

Approved 4-26-88  
Date

MINUTES OF THE House COMMITTEE ON Appropriations

The meeting was called to order by Bill Bunten at  
Chairperson

12:00 ~~xxx~~/p.m. on April 4, 1988 in room 514-S of the Capitol.

All members were present except: All present.

Committee staff present: Diane Duffy, Legislative Research  
Ellen Piekalkiewicz, Legislative Research  
Robin Hunn, Legislative Research  
Jim Wilson, Revisor of Statutes  
Sharon Schwartz, Administrative Aide  
Sue Krische, Committee Secretary

Conferees appearing before the committee:

Senator Dave Kerr  
Harold Stones, Kansas Bankers Association  
Rex E. Wiggins, President, Kansas Venture Capital, Inc.  
Attorney General Robert Stephan  
Ken Gorman, Kansas Fraternal Order of Police  
Jerry Shelor, Kansas Fraternal Order of Police  
Gary Duda, Legislative Assistant to Senator Burke  
Ted Ayres, Kansas Board of Regents  
Darrell Montei, Legislative Assistant, Department of Wildlife and Parks  
Dick Davis, Fiscal Officer, Department of Corrections  
Judith McConnell, Kansas Corporation Commission  
Art Griggs, Chief Counsel, Department of Administration

Others attending: see attached list.

SB 729 - An Act relating to the Kansas statewide risk capital system; concerning investments of the pooled money investment board in Kansas Venture Capital, Inc.; amending K.S.A. 1987 Supp. 74-8203 and repealing the existing section.

Senator Dave Kerr explained that SB 729 allows for incremental purchase of preferred stock by the State of Kansas, just as common stockholders are purchasing their stock. SB 729 authorizes the Pooled Money Investment Board (PMIB) to invest \$3.5 million now and an amount each quarter to equal the investment of the common stockholders. Originally the state was to invest \$10 million in preferred stock "after" the private sector invests \$10 million in common stock.

Harold Stones, Kansas Bankers Association, appeared in support of SB 729 and provided written testimony (Attachment 1). He noted that allowing the state to invest on this incremental basis would improve the ability of Kansas Venture Capital, Inc. (KVC) to put together more numerous and more adequately sized "deals". More jobs would be created faster.

Rex E. Wiggins, President, Kansas Venture Capital, Inc., testified in support of SB 729 (Attachment 2). Representative Heinemann moved that SB 729 be recommended favorably for passage. Seconded by Representative Chronister. Motion carried.

SB 746 - An Act concerning certain educational benefits for certain dependents of deceased or disabled law enforcement officers.

Attorney General Robert Stephan appeared in support of SB 746 and provided written testimony (Attachment 3). The bill provides for free enrollment fees for spouses and children of slain officers to attend a Kansas Board of Regents' Institution. He noted \$3,496,472 was spent by the state for education for those convicted of crime

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations

room 514-S, Statehouse, at 12:00 ~~xx~~/p.m. on April 4, 1988

and the fiscal note on this bill for law enforcement officers is roughly \$11,000. Attorney General Stephan stated any death occurring in the line of duty would be covered by this bill, including possibly a heart attack.

Ken Gorman, Kansas Fraternal Order of Police, testified that SB 746 focuses on educational benefits to survivors of slain officers which is in contrast to any other death benefits the families may receive.

Jerry Shelor, Kansas Fraternal Order of Police, distributed material outlining the provisions and limitations of SB 746 and stating the cost to the state for one year would range from \$11,925 to 9,630 if all eligible dependents enrolled in college in FY 1988 (Attachment 4). The bill includes highway patrol, sheriffs, fraternal order of police and other law enforcement officers having received 320 hours of training as defined by K.S.A. 74-5602. Community Colleges are not included in the bill to facilitate administration of the program. Several members expressed concern that state employees who do not fall within the definition of law enforcement officers may lose their lives in the line of duty and would be unfairly excluded from this bill.

SB 545 - Appropriations for FY89, mental health and retardation institutions and youth centers.

Representative Miller moved to reconsider the committee action on the systemwide recommendations for the three Youth Centers. Seconded by Representative Teagarden. Motion carried. Representative Miller explained that the subcommittee recommendation that the administrative fee on the education contracts be increased from 7 percent to 10 percent and that the salaries of the directors of education at the Youth Centers be funded from the administrative fee created a problem for the Centers this year, so he recommends status quo for this year and possible consideration of this change next year. Representative Miller moved to concur with the Senate to have the administrative fee on the education contracts at the youth centers remain at 7 percent for FY 1989. Seconded by Representative Teagarden. Motion carried.

**MENTAL RETARDATION INSTITUTIONS  
SYSTEMWIDE RECOMMENDATIONS**

Representative Shriver reviewed the report on systemwide recommendations (Attachment 5). The Senate systemwide recommendations are included (Attachment 6). Representative Brady made a motion to insert \$1,832,238 (\$916,119 SGF) into the budget to implement the direct care portion of Phase III of the job study for the last quarter of FY 1989. Seconded by Representative Helgerson. Motion failed. Representative Fuller moved adoption of the systemwide recommendations for FY 1989. Seconded by Representative Goossen. Motion carried.

**KANSAS NEUROLOGICAL INSTITUTE**

Representative Fuller reviewed the subcommittee reports for FY 1988 and FY 1989 (Attachment 7). Representative Fuller moved adoption of the FY 1988 and FY 1989 subcommittee reports on KNI. Seconded by Representative Goossen. Motion carried.

**PARSONS STATE HOSPITAL**

The Subcommittee concurs with the Senate for FY 1988 and FY 1989 with adjustments (Attachment 8). Representative Goossen moved adoption of the subcommittee reports. Seconded by Representative Fuller. Motion carried.

**WINFIELD STATE HOSPITAL**

The Subcommittee concurs with the Senate with adjustments noted in the report (Attachment 9). Representative Fuller moved adoption of the subcommittee reports. Seconded by Representative Goossen. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations,  
room 514-S Statehouse, at 12:00 ~~xx~~/p.m. on April 4, 1988

SB 739 - An Act relating to Kansas, Inc.; concerning the funding of activities; amending K.S.A. 1987 Supp. 74-8009 and repealing the existing section.

Gary Duda, Legislative Assistant to Senator Burke, explained that SB 739 was requested by Senator Burke and Senator Johnston, who are Board members of Kansas, Inc. The bill would authorize Kansas, Inc. to apply nonmonetary donations toward fulfillment of up to 20 percent of the nonstate matching requirements in a given fiscal year. By law, Kansas, Inc. state funds must be matched by other funds on a 66 2/3 percent state and 33 1/3 percent other basis. Representative Brady moved that SB 739 be recommended favorably for passage. Seconded by Representative Hoy. Motion carried.

SB 381 - An Act establishing the Kansas honors scholarship program for Kansas honor students.

Ted Ayres appeared in support of SB 381 on behalf of the Kansas Board of Regents and distributed written testimony from Clantha McCurdy, Director of Student Financial Aid for the Board of Regents (Attachment 10). The bill establishes funding for the cost of tuition and fees for a maximum of five credit hours for honor students who have not yet graduated from high school. The program would be funded using up to one percent of the existing state scholarship funds annually. Approximately \$11,166 would be available for this program. Community colleges, independent institutions and Washburn University are authorized with the Regents' institutions for the program. Representative Fuller moved to recommend SB 381 favorably for passage. Seconded by Representative Goossen. Motion carried.

SB 710 - An Act concerning institutional licenses for veterinarians; amending K.S.A. 47-827 and repealing the existing section.

Ted Ayres, Kansas Board of Regents, explained that this bill provides for institutional licenses to qualified veterinarians associated with state institutions of higher learning. Previously, Kansas State University was allowed to issue licenses to visiting veterinarians and this bill extends that authority to the other state institutions. Representative Fuller moved to recommend SB 710 favorably for passage. Seconded by Representative Dyck. Motion carried.

SB 743 - An Act concerning acquisition of land under fish and wildlife coordination act; amending K.S.A. 74-3308a and 74-3308b and repealing the existing sections.

Darrell Montei, Legislative Assistant, Department of Wildlife and Parks, explained that SB 743 would exempt by exception the Hillsdale State Park project from the state statute requiring a public hearing and the requirement to advise the Legislature next year of the license for the project. Because considerable discussion has already taken place and funds are being appropriated by the Legislature, these statutory provisions would result in delay of the project. Representative Hoy moved to recommend SB 743 favorable for passage. Seconded by Representative Wisdom. Motion carried.

SB 723 - An Act concerning imprest funds of the department of corrections; amending K.S.A. 1987 Supp. 75-3058 and repealing the existing section.

Dick Davis, Fiscal Officer, Department of Corrections, stated SB 723 increases the imprest fund amount for the Kansas State Penitentiary (KSP) from \$30,000 to \$40,000. The imprest fund at KSP is used mainly for inmate incentive (work) earnings or for gratuity pay when an inmate is released. Representative Ott moved that SB 723 be recommended

CONTINUATION SHEET

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favorably for passage. Seconded by Representative Wisdom. Motion carried.

SB 736 - An Act concerning the transfer of certain balances in motor carrier license fees fund to state highway fund; amending K.S.A. 66-1,142 and repealing the existing section.

Judith McConnell, Kansas Corporation Commission, advised that SB 736 requires the State Treasurer on July 2 and January 2 to transfer to the State Highway Fund all unencumbered balances in excess of \$400,000 in the Motor Carrier License Fee Fund of the State Corporation Commission. This bill increases the limit from \$200,000 to \$400,000 made necessary because the budget of the Commission's transportation department has grown from \$600,000 in 1970 to \$1,300,000 in FY 1989. Representative Fuller moved that SB 736 be recommended favorably for passage. Seconded by Representative Dyck. Motion carried.

SB 718 - An Act concerning the division of information systems and communications; creating the information technology fund and the information technology reserve fund; transferring money to such funds and abolishing certain funds; amending K.S.A. 75-4704 and 75-4704a and K.S.A. 1987 Supp. 75-4714 and repealing the existing sections.

Art Griggs, Chief Counsel, Department of Administration, appeared in support of SB 718 and distributed correspondence from Sherry Brown, Deputy Director of DISC, explaining the background of the bill (Attachment 11). SB 718 creates two new funds--Information Technology Fund and Information Technology Reserve Fund--and abolishes three existing funds. Representative Mainey moved that SB 718 be recommended favorably for passage. Seconded by Representative Hoy. Motion carried.

Additional information on HB 2560 from the National Federation of the Blind of Kansas and the Kansas Association for the Blind and Visually Impaired Inc. was distributed to committee members (Attachment 12).

The meeting was adjourned at 1:40 p.m.

