Committee recommendations.

House Subcommittee Recommendations

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

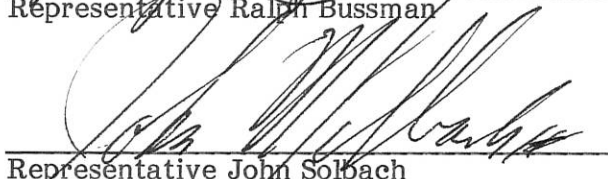
1. Increase of \$23,125 in the expenditure limitation on the Military Fees Fund to finance the joint use agreement at Forbes Field with the Metropolitan Topeka Airport Authority. In FY 1985 this joint use agreement is financed 100 percent by federal funds.



Representative David Louis,
Subcommittee Chairman



Representative Ralph Bussman



Representative John Solbach

SUBCOMMITTEE REPORT

Agency: State Fire Marshal Bill No. 552 Bill Sec. 3
 Analyst: Conroy Analysis Pg. No. 442 Budget Pg. No. 4-45

<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	\$ 1,402,026	\$ 1,275,225	\$ (47,584)
State General Fund	1,321,967	1,193,887	(44,354)
F.T.E. Positions	37.0	36.0	—

Agency Request/Governor's Recommendation

The agency's request of \$1,402,026, while maintaining the current level of operations, also provides for one additional clerical position and funds for the continued development of the computerized fire information reporting system.

The Governor's recommendation provides for continuation of the current level of operation and includes funds for the fire information reporting system expansion. However, the Governor makes no provision for the additional clerical position.

Senate Subcommittee Recommendations

FY 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$47,584 (\$44,354 in State General Funds and \$3,230 in other funds) for the recommended salary plan increase of 5 percent and \$204 per year.
2. The addition of a proviso in the appropriation language to allow for establishment of an official hospitality account with a limit of \$200.
3. The Subcommittee notes that the development of the building inspection program is the fourth and final component of the computerized fire information reporting system and that no additional development costs for the system will be necessary in FY 1986.

Senate Committee Recommendations

Concurs with the Subcommittee recommendations.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

Fiscal Year 1984

1. Increase the expenditure limitation of federal funds by \$3,724 to utilize additional funds available for the inspection of health care facilities.
2. Decrease \$3,724 from the State General Fund for anticipated savings in the Administration subprogram for data processing. The Subcommittee recommends that this savings be lapsed from the FY 1984 agency appropriation.

Fiscal Year 1985

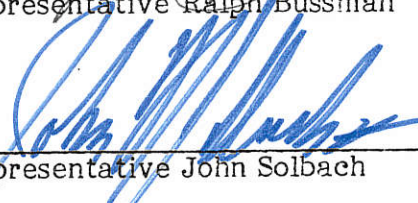
1. Change the federal funds account for health care facilities inspection to a "no-limit" fund. This will enable the agency to utilize all available federal funds.



Representative David Louis
Subcommittee Chairman



Representative Ralph Bussman



Representative John Solbach

SUBCOMMITTEE REPORT

Agency: Adult Authority Bill No. 2 Bill Sec. 4

Analyst: Conroy Analysis Pg. No. 425 Budget Pg. No. 4-17

<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	\$ 446,648	\$ 319,282	\$ (13,509)
State General Fund	446,648	319,282	(13,509)
F.T.E. Positions	10.0	8.0	—

Agency Request/Governor's Recommendation

The agency's request of \$446,648, while maintaining the current approved level of operations, also provides funds for out-of-state travel (\$18,065) and professional staff development (\$1,000).

The Governor's recommendation provides for the deletion of two Authority members which would reduce the size of the board from five to three members. The Governor also recommends no specific funds for out-of-state travel or professional staff development.

Senate Subcommittee Recommendations

FY 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$13,509 for the recommended salary plan increase of 5 percent and \$204 per year.
2. The Subcommittee notes that their recommendation is based on the passage of S.B. 568 which reduces the Adult Authority from five to three members.

Senate Committee Recommendations

Concurs with the Subcommittee recommendations.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

1. Delete \$750 for printing.
2. The Subcommittee acknowledges and commends the agency for reductions in operating costs for FY 1984 and FY 1985 associated with the decrease in the size of the Authority from five to three members.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
State Operations:			
All Funds	\$ (13,509)	\$ 305,773	\$ (750)
State General Fund	(13,509)	305,773	(750)
F.T.E. Positions	—	8.0	—

SUBCOMMITTEE REPORT

Agency: Department of Corrections Bill No. 552 Bill Sec. 5
 Analyst: Conroy Analysis Pg. No. 427 Budget Pg. No. 4-27

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
<u>All Funds:</u>			
State Operations	\$ 13,794,240	\$ 13,090,608	\$ (289,086)
Aid to Local Units	5,326,277	4,839,277	—
Operating Expenditures	\$ 19,120,517	\$ 17,929,885	\$ (289,086)
Capital Improvements	2,090,430	1,750,000	—
TOTAL	<u>\$ 21,210,947</u>	<u>\$ 19,679,885</u>	<u>\$ (289,086)</u>
<u>State General Fund:</u>			
State Operations	\$ 9,920,440	\$ 9,215,242	\$ (247,615)
Aid to Local Units	5,326,277	4,839,277	—
Operating Expenditures	\$ 15,246,717	\$ 14,054,519	\$ (247,615)
Capital Improvements	2,090,430	1,750,000	—
TOTAL	<u>\$ 17,337,147</u>	<u>\$ 15,804,519</u>	<u>\$ (247,615)</u>
F.T.E. Positions	339.5	323.0	—

Agency Request/Governor's Recommendation

The agency's request of \$21,210,947, while maintaining the current level of operations, also provides for the first full-year operation of the prerelease centers at Winfield and Topeka. The request also provides 30.5 additional positions, 18 of which are associated with a proposed new honor camp. The remaining new positions would assist with various support services programs throughout the agency. The agency is seeking \$2,090,430 for capital improvements, of which \$1,659,041 is for a third honor camp and the remaining amount would be for various improvements at the two existing honor camps. The agency is also requesting \$159,852 for an expansion of the community corrections program.

The Governor's recommendation of \$19,679,885 provides for continuation of the current level of operation and includes funds for 18 additional positions. Of the new positions, 15 are associated with a third honor camp. The additional honor camp construction is recommended by the Governor at \$1,450,000. The Governor also recommends \$300,000 for establishment of a maintenance and repair account for the correctional institutions. Finally, the Governor's recommendation provides \$160,000 for the expansion of the community corrections program.

Senate Subcommittee Recommendations

Fiscal Year 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$289,086 (\$247,615 — State General Fund and \$41,471 in other funds) for the recommended salary plan increase of 5 percent and \$204 per year.

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2. The Subcommittee concurs with the Governor's recommendation to not develop local community resources to assist with crisis intervention for parolees. However, the Subcommittee notes that the new prerelease centers will provide a mechanism to deal with technical parole violators.
3. The Subcommittee concurs with the Governor's recommendation to expand the community corrections program. This expansion provides planning grants to Douglas, Saline and Cherokee/Crawford/Labette counties. It also provides actual operational support for Montgomery County. It is anticipated that the Montgomery County program will divert 25 individuals annually from correctional institutions. The Subcommittee further concurs with funding for Johnson County to reenter the program for the last two quarters of FY 1985. The Subcommittee recommends that during the 1985 interim a study be conducted on the progress of the community corrections program.
4. The Subcommittee concurs with the recommendations of the House Committee on Communication, Computers and Technology and the Division of Information Systems and Computing for the agency to acquire a new IBM System 36.
5. The Subcommittee recommends that the Correctional Industries Fund be changed to a "no-limit" fund. The Subcommittee believes this will allow the agency greater flexibility in purchasing raw materials and the handling of sale receipts within the fund.
6. The Joint Committee on State Building Construction is still reviewing the proposed third honor camp. The Subcommittee makes no recommendation on the honor camp, but urges the House Subcommittee to closely review the matter once a recommendation is made by the Joint Committee.

