

Approved 6-7-89
Date

MINUTES OF THE House COMMITTEE ON Appropriations

The meeting was called to order by Bill Bunten at
Chairperson

1:15 ~~am~~/p.m. on April 27, 1989 in room 514-S of the Capitol.

All members were present except: All present

Committee staff present: Ellen Piekalkiewicz, Debra Duncan, Ed Ahrens, Scott Rothe,
Karen DeViney, Kathy Porter, Julian Efird, Laura Howard,
Diane Duffy, Paul West, Ben Barrett, Legislative Research
Jim Wilson, Revisor of Statutes
Sharon Schwartz, Administrative Aide
Sue Krische, Committee Secretary

Conferees appearing before the committee:

Ed DeVilbiss, State Architect

Others attending: See attached list.

The Committee took up consideration of the differences in Senate and House actions on SB 407 following the "1989 Omnibus Bill Explanation" prepared by the Kansas Legislative Research Department (Attachment 1).

Staff advised that the fiscal note on the Omnibus bill is: Senate version-\$568.5 million plus floor amendments not tabulated and House Committee version-\$569.5 million. Staff noted the circuit breaker in the Senate version is \$10 million and in the House version is \$24.1 million.

Sec. 3 - Homestead Property Tax Refunds - Chairman Bunten stated the fiscal impact of the circuit-breaker provision is \$8.4 million in FY90, \$5.7 million in FY91, and \$700,000 in FY92. Representative Shriver made a motion to concur with the Senate on \$10 million in FY90 for the circuit-breaker provision in SB 24. Representative Chronister seconded. Motion carried.

Sec. 56 - State Board of Technical Professions - The Committee did not approve this item at the request of the Department of Administration. This request may be made next year. Representative Francisco moved to delete item 1. Representative Fuller seconded. Motion carried.

Sec. 4 - Department of Education - Representative Vancrum moved to amend hold harmless from 87.5 percent to 100 percent. Representative Solbach seconded. Representative Vancrum recommends using the same language on the amendment that was used last year to adjust hold harmless from 50 percent to 75 percent. Representative Vancrum stated the adoption of the 100 percent hold harmless policy would cost an additional (approximately) \$450,000 and the intent of the motion is to add approximately \$450,000 to the line item that now has the hold harmless aid. On a show of hands, the motion failed. Staff noted items 4 and 5 are floor amendments in the Senate that add additional funds to appropriations already made for At-Risk Pupils and the Kansas Foundation for Agriculture Project Grant. Representative Pottorff moved to concur with the addition of \$5,000 FY90 for the Kansas Foundation for Agriculture Project Grant. Representative Brady seconded. Motion failed.

Sec. 16 - SRS - Pertaining to items 14 and 15, several members stated they do not feel the Legislature should specify to SRS what programs should be funded or cut as a result of the Federal mental

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health block grant reductions. Representative Goossen pointed out a Governor's Budget Amendment recommending \$3.7 million all funds and \$1.2 State General Fund for computer acquisition was not included by the Senate and perhaps should be added by the House for discussion purposes. Representative Goossen moved to add for computer acquisition by SRS \$3,767,986 all funds, \$1,284,800 State General Fund, and \$500,000 for reprogramming. Representative Shriver seconded. Motion carried. Representative Chronister asked the subcommittee to look at this issue closely before the Conference Committee begins deliberations.

Sec. 17 - Larned State Hospital - Jim Wilson, Revisor of Statutes, advised that Work Therapy Patient Benefit Funds require new handling in the statutes. Representative Teagarden made a motion to add a proviso to apply the statute governing the canteen funds and Patient Benefit Funds to the systemwide Work Therapy Patient Benefit Fund and to authorize expenditure of moneys from the fund for other operating expenditures for the work therapy projects. Representative Chronister seconded. Motion carried. The Subcommittee will look into the provision in item 2 of a pay rate differential for direct care personnel at Larned. Representative Lowther moved to delete item 2. Representative Wisdom seconded. Motion carried.