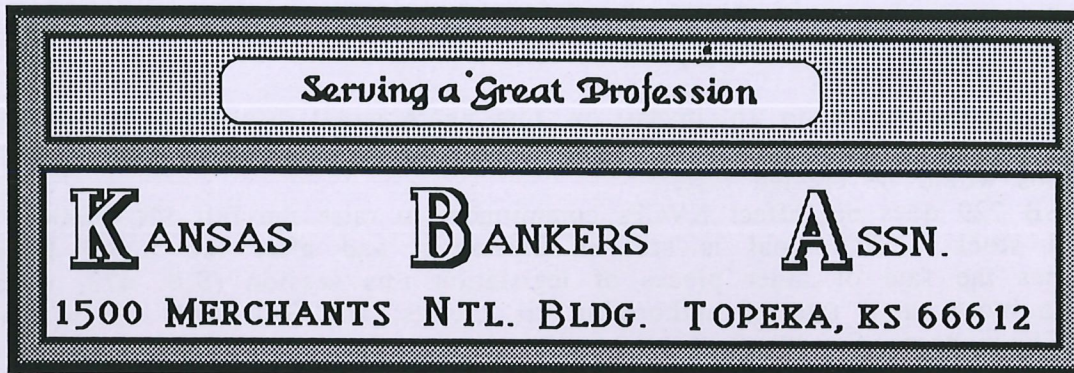
GUEST LIST

COMMITTEE: HOUSE APPROPRIATIONS

DATE: 4-4-88

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Jenny Shelton	2117 W 10 <sup>th</sup>	F.O.P
Ken Gorman	Topeka	FOP
Jay Duke	Sento	Sento
Lila Paslay	Topeka	ARCAH
TED D. AYRES	Topeka	Ks. Board of Regents
Yo Bestgen	Topeka	KARF
Beth Tatarko	Topeka	Kansas, Inc.
Pat Terick	Wichita	United Cerebral Palsy
Stacie Kennon	Lawrence	Univ. of Kansas
John McDaniel	Topeka	Ks Corporation Comm
John Strick	Manhattan	KAPS
ED SCHAUB	Topeka	FAIRGROUNDS, PARIMUTUEL RACING ASSOC.
Rick Shultz	Topeka	SRS/MHRS
DARRELL MONTEI	Pratt	KW&P
Alan Wentz	Pratt	KW&P
B.B. Meinen	Tap	KW&P
Dick Dawn	DOR - Topeka	Dept. of Corrections
Terry Stevens	TOPEKA	City of Topeka
Robert C. Adame	Topeka	Legislative Action Comm. <small>Dir. of Care Employ</small>
Muhammad Byington	Topeka	KABVI Inc.
Timothy J. White	Schoencher, KS	
Gary Metzger	Wichita, KS	
DEAN LEBASTICA	Lawrence, KS	
Jon Jossard	Lawrence, KS	KU





April 4, 1988

**TO: HOUSE COMMITTEE ON APPROPRIATIONS**

**FROM: Harold Stones**

**RE: S. B. 729--KANSAS VENTURE CAPITAL, INC.**

Senate Bill 729 allows for incremental purchase of preferred stock by the State of Kansas, just as common stockholders are purchasing their stock. Under the terms of Senate Bill 756, passed in the 1986 Legislative session, the state of Kansas is to invest \$10 million in preferred stock after the private sector invests \$10 in common stock. However, after an attempt to sell common stock was finally authorized to be made, it became apparent that selling stock in incremental amounts was the only feasible way to proceed. Under that procedure, here is the status of the stock sales, effective the end of March:

Existing stock prior to 1986	\$1,493,740
Additional subscriptions since 1986	<u>\$4,735,200</u>
<b>TOTAL EXISTING STOCK PLUS NEW SUBSCRIPTIONS</b>	<b>\$6,228,940</b>

Of this total stock in place and subscribed, the following is the "cash in the bank" status of stock actually called:

Existing stock sold prior to 1986	\$1,493,740
50% call on new subscriptions	\$2,367,600
10% call on April 4, 1988	<u>\$473,520</u>
<b>TOTAL CASH PAID TO KVCIF FOR COMMON STOCK</b>	<b>\$4,334,860</b>

Senate Bill 729, simply authorizes the Pooled Money Investment Board to invest \$3.5 million now and an amount each quarter to equal the investment of the common stockholders with three restrictions:

1. (Lines 40-41) At no time shall the state's preferred stock exceed the private sector's common stock purchases.
2. (Lines 42-44) The state's preferred stock purchase shall not exceed \$5 million until the full \$10 has been paid by common stockholders.

HA  
 4-4-88  
 (OVER, PLEASE)  
 Attachment 1



3. (Lines 44-46) At no time shall the state's preferred stock purchase exceed \$10 million. This simply repeats the current law.

Allowing the state to invest on this incremental basis would improve KVCI's ability to put together more numerous, more adequately sized "deals". More jobs would be created faster.

SB 729 does not affect KVCI's commitment to raise the full \$10 million in common stock. That goal is still in existence, and after the KVCI Board determines the fate of other pieces of legislation this session (S.B. 473, which allows a more rapid rate of authorizing tax credits; and S.B. 673, which deals with Subchapter S corporations and allows insurance companies the exemption against their premium taxes), they intend to launch a significant marketing effort to other corporations in Kansas. This effort will continue until the remaining \$3,771,060 stock is subscribed by additional banks and by other corporations.

KVCI is a \$6 million venture capital company, with an experienced President and it is at work every day working on projects. Several have been completed, and we are very proud that right now, Kansans are at work on jobs created or protected by a KVCI investment.

We salute and commend the Kansas Legislature for their 1986 action, which made this unique public-private partnership possible.

TESTIMONY ON SB #729

HOUSE COMMITTEE ON APPROPRIATIONS

REPRESENTATIVE WILLIAM BUNTEN, CHAIRMAN

By

REX E. WIGGINS

KANSAS VENTURE CAPITAL, INC.

April 4, 1988

HA  
3-30-88  
Attachment 2



ECONOMIC RATIONALE FOR SENATE BILL 729

1. Increase the size of the investments that Kansas Venture Capital (KVC) can make. As a licensed small business investment company, KVC is prohibited by law from investing more than 20% of its capital in any one investment. Prudent investment experience by the President of KVC will not allow more than 10% of capital in any one investment.
2. The increased size of capitalization will allow KVC to do more deals which will mean more jobs and payroll for Kansas.
3. With increased capitalization, KVC will add to its own professional staff.
4. The common shareholders began putting up money at risk in November, 1987. The preferred shareholders should begin to invest simultaneously because dividend treatment will be equal for all shareholders. KVC already has some unrealized appreciation on its newest investments.

Summary:

KVC is greatly appreciative of the many hours of hard work and the innovative thought process that the Legislative Committees have put in on our behalf. Mr. Wiggins is proud to have accepted the Presidency of this dynamic corporation. For the above reasons we are desirous of having the State become our partner at this time. Therefore, KVC strongly supports the passage of Senate Bill 729.

# Kansas Venture Capital, Inc.

First National Bank Tower Suite 1030 One Townsite Plaza Topeka, Kansas 66603 (913) 233-1368

March 23, 1988

TO: Members Senate Economic Development Committee

So as to clarify any confusion as a result of testimony given the Senate Committee on Economic Development on March 23, 1988 regarding Kansas Venture Capital, Inc., we wish to spell out exactly the status of our stock sale position.

The shares outstanding are as follows:

Number of old shares sold in 1977	149,374	\$1,493,740
Number of new shares sold August 1987 to March 23, 1988	236,760	2,367,600
Number of shares sold after April 4, 1988 call	<u>47,352</u>	<u>473,520</u>
TOTAL	433,486	\$4,334,860

The shares sold between August 1987 and March 1988 and the "call" scheduled for April 4, 1988 represent 60% of investors total commitment. Each share has been paid for in \$10 cash.

The total dollars of shares committed at this date equals \$4,735,200, which does not include the \$1,493,740 in shares sold in 1977.

Sincerely,

Larry J. High  
Executive Vice President

/et



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN  
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751  
ANTITRUST: 296-5299

TESTIMONY OF ATTORNEY GENERAL  
ROBERT T. STEPHAN  
ON SENATE BILL 746  
BEFORE HOUSE APPROPRIATIONS  
APRIL 4, 1988

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

AS THE STATE'S CHIEF LAW ENFORCEMENT OFFICER, I AM HERE TODAY IN STRONG SUPPORT OF SENATE BILL 746. SENATE BILL 746 WOULD PROVIDE DEATH BENEFITS TO SURVIVORS OF THOSE OFFICERS WHO ARE KILLED AS A RESULT OF PERFORMING THEIR DUTIES AS A LAW ENFORCEMENT OFFICER.

I HAVE WORKED CLOSELY FOR FOR MANY YEARS WITH THESE DEDICATED PUBLIC SERVANTS WHOSE CHIEF FUNCTION IS TO PROTECT THE CITIZENS OF OUR STATE AGAINST THOSE WHO HAVE NO RESPECT FOR THEIR WELL BEING.

THESE INDIVIDUALS MUST RISK THEIR OWN LIVES IN CARRYING OUT THEIR JOB. WITHOUT THEM, WE WOULD BE A LAWLESS SOCIETY. WITHOUT THEM, MANY OF OUR OWN CITIZENS WOULD LOSE THEIR LIVES.

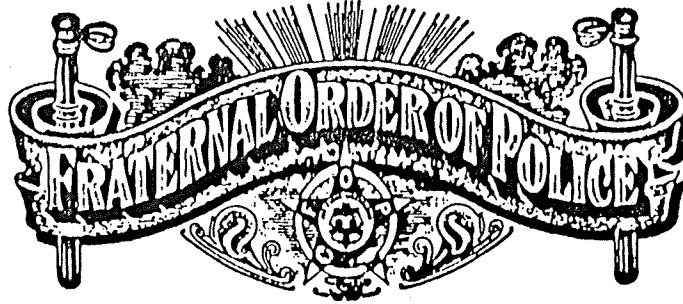
TO BE WILLING TO GIVE UP ONE'S OWN LIFE IN THE LINE OF DUTY TAKES A GREAT DEAL OF COURAGE. UNFORTUNATELY, WHEN A POLICE OFFICER IS KILLED, THERE IS A TRAUMATIC IMPACT ON A FAMILY WHO COUNTED ON HIS OR HER STRENGTH AND SUPPORT BOTH EMOTIONALLY AND ECONOMICALLY. AS A LAWFUL SOCIETY, I BELIEVE IT IS OUR DUTY TO GIVE AS MUCH SUPPORT AS WE CAN TO LAW ENFORCEMENT OFFICERS WHO SACRIFICE THEIR LIFE AND LEAVE BEHIND A SPOUSE AND CHILDREN WHO MUST GROW UP WITHOUT THE OFFICER'S SUPPORT. I BELIEVE THE POLICE OFFICER'S CHILDREN OR SPOUSE SHOULD BE ASSURED THAT THEY WILL BE ABLE TO OBTAIN AN EDUCATION WITHOUT THE SUPPORT OF THEIR SLAIN PARENT.