Senate Committee Recommendations

Concurs with the Subcommittee with the following adjustment:

1. Delete \$1,750,000 for capital improvements pending further review of the Joint Committee on State Building Construction.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

Fiscal Year 1984

1. The Subcommittee notes that anticipated salaries and wages for the Central Management Program will be higher than anticipated. However, savings in the communication area should offset any additional funds needed for salaries and wages.
2. Delete \$10,000 for salaries and wages in the Community Services Program based on lower than anticipated expenditures.
3. Delete \$12,112 for the contract work release program based on lower than anticipated expenditures.
4. Delete \$15,000 for travel and subsistence based on lower than anticipated expenditures in the Community Services Program.
5. Accept Governor's Budget Amendment No. 2-6, dated March 16, 1984. The amendment reduces grants by \$375,000 to counties participating in the community corrections program based on higher than anticipated grant reductions for chargebacks or inmate incarcerations.
6. Delete \$14,837 for food at the honor camps based on lower than anticipated expenditures.
7. Delete \$6,490 for inmate and gratuity pay at the honor camps based on lower than anticipated expenditures.
8. Delete \$9,105 for salaries and wages at the pre-release centers based on delays on hiring new staff and correctional officers at the appropriate entry salary level.
9. The Subcommittee recommends that identified net savings be reappropriated to FY 1985 to reduce the new funds needed in the budget year. The net amount of funds recommended for reappropriation totals \$442,544.

Fiscal Year 1985

1. Accept Governor's Budget Amendment No. 2-6 which has a net effect of reducing grants to counties in the community corrections program by \$216,000. The amendment makes an adjustment in the entitlement reduction rate (\$320,000), but provides a supplementary entitlement of \$104,000 to Montgomery County based on the passage of S.B. 829 which adjusts the entitlement calculation.

2. Delete \$8,347 for reclassifications of clerical positions in the Parole Supervision subprogram. The Subcommittee does recommend reclassification of two Clerk-Typists II to Secretary's I in Parole Supervision.
3. Continue placing a dollar limitation on the Corrections Industries Fund. The Subcommittee recommends the limitation in order to continue to provide control over the fund.
4. Delete \$26,828 for contract work release agreements for the placement of inmates. The Subcommittee does recommend increasing the daily rate to \$28 per day from the current rate of \$25 per day. The Subcommittee noted the requested 26 percent increase to \$31.50 per day appeared to be excessive.
5. Delete \$234,193 and 15.0 F.T.E. positions for the operating expenses for the third honor camp.
6. Delete \$237,002 for Johnson County's community corrections program. The program was suspended by the Secretary of Corrections effective December 1, 1983. The Subcommittee recommends Johnson County re-enter the program only for the last quarter of FY 1985 instead of two quarters and allows \$6,498 to fund one administrative position for the third quarter in the budget year. Conferees from Johnson County appeared before the Subcommittee to provide information on the status of the program. The Subcommittee is concerned about the funding mechanism for community corrections which can destroy a viable juvenile program if the adult program is not properly functioning.
7. Delete \$6,691 for salaries and wages at the pre-release centers based on hiring correctional officers at the appropriate entry salary level.
8. Delete \$133,069 for cost-of-living increases for pre-release center staff. This amount was inadvertently contained within the Senate recommendations due to a staff error.
9. The Subcommittee recommends that capital improvements be considered in a separate appropriation bill. This action would allow the Joint Committee on State Building Construction the opportunity to finalize their recommendations.
10. The Subcommittee notes the anticipated increase in the average daily inmate population for FY 1985. The Subcommittee makes no further adjustments to the budget pending the receipt of a Governor's Budget Amendment to address the increased inmate population.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
All Funds:			
State Operations	\$ (289,086)	\$ 12,801,522	\$ (409,128)
Aid to Local Units	—	4,839,277	(453,002)*
Operating Expenditures	\$ (289,086)	\$ 17,640,799	\$ (862,130)
Capital Improvements	(1,750,000)	—	—
TOTAL	<u>\$ (2,039,086)</u>	<u>\$ 17,640,799</u>	<u>\$ (862,130)</u>
State General Fund:			
State Operations	\$ (247,615)	\$ 8,967,627	\$ (409,128)
Aid to Local Units	—	4,839,277	(453,002)*
Operating Expenditures	\$ (247,615)	\$ 13,806,904	\$ (862,130)
Capital Improvements	(1,750,000)	—	—
TOTAL	<u>\$ (1,997,615)</u>	<u>\$ 13,806,904</u>	<u>\$ (862,130)</u>
F.T.E. Positions	—	323.0	(15.0)

* Includes Governor's Budget Amendment No. 2-6, dated March 16, 1984.

SUBCOMMITTEE REPORT

Agency: Kansas Correctional-Vocational Training Center (KCVTC) Bill No. 552 Bill Sec. 6
 Analyst: Conroy Analysis Pg. No. 434 Budget Pg. No. 4-23

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
<u>All Funds:</u>			
State Operations	\$ 3,809,122	\$ 3,700,378	\$ (133,450)
Capital Improvements	682,105	400,000	—
TOTAL	\$ 4,491,227	\$ 4,100,378	\$ (133,450)
<u>State General Fund:</u>			
State Operations	\$ 3,795,902	\$ 3,687,158	\$ (133,450)
Capital Improvements	682,105	400,000	—
TOTAL	\$ 4,478,007	\$ 4,087,158	\$ (133,450)
F.T.E. Positions	104.0	103.5	—
Average Inmate Census	220	220	—

Agency Request/Governor's Recommendation

The agency's request of \$4,491,227, while maintaining the current level of operations, also provides for the addition of 1.6 F.T.E. positions (a nurse and an increase in the physician position from .4 to full-time) and \$676,705 to replace the roofs on all buildings and \$5,400 to replace carpeting in the Administration Building.

The Governor's recommendation provides for continuation of the current level of operation and includes funds for the additional nurse position, but increases the physician position from .4 to .5 F.T.E. The Governor also recommends \$400,000 to replace and repair the roofs on selected buildings. The Governor's recommendation does not specifically address the replacement carpeting for the Administration Building.

Senate Subcommittee Recommendations

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

1. Delete \$133,450 for the recommended salary plan increase of 5 percent and \$204 per year.
2. The Subcommittee concurs with the recommendations of the Joint Committee on State Building Construction which provides \$400,000 for roof repair and replacement.

Senate Committee Recommendations

Concurs with the Subcommittee with the following adjustment:

1. Delete \$400,000 for capital improvements pending further review of the Joint Committee on State Building Construction.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

Fiscal Year 1984

1. Delete \$20,000 for salaries and wages in the Support Services Program based on lower than anticipated expenditures.
2. Delete \$20,000 for educational and vocational contract services based on lower than anticipated expenditures.
3. Delete \$37,000 for medical costs based on lower than anticipated expenditures.
4. Increase utilities by \$18,000 based on higher than anticipated expenditures.
5. Delete \$5,574 for inmate and gratuity pay based on lower than anticipated expenditures.
6. Delete \$10,000 for food costs based on lower than anticipated expenditures.
7. The Subcommittee recommends that identified net savings be reappropriated to FY 1985 to reduce the new funds needed in the budget year. The net amount of funds recommended for reappropriation totals \$59,000.

Fiscal Year 1985

1. Delete \$26,250 for education/vocation contract services based on lower than projected expenditures.
2. Delete \$4,700 for communication in the Administration Program.
3. The Subcommittee makes no adjustment in funds for the dental contract, but assumes that the current rate of \$50 per hour will continue in FY 1985. The \$50 per hour rate is budgeted at the State Reception and Diagnostic Center for FY 1985.