Sec. 20 - Kansas Neurological Institute - Representative Solbach made a motion to concur with the Senate on item 2 adding five FTE mental retardation specialist positions. Representative Francisco seconded. Following discussion, Representative Solbach withdrew his motion with the permission of the second, Representative Francisco.

Sec. 25 - Public Broadcasting Commission - Representative Chronister moved to delete \$30,000 from the EDIF for FY90 to extend KOOD's signal into Northwest Kansas. Representative Lowther seconded. Motion carried.

Sec. 24 - Youth Center at Topeka - Representative Gatlin pointed out that the Governor vetoed 19 positions added at YCAT. Representative Gatlin moved to add nine youth service specialists and four security positions and funding of \$270,172 State General Fund for YCAT. Representative Brady seconded. Motion carried.

Sec. 26 - State Historical Society and Sec. 27 - Board of Barber Examiners - The Committee will remain with the House position.

Sec. 28 - Department of Commerce - The Committee will remain with the House position. Regarding HB 2021, the Senate did not add funding or positions for the implementation of the bill recommending the agency use available resources. The Committee concurred with the Senate position.

New Sec. - Kansas, Inc. - The Committee will remain with the House position.

Sec. 30 - Board of Agriculture - Representative Vancrum made a motion to delete item 6 adding \$35,000 for a white wheat study. Representative Turnquist seconded. Motion carried. The Committee will remain with the House position on item 7.

Secs. 31 and 32 - State Fair Board - Representative Chronister made a motion to delete item 2 which waives for FY89 and FY90 the agency's requirement to transfer five percent of its gross receipts to the State Fair Capital Improvements Fund. Representative Mead seconded. Motion carried.

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Sec. 33 - Kansas Highway Patrol - Representative Chronister moved to delete item 4 which adds \$48,835 State General Fund due to passage of the Claims bill, HB 2421. Representative Teagarden seconded. Motion carried.

Sec. 35 - Kansas State University - The Committee will remain with the House position on Items 3 and 6.

Sec. 38 - University of Kansas - The Committee will remain with the House position on item 2. The House subcommittee supports the study of the Dakota aquifer using oil overcharge funds, if possible.

Secs. 39 and 40 - University of Kansas Medical Center - The Committee will remain with the House position on item 7.

Sec. 41 - Wichita State University - Representative Moomaw moved to concur with the Senate on item 3 authorizing K DFA financing in the amount of \$144,550 plus interest for a loan repayment to the Wichita State University Board of Trustees. Representative Brady seconded. Motion carried.

Sec. 42 - State Board of Regents - The Committee will remain with the House position on items 1 and 3.

Sec. 43 - KPERS - The Committee will remain with the House position on items 1 and 2.

Sec. 44 - KBI - On item 1, Representative Kline moved to adopt the Joint Committee on State Building Construction recommendation for leasing a five story building for the KBI headquarters and adding partial year funding of \$166,396 State General Fund. Representative Heinemann seconded. Motion carried. Representatives Helgerson and Turnquist are recorded as voting "no." The five story building would be approximately 100,000 sq. ft. and would combine the KBI, the Highway Patrol, and Emergency Medical Services, Inc. in one location.

Representative Fuller moved to delete item 2 regarding DNA examinations. Representative Kline seconded. Motion carried.

Sec. 45 - Department of Administration - The Committee will remain with the House position on item 1. On item 3, a report to the Department of Administration indicates the cost to reinforce the statehouse dome for a statue would be \$400,000. Ed DeVilbiss, State Architect, stated this work did not need to be done if no statue were placed on the dome. Representative Shriver moved to add \$400,000 from the Building Maintenance Fund for repairs to the statehouse. Representative Chronister seconded. Motion failed. Representative Fuller made a motion to delete item 3 which adds \$15,000 from the State General Fund in FY90 for improvements to certain windows in the Statehouse. Representative Kline seconded. Motion carried.