I AM ASKING EACH OF YOU AS MEMBERS OF THE EDUCATION COMMITTEE TO SUPPORT SENATE BILL 746, WHICH WILL PROVIDE EDUCATIONAL BENEFITS FOR THE SPOUSE AND CHILDREN OF THE SLAIN OFFICERS. THIS BILL DOES NOT PROVIDE THE TOTAL COST OF AN EDUCATION. IT MERELY PROVIDES FOR THE ENROLLMENT FEES TO ATTEND A KANSAS BOARD OF REGENTS INSTITUTION. I BELIEVE WE OWE THE CHILDREN AND SPOUSE OF SLAIN POLICE OFFICERS AN EDUCATIONAL PROTECTION.

HA  
4-4-88  
Attachment 3



TOPEKA LODGE NO. 3



TOPEKA, KANSAS

Representative:

Attached is information regarding Senate Bill 746, a bill to provide educational benefits to dependents of law enforcement officers killed while performing their duties. The bill has been recommended for passage by the Senate Education Committee.

Attached please find:

- Endorsement, support, and testimony of Attorney General Robert Stephan.
- Endorsement, support letter, and testimony from the Fraternal Order of Police
- Endorsement, support and testimony from the Kansas State Troopers Association.
- Fact sheet regarding information of officers who lost their lives since 1970's, cost estimate for next fiscal year.

This bill does the following:

Limits the definition of law enforcement officer to KSA 74-5602.

Limits dependents eligible for enrollment up to the age of 21.

The dependent must attend a Kansas Board of Regents institution. No benefit for attending out of state schools.

Limits education to enrollment fees. Does not pay for books, room, board.

A surviving spouse must attend a school within 5 years of the law enforcement officer's death. The spouse is not eligible if they have remarried.

Limits education to be completed within 10 semesters once dependent has enrolled.

HA  
4-4-88  
Attachment 4



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN  
ATTORNEY GENERAL

MAIN PHONE: (913) 296-2215  
CONSUMER PROTECTION: 296-3751

TESTIMONY OF ATTORNEY GENERAL  
ROBERT T. STEPHAN  
ON SENATE BILL 111  
BEFORE SENATE EDUCATION  
MARCH 28, 1988

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

AS THE STATE'S CHIEF LAW ENFORCEMENT OFFICER, I AM HERE TODAY IN STRONG SUPPORT OF SENATE BILL 746. SENATE BILL 746 WOULD PROVIDE DEATH BENEFITS TO SURVIVORS OF THOSE OFFICERS WHO ARE KILLED AS A RESULT OF PERFORMING THEIR DUTIES AS A LAW ENFORCEMENT OFFICER.

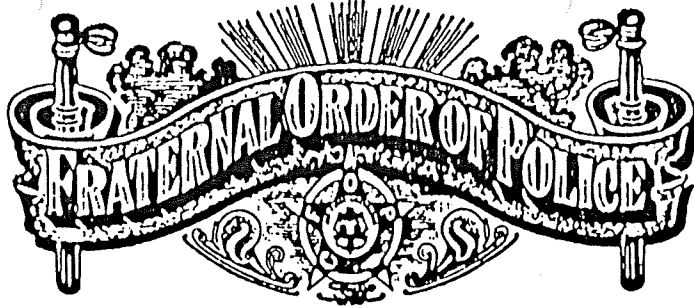
I HAVE WORKED CLOSELY FOR MANY YEARS WITH THESE DEDICATED PUBLIC SERVANTS WHOSE CHIEF FUNCTION IS TO PROTECT THE CITIZENS OF OUR STATE AGAINST THOSE WHO HAVE NO RESPECT FOR THEIR WELL BEING.

THESE INDIVIDUALS MUST RISK THEIR OWN LIVES IN CARRYING OUT THEIR JOB. WITHOUT THEM, WE WOULD BE A LAWLESS SOCIETY. WITHOUT THEM, MANY OF OUR OWN CITIZENS WOULD LOSE THEIR LIVES.

TO BE WILLING TO GIVE UP ONE'S OWN LIFE IN THE LINE OF DUTY TAKES A GREAT DEAL OF COURAGE. UNFORTUNATELY, WHEN A POLICE OFFICER IS KILLED, THERE IS A TRAUMATIC IMPACT ON A FAMILY WHO COUNTED ON HIS OR HER STRENGTH AND SUPPORT BOTH EMOTIONALLY AND ECONOMICALLY. AS A LAWFUL SOCIETY, I BELIEVE IT IS OUR DUTY TO GIVE AS MUCH SUPPORT AS WE CAN TO LAW ENFORCEMENT OFFICERS WHO SACRIFICE THEIR LIFE AND LEAVE BEHIND A SPOUSE AND CHILDREN WHO MUST GROW UP WITHOUT THE OFFICER'S SUPPORT. I BELIEVE THE POLICE OFFICER'S CHILDREN OR SPOUSE SHOULD BE ASSURED THAT THEY WILL BE ABLE TO OBTAIN AN EDUCATION WITHOUT THE SUPPORT OF THEIR SLAIN PARENT.

I AM ASKING EACH OF YOU AS MEMBERS OF THE EDUCATION COMMITTEE TO SUPPORT SENATE BILL 746, WHICH WILL PROVIDE EDUCATIONAL BENEFITS FOR THE SPOUSE AND CHILDREN OF THE SLAIN OFFICERS. THIS BILL DOES NOT PROVIDE THE TOTAL COST OF AN EDUCATION. IT MERELY PROVIDES FOR THE ENROLLMENT FEES TO ATTEND A KANSAS BOARD OF REGENTS INSTITUTION. I BELIEVE WE OWE THE CHILDREN AND SPOUSE OF SLAIN POLICE OFFICERS AN EDUCATIONAL PROTECTION.

TOPEKA LODGE NO 3



TOPEKA, KANSAS

Dear Representative:

On behalf of the 1500 members of the Kansas Fraternal Order of Police, I ask your favorable consideration of the proposed legislation to provide educational benefits to dependents of law enforcement officers who die in the line of duty. This legislation is of top priority to the members of the F.O.P.

This legislation is not a unique concept. Many states, including Missouri, Tennessee, Kentucky, and Illinois have similar legislation that has been acted upon favorably. We ask that you do the same.

The line of duty death of a police officer is tragedy to not only the officer's family, but to the community as well, for it is the interests of the community that a law enforcement officer serves. In time the shock to the community lessens, but for the family members left behind the burden continues. It is true that most officers' families will receive some type of death benefit through a pension or other grant. However, I know of no monies available to survivors of law enforcement officers that specifically is designated to pay the expense of educating the officers' dependents.

We feel this to be appropriate and needed legislation and ask for your favorable consideration.

Sincerely,

Kenneth W. Gorman  
President of Topeka Lodge #3  
Fraternal Order of Police

KG:vlb



TESTIMONY

SENATE EDUCATION COMMITTEE

SENATE BILL 746

March 28, 1988

The Kansas State Troopers Association supports and urges the passage of Senate Bill 746. Every day a Trooper goes to work, he is faced with the possibility of being killed in the line of duty. We feel this is a sacrifice that no other state employee faces and should entitle the survivors of the Trooper to this benefit.

The passage of Senate Bill 746 would assure that the spouse and dependent children would have the opportunity to further their education. In some cases this would also allow the spouse to retrain in order to enter the job market.

We urge the passage of Senate Bill 746 as written.

TOPEKA LODGE NO



TOPEKA, KANSAS

Dear Representative:

Attached you will find a copy of excerpts from an article prepared by Dan Holt, published in Kansas History, regarding law enforcement officers who have lost their lives in the line of duty since the 1970s.

If the proposed senate bill were adopted, there would be twenty dependent children eligible in the future for educational programs. This senate bill also proposes educational benefits for a surviving spouse if he or she enrolls in school within five years of their spouse's death. There are five surviving spouses within the past five years. However, one spouse has remarried, and one spouse has left the state. That leaves a total of three spouses who would be eligible for benefits under the proposed senate bill.

Of the twenty surviving dependent children, there are only six who would be eligible for educational benefits for FY88.

In terms of total cost for FY88, it is our belief that if all the dependent children eligible this year (6) and all the eligible spouses (3) attended an educational institution, that the fiscal note would not be overburdening.

Based on an average enrollment fee at one of the Board of Regents' Institutions with the high of K.U. at \$1,325 per year to a low of \$1,070 per year at K-State, the total cost if all dependents enrolled would range from \$11,925 to \$9,630.

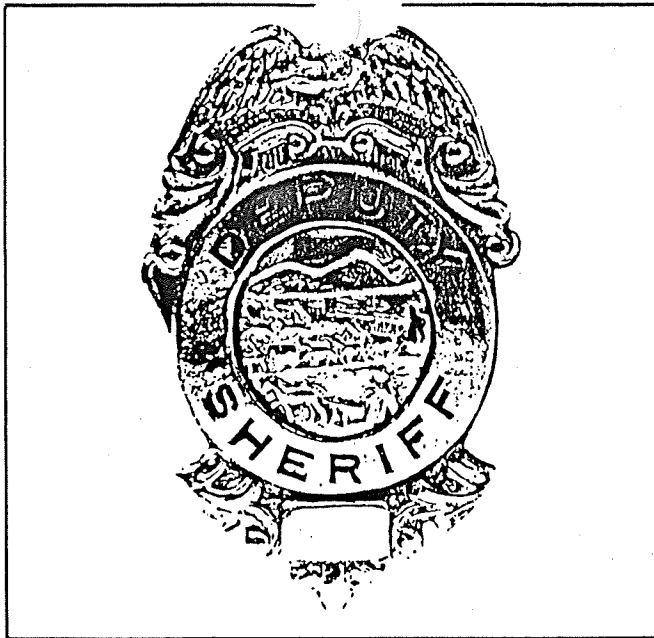
Personally, we do not believe all eligible dependents will attend college in FY88. From the 1986 Building Report of High School Graduates approximately 33% of Kansas high school graduates attend college.

We kindly appreciate the opportunity to make an appearance and respectfully request that you strongly consider the proposed senate bill.