4. The Subcommittee endorses the increase in F.T.E. for the physician from .37 to .50 in the budget year. The Subcommittee assumes that additional medical costs outside the institution will be minimized in FY 1985 because of the increased physician position.
5. Add \$11,195 for utilities based on higher than anticipated expenditures.
6. The Subcommittee recommends that capital improvements be considered in a separate appropriation bill. This action would allow the Joint Committee on State Building Construction the opportunity to finalize their recommendations.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
All Funds:			
State Operations	\$ (133,450)	\$ 3,566,928	\$ (19,755)
Capital Improvements	(400,000)	—	—
TOTAL	<u>\$ (533,450)</u>	<u>\$ 3,566,928</u>	<u>\$ (19,755)</u>
State General Fund:			
State Operations	\$ (133,450)	\$ 3,553,708	\$ (19,755)
Capital Improvements	(400,000)	—	—
TOTAL	<u>\$ (533,450)</u>	<u>\$ 3,553,708</u>	<u>\$ (19,755)</u>
F.T.E. Positions	—	103.5	—

Agency: Kansas Correctional Institution
at Lansing (CJL) Bill No. 2 Bill Sec. 7
Analyst: Conroy Analysis Pg. No. 438 Budget Pg. No. 4-19

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 3,064,111	\$ 2,689,819	\$ (107,193)
Capital Improvements	228,041	200,041	—
TOTAL	<u>\$ 3,292,152</u>	<u>\$ 2,889,860</u>	<u>\$ (107,193)</u>
State General Fund:			
State Operations	\$ 3,060,611	\$ 2,686,319	\$ (107,193)
Capital Improvements	228,041	200,041	—
TOTAL	<u>\$ 3,288,652</u>	<u>\$ 2,866,360</u>	<u>\$ (107,193)</u>
F.T.E. Positions	97.0	82.0	—
Average Inmate Census	200	170	—

Agency Request/Governor's Recommendation

The agency's request of \$3,292,152, while maintaining the current level of operations, also provides for 19 new positions for security and support services. The agency's request is based on an average inmate census of 200. Approximately 40 out of the 200 inmates would be male with the remainder being female. The agency also requested funds for construction of a new food service facility (\$200,041 in FY 1985 and \$394,144 in FY 1986.)

The Governor's recommendation provides for continuation of the current level of operation and includes funds for four additional positions (one security and three support services). The Governor's recommendation is based on an average inmate population of 170, all females. The recommendation also includes funds for the new food service facility.

Senate Subcommittee Recommendation

FY 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$107,193 for the recommended salary plan increase of 5 percent and \$204 per year.
2. The Subcommittee concurs with the Governor's recommendation for an average inmate population of 170 inmates. However, the Subcommittee makes no recommendation as to the gender of the inmates to be housed at the institution.
3. The Subcommittee concurs with the recommendation of the Joint Committee on State Building Construction to construct a new food service facility (\$200,041 in FY 1985 and \$394,144 in FY 1986). The Subcommittee also concurs with the proviso that preliminary plans on the structure be presented to the Joint Committee for their approval prior to actual construction. The plans shall address the specific type of roof to be used on the building.

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Senate Committee Recommendations

Concurs with the Subcommittee with the following adjustment:

1. Delete \$200,041 for capital improvements pending further review of the Joint Committee on State Building Construction.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

Fiscal Year 1984

1. The Subcommittee notes Security salaries and wages is overstated by \$25,000 and food costs by \$30,000. However, as an offset to these savings, the Subcommittee recommends that medical costs be increased by \$45,000 and utilities by \$13,000. The net effect of the Subcommittee recommendation is to make no adjustment to the current appropriation.

Fiscal Year 1985

1. Delete \$17,815 and one F.T.E. for a recommended Food Service Supervisor II position.
2. The Subcommittee recommends that capital improvements be considered in a separate appropriation bill. This action would allow the Joint Committee on State Building Construction the opportunity to finalize their recommendations.
3. The Subcommittee notes the anticipated increase in the average daily inmate population for FY 1985. The Subcommittee makes no further adjustments to the budget pending the receipt of a Governor's Budget Amendment to address the increased inmate population.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
All Funds:			
State Operations	\$ (421,431)	\$ 11,757,060	\$ (17,815)
Capital Improvements	(2,078,256)	—	—
TOTAL	<u>\$ (2,499,687)</u>	<u>\$ 11,757,060</u>	<u>\$ (17,815)</u>
State General Fund:			
State Operations	\$ (421,431)	\$ 11,589,292	\$ (17,815)
Capital Improvements	(2,078,256)	—	—
TOTAL	<u>\$ (2,499,687)</u>	<u>\$ 11,589,292</u>	<u>\$ (17,815)</u>
F.T.E. Positions	—	82.0	(1.0)

SUBCOMMITTEE REPOP

Agency: Kansas State Industrial Reformatory (KSIR) Bill No. 552 Bill Sec. 8
 Analyst: Conroy Analysis Pg. No. 443 Budget Pg. No. 4-47

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 13,305,384	\$ 12,178,491	\$ (421,431)
Capital Improvements	2,904,755	2,078,256	—
TOTAL	<u>\$ 16,210,139</u>	<u>\$ 14,256,747</u>	<u>\$ (421,431)</u>
State General Fund:			
State Operations	\$ 13,137,616	\$ 12,010,723	\$ (421,431)
Capital Improvements	2,904,755	2,078,256	—
TOTAL	<u>\$ 16,042,371</u>	<u>\$ 14,088,979</u>	<u>\$ (421,431)</u>
F.T.E. Positions	358.5	329.5	—
Average Inmate Census	1,143	1,100	—

Agency Request/Governor's Recommendation

The agency's request of \$16,210,139, while maintaining the current level of operations, also provides for the addition of 53 positions for security and support services. Of the 53 requested positions, 24 relate to the new 96-bed modular facility which is presently under construction and scheduled to be completed by October 1, 1984. The agency is also requesting several capital improvement projects, including renovation of "D" cellhouse (\$1,453,205) and a replacement standby generator (\$382,815).

The Governor's recommendation provides for continuation of the current level of operation and includes funds for 24 new positions, all related to the new 96-bed modular facility. The Governor also recommends the "D" cellhouse renovation (\$900,000 in FY 1985 and \$600,000 in FY 1986) and the replacement standby generator. The Governor's recommendation is based on an average inmate census of 1,100 which assumes the new prerelease centers will provide some relief on overcrowding.

Senate Subcommittee Recommendation

FY 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$421,431 for the recommended salary plan increase of 5 percent and \$204 per year.
2. The Subcommittee concurs with the recommendations of the Joint Committee on State Building Construction which provides \$900,000 in FY 1985 and \$600,000 in FY 1986 for renovation of "D" cellhouse and \$382,815 for a replacement standby generator. The Subcommittee also concurs with the Joint Building Committee proviso which provides that funds for the standby generator will be released by the Finance Council only after the agency investigates and reports to the Joint Committee on the possibility of alternative power sources to the institution.

Senate Committee Recommendations

Concurs with the Subcommittee with the following adjustment:

1. Delete \$2,078,256 for capital improvements pending further review of the Joint Committee on State Building Construction.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

Fiscal Year 1984

1. Increase \$63,000 for salaries and wages. The Subcommittee recognizes that the Security Program is under funded by \$90,000 and the Support Services Program by \$3,000. However, to partially offset these increases the Subcommittee recommends that the Administration Program and the Life Skills programs, both be reduced by \$15,000.
2. Increase \$5,000 for communication based on higher than anticipated expenditures.
3. Increase \$3,000 for the educational and vocational contract services based on higher than anticipated expenditures.
4. Delete \$38,064 for medical costs based on lower than anticipated expenditures.
5. Delete \$20,000 for utilities based on lower than anticipated expenditures.
6. Delete \$8,000 for inmate and gratuity pay based on lower than anticipated expenditures.
7. Delete \$63,701 for food costs based on lower than anticipated expenditures.
8. The Subcommittee recommends that identified net savings be reappropriated to FY 1985 to reduce the new funds needed in the budget year. The net amount of funds recommended for reappropriation totals \$58,765.