Sec. 47 - Judicial Branch - The Committee will remain with the House position on items 1 and 2. Representative Hoy made a motion to concur with the Senate on item 4 regarding judicial salaries. Representative Solbach seconded. Representative Gatlin made a substitute motion to approve a 4 percent increase for appellate court judges, 4 percent increase for district court judges and 4 percent increase for magistrate judges for FY90. Representative Chronister seconded. Substitute motion failed. On Representative Hoy's original motion, the motion carried. Representative Buntten

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is recorded as voting "no."

Sec. 48 - Board of Indigents' Defense Services - The Committee will remain with the House position.

Sec. 49 - Attorney General - The Committee will remain with the House position on item 1.

Secs. 51 and 52 - State Corporation Commission - By consensus, the Committee authorized necessary technical adjustments on the salaries tied to the Court of Appeals Judges' salaries.

Sec. 53 - Department of Health and Environment - The Committee will remain with the House position on item 1.

Sec. 54 - Animal Health Department - The Committee will remain with the House position on item 1.

Sec. 55 - State Fire Marshal - Representative Moomaw moved to concur with the Senate in adding \$74,459 State General Fund and 2 FTE positions in FY90 to regulate and inspect users of explosive chemicals within the state. Representative Chronister seconded. Motion carried.

Sec. 57 - Department of Human Resources - Representative Lowther moved to concur with the Senate on item 1 on the Apprenticeship program. Representative Wisdom seconded. Motion carried.

Representative Lowther advised that there is a need for additional administrative law judges in the Division of Workers' Compensation. One new administrative law judge and one FTE support person are recommended at \$65,266 for salaries and wages and \$41,867 for rent and other support for a total of \$107,133 to be authorized from the Workers' Compensation Fee Fund. Representative Lowther moved to add the 2 FTE positions and \$107,133 from the Workers' Compensation Fee Fund for the Division of Workers' Compensation. Representative Mead seconded. Motion carried.

Sec. 16 - SRS (cont.) - In response to the Governor's veto of approximately \$985,000 for special projects such as the Rainbow special school and the KNI work/activity building, Representative Heinemann advised that the Joint Committee on State Building Construction recommends that the funds not spent on special projects be put in general maintenance. Representative Heinemann moved the approval of \$1 million SIBF to be put into general maintenance. Representative Kline seconded. Motion carried.

Regarding the Mental Health Block Grant, the Senate reduced the Federal Mental Health Block Grant expenditure limit because of the reduction of funds. By consensus, the Committee concurred with Senate action.

Sec. 58 - Kansas Water Office - Representative Gatlin moved to delete \$35,000 State General Fund in FY90 for an interbasin water transfer study. Representative Moomaw seconded. Motion carried. Representative Shriver moved to concur with the Senate on item 2 adding \$300,000 State General Fund in FY90 as a contingency fund for a flood control project for the city of Halstead. Representative Chronister seconded. Motion carried.

Sec. 59 - State Board of Tax Appeals - Representative Chronister moved to adjust the salary increase of Board members to reflect action taken earlier on judicial salaries. Representative Teagarden seconded. Motion carried.

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Sec. 6 - Department of Corrections - The Committee will remain with the House position on items 1, 2, 5, and 6. Representative Brady moved to concur with the funding approved by the Senate in item 11 for the community conservation camps with the proviso that expenditure be subject to State Finance Council approval. Representative Chronister seconded. Motion carried.

Sec. 14 - Kansas Sentencing Commission - The Committee will remain with the House position.

Sec. 15 - Kansas Parole Board - Representative Chronister moved to adjust item 1 so that all Board members receive the 7 percent salary adjustment approved for judges. Representative Teagarden seconded. Motion carried.