Respectfully yours,

Ken Gorman  
Fraternal Order of Police

KG:vlb



Officer Lucher and his partner, Howard Berry, were on patrol when they observed another officer, Robert Mackey, pursuing a suspect. The officer chased the suspect into an alley and ordered him to surrender. He complied, but as Officers Lucher and Berry approached him, he pulled a gun and opened fire, hitting and killing Lucher. The suspect was shot and killed by the other officer. It was learned later that the killer was wanted by police for other crimes.<sup>155</sup>

1970s

Gerald A. Foote  
 City: Olathe County: Johnson  
 Type of Officer: Sheriff Department Detective  
 Date of Death: April 3, 1971  
 Type of Crime: None  
 Type of Death: Automobile Accident  
 Age: 32

With Olathe police officer Herbert Hogue, Detective Foote was on a routine investigation in his unmarked patrol car. The car collided with another vehicle. Foote died shortly after the accident. Officer Hogue recovered.<sup>156</sup>

Kenneth M. Kennedy  
 City: Hutchinson County: Reno  
 Type of Officer: Police Officer  
 Date of Death: September 15, 1972  
 Type of Crime: Bootlegging  
 Type of Death: Gunshot  
 Age: 23

Officer Kennedy was making an undercover purchase of alcoholic beverages at a location suspected to

155. *Kansas City, Kansas, Police Department Memorial*.  
 156. *Olathe Daily News*, April 5, 1971; Johnson County Sheriff's Department files.

be bootlegged and operating illegal gambling devices. After making the purchase, Officer Kennedy and fellow officer John Coldren identified themselves and attempted to make the arrest.

As the officers scuffled with suspect Elmo Anderson, a Mrs. Jobe came from the kitchen with a gun and shot Coldren and Kennedy. Before he was shot, Kennedy shouted a warning at Coldren who turned, thus causing the shot to miss a vital mark. Kennedy shot Mrs. Jobe before he died.

Coldren survived his wound. Mrs. Jobe was convicted of second degree murder.<sup>157</sup>

Larry G. Beery  
 City: Kingman County: Kingman  
 Type of Officer: Police Captain  
 Date of Death: April 15, 1973  
 Type of Crime: Burglary  
 Type of Death: Gunshot  
 Age: 29

While making a routine building check at a drug clinic, Captain Beery, in plain clothes, was evidently ambushed by an unknown assailant or assailants. He was taken a short distance to an alley, forced to kneel, and was shot in the head with his own weapon. The night patrol had been initiated because of a large number of burglaries in the area.<sup>158</sup>

James D. Thornton  
 City: Topeka County: Shawnee  
 Type of Officer: Kansas Highway Patrol  
 Date of Death: October 2, 1973  
 Type of Crime: Routine Investigation  
 Type of Death: Gunshot  
 Age: 52

Trooper Thornton stopped to investigate a hitchhiker on I-70 east of Topeka, unaware that the man was wanted in New York for murder. The hitchhiker shot and killed Thornton and was himself shot and killed by other officers after he refused to surrender.<sup>159</sup>

Elmer L. Nonnast  
 City: Newton County: Harvey  
 Type of Officer: Game Warden  
 Date of Death: May 8, 1974  
 Type of Crime: Illegal Fishing  
 Type of Death: Heart Attack  
 Age: 37

Warden Nonnast and another game warden were patrolling the Arkansas River investigating reported illegal snagging and hand fishing. They arrested one person, and as they were leaving, they observed another group of fishermen illegally hand fishing. One member

157. *Topeka Daily Capital*, September 16, 1972; report, September 16, 1972, Hutchinson Police Department; Hutchinson Police Department files.  
 158. *Kingman Journal*, April 17, 1973; Kingman Police Department files.  
 159. Kansas Highway Patrol files.



of the group fled and Nonnast fell on foot. Upon returning to the remaining violators he became engaged in a violent argument. When the officers left the scene, Nonnast suffered a heart attack and he later died at a hospital.<sup>160</sup>

Roy V. Johnson  
City: Wichita County: Sedgwick  
Type of Officer: Sheriff's Detective  
Date of Death: October 31, 1974  
Type of Crime: Escape Attempt  
Type of Death: Gunshot  
Age: 43

In an attempt to escape, a county prisoner seized a police officer's gun. During the ensuing scuffle, the officer was shot and the prisoner continued his escape. Detective Johnson and another officer responded to the shooting and attempted to rescue the wounded officer and capture the prisoner. In the attempt, both Johnson and the other officer were shot. Another officer responding was also shot by the prisoner. Detective Johnson was dead on arrival at the hospital.

Detective Johnson was awarded the department's Medal of Honor.<sup>161</sup>

Marcus W. Hood  
City: Topeka County: Shawnee  
Type of Officer: Police Officer  
Date of Death: November 1, 1974  
Type of Crime: None  
Type of Death: Air Accident  
Age: 40

Officer Hood was killed while on patrol in his police helicopter. The drive shaft broke, causing the helicopter to crash. Hood purposely chose to maneuver his craft to avoid hitting an automobile loaded with passengers.<sup>162</sup>

Jerry R. Ivey  
City: Salina County: Saline  
Type of Officer: Police Officer  
Date of Death: June 13, 1975  
Type of Crime: Robbery  
Type of Death: Gunshot  
Age: 27

Officer Ivey stopped a vehicle answering the description of a car used moments earlier in a robbery at a Dillon's grocery store. The suspect jumped from the car, sprayed the officer with mace, and both men drew their weapons. Ivey fired six rounds and the suspect fired twelve. As Ivey attempted to reach his shotgun in the patrol car, the suspect shot him in the back. Following a chase and additional gunfire the suspect was captured by several police officers.<sup>163</sup>

160. Kansas Fish and Game Department files, Law Enforcement Division, Pratt, Kansas.

161. *Wichita Eagle*, October 31, November 1, 1974; Sedgwick County Sheriff's Department files.

162. Topeka Police Department files.

163. *Salina Journal*, June 14, 1975; Salina Police Department files.

Carl A. Simons  
City: Leoti County: Wichita  
Type of Officer: Chief of Police  
Date of Death: May 25, 1976  
Type of Crime: Parole Violation  
Type of Death: Gunshot  
Age: 42

North of Leoti, Chief Carl Simons stopped a car driven by Richard McCowan, who was in violation of parole. A general request for McCowan's arrest had been circulated, and Simons stopped McCowan on that charge. McCowan, who had his children with him in the car, was handcuffed by Officer Simons and was taken to the officer's car, but McCowan returned to his car to check on his children.

At his car, McCowan retrieved his gun (probably given to him by one of his children) and walked back to the police car. While still handcuffed, McCowan engaged in a struggle with Simons, and Simons was shot and killed.

When Simons did not report in from duty, his wife went to look for him and found him.

McCowan was captured in Eads, Colorado, three hours after the incident.<sup>164</sup>

Paul J. Weber  
City: Kansas City County: Wyandotte  
Type of Officer: Parole Officer  
Date of Death: October 19, 1976  
Type of Crime: Parole Violation  
Type of Death: Stabbing  
Age: 26

Parole Officer Weber went to the home of a parolee at the mother's request to have her son move out. As Weber followed the parolee into the kitchen, the man seized a butcher knife and stabbed Officer Weber to death. The parolee was convicted of assault on a law enforcement officer and first degree murder.<sup>165</sup>

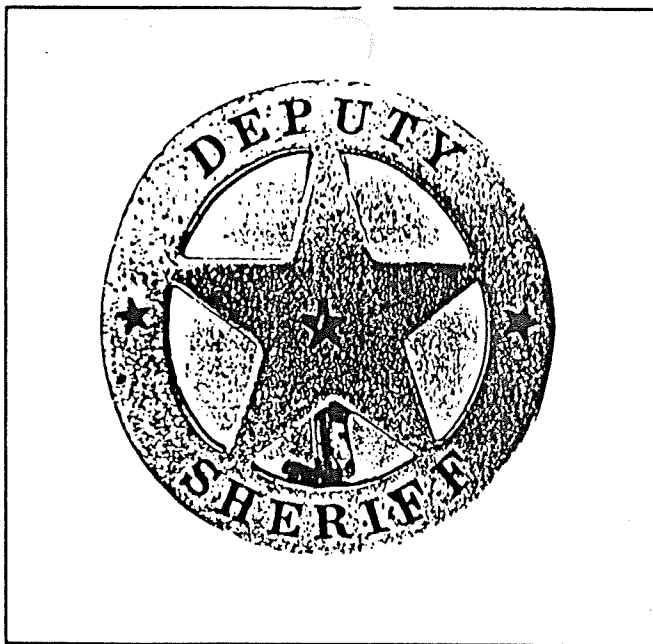
Archie K. Jacobs  
City: Elkhart County: Morton  
Type of Officer: Deputy Sheriff  
Date of Death: November 26, 1976  
Type of Crime: None  
Type of Death: Automobile Accident  
Age: 22

On patrol in a zero visibility blizzard, Jacobs' car and another vehicle collided at a rural intersection. Jacobs had been on the force for two years and was only twenty-two years old when he died.<sup>166</sup>

164. *Hutchinson News*, May 26, 1976; *Garden City Telegram*, May 26, 1976; *Salina Journal*, January 6, 1977; Wichita County Sheriff's Department files. *The Kansas Peace Officer* (June 1976) and *Leoti Standard* (clippings) and death certificate, scrapbook, Carlissa Simons Bishop.

165. *Topeka State Journal*, October 20, 1976; Kansas State Department of Corrections files.

166. *Southwest Daily Times*, Liberal, November 27, 1976; Morton County Sheriff's Department files.