Fiscal Year 1985

1. Delete \$41,783 and 3.0 F.T.E. positions for a Corrections Counselor II, Secretary I, and Clerk III, all associated with the new 96 bed modular facility.

2. Delete \$32,070 for salaries and wages for delaying the starting date of new staff positions associated with the new 96 bed modular facility. The estimated completion date is now November 1, 1985 instead of the budgeted October 1, 1985. The adjustments are in Food Service (\$3,248) and Classification and Records (\$3,917) which allows staffing the new positions for nine months. In Security the adjustment (\$24,905) allows for hiring five Correctional Officers II for 11 months and six Correctional Officers II for 10 months in order for the officers to receive the statutorily required training.
3. Increase \$5,000 for communication based on higher than anticipated expenditures.
4. Add \$18,425 and 1 F.T.E. position for a Correctional Officer III to provide security supervision for an inmate work crew assigned to Cheney State Park. The Subcommittee recommends providing meaningful and productive work programs for inmates, such as the maintenance of our state park system.
5. The Subcommittee recommends that capital improvements be considered in a separate appropriation bill. This action would allow the Joint Committee on State Building Construction the opportunity to finalize their recommendations.
6. The Subcommittee notes the anticipated increase in the average daily inmate population for FY 1985. The Subcommittee makes no further adjustments to the budget pending the receipt of a Governor's Budget Amendment to address the increased inmate population.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
All Funds:			
State Operations	\$ (421,431)	\$ 11,757,060	\$ (50,428)
Capital Improvements	(2,078,256)	—	—
TOTAL	<u>\$ (2,499,687)</u>	<u>\$ 11,757,060</u>	<u>\$ (50,428)</u>
State General Fund:			
State Operations	\$ (421,431)	\$ 11,589,292	\$ (50,428)
Capital Improvements	(2,078,256)	—	—
TOTAL	<u>\$ (2,499,687)</u>	<u>\$ 11,589,292</u>	<u>\$ (50,428)</u>
F.T.E. Positions	—	329.5	(2.0)

SUBCOMMITTEE REPORT

Agency: State Penitentiary Bill No. 552 Bill Sec. 9
 Analyst: Alan Conroy Analysis Pg. No. 449 Budget Pg. No. 4-63

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 19,551,962	\$ 17,733,983	\$ (564,278)
Capital Improvements	8,879,057	5,714,307	—
Total	<u>\$ 28,431,019</u>	<u>\$ 23,488,290</u>	<u>\$ (564,278)</u>
State General Fund:			
State Operations	\$ 19,536,962	\$ 17,718,983	\$ (564,278)
Capital Improvements	8,879,057	5,714,307	—
Total	<u>\$ 28,416,019</u>	<u>\$ 23,433,290</u>	<u>\$ (564,278)</u>
F.T.E. Positions	578.0	525.5	--
Average Inmate Census	2,094	1,958	--

Agency Request/Governor's Recommendation

The agency's request of \$28,431,019, while maintaining the current level of operations also provides for 160.5 additional positions. Of the 160.5 new positions requested, 134 are for the new medium security facility currently under construction and scheduled to be completed by January 1, 1985. The remaining 26.5 positions would provide additional support services for the increasing inmate population. The agency also requested \$4,623,500 in additional funds for continued development of the medium security facility and \$2,889,704 for various renovation projects and water system improvements.

The Governor's recommendation provides for continuation of the current level of operation and includes funds for 94 additional positions. Of the new positions recommended, 89 are associated with the new medium custody facility and five support services positions are for the expanded Outside Dormitory No. 2. The Governor also recommends \$2,554,000 for continued development of the medium custody facility and \$1,794,454 for various renovation projects and water system improvements.

Senate Subcommittee Recommendations

FY 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$564,278 for the recommended salary plan increase of 5 percent and \$204 per year.
2. The Subcommittee notes that while the positions for the new medium custody facility will be established for the full year, funds are recommended for staffing those positions for only part of FY 1985.
3. The Subcommittee notes that the Joint Committee on State Building Construction is still reviewing the medium security facility project. However, the Subcommittee makes no adjustment to the Governor's recommendation and urges the House Subcommittee to review this project once the Joint Committee recommendations are made.

Senate Committee Recommendations

Concurs with the Subcommittee with the following adjustment:

1. Delete \$5,714,307 for capital improvements pending further review of the Joint Committee on State Building Construction.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

Fiscal Year 1984

1. The Subcommittee notes the Security program, salaries and wages, is overstated by \$80,000 and the Life Skills program salaries and wages by \$60,000. However, as an offset to these savings, the Subcommittee recommends that salaries and wages in the Administration program be increased \$50,000 and in the Support Services program by \$90,000. The net effect of the Subcommittee recommendation is to make no adjustment to the current appropriation for salaries and wages.
2. Delete \$7,000 for communication based on lower than anticipated expenditures.
3. Increase \$60,000 for educational and vocational contract services based on higher than anticipated expenditures. The Subcommittee expresses concern that a contracted item for the current year will exceed the approved budget by such a large amount. The Subcommittee urges the agency to carefully review this item in future years before entering into a contract for services.
4. Delete \$217,058 for medical costs based on lower than anticipated expenditures.
5. Delete \$20,000 for utilities based on lower than anticipated expenditures.
6. Delete \$21,187 for inmate and gratuity pay based on lower than anticipated expenditures.
7. Delete \$20,000 for food based on lower than anticipated expenditures.
8. The net amount of funds recommended for reappropriation to FY 1985 by the Subcommittee totals \$225,245.
9. The Subcommittee recommends that identified net savings be reappropriated to FY 1985 to reduce the new funds needed in the budget year.

Fiscal Year 1985

1. Delete \$3,810 for postage costs. The agency assumed that the first class postage rate would increase to \$.22 effective October, 1984. The Subcommittee notes the Department of Administration has not informed any other agencies to budget specifically for a postage rate increase.
2. Delete \$17,896 for Security salaries and wages. This adjustment reflects turnover at 5.3 percent or the same rate as originally approved in FY 1984.
3. Add \$56,191 in wastewater treatment charges from the city of Lansing which was inadvertently omitted from the agency request.
4. Delete \$34,700 for medical costs based on lower than anticipated expenditures.
5. The Subcommittee recommends that any delays in the construction of the new medium custody facility will also be reflected in the hiring date of new staff positions. The Subcommittee recommends that no security positions would be employed more than three months prior to the opening of the new facility. This advance time will enable security staff to receive statutorily required training.
6. The Subcommittee recommends that capital improvements be considered in a separate appropriation bill. This action would allow the Joint Committee on State Building Construction the opportunity to finalize their recommendations.
7. The Subcommittee notes the anticipated increase in the average daily inmate population for FY 1985. The Subcommittee makes no further adjustments to the budget pending the receipt of a Governor's Budget Amendment to address the increased inmate population.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
All Funds:			
State Operations	\$ (564,278)	\$ 17,169,705	\$ (215)
Capital Improvements	(5,714,307)	—	—
TOTAL	<u>\$ (6,278,585)</u>	<u>\$ 17,169,705</u>	<u>\$ (215)</u>
State General Fund:			
State Operations	\$ (564,278)	\$ 17,154,705	\$ (215)
Capital Improvements	(5,714,307)	—	—
TOTAL	<u>\$ (6,278,585)</u>	<u>\$ 17,154,705</u>	<u>\$ (215)</u>
F.T.E. Positions	—	525.5	—

Agency: State Reception and Diagnostic Center (SRDC) Bill No. 552 Bill Sec. 10

Analyst: Conroy Analysis Pg. No. 457 Budget Pg. No. 4-67

<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	\$ 3,288,500	\$ 3,244,456	\$ (149,886)
State General Fund	3,282,900	3,238,856	(149,886)
F.T.E. Positions	107.6	105.6	--
Average Inmate Census	132	132	--

Agency Request/Governor's recommendation

The agency request of \$3,288,500, while maintaing the current level of operations, also provides for two additional correctional officers. The new positions would provide enhanced security for the inmate's recreational programs and housing areas.