Chairman Bunten announced that in discussion on Heart transplants between KUMC and SRS, it is believed agreement can be reached for the Medical Center to perform heart transplants for the cost covered by the federal payments. Under the agreement, the Medical Center would be the only authorized facility for heart transplants. As a result, HB 2191 is not needed. A staff memorandum on federal policies regarding heart transplants was distributed to the members (Attachment 2). Representative Wisdom expressed his appreciation of Chairman Bunten's efforts in regard to this issue.

INTRODUCTION OF BILLS

Following a short break, Representative Chronister asked for introduction of a bill requested by the KUMC branch in Wichita. The bill would take all the residents in the Wichita area into a self-insurance program and will be the basis for an interim study (Attachment 3). Representative Chronister moved introduction of the bill. Representative Shriver seconded. Motion carried.

Representative Shriver explained an amendment to SB 365 which would allow social workers awarded degrees from a federally accredited program to be eligible for temporary licensure (Attachment 4). Representative Shriver moved that SB 365 be amended by substituting a new bill designated Substitute for SB 365. Representative Wisdom seconded. Motion carried.

Representative Chronister noted that four school districts in Kansas are going to have mill levy increases above 10 mills and are also above the general fund mill rate median which is about 47 mills next year. Subcommittee No. 1 recommends a proviso to the \$533 million of SDEA that would allow these school districts to access the SDEA for the equivalent of the amount of money that their mill levy would be above 10 mills. This would mean that no school district in Kansas would have more than a 10 mill increase. Derby, Leoti, Lorraine, and Cuba would pay the 10 mills and anything above that would be absorbed within the school district finance formula. This involves \$1,311,948 in funds. Several members expressed concern that in assisting the four districts, inequities will be created in other school districts. Representative Chronister moved to amend SB 407 to include a proviso on the SDEA funds that would allow four school districts to access the SDEA for the equivalent of the amount of money that their mill levy would be above 10 mills. Representative Lowther seconded. Motion failed.

Representative Lowther made a motion to amend SB 407 in Sec. 57, Department of Human Resources, to increase the expenditure limit from the Workers' Compensation Fee Fund by \$68,950 for FY89 to

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cover a projected shortfall. Representative Wisdom seconded. Motion carried.

Representative Chronister moved to amend SB 407 by substituting a new bill designated Substitute for SB 407 and to recommend Substitute for SB 407, as amended, favorably for passage. Representative Teagarden seconded. Motion carried.

Chairman Bunten designated several members of the Committee to carry sections of the Omnibus bill on the House floor.

SB 393 - Exchange of land authorized between state of Kansas and Presbyterian church.

Ed DeVilbiss, State Architect, appeared in support of SB 393 (Attachment 5). He stated the net acquisition for the state would be approximately \$252,000. The state would lose 66 parking spaces. There are 12 spaces with the Dillon House resulting in a net loss of 54 spaces. The purchase of the KP&L Power Plant on Van Buren is underway which would add 155 spaces. He suggested perhaps an agreement could be reached with the Presbyterian Church for use of some spaces during the Legislative session. An appraisal of the property was distributed to the Committee (Attachment 6). Representative Helgerson moved to recommend SB 393 favorably for passage. Representative Solbach seconded. Motion carried.

SB 13 - Educational Excellence Grant Program; Re Proposal No. 32

Ben Barrett, Kansas Legislative Research Department, distributed the supplemental note on SB 13 to provide a detailed explanation of the bill. He explained that the bill establishes the Educational Excellence Grant Program, which is a state matching grant program. The main parts of the bill are the Educational System Enhancement Plan and the At Risk Pupil Assistance Plan. Representative Hamm moved that SB 13 be amended as recommended by the House Committee on Education and be passed as amended. Representative Pottorff seconded. Motion carried.

INTRODUCTION OF BILLS

Jim Wilson, Revisor of Statutes, presented five bills for introduction which contain no policy change, but repeal statutes no longer applicable (Attachment 7). Representative Heinemann moved introduction of the five bills. Representative Vancrum seconded. Motion carried.