David L. VanMeter  
 City: Minneapolis County: Ottawa  
 Type of Officer: Police Officer  
 Date of Death: August 11, 1977  
 Type of Crime: None  
 Type of Death: Automobile Accident  
 Age: 27

Officer VanMeter was probably on his way to check the city-county airport when his car careened off the highway in a heavy rain. He was killed instantly in the accident. VanMeter was the first officer in Ottawa County to die in the line of duty.<sup>167</sup>

Conroy G. O'Brien  
 City: Matfield Green County: Chase  
 Type of Officer: Kansas Highway Patrol  
 Date of Death: May 24, 1978  
 Type of Crime: Traffic  
 Type of Death: Gunshot  
 Age: 26

Trooper O'Brien of the Highway Patrol had stopped a car, occupied by three people, for speeding near Matfield Green. He was killed by gunshot during the stop.<sup>168</sup>

Michael Haen  
 City: Kansas City County: Wyandotte  
 Type of Officer: Reserve Police Officer  
 Date of Death: July 28, 1978  
 Type of Crime: Traffic  
 Type of Death: Gunshot

Reserve Officer Haen was sent to assist with traffic control at an accident scene. During the investigation a

167. Newspaper clippings, August 11, 1977, scrapbook, city clerk, Minneapolis, Kansas.

168. *Topeka State Journal*, May 24, 1978; Kansas Highway Patrol files.

police officer attempted to make an arrest. A disturbance began, shot. The exchange between the officer and the suspect, and Haen was hit. He died at the hospital a short time later.<sup>169</sup>

Donald R. Martin  
 City: Lansing County: Leavenworth  
 Type of Officer: Corrections Officer  
 Date of Injury: August 14, 1978  
 Date of Death: August 19, 1978  
 Type of Crime: Escape Attempt, Penitentiary  
 Type of Death: Beating  
 Age: 42

Corrections Officer Martin had been assigned to the state penitentiary hospital unit. He was attacked and fatally beaten by an inmate who was holding a female hostage during an escape attempt. Martin resided in Leavenworth.<sup>170</sup>

Stephen L. Hopper  
 City: El Dorado County: Butler  
 Type of Officer: Sheriff's Patrol Sergeant  
 Date of Death: May 19, 1979  
 Type of Crime: Civil Disturbance  
 Type of Death: Automobile Accident  
 Age: 26

Sergeant Hopper, a former Andover chief of police, was responding to a civil disturbance call. En route, he was killed in an automobile accident.<sup>171</sup>

John T. Morgan  
 City: Goessel County: Marion  
 Type of Officer: Reserve Deputy Sheriff  
 Date of Death: May 22, 1979  
 Type of Crime: Civil Disturbance  
 Type of Death: Gunshot  
 Age: 47

Reserve Deputy Sheriff Morgan answered a family disturbance call in the town of Goessel. His son was with him at the time. As Morgan exited his car he was shot with a rifle and killed. As a result of the civil disturbance, the assailant also killed his ex-wife and wounded her boyfriend.<sup>172</sup>

1980s

Paul Garofalo  
 City: Wichita County: Sedgwick  
 Type of Officer: Police Officer  
 Date of Death: November 8, 1980  
 Type of Crime: Routine Stop  
 Type of Death: Gunshot

169. *Kansas City, Kansas, Police Department Memorial*.

170. *Topeka State Journal*, August 13, 15, 1978; Kansas State Department of Corrections files.

171. Butler County Sheriff's Department files and compilations from the *Augusta Daily Gazette*, *El Dorado Times*, and *Wichita Eagle-Beacon*.

172. *Marion County Record*, Marion, May 30, 1979; Marion County Sheriff's Department files.

Officer Garofalo was killed when he stopped to question two women on the street. As he stopped his car, a man emerged and approached his car on the driver's side. The man fired a shotgun through the car window and killed the officer instantly.<sup>173</sup>

Ferdinand F. Pribbenow  
City: El Dorado County: Butler  
Type of Officer: Kansas Highway Patrol  
Date of Death: July 7, 1981  
Type of Crime: Traffic  
Type of Death: Gunshot  
Age: 46

Trooper Pribbenow was shot and fatally wounded after a traffic stop on the Kansas Turnpike north of El Dorado.<sup>174</sup>

Robert D. Hurd  
City: Lansing County: Leavenworth  
Type of Officer: Corrections Officer  
Date of Death: October 11, 1981  
Type of Crime: None  
Type of Death: Stabbing  
Age: 41

Corrections Officer Hurd was stabbed to death by an inmate at the state penitentiary. The inmate was angered by a disciplinary report that Hurd was about to file. Officer Hurd lived in Olathe.<sup>175</sup>

Danny Laffey  
City: Wichita County: Sedgwick  
Type of Officer: Police Officer  
Date of Death: January 5, 1982  
Type of Crime: Public Disturbance  
Type of Death: Accident

Officer Laffey was investigating a disturbance call at the Zanzibar Club. He had stopped a suspect vehicle in the street and was in the process of removing the occupants when a passing vehicle, traveling at a high rate of speed and having defective brakes, jumped the curb and struck Officer Laffey.<sup>176</sup>

Alvin T. Wolf, Jr.  
City: El Dorado County: Butler  
Type of Officer: Sheriff's Patrol Sergeant  
Date of Death: April 19, 1982  
Type of Crime: Traffic, Hit-and-Run Pursuit  
Type of Death: Rammed by semi-trailor truck  
Age: 29

A semi-truck driver, involved in several hit-and-run accidents, was being pursued through Sedgwick County. As he approached the Butler County line he encountered a roadblock that had been set up by the Butler

County Sheriff's Department. The driver of the truck ran the roadblock and Deputy Wolf gave chase. Wolf passed the truck hoping to get in front and slow the truck down. The offending vehicle rammed the deputy's car several times, finally locking bumpers. The truck and patrol car left the road and rammed a house, killing Wolf instantly.<sup>177</sup>

Donald R. Harbour  
City: Ogden County: Riley  
Type of Officer: Police Officer  
Date of Death: August 9, 1982  
Type of Crime: Routine Investigation and Response  
Type of Death: Gunshot  
Age: 49

Officer Harbour, assigned to patrol duty in Ogden, responded to a routine call about suspicious activity at a pawnshop. Reportedly one man was attempting to sell a rifle as two others remained in a car outside. As Harbour ordered the two to step out of the car, they attempted to drive away. Harbour shot the tires out, and one suspect fired back, hitting Harbour.

The man inside the shop was arrested, while another was arrested after he had abducted a woman and wrecked his car. The third was killed in a car crash as he attempted to run a roadblock.<sup>178</sup>

Douglas E. Bunch  
City: Kansas City County: Wyandotte  
Type of Officer: Police Officer  
Date of Death: March 29, 1983  
Type of Crime: Burglary  
Type of Death: Heart Attack  
Age: 38

While assisting with a burglary call, Bunch took part in a foot pursuit. Following the incident, Bunch, thirty-eight years old, stopped for a lunch break, was stricken with a heart attack, and died.<sup>179</sup>

James L. Reynolds  
City: Kansas City County: Wyandotte  
Type of Officer: Deputy Sheriff  
Date of Death: August 4, 1984  
Type of Crime: Traffic  
Type of Death: Accident  
Age: 41

Reynolds, a member of the motorcycle division, was assisting in the pursuit of a fleeing traffic offender. He lost control of his cycle and in the accident he received massive internal injuries. Normally a fulltime booking officer, Reynolds had voluntarily worked with officers on the motorcycle unit.<sup>180</sup>

173. *Wichita Eagle-Beacon*, August 28, 1981; Martens, *Wichita Police Department History*, 4.

174. Kansas Highway Patrol files.

175. *University Daily Kansan*, Lawrence, October 12, 1981; *Beloit Daily Call*, October 16, 1981; *Kansas City Kansan*, October 12, 1981.

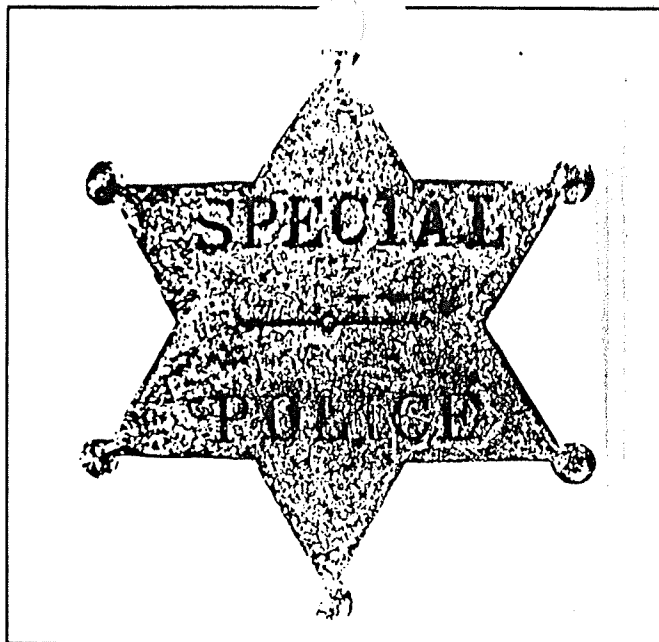
176. Martens, *Wichita Police Department History*, 4.

177. Butler County Sheriff's Department files and compilations from *Augusta Daily Gazette*, *El Dorado Times*, and *Wichita Eagle-Beacon*.

178. Riley County Police Department files; *Manhattan Mercury*, August 9, 10, 11, 12, 13, 14, 15, 1982.

179. *Kansas City Kansan*, March 29, 1983; *Kansas City, Kansas, Police Department Memorial*.

180. Henry, Johnson, Owens, *Wyandotte County Sheriff's Deputies*.



Deanna Hummel Rose  
City: Overland Park County: Johnson  
Type of Officer: Police Officer  
Date of Injury: January 24, 1985  
Date of Death: January 26, 1985  
Type of Crime: Traffic  
Type of Death: Intentionally Struck by Automobile  
Age: 26

Officer Rose, the first woman officer to be killed in the line of duty in Kansas and the only city officer to be killed in Overland Park, had stopped a vehicle and was attempting to arrest the driver on suspicion of driving while intoxicated. She was fatally injured when the suspect driver knocked her to the ground and then intentionally struck her with the vehicle. She died two days later from the injuries. Prior to working for the Overland Park Police Department, she had graduated from Wichita State University in Criminal Justice, and

had been a \_\_\_\_\_ of the San Diego, California, County Sheriff's office.<sup>181</sup>

Maureen Gentry Murphy  
City: Bonner Springs County: Wyandotte  
Type of Officer: Police Officer  
Date of Death: January 31, 1986  
Type of Crime: None  
Type of Death: Gunshot  
Age: 28

The second, and only other, woman police officer killed in the line of duty in Kansas is Officer Murphy. At work in her patrol car filling out reports, she was killed by a sniper who shot through the window of the car with a high-powered rifle. The suspect apprehended for the murder hanged himself in his cell.

Officer Murphy's husband is a Kansas City, Kansas, police detective.<sup>182</sup>

Donald Pittenger  
City: Wamego County: Pottawatomie  
Type of Officer: Deputy Sheriff  
Date of Injury: April 24, 1986  
Date of Death: April 27, 1986  
Type of Crime: Civil Disturbance  
Type of Death: Stroke  
Age: 55

Deputy Pittenger was dispatched to a residence northeast of St. George to investigate a domestic disturbance between two males and a female. Shots had been fired. With assistance of Wamego and St. George police officers, Pittenger separated the individuals and secured two weapons. While taking a statement, Deputy Pittenger complained of feeling ill, went to his car, and collapsed. He died as a result of a stroke three days later.<sup>183</sup> **KH**

181. Overland Park Police Department files; Johnson County Historical Society files.

182. *Bonner Springs-Edwardsville Chieftain*, February 6, 13, 20, 1986; *Kansas City Kansan*, February 2, 3, 4, 5, 6, 7, 1986.