The Governor's recommendation provides for continuation of the current level of operation. The Governor makes no provision for the additional security positions.

Senate Subcommittee Recommendation

Fiscal Year 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$149,886 for the recommended salary plan increase of 5 percent and \$204 per year.

Senate Committee Recommendations

Concurs with the Subcommittee recommendations.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

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Fiscal Year 1984

1. Delete \$50,000 for salaries and wages. The Subcommittee recommends adjusting downward salaries and wages in the Testing and Psychiatric Evaluation Program by \$60,000 and \$10,000 in the Support Services Program. However, to partially offset these savings the Subcommittee recommends that Administration salaries and wages be increased by \$9,000 and Security salaries and wages by \$11,000.
2. Delete \$17,480 for medical costs based on lower than anticipated expenditures.
3. Increase utilities by \$8,300.
4. Delete \$965 for laundry costs based on lower than anticipated expenditures.
5. Delete \$5,000 for food costs based on lower than anticipated expenditures.
6. The net amount of funds recommended for reappropriation for FY 1985 totals \$65,145.
7. The Subcommittee recommends that all identified savings be reappropriated to FY 1985 to reduce the new funds needed in the budget year.

Fiscal Year 1985

1. Delete \$15,062 for medical costs based on lower than projected expenditures.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
State Operations:			
All Funds	\$ (149,886)	\$ 3,094,570	\$ (15,062)
State General Fund	(149,886)	3,088,970	(15,062)
F.T.E. Positions	—	105.6	—

SUBCOMMITTEE REPORT

Agency: Corrections Ombudsman Board Bill No. 552 Bill Sec. 11

Analyst: Conroy Analysis Pg. No. 460 Budget Pg. No. 4-41

<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	\$ 209,034	\$ 147,107	\$ (3,281)
State General Fund	209,034	147,107	(3,281)
F.T.E. Positions	6.0	5.0	—

Agency Request/Governor's Recommendation

The agency request of \$209,034, while maintaining the current level of operations, also provides for a Deputy Ombudsman position to expand the number of correctional institutions that are served by the agency.

The Governor's recommendation while continuing the current operations of the agency staff, provides for a reduction in the Ombudsman Board from ten to five members. The Governor makes no provision for the additional staff position.

Senate Subcommittee Recommendations

FY 1985. The Senate Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$6,431 for the recommended salary plan increase of 5 percent and \$204 per year.
2. The Subcommittee notes S.B. 480 would reduce the size of the Ombudsman Board from ten to five members. However, the Subcommittee recommends that \$3,150 be added for continuation of the Board at its present size of ten members. The Subcommittee believes that a ten-member board provides the necessary backgrounds and perspectives to deal with complex correctional issues.

Senate Committee Recommendations

Concurs with the Subcommittee recommendations.

Senate Committee of the Whole Recommendations

Concurs with the Committee recommendations.

House Subcommittee Recommendations

The House Subcommittee concurs with the budget as recommended by the Senate with the following adjustments:

Fiscal Year 1984

1. Delete \$12,582 for salaries and wages. This savings is a result of the Corrections Ombudsman position being vacant approximately eight months.
2. Delete \$1,800 for travel and subsistence.
3. The Subcommittee notes that printing will be in excess of the approved amount. However, to offset this increase, communication expenditures are anticipated to be less than the approved amount.
4. The Subcommittee recommends that all identified savings in the current year be reappropriated for FY 1985.

Fiscal Year 1985

The Subcommittee urges all appointing authorities for the Ombudsman Board to consider appointing minorities so they will be adequately represented on the Board.

<u>Expenditure Summary</u>	<u>Senate Adjustments to Gov. Rec. FY 1985</u>	<u>Total Senate Rec. FY 1985</u>	<u>House Subcommittee Adjustments to Senate Rec.</u>
State Operations:			
All Funds	\$ (3,281)	\$ 143,826	\$ --
State General Fund	(3,281)	143,826	--
F.T.E. Positions	--	5.0	--

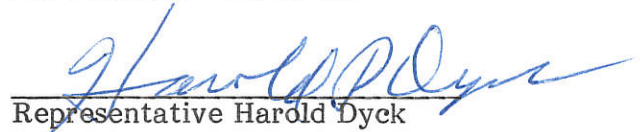
HOUSE SUBCOMMITTEE REPORT

SENATE BILL NO. 552

Section No. 4	Kansas Adult Authority
Section No. 5	Department of Corrections
Section No. 6	State Correctional-Vocational Training Center
Section No. 7	Kansas Correctional Institution at Lansing
Section No. 8	State Industrial Reformatory
Section No. 9	Kansas State Penitentiary
Section No. 10	State Reception and Diagnostic Center
Section No. 11	Corrections Ombudsman Board



Representative David Miller
Subcommittee Chairman



Representative Harold Dyck



Representative Don Mainey

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 545-N - State House

Phone 296-3181

Date March 15, 1984

TO: REPRESENTATIVE ARTHUR DOUVILLE Office No. 446-N
RE: UNEMPLOYMENT COMPENSATION WHEN AN EMPLOYEE VOLUNTARILY
QUITS

You had inquired about unemployment compensation when an employee voluntarily quits. Specifically, you were interested in how the states bordering Kansas deal with this situation.

States that border Kansas have the following procedure regarding such workers:

Missouri.

There is nothing in the statutes governing voluntary quits. Decisions are made by the employment security deputy (hearing officer) but the policy is to allow compensation only for work-related reasons.

Nebraska.

Good cause reasons for compensation must be related to employment. Personal reasons are not allowed. There is a narrow allowance for illnesses in the case of pregnancy. The determination of good cause is based on case law and unemployment benefit policy and procedure.

Oklahoma.

For a worker to collect unemployment benefits when the employee has voluntarily quit, the good-cause reasons must be directly attributable to the employer, i.e., business related.

Colorado.

Colorado Revised Statutes (Colo. Rev. Stat.) 8-73-108 governs the situation in which an employee voluntarily quits. A copy of the statute is enclosed. Briefly, the reasons which constitute good cause are: (1) the health of the worker; (2) illness of a dependent or spouse which necessitates relocation; (3) a substantial change in working condition; (4) unreasonable reduction in pay; and (5) accepting a better job. Colorado incorporates both personal and work-related reasons to establish good cause.

I hope this information is useful to you. If I may be of further assistance to you please let me know.

Jerry Ann Donaldson
Research Assistant

JAD/pb

Enclosure

HOUSE BILL No. 2981

By Representative Douville

2-8

0016 AN ACT concerning the employment security law; relating to
0017 disqualification for benefits; amending K.S.A. 1983 Supp.
0018 44-706 and repealing the existing section.

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

0020 Section 1. K.S.A. 1983 Supp. 44-706 is hereby amended to
0021 read as follows: 44-706. An individual shall be disqualified for
0022 benefits:

0023 (a) ~~Beginning with the week in which the valid initial claim~~
0024 ~~is filed and for the 10 consecutive weeks which immediately~~
0025 ~~follow such week and shall forfeit benefit entitlement equal to 10~~
0026 ~~times the individual's determined weekly benefit amount, but~~
0027 ~~not less than an amount equal to such individual's determined~~
0028 ~~weekly benefit amount if the individual left the last work volun-~~
0029 ~~tarily without good cause. An individual shall have left work~~
0030 ~~voluntarily with good cause for either work related or personal~~
0031 ~~reasons; if:~~

0032 (1) After pursuing all reasonable alternatives, the circum-
0033 stances causing the separation were of such urgent, compelling
0034 or necessitous nature as to provide the individual with no alter-
0035 native but to leave the work voluntarily; or

0036 (2) the reasons for the separation were of such nature that a
0037 reasonable and prudent individual would separate from the
0038 employment under the same circumstances. If an individual
0039 leaves work by the individual's own action because of domestic
0040 or family responsibilities, not including pregnancy, self-
0041 employment or to retire because of disability or old age; or to
0042 attend school such individual shall be disqualified for benefits
0043 until such individual again becomes employed and has had
0044 earnings of at least eight times such individual's weekly benefit

Until after the individual has become reemployed and had earnings of at least four times the individual's weekly benefit amount if the individual voluntarily left work without good cause attributable to the work or the employer; except that the individual shall not be disqualified

(1) if the individual left work for the purpose of accepting a more remunerative job which was accepted and in which some wages were earned; or

(2) if the individual quit temporary work to return to the regular employer.

14

0045 ~~amount.~~ No individual shall be denied benefits for leaving work
 0046 to enter training approved under section 236(a)(1) of the trade act
 0047 of 1974, provided the work left is not of a substantially equal or
 0048 higher skill level than the individual's past adversely affected
 0049 employment (as defined for purposes of the trade act of 1974),
 0050 and wages for such work are not less than 80% of the individual's
 0051 average weekly wage as determined for the purposes of the trade
 0052 act of 1974. ~~The term "good cause" as used in this subsection~~
 0053 ~~shall include but not be limited to: (1) Leaving work because of~~
 0054 ~~serious illness or death of a dependent; (2) leaving work because~~
 0055 ~~of the transfer of one's spouse from one place of employment to~~
 0056 ~~another place of employment at a geographic location which~~
 0057 ~~makes it unreasonable for the individual to continue employ-~~
 0058 ~~ment at the individual's place of employment; (3) leaving work~~
 0059 ~~because of any other compelling family responsibilities; (4)~~
 0060 ~~leaving work because of illness, pregnancy or disability and the~~
 0061 ~~leaving is based upon competent medical advice and the indi-~~
 0062 ~~vidual can produce proof of such advice; (5) leaving work to~~
 0063 ~~enlist in the armed forces of the United States but being re-~~
 0064 ~~jected; (6) leaving work to accept new employment offering~~
 0065 ~~substantially better conditions of work or substantially higher~~
 0066 ~~wages, or both; or (7) leaving work because of harassment by the~~
 0067 ~~employer or coemployees. The term "dependent" as used in this~~
 0068 ~~subsection shall have the same meaning as is ascribed to the~~
 0069 ~~word "dependents" in K.S.A. 44-508 and amendments thereto.~~

0070 (b) ~~Beginning with the week in which the valid initial claim~~
 0071 ~~is filed and for the 10 consecutive weeks which immediately~~
 0072 ~~follow such week and shall forfeit benefit entitlement equal to 10~~
 0073 ~~times the individual's determined weekly benefit amount, but~~
 0074 ~~not less than an amount equal to such individual's determined~~
 0075 ~~weekly benefit amount if the individual has been discharged~~
 0076 ~~from the individual's last work for a breach of a duty connected~~
 0077 ~~with the individual's work reasonably owed an employer by an~~
 0078 ~~employee, except that if an individual is discharged for gross~~
 0079 ~~misconduct connected with the individual's work, such individ-~~
 0080 ~~ual shall be disqualified for benefits until such individual again~~
 0081 ~~becomes employed and has had earnings of at least eight times~~

Until after the individual has become reemployed and had
 earnings of at least four times the individual's weekly
 benefit amount

0082 such individual's weekly benefit amount. The term "gross mis-
0083 conduct" as used in this subsection shall be construed to mean
0084 conduct evincing willful and wanton disregard of an employer's
0085 interest or a carelessness or negligence of such degree or recur-
0086 rence as to show an intentional or substantial disregard of the
0087 employer's interest.

0088 (c) If the individual has failed, without good cause, to either
0089 apply for suitable work when so directed by the employment
0090 office of the secretary of human resources, or to accept suitable
0091 work when offered to the individual by the employment office,
0092 the secretary of human resources, or an employer, such disqual-
0093 ification shall begin with the week in which such failure oc-
0094 curred ~~and for the 10 consecutive weeks which immediately~~
0095 ~~follow such week and shall forfeit benefit entitlement equal to 10~~
0096 ~~times the individual's determined weekly benefit amount but~~
0097 ~~not less than an amount equal to such individual's determined~~
0098 ~~weekly benefit amount.~~ In determining whether or not any work
0099 is suitable for an individual, the secretary of human resources, or
0100 a person or persons designated by the secretary, shall consider
0101 the degree of risk involved to health, safety, and morals, physical
0102 fitness and prior training, experience and prior earnings, length
0103 of unemployment and prospects for securing local work in the
0104 individual's customary occupation or work for which the indi-
0105 vidual is reasonably fitted by training or experience, and the
0106 distance of the available work from the individual's residence.

0107 7 Notwithstanding any other provisions of this act, an otherwise
0108 eligible individual shall not be disqualified for refusing an offer
0109 of suitable employment, or failing to apply for suitable employ-
0110 ment when notified by an employment office, or for leaving the
0111 individual's most recent work accepted during approved train-
0112 ing, including training approved under section 236(a)(1) of the
0113 trade act of 1974, if the acceptance of or applying for suitable
0114 employment or continuing such work would require the indi-
0115 vidual to terminate approved training and no work shall be
0116 deemed suitable and benefits shall not be denied under this act
0117 to any otherwise eligible individual for refusing to accept new
0118 work under any of the following conditions: (1) If the position

and shall continue until the individual has become reemployed
and earned at least four times the individual's weekly
benefit amount.

0119 offered is vacant due directly to a strike, lockout, or other labor
0120 dispute; (2) if the remuneration, hours, or other conditions of the
0121 work offered are substantially less favorable to the individual
0122 than those prevailing for similar work in the locality; (3) if as a
0123 condition of being employed, the individual would be required
0124 to join or to resign from or refrain from joining any labor organi-
0125 zation.

0126 (d) For any week with respect to which the secretary of
0127 human resources, or a person or persons designated by the
0128 secretary, finds that the individual's unemployment is due to a
0129 stoppage of work which exists because of a labor dispute or there
0130 would have been a work stoppage had normal operations not
0131 been maintained with other personnel previously and currently
0132 employed by the same employer at the factory, establishment, or
0133 other premises at which the individual is or was last employed,
0134 except that this subsection shall not apply if it is shown to the
0135 satisfaction of the secretary of human resources, or a person or
0136 persons designated by the secretary, that: (1) The individual is
0137 not participating in or financing or directly interested in the
0138 labor dispute which caused the stoppage of work; and (2) the
0139 individual does not belong to a grade or class of workers of
0140 which, immediately before the commencement of the stoppage,
0141 there were members employed at the premises at which the
0142 stoppage occurs any of whom are participating in or financing or
0143 directly interested in the dispute. If in any case separate
0144 branches of work which are commonly conducted as separate
0145 businesses in separate premises are conducted in separate de-
0146 partments of the same premises, each such department shall, for
0147 the purpose of this subsection, be deemed to be a separate
0148 factory, establishment, or other premises. For the purposes of
0149 this subsection, failure or refusal to cross a picket line or refusal
0150 for any reason during the continuance of such labor dispute to
0151 accept the individual's available and customary work at the
0152 factory, establishment, or other premises where the individual is
0153 or was last employed shall be considered as participation and
0154 interest in the labor dispute.

0155 (e) For any week with respect to which or a part of which the

0156 individual has received or is seeking unemployment benefits
0157 under the unemployment compensation law of any other state or
0158 of the United States, except that if the appropriate agency of such
0159 other state or the United States finally determines that the
0160 individual is not entitled to such unemployment benefits, this
0161 disqualification shall not apply.