183. *Topeka Capital Journal*, April 28, 1986; Pottawatomie County Sheriff's Department files.

STATE MENTAL RETARDATION INSTITUTIONS  
SYSTEMWIDE RECOMMENDATIONS  
HOUSE APPROPRIATIONS SUBCOMMITTEE

The Subcommittee makes the following systemwide recommendations:

1. The Subcommittee learned that there may be problems in achieving the level of Medicaid receipts included in the Governor's recommendations in both FY 1988 and FY 1989. The Subcommittee reviewed a possible federal disallowance of approximately \$4 million in federal Medicaid funds for the state mental retardation institutions. SRS plans to appeal this disallowance and is hopeful these funds will be returned to the state. The Subcommittee highlights this area for review during the Omnibus Session when additional information may be available.
2. The Subcommittee reviewed the fee funds of the four institutions and found that at KNI, Winfield, and Parsons there may be shortfalls in the fee funds in FY 1988. At this time, it appears the shortfall could be as much as \$150,000-\$200,000. The Subcommittee makes no change to the fee funds at this time, but recommends that the fee funds be reviewed again during the Omnibus Session.
3. The Subcommittee reviewed the custodian staffing levels of the institutions and believes that this is an area that should be further reviewed by SRS. KNI provided information indicating that their custodians each are responsible for maintaining approximately 13,000 square feet. The Subcommittee believes a more acceptable square footage per custodian may be 10,000 square feet. The Subcommittee calls attention to the fact that specific standards for maintenance staffing are used for the Regents institutions, however, custodial and maintenance staffing levels vary considerably at the mental retardation institutions. While some variation may be due to different types and ages of physical plants, the Subcommittee believes this area merits further review and requests that SRS report to the 1989 Legislature on this matter.
4. The Subcommittee reviewed proposals to develop daycare centers for employees' children at both Parsons and Winfield. The Subcommittee believes that state daycare centers could provide significant employee benefit and could help improve employee morale, absenteeism, retention, and recruitment. The Subcommittee encourages both institutions to continue to pursue development of these daycare centers. Parsons plans to accomplish much of the necessary building renovation through volunteer labor and intends that the daycare center would be self-funding through fees charged to parents on a sliding scale. The Governor recommended \$1,770 for start-up costs for the daycare center at Parsons. Winfield has developed plans to remodel a large vacant building on their grounds at an estimated renovation cost of \$228,579. The Subcommittee recommends that Winfield also review other possible locations on their grounds that might be remodeled at a lower cost.

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Attachment 5



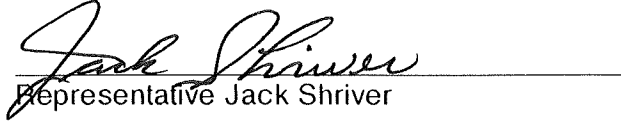
5. The Subcommittee reviewed pharmaceutical costs for the institutions and notes that drug inflation costs in some cases appear to be greater than the increases that have been budgeted for pharmaceuticals. The Subcommittee notes that the SRS Medical Assistance budget includes a 10 percent increase for drug inflation costs, but that the budgeted increases in the mental retardation institutions are much less. The Subcommittee recommends that SRS review the area of pharmaceutical expenditures at the state institutions and report to the 1989 Legislature on this issue.
6. The Subcommittee makes no recommendation on capital improvements pending further decisions on the SIBF by the Joint Committee on State Building Construction. The Subcommittee does note, however, that there are projects requested at Winfield that could assist in certification efforts and recommends that the Building Committee give those projects highest priority.
7. The Subcommittee is concerned about the quality of certain cleaning products manufactured by Kansas Correctional Industries and urges the Committee to act favorably on H.B. 2986 which would allow the use of corrections products at the state institutions to be optional.
8. The Subcommittee learned that the Health Care Financing Administration has refused to agree to a proposal by Winfield State Hospital to use trained LMHTs to perform certain parts of the gastro feeding process rather than have the entire process provided by a registered nurse at considerably higher staffing cost. The Subcommittee believes that HCFA's decision is unreasonable and that Winfield had developed a good proposal. Winfield has learned that federal officials have allowed technicians to perform parts of the gastro feeding process in the state of Colorado. The Subcommittee recommends that SRS review necessary changes to the Kansas Nurse Practice Act to allow LMHTs to do this procedure in Kansas and report to the Legislature as soon as possible so necessary changes may be made this session. The Subcommittee also believes that this proposal should be further pursued with HCFA.
9. The Subcommittee reviewed the issues surrounding the job rate study and salary upgrade of direct care and custodial staff at the institutions. The Subcommittee concurs with the recommendations of the Senate Subcommittee to implement the direct care portion of Phase III and also recommends that the recommendations for custodial workers be implemented. The Subcommittee does not make any adjustments in the budgets for this recommendation, however, as Phase III is being reviewed by a separate House Appropriations Subcommittee and will be treated as a systemwide issue.



Representative Wanda Fuller  
Subcommittee Chairperson



Representative Duane Goossen



Representative Jack Shriver

mrsubsy/RH

## SUBCOMMITTEE REPORT

### SYSTEMWIDE RECOMMENDATIONS MENTAL RETARDATION INSTITUTIONS

#### Client Movement

The Senate Subcommittee on SRS institutions met jointly with the Senate Subcommittee on SRS to review the current status of movement of clients out of the state mental retardation institutions and the plan for FY 1989 proposed by the Governor.

The Legislature has provided special grant funds to move clients out of the state mental retardation institutions in the past several years. In FY 1986, 23 clients were moved out, in FY 1987 69 clients were moved, and in FY 1988, the approved budget provides for movement of 96 clients out of state mental retardation institutions. The Governor recommends that 100 additional clients be moved out of those state institutions in FY 1989. Beginning in FY 1987, the Legislature has also provided special grant funds to serve clients on the community waiting lists. In FY 1987, 68 clients were served and in FY 1988, SRS anticipates that 50 clients from community waiting lists will be served. The Governor recommends that 100 additional clients from waiting lists be served through special grants in FY 1989.

During the 1987 Legislative Session, SRS presented a five-year plan for client movement from the mental retardation institutions and to serve clients on community waiting lists. The primary goal of the plan was to reduce the institutional populations so that Norton would be totally closed at the end of five years and the populations at KNI, Parsons, and Winfield would be 285 clients. The plan calls for a total of 368 clients to be moved from state institutions and 950 clients to be served from community waiting lists over the five-year period. The plan also anticipates significant involvement with the private Intermediate Care Facilities for the Mentally Retarded (ICF/MRs). The plan proposes that of the 368 clients moved out of state institutions, 315 would be moved to those private institutions, which would require that 315 clients in the private institutions would have to be moved to community-based group homes.

The Governor's recommendations for the special grants in FY 1989 total \$5.6 million, of which about \$900,000 is from federal Medicaid waiver funds. (The Subcommittee wishes to note that the Governor's recommendations provide only five-six months of movement of the 200 additional clients in FY 1989 and that the estimated additional annualized cost of the 200 clients in FY 1990 will be approximately \$4.7 million in state funds.)

Major reductions in the state institution budgets are not proposed as a result of moving an additional 100 clients to other facilities, in fact, costs per day per client at the institutions increase significantly when clients are moved out, due to the fixed nature of many of those institutional costs.

The Subcommittees held meetings with SRS, the superintendents of the mental retardation institutions, and community providers. The Subcommittee makes the following observations regarding the Governor's plan for the special mental retardation grants:

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Attachment 6

1. The superintendents testified that the great majority of the clients at their institutions are appropriately placed in a state institution and there are not community facilities available to care for the type of clients at the state institutions. The superintendents also generally stated that they opposed the shuffling of clients from one institution to another, simply for the sake of movement and that if institutional populations must be reduced, they favored placing clients directly into the community. The Governor's plan is based on moving clients from one institution to another, and from state institutions to private institutions, which necessitates movement of clients from private institutions to community group homes. This plan multiplies the number of families and clients who must have their lives disrupted. Multiple movements also place significant stress on the state institutions that are already struggling to retain certification.
2. Many community providers have been reluctant to serve clients coming from state institutions for two primary reasons:
  - a. Clients currently residing in state institutions are in many cases dissimilar from the clients that community facilities are accustomed to serving. Many state institution clients are more medically fragile and in need of more medical and nursing care. Others have very severe behavior problems which need a high level of staffing and behavior management training.
  - b. Many community facilities already have long waiting lists of mentally retarded persons. Community facilities may feel obligated to serve the clients already in their community before worrying about institutional clients.
3. According to SRS, there are currently only 19 vacancies in the private ICF/MR facilities, out of a total of 863 beds. SRS also provided information indicating that perhaps only 50 of the clients currently in those private facilities might not be appropriately placed.
4. There is generally a lack of community facilities for the mentally retarded in Kansas. The Subcommittees are concerned that the plans for movement of clients in both FY 1988 and FY 1989 may be too ambitious and that there is no place for these clients to go. Although the Governor's plan calls for clients from the state institutions to go to private ICF/MRs, it appears that those facilities are full and that there are not community facilities available to move those clients into. The superintendents discussed the possibility of delaying further movement of clients from the institutions until a plan is developed for provision of more services in the community. The Subcommittee believes this suggestion has merit. The Subcommittees discussed the concept

of multi-year appropriations to ensure future funding for development of facilities and wish to further pursue this concept.

5. The five-year plan developed by SRS contained an underlying assumption that if the state institutions each served less than 300 clients that there would be less oversight by surveyors. The Subcommittee notes that the Department of Health and Environment surveys all ICF/MR facilities annually, regardless of the size. The Subcommittee does not believe that simply reducing the number of clients at a facility like Winfield will ensure that federal regulators will not visit that facility. The proposed census of 285 clients at each of the larger facilities is an arbitrary figure and is not based on any assessment of the number of clients at those facilities that could be served in another setting.
6. The Subcommittee learned that in 1985, SRS developed a long-range plan for small private ICF/MR facilities which outlined the shortage of those types of facilities and called for expansion of that program. In recent years, SRS has requested funds in the Medical Assistance budget for new small private nonprofit ICF/MR facilities. In FY 1989, \$2.5 million was requested to allow six new facilities. The Governor did not recommend funding for new ICF/MR facilities. The expansion of small private nonprofit ICF/MR facilities may play a key role in addressing the shortage of facilities for the mentally retarded. Federal matching funds (55 percent currently) are available for small private ICF/MR facilities.

Based on the above information, the Subcommittee concludes that the Governor's plan for movement of clients out of the state institutions is not an appropriate plan at this time. The Subcommittee believes that the entire issue of provision of services for the mentally retarded needs to be more carefully thought out and that any plans developed must reflect the reality of the availability of services.

The Subcommittee therefore recommends that there be additional study of this issue and that action on the special mental retardation grants be delayed until further plans are developed. The Subcommittee notes that plans for client movement may have an effect on the budgets of the individual state institutions, and therefore those budgets may need to be adjusted later in the Session.

#### Direct Care Staff Job Rate Study

The Subcommittee reviewed the issues surrounding the job rate study and salary upgrade of direct care staff at the state institutions. The superintendents were extremely concerned and several mentioned this as their highest priority. The Subcommittee notes that the Governor's recommendations for FY 1988 and FY 1989 included a salary upgrade for registered nurses and certain other therapists. It was brought to the attention of the Subcommittee that morale among direct care staff is very low and that direct care staff do not feel that the work they perform is valued. They cite as an example that an Animal



Caretaker I is a range 10 and an Animal Caretaker II is a range 13, while a Health Service Worker is a range 7 and a Psychiatric Aid is a range 9. The Subcommittee learned of relatively high turnover rates among direct care staff. For example, at KNI the turnover rate for direct care staff in FY 1987 was 44 percent. This problem has intensified with the presence of the Department of Corrections on the hospital campuses. In fact, it was reported that direct care trainees have left to go to work for Corrections the day after they finish training. The Subcommittee is extremely concerned and recommends that the portion of Phase III of the job rate study which includes the direct care staff and youth service workers be implemented. The Subcommittee reports that the half-year cost for direct care and youth service workers is approximately \$5 million. Of this \$5 million, the Division of Personnel Services estimates that 73 percent would be from the State General Fund. Further, the Subcommittee recommends that during this Session, the full Ways and Means Committee explore all options for funding of the salary upgrades. The Subcommittee notes that such funding would assist state employees and, most importantly, would improve the quality of care for clients in the state institutions.

## SUBCOMMITTEE REPORT

Agency: Kansas Neurological Institute

Bill No. 545

Bill Sec. 5

Analyst: Hunn

Analysis Pg. No. 300

Budget Pg. No. 6-39

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 10,043,822	\$ 10,045,339	\$ --
General Fees Fund	566,703	522,658	--
Medicaid	8,636,285	8,771,746	--
Other Funds	<u>235,930</u>	<u>235,930</u>	--
Subtotal	\$ 19,482,740	\$ 19,575,673	\$ --
Capital Improvements:			
State Institutions			
Building Fund	<u>638,500</u>	--	--
TOTAL	<u>\$ 20,121,240</u>	<u>\$ 19,575,673</u>	<u>\$ --</u>
FTE Positions	843.5	816.0	--

### Agency Estimate/Governor's Recommendation

KNI proposes to reduce its census by 35 residents in FY 1989 to a population of 350 clients by the end of FY 1989. KNI proposes to move one or two clients from each living unit rather than close any unit. KNI requests the addition of 62.5 FTE positions in FY 1989.

The Governor recommends an operating budget of \$19,575,673 for KNI in FY 1989. The Governor concurs with KNI's request to move 35 clients to the community in FY 1989 to provide for an estimated 350 clients at the end of FY 1989. The Governor recommends adding 35 new positions in FY 1989.

### Senate Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendations for FY 1988 and FY 1989. Adjustments in KNI's budget may be necessary at a later date once decisions have been made regarding client movement.

### Senate Committee Recommendations

The Senate Committee concurs with the Subcommittee.

### Senate Committee of the Whole

The Senate concurs with the Senate Committee recommendations.

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4-4-88  
Attachment 7

<u>Expenditure Summary</u>	<u>Senate Adjustments</u>	<u>Senate Rec.</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$10,045,339	\$ (10,087)
General Fees Fund	--	522,658	--
Medicaid	--	8,771,746	--
Other Funds	--	235,930	--
Subtotal	<u>\$ --</u>	<u>\$19,575,673</u>	<u>\$ (10,087)</u>
Capital Improvements:			
State Institutions			
Building Fund	\$ --	\$ --	--
TOTAL	<u>\$ --</u>	<u>\$19,575,673</u>	<u>\$ (10,087)</u>
FTE Positions	--	816.0	(1.0)

House Subcommittee Recommendations

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

FY 1988. Concur.

FY 1989. The Subcommittee reviewed the problems that some of the institutions have encountered in recruiting nursing staff. KNI, in particular, cited difficulties in recruiting nurses at the RN II level. The Subcommittee notes that KNI is having problems recruiting RN IIs even though the part of Phase III that was implemented by the Governor increased RN IIs from Range 21 to Range 22. KNI stated that they have much more success recruiting RN IIIs, which were also recently upgraded from Range 23 to Range 25. The Subcommittee believes the shortage of nurses in the state is a serious problem which will continue to cause difficulties for all the state institutions. Currently in the state mental retardation institutions there are 3.5 authorized RN II positions, all of which are at KNI. The estimated cost to upgrade the 3.5 RN II positions to RN IIIs is \$22,251 for FY 1989.

The Subcommittee recommends that one RN II position be deleted to finance the upgrade of the remaining 2.5 RN IIs to RN IIIs. This adjustment results in a net savings of \$10,087 from the State General Fund.

## SUBCOMMITTEE REPORT

Agency: Parsons State Hospital

Bill No. 545

Bill Sec. 8

Analyst: Hunn

Analysis Pg. No. 336

Budget Pg. No. 6-37

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 8,439,057	\$ 6,947,918	\$ --
General Fees Fund	623,606	597,960	--
Medicaid	6,311,153	6,324,308	--
Other Funds	63,660	63,660	--
Subtotal	\$ 15,437,476	\$ 13,933,846	\$ --
Capital Improvements:			
State Institutions			
Building Fund	1,452,900	--	--
TOTAL	\$ 16,890,376	\$ 13,933,846	\$ --
FTE Positions	619.5	519.5	--

### Agency Estimate/Governor's Recommendation

Major new items requested for Parsons in FY 1989 are 111 new positions, a demonstration adult family home program which would fund community placements of three clients in a family setting, and a state child care center for state employees. Parsons requests an overall increase in OOE expenditures in FY 1989 of 17.4 percent. No change in the budgeted census at Parsons is projected for FY 1989, however, some clients that SRS proposed to move out of Winfield in FY 1989 might be moved to Parsons.

The Governor recommends an operating budget of \$13,933,846 in FY 1989, a decrease of \$1,503,630 to the agency's request. The Governor's recommendation includes an estimated \$399,050 for a 4 percent increase for classified employees and \$16,749 for a merit pool for unclassified employees. The Governor's recommendations provide for a net increase of 11 new positions in FY 1989, including the addition of 12 Licensed Practical Nurses to administer medications and a deletion of one storekeeper position. The Governor's recommendations also include funding for a state day care center. The Governor's recommendations continue the budgeted census for Parsons at 285 clients.

### Senate Subcommittee Recommendations

The Subcommittee concurs with the Governor's recommendations for FY 1988 and FY 1989. Adjustments in Parsons' budget may be necessary at later date once decisions have been made regarding client movement.

### Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee.

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Senate Committee of the Whole

The Senate concurs with the Senate Committee recommendations.

<u>Expenditure Summary</u>	<u>Senate Adjustments</u>	<u>Senate Rec.</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 6,947,918	\$ 5,600
General Fees Fund	--	597,960	--
Medicaid	--	6,324,308	--
Other Funds	--	63,660	--
Subtotal	<u>\$ --</u>	<u>\$ 13,933,846</u>	<u>\$ 5,600</u>
Capital Improvements:			
State Institutions			
Building Fund	\$ --	\$ --	\$ --
TOTAL	<u>\$ --</u>	<u>\$ 13,933,846</u>	<u>\$ 5,600</u>
FTE Positions	--	519.5	1.0

House Subcommittee Recommendations

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

FY 1988.

1. Addition of \$49,391 from the State General Fund for clothing in FY 1988. The Subcommittee found that Parson's clothing budget has been inadequate for several years and that due to the movement of clients in and out of the facility, the clothing needs have increased. The Governor's recommendation provided \$50,000 for clothing in FY 1988 and Parsons has already spent \$66,261 on clothing through February. The Subcommittee notes that Parsons has the lowest cost per client for clothing of the three larger institutions:

	<u>Clothing Cost Per Client FY 1987</u>
Winfield	\$472
KNI	435
Parsons	221



FY 1989.

1. The Subcommittee recommends the addition of a proviso to allow the Program Director at Parsons to be paid at a level similar to other Program Directors within the state mental retardation institutions. The Program Director at Parsons left an unclassified position with the University of Kansas to become Parson's Program Director and K.A.R. 1-5-12(b) states that a maximum of a one-step salary increase is allowed when a person moves from the unclassified service to the classified service when that appointment is a promotion. The Subcommittee recommends the proviso include language to exempt this position from K.A.R. 1-5-12(b). The Program Director at Parsons is currently at salary range 31, Step 2 (\$37,068) and the increase recommended is to salary range 31, Step D (\$39,864).
2. The Subcommittee recommends the addition of one management analyst II position to support the computer system recommended at Parsons by the Governor. The Governor had recommended \$10,000 to contract for technical support for the system and the Subcommittee recommends this \$10,000 be used instead to help finance the new position .
3. The Subcommittee recommends the addition of \$5,600 from the State General Fund to provide for an increase in shift differentials for nursing staff from \$0.20 per hour to \$0.50 per hour.

## SUBCOMMITTEE REPORT

Agency: Winfield State Hospital

Bill No. 545

Bill Sec. 12

Analyst: Hunn

Analysis Pg. No. 360

Budget Pg. No. 6-41

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 10,942,832	\$ 11,273,895	\$ --
General Fees Fund	1,001,537	938,919	--
Medicaid	12,610,965	13,111,982	--
Other Funds	<u>234,732</u>	<u>234,732</u>	--
Subtotal	\$ 24,790,066	\$ 25,559,528	\$ --
Capital Improvements			
State Institutions			
Building Fund	<u>612,200</u>	<u>--</u>	<u>--</u>
TOTAL	<u>\$ 25,402,266</u>	<u>\$ 25,559,528</u>	<u>\$ --</u>
FTE Positions	986.4	966.0	--

### Agency Estimate/Governor's Recommendation

The FY 1989 request is based on a further reduction in the number of clients at Winfield from 392 to 344. The 48 clients would be moved to either private ICF/MRs or to other state institutions. The estimated cost per client per day in FY 1989 would be \$185 compared to an estimated \$152 in FY 1988. Winfield requests 66.4 new positions in FY 1988. (Some of the requested positions were approved in Finance Council action in January, 1988.) Winfield also proposes to delete 18 positions in FY 1989, primarily due to the reduction in client population.