0162 (f) For any week with respect to which the individual is
0163 entitled to receive any unemployment allowance or compensa-
0164 tion granted by the United States under an act of congress to
0165 ex-service men and women in recognition of former service with
0166 the military or naval services of the United States.

0167 (g) For the period of one year beginning with the first day
0168 following the last week of unemployment for which the individ-
0169 ual received benefits, or for one year from the date the act was
0170 committed, whichever is the later, if the individual, or another in
0171 such individual's behalf with the knowledge of the individual,
0172 has knowingly made a false statement or representation, or has
0173 knowingly failed to disclose a material fact to obtain or increase
0174 benefits under this act or any other unemployment compensa-
0175 tion law administered by the secretary of human resources.

0176 (h) For any week with respect to which the individual is
0177 receiving compensation for temporary total disability or perma-
0178 nent total disability under the workmen's compensation law of
0179 any state or under a similar law of the United States.

0180 (i) For any week of unemployment on the basis of service in
0181 an instructional, research or principal administrative capacity for
0182 an educational institution as defined in subsection (v) of K.S.A.
0183 44-703 and amendments thereto, if such week begins during the
0184 period between two successive academic years or terms or, when
0185 an agreement provides instead for a similar period between two
0186 regular but not successive terms during such period or during a
0187 period of paid sabbatical leave provided for in the individual's
0188 contract, if the individual performs such services in the first of
0189 such academic years or terms and there is a contract or a reason-
0190 able assurance that such individual will perform services in any
0191 such capacity for any educational institution in the second of
0192 such academic years or terms.

0193 (j) For any week of unemployment on the basis of service in
0194 any capacity other than service in an instructional, research, or
0195 administrative capacity in an educational institution, as defined
0196 in subsection (v) of K.S.A. 44-703 and amendments thereto, if
0197 such week begins during the period between two successive
0198 academic years or terms if the individual performs such services
0199 in the first of such academic years or terms and there is a
0200 reasonable assurance that the individual will perform such ser-
0201 vices in the second of such academic years or terms, except that if
0202 benefits are denied to the individual under this subsection and
0203 the individual was not offered an opportunity to perform such
0204 services for the educational institution for the second of such
0205 academic years or terms, such individual shall be entitled to a
0206 retroactive payment of benefits for each week for which the
0207 individual filed a timely claim for benefits and for which benefits
0208 were denied solely by reason of this subsection.

0209 (k) For any week of unemployment on the basis of service in
0210 an instructional, research or principal administrative capacity for
0211 an educational institution as defined in subsection (v) of K.S.A.
0212 44-703 and amendments thereto, or for service in any other
0213 capacity in an educational institution other than an institution of
0214 higher education as defined in subsection (u) of K.S.A. 44-703
0215 and amendments thereto, if such week begins during an estab-
0216 lished and customary vacation period or holiday recess if the
0217 individual performs services in the period immediately before
0218 such vacation period or holiday recess and there is a reasonable
0219 assurance that such individual will perform such services in the
0220 period immediately following such vacation period or holiday
0221 recess.

0222 (l) For any week of unemployment on the basis of any ser-
0223 vices, substantially all of which consist of participating in sports
0224 or athletic events or training or preparing to so participate, if
0225 such week begins during the period between two successive
0226 sport seasons or similar period if such individual performed
0227 services in the first of such seasons or similar periods and there is
0228 a reasonable assurance that such individual will perform such

0230 (m) For any week on the basis of services performed by an
0231 alien unless such alien is an individual who was lawfully admit-
0232 ted for permanent residence at the time such services were
0233 performed, was lawfully present for purposes of performing such
0234 services, or was permanently residing in the United States under
0235 color of law at the time such services were performed, including
0236 an alien who was lawfully present in the United States as a result
0237 of the application of the provisions of section 203(a)(7) or section
0238 212(d)(5) of the federal immigration and nationality act. Any data
0239 or information required of individuals applying for benefits to
0240 determine whether benefits are not payable to them because of
0241 their alien status shall be uniformly required from all applicants
0242 for benefits. In the case of an individual whose application for
0243 benefits would otherwise be approved, no determination that
0244 benefits to such individual are not payable because of such
0245 individual's alien status shall be made except upon a prepon-
0246 derance of the evidence.

0247 (n) For any week in which an individual is receiving a
0248 governmental or other pension, retirement or retired pay, annu-
0249 ity or other similar periodic payment under a plan maintained by
0250 a base period employer and to which the entire contributions
0251 were provided by such employer, except that: (1) If the entire
0252 contributions to such plan were provided by the base period
0253 employer but such individual's weekly benefit amount exceeds
0254 such governmental or other pension, retirement or retired pay,
0255 annuity or other similar periodic payment attributable to such
0256 week, the weekly benefit amount payable to the individual shall
0257 be reduced (but not below zero) by an amount equal to the
0258 amount of such pension, retirement or retired pay, annuity or
0259 other similar periodic payment which is attributable to such
0260 week; or (2) if only a portion of contributions to such plan were
0261 provided by the base period employer, the weekly benefit
0262 amount payable to such individual for such week shall be re-
0263 duced (but not below zero) by the prorated weekly amount of the
0264 pension, retirement or retired pay, annuity or other similar
0265 periodic payment after deduction of that portion of the pension,
0266 retirement or retired pay, annuity or other similar periodic pay-

0267 ment that is directly attributable to the percentage of the con-
0268 tributions made to the plan by such individual; or (3) if the entire
0269 contributions to the plan were provided by such individual, or by
0270 the individual and an employer (or any person or organization)
0271 who is not a base period employer, no reduction in the weekly
0272 benefit amount payable to the individual for such week shall be
0273 made under this subsection (n); or (4) whatever portion of con-
0274 tributions to such plan were provided by the base period em-
0275 ployer, if the services performed for the employer by such
0276 individual during the base period, or remuneration received for
0277 the services, did not affect the individual's eligibility for, or
0278 3 increased the amount of, such pension, retirement or retired pay,
0279 annuity or other similar periodic payment, no reduction in the
0280 weekly benefit amount payable to the individual for such week
0281 shall be made under this subsection (n). The conditions speci-
0282 fied in clause (4) of this subsection (n) shall not apply to pay-
0283 ments made under the social security act or the railroad retire-
0284 ment act of 1974, or the corresponding provisions of prior law.
0285 Payments made under these acts shall be treated as otherwise
0286 provided in this subsection (n). If the reduced weekly benefit
0287 amount is not a multiple of \$1, ~~it shall be computed to the next~~
0288 ~~higher multiple of \$1, except that for new claims filed after June~~
0289 ~~30, 1983,~~ it shall be reduced to the next lower multiple of \$1.
0290 Sec. 2. K.S.A. 1983 Supp. 44-706 is hereby repealed.
0291 Sec. 3. This act shall take effect and be in force from and
0292 2 after its publication in the statute book.



TOPEKA

SENATE CHAMBER

March 20, 1984

ROY M. EHRLICH
 SENATOR, THIRTY-FIFTH DISTRICT
 RICE, BARTON, RUSSELL COUNTIES
 ROUTE 1, BOX 92
 HOISINGTON, KANSAS 67544

COMMITTEE ASSIGNMENTS
 VICE CHAIRMAN: PUBLIC HEALTH AND WELFARE
 MEMBER: ASSESSMENT AND TAXATION
 LABOR, INDUSTRY, AND TOURISM
 LOCAL GOVERNMENT
 SPECIAL SELECT STANDING COMMITTEE
 OF THE MENTAL HEALTH ASSOCIATION
 ADVISORY COMMITTEE OF STATE
 DEPARTMENT ON AGING
 COUNCIL OF STATE GOVERNMENTS
 ENERGY COMMITTEE

William W. Bunten, Chairperson
 Ways and Means Committee
 Room 514S
 Statehouse

Mr. Chairman, and **Members of the House Ways and Means Committee:**

I received a call from Connie Evans, Director of Special Education, Russell, Kansas. Ms. Evans wanted to appear before the Committee but due to the icing weather conditions, was unable to appear. Consequently, I would like to submit a written statement on behalf of myself and Connie Evans speaking to HB 3103.