The Governor recommends an operating budget for Winfield in FY 1989 of \$25,559,528, an increase of \$769,462 to the agency's request. The Governor recommends 966.0 FTE positions in FY 1989, reflecting a deletion of 28 positions from the FY 1988 level. Included in the FY 1989 recommendation is \$1,599,398 for contracted therapy services. Also included in FY 1989 is \$685,719 for a 4 percent increase for classified employees and \$30,776 for a merit pool for unclassified employees. The Governor concurs with the proposal to reduce Winfield's population by 48 clients in FY 1989. Based on the Governor's recommendations, the average daily cost of care at Winfield in FY 1989 is projected to be \$190 per day, compared to the \$161 per day estimated for FY 1988.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendations for FY 1988 and FY 1989. Adjustments to the Winfield budget may be necessary at a later date once decisions have been made regarding client movement.

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Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee.

Senate Committee of the Whole

The Senate concurs with the Senate Committee recommendations.

<u>Expenditure Summary</u>	<u>Senate Adjustments</u>	<u>Senate Rec.</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 11,273,895	\$ (187,292)
General Fees Fund	--	938,919	--
Medicaid	--	13,111,982	--
Other Funds	--	234,732	--
Subtotal	<u>\$ --</u>	<u>\$ 25,559,528</u>	<u>\$ (187,292)</u>
Capital Improvements:			
State Institutions			
Building Fund	\$ --	\$ --	--
TOTAL	<u>\$ --</u>	<u>\$ 25,559,528</u>	<u>\$ (187,292)</u>
FTE Positions	--	966.0	19.0

House Subcommittee Recommendations

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

FY 1988.

1. The Subcommittee learned that the Winfield contract for therapy services will be \$475,913 less than the amount recommended by the Governor due to the fact that speech therapy services were not included in the contract. The Subcommittee recommends that these savings be used for the following items, resulting in no net increase in the Winfield budget from the Governor's recommendations.
2. The Subcommittee recommends the addition of \$120,562 for salaries and wages for the 6 speech pathologists that will not be contracted for. The Subcommittee also recommends the addition of \$15,169 for other therapy staff costs prior to the start of the contract.
3. The Subcommittee recommends the reinstatement of the headcount for 19 therapy positions to allow the agency flexibility in providing therapy services.

4. The Subcommittee recommends the addition of \$33,807 for shift differential increases for nursing staff that was not provided for in the Governor's recommendation.
5. The Subcommittee recommends the addition of \$178,454 for decreased turnover at Winfield. This would provide a budgeted turnover rate of 6.25 percent. Turnover so far in FY 1988 has averaged 5.4 percent. The Governor had recommended a turnover rate of 7.1 percent.
6. The Subcommittee deletes \$9,150 to make an adjustment in the positions added by the Finance Council in January. Winfield had requested 11 aides and 45 nurses but the Finance Council approved 21 aides and 35 nurses. Winfield requests that the original request be approved which results in the savings of \$9,150 since they would like the nurse positions budgeted for three months yet the aide positions had been budgeted for five months.
7. The Subcommittee adds \$137,071 for increased other operating expenditures, including \$31,700 for recruitment costs for RNs, \$13,000 for rent of a chemical analyzer, \$50,000 for utilities, and \$42,371 for food.

FY 1989.

1. Deletion of \$616,638 from the State General Fund due to projected savings in the therapy contract.
2. The Subcommittee learned that Winfield may request a Governor's budget amendment to increase funding for contractual health services by \$191,550. The Subcommittee recommends that this request be reviewed in the Omnibus session if necessary.
3. Addition of \$250,199 for the speech pathologist positions that were not included in the contract for therapy services.
4. Addition of 19 headcount for therapy positions, as also recommended in FY 1988.
5. Addition of \$103,936 for increased shift differential for nursing staff.
6. Addition of \$75,211 for salaries and wages to reflect in FY 1989 the adjustment made in FY 1988 for the nursing and aide positions added by the Finance Council.

Senate Bill 381  
Kansas Honors Scholarship Program

Testimony by  
Clantha McCurdy  
Director of Student Financial Aid

March 21, 1988

Overview

Consistent with the Board of Regents' emphasis on scholastic achievement at all levels, I am proposing to you today the adoption of Senate Bill 381 which establishes the Kansas Honor Scholarship Program.

The purpose and intention of Senate Bill 381 is that of providing a positive educational experience in Kansas for honor students who have not yet graduated from high school. The primary emphasis is that of encouraging and motivating intellectually talented students to continue postsecondary study in Kansas.

Senate Bill 381 establishes funding for the cost of tuition and fees for a maximum of five credit hours. Other expenses, such as room and board or books and supplies, must be paid by the student.

Rationale

With the recent attention on "braindrain", the loss of many of our intellectually talented students to other states for postsecondary education, Kansas must make available attractive programs which will assist in the retention of our resources. In essence, Kansas must become a recruiting agent for its own students. The adoption of Senate Bill 381 will provide the state with another means of retaining intellectually talented students for future education and employment purposes.

The intent of honor programs at state institutions is that of providing an intellectually stimulating and challenging environment, while at the same time, enhancing the student's self-esteem. It is the belief of the Board of Regents that providing a positive educational experience to high achieving students at Kansas colleges and universities will enhance the chances of that student selecting the same or a similar Kansas institution for postsecondary study.

Additionally, establishing a program for tuition assistance to students eligible to participate in honor or gifted programs assures equal access to such programs, regardless of the economic background of the student's family.

HA  
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Attachment 10



Senate Bill 381

Costs

Senate Bill 381 carries no fiscal note. The Board of Regents simply seeks authority to use up to one percent of the existing State Scholarship funds appropriated annually to meet the needs of this program. Currently the State Scholarship Program is funded at \$1,116,431. One percent of these available dollars will provide approximately \$11,166 to assist qualified students with college tuition expenses.

Most students participating in honor or gifted programs are able to receive a maximum of five college credit hours. The average award to students participating in the Kansas Honor Scholarship Program will be approximately \$275. As with other state funded student aid programs, only students demonstrating financial need will be considered.

Summary

The approval of Senate Bill 381 will provide Kansas with another mechanism to potentially fight the "braindrain" by encouraging our best young minds to attend universities and colleges in Kansas. We encourage your support for the Kansas Honor Scholarship Program.

STATE OF KANSAS

MIKE HAYDEN

Governor



DEPARTMENT OF ADMINISTRATION  
Division of Information Systems  
and Communications

DIRECTOR  
900 S.W. Jackson, 7th Floor  
Landon State Office Building  
Topeka, Kansas 66612-1275  
(913) 296-3463

Deputy Director  
Administrative Services  
(913) 296-3344

Deputy Director  
Information Systems  
(913) 296-3343

Deputy Director  
Information Resource Management  
(913) 296-2670

Deputy Director  
Telecommunications  
(913) 296-4124

*Approved  
by  
JH*

RECEIVED  
JAN 29 1988  
Department of Administration  
Legal Section

TO: Art Griggs, Assistant Secretary  
FROM: Sherry Brown *SBrown*  
DATE: January 26, 1988  
Subject: Proposed Legislation

I probably need to discuss this with you as to how we proceed, but I wanted you to have the justification and raise any questions or concerns that you feel I need to address.

Many of the materials prepared by this Division speak to the integration of telecommunications and data processing technologies. This integration is posing some very practical problems for us internally with respect to accounting and rate development.

In the past, we had a clear cut distinction between expenditures from the Computer Services Fund and the State Communications Services Fund. Budgets, expenditures and rates were handled independently for voice and data processing services and the existence of the two funds presented no particular problem.

Today, however, we are spending an inordinate amount of time, both clerical and professional, trying to "work around" two funds. I think I can best explain by example.

*HA  
4-4-88  
Attachment 11*

The building wiring and cabling (premise distribution system) that we installed in the capital complex area last year serves both data terminals and telephones. We charge \$4.60 per hookup to the wiring to recover costs of the wiring as well as a small portion of overhead (e.g. my salary). Salaries and other indirect costs are also allocated to most of our other rate categories (e.g. central processing, network connection, disk occupancy, local telephone service, etc.).

Keeping track of which expenditures should be made from which fund, or which receipts should be credited to which fund is becoming increasingly nightmarish. In fact, many of the decisions about fund use are totally arbitrary since there is no longer a clean way to distinguish between computer and telephone costs. The wiring example is just one of many.

Even in areas where a reasonable division can be determined, significant amounts of staff time are required to prepare vouchers, bills, etc. since each transaction must be broken out by object code, by program and by fund. Since so many expenditures are financed by both funds, this gets a little cumbersome.

From our vantage point, it appears there is everything to gain and nothing to lose by creation of a single operating fund and a single depreciation reserve fund. I haven't spoken about the latter, but it is currently used only for capital outlay for computer expenditures. Capital expenditures on the telecommunications side are made from the operating fund. This also complicates our lives.

I realize that the legislation we are requesting is of limited interest to most. But we are struggling with this situation and the fund combination would certainly make things more manageable. Let me know if you would like further information.

cc: Ann Colgan

SAB:  
88026PRO0003

TO: House Committee on Appropriations

FROM: Robert L. Tabor, National Federation of the Blind of Kansas and  
Michael J. Byington, Kansas Association for the Blind and Visually  
Impaired Inc.

SUB: Additional correspondence on H2560

DATE: April 1, 1988

The two of us, as representatives of the two major consumer organizations of the Blind and Visually Impaired in Kansas, have met and resolved differences concerning H2560. With the changes we will propose here, we both fully support the bill and urge its movement forward.

In Section 12 (b) of the bill, the word "may" is used twice. We request that in both instances this word be changed to "shall."

We wish to communicate to the Committee that it is not our intent to wish to see this legislation immediately move either the Kansas State School for the Visually Handicapped or State Library Services for the Blind into the newly created Department for the Blind. We do not wish to or ever preclude consideration of moving these facilities into the Department for the Blind in the future, but it is not our intent that these entities should be involved in any initial transition or movement in the near future. We will leave it to the discretion of the revisor of statutes what language needs to be inserted to achieve this clarification.

*Robert L. Tabor*

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Robert L. Tabor  
Registered Kansas Lobbyist  
National Federation of the Blind  
in Kansas

*Michael J. Byington*

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Michael J. Byington  
Registered Kansas Lobbyist  
Kansas Association for the Blind and  
Visually Impaired Inc.

NA  
4-4-88  
Attachment 12