H.B. 3103 amends the state categorical aid program for special education for the purpose of changing the method of reimbursing school districts, special education cooperatives, and interlocal agreements for the full-time equivalent special teachers that they employ.

Under the amendment, such aid would be related directly to staffing ratios established by the State Board of Education for the various categories of exceptionality and modes of delivering special education services. It is my understanding that under H.B. 3103, the special education teaching unit aid would be proportionately reduced in those instances in which the pupil-teacher ratio is below the ratios established by the State Board of Education.

As a fellow legislator, I am certainly supportive of efforts by the Committee to contain or reduce costs of government. However, I believe that such efforts should not be achieved by asking one segment of the affected population to bear an unfair portion of the burden. Unfortunately, I believe that H.B. 3103 would unfairly affect the more sparsely populated, rural school districts in this state. These districts would experience a disproportionate share of the "penalty" in the special education teaching unit aid entitlement under this proposal.

I would remind the Committee that the rural school districts are under the same mandate as the larger enrollment districts to provide a full range of special education services to handicapped children. I have no objection to this requirement. As you all know, the smaller districts have made extensive efforts to comply with the law in this regard. They have entered into many cooperative agreements for services and have formed some very large interlocal agreements as the best means of providing the required services.

William W. Buntten, Chairperson

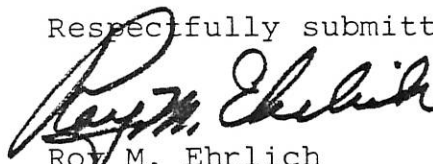
March 20, 1984

Page 2

The major purposes of these cooperative arrangements are to (a) provide exceptional children with the services they need to fully benefit from the school program, and (b) provide such services in as efficient a manner as possible. Because the incidence rates of the various handicapping conditions are relatively low, the rural districts often have great difficulty in being able to assemble large enough classes to make the most efficient use of special teachers. This difficulty is compounded by the requirements of P.L. 94-142 to provide services to handicapped children in the least restrictive environment. The Committee is aware of the fact that these districts rely heavily on para-professionals to keep professional staffing requirements at minimum levels.

What I want to make clear to this Committee is that a hard look at the geography involved, the sparsity of population in much of the state, and special education program standards leads to the inescapable conclusion that it is much more difficult to meet some uniform special education pupil-teacher ratio in the districts I am discussing than in the more densely populated areas. Thus, the burden of a change in law such as that contained in H.B. 3103 is bound to fall more heavily on the small, sparsely populated school districts. Practically speaking, these districts have only very limited options available to them to mitigate the effects of such a state aid penalty. Transporting handicapped pupils for even greater distances in order to enlarge classes or requiring even more teacher travel would only give the appearance of greater efficiency but, in fact, would result in an actual loss of time and resources devoted to meaningful educational programming.

Respectfully submitted,



Roy M. Ehrlich
Senator
Thirty-Fifth District

Connie Evans
Director of Special Education
Russell, Kansas

3-21-84 minutes

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Ways and Means

Recommends that Senate Bill No. 552, As Amended by Senate
Committee

"AN ACT making and concerning appropriations for the fiscal year ending June 30, 1985, for the adjutant general, state fire marshal, Kansas adult authority, department of corrections, state correctional-vocational training center, Kansas correctional institution at Lansing, state industrial reformatory, Kansas state penitentiary, state reception and diagnostic center and corrections ombudsman board; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing."

Be amended:

On page 2, in line 92, by striking "3,272,336" and inserting in lieu thereof "3,295,461"; in line 106, by striking "\$1,149,533" and inserting in lieu thereof "\$1,145,809"; in line 116, by striking "\$78,108" and inserting in lieu thereof "No limit"; in line 123, by striking "\$305,773" and inserting in lieu thereof "\$305,023";

On page 3, in line 132, by striking "5,801,165" and inserting in lieu thereof "5,580,013"; following line 132, by inserting the following material to read as follows:

"Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$46,217 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.";

Also on page 3, in line 134, by striking "1,440,007" and inserting in lieu thereof "1,184,487"; following line 134, by inserting the following material to read as follows:

"Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby

reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$21,327 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.";

Also on page 3, in line 136, by striking "4,965,734" and inserting in lieu thereof "4,137,732"; in line 138, preceding "That" by inserting the following: "That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$375,000 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto: Provided further,"; in line 140, by striking "Provided" and inserting in lieu thereof "And provided"; in line 176, by striking "\$13,806,904" and inserting in lieu thereof "\$12,502,230"; in line 183, by striking "No limit" and inserting in lieu thereof "\$3,729,103";

On page 4, in line 199, by striking "\$3,553,708" and inserting in lieu thereof "\$3,459,379"; preceding line 211, by inserting the following material to read as follows:

"Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$74,574 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.";

Also on page 4, in line 227, by striking "\$2,579,126" and inserting in lieu thereof "\$2,561,311";

On page 5, in line 251, by striking "\$11,589,292" and inserting in lieu thereof "\$11,480,099"; preceding line 255, by inserting the following material to read as follows:

"Provided, That any unencumbered balance in excess

of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$58,765 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.";

Also on page 5, in line 287, by striking "\$17,154,705" and inserting in lieu thereof "\$16,929,245"; preceding line 301, by inserting the following material to read as follows:

"Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$225,245 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.";

On page 6, in line 330, by striking "\$3,088,970" and inserting in lieu thereof "\$3,008,763"; following line 330, by inserting the following material to read as follows:

"Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$65,145 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.";

Also on page 6, in line 348, by striking "\$143,826" and inserting in lieu thereof "\$129,444"; following line 348, by inserting the following material to read as follows:

"Provided, That any unencumbered balance in excess of \$100 as of June 30, 1984, is hereby reappropriated for fiscal year 1985: Provided, however, That expenditures from such reappropriated balance shall not exceed \$14,382 except upon approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.";

Also on page 6, in line 370, by striking "323.0" and

inserting in lieu thereof "308.0"; in line 374, by striking "82.0" and inserting in lieu thereof "81.0"; in line 376, by striking "329.5" and inserting in lieu thereof "327.5";

And the bill be passed as amended.

_____Chairperson

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your Committee on Ways and Means

Recommends that House Bill No. 2981, As Amended by House
Committee

"AN ACT concerning the employment security law; relating to
disqualification for benefits; amending K.S.A. 1983 Supp.
44-706 and repealing the existing section."

Be amended by adoption of the amendments recommended by the House
Committee on Labor and Industry and the bill as printed with
amendments by House Committee, be further amended:

On page 1, in line 24, by striking all after "(a)"; by
striking all in lines 25 to 29, inclusive; in line 30, by
striking "tarily without good cause.";

On page 2, in line 46, preceding "No" by inserting the
following: "Until after the individual has become reemployed and
has earnings of at least four times the individual's weekly
benefit amount if the individual voluntarily left work without
good cause attributable to the work or the employer, except that
the individual shall not be disqualified: (1) If the individual
left work for the purpose of accepting a more remunerative job
which was accepted and in which some wages were earned; or (2) if
the individual quit temporary work to return to the regular
employer."; in line 53, by striking all after the period; by
striking all in lines 54 to 73, inclusive; in line 74, by
striking all after "(b)"; by striking all in lines 75 to 78,
inclusive, and inserting in lieu thereof the following: "Until
after the individual has become reemployed and has earnings of at
least four times the individual's"; in line 80, by striking all
preceding "for";

On page 3, in line 98, by striking all preceding "for"; by
striking all in lines 99, 100 and 101, and inserting in lieu
thereof the following: "shall continue until the individual has

become reemployed and has earnings of at least four times the individual's";

And the bill be passed as amended.

_____Chairperson