Representative Lowther advised that the Subcommittee on HB 2016 will request introduction of three bills addressing a community-based mental health program. He noted this legislation does not include a funding formula for the revised system. The Subcommittee has attempted to more clearly delineate responsibility in the system and feels that strengthening community programs now in place is the way to best serve clients. Representative Lowther moved introduction of a bill dealing with the mental health reform measures. Representative Goossen seconded. Motion carried. Representative Lowther moved introduction of a bill establishing the Governor's Commission on Mental Health and Retardation Services. Representative Goossen seconded. Motion carried. Representative Lowther moved introduction of a bill establishing a new Department of Mental Health and Retardation Services. Representative Helgerson seconded. Motion carried. Representative Chronister commended the Subcommittee on its work, noting the complexity of the mental health reform issue.

The meeting was adjourned at 5:55 p.m.

1989 OMNIBUS BILL EXPLANATION

Senate Bill No. 407Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSec. 2 -- Department of Revenue

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| <p>1. Add \$126,705 in <u>FY 1990</u> from the State General Fund for administrative costs of implementing S.B. 24 which amends both the income tax and homestead property tax refund laws. Included in the recommendation is \$68,965 for temporary and part-time salaries and wages of nine staff and \$57,740 for other operating expenses.</p> <p>2. Add \$488,000 in <u>FY 1990</u> from the DOV Operating Fund for conversion of driver license files resulting from passage of S.B. 250 which implements a federally-mandated Commercial Drivers License program.</p> <p>3. Reduce \$8,160 in <u>FY 1990</u> from the DOV Operating Fund for tags and decals due to passage of H.B. 2177 which eliminates registration requirements for mobile homes and travel trailers if they are not used on highways.</p> | <p>1. Increase financing by \$68,965 in FY 1990 from the State General Fund for paying administrative costs of S.B. 24. The recommended funding of \$195,650 includes \$88,020 for part-time and temporary staff and \$107,650 for other operating expenses.</p> <p>2. Concur.</p> <p>3. Concur.</p> <p>4. Add ^{95,237}\$102,399 in FY 1989 for retirement costs of \$58,435 from the State General Fund and \$36,802 from the DOV Operating Fund.</p> <p>5. Add \$7,162 in FY 1989 from the State General Fund for printing and mailing costs of notifying merchants of changes in the sales tax laws made in H.B. 2041 and H.B. 2518.</p> | |
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 Attached

Senate RecommendationsHouse Committee RecommendationsConference Committee Recommendations

6. Add \$29,316 in FY 1990 from the State General Fund for 1.0 FTE position and operating costs related to S.B. 101 and H.B. 2032 which will require reviewing tax returns which claim the different tax credits authorized by the bills.

Sec. 3 -- Department of Revenue Homestead
Property Tax Refunds

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| <ol style="list-style-type: none"> 1. Add \$10.0 million in <u>FY 1990</u> from the State General Fund for the "circuit-breaker" provision in S.B. 24. | <ol style="list-style-type: none"> 1. Increase by \$14.1 million in FY 1990 from the State General Fund the amount of financing for the "circuit-breaker" provision in S.B. 24, providing a total of \$24.1 million in FY 1990. |
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Sec. 4 -- Department of Education

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| <ol style="list-style-type: none"> 1. Appropriate for <u>FY 1990</u> \$533,527,252 for State School Equalization Aid and \$3,922,693 for additional general state aid (hold harmless aid pursuant to H.B. 2085, the 1989 amendments to the School District Equalization Act). The first amount is equal to the Governor's recommendation. The second amount reflects the current estimate of the Department of Education for hold harmless aid (earlier estimated to be \$5,733,829). | <ol style="list-style-type: none"> 1. Concur. |
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Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

2. Appropriate for FY 1990 \$10,184 for Fort Leavenworth School District Aid. This additional amount would bring the FY 1990 appropriation for Fort Leavenworth to \$1,455,150. Total aid is the amount estimated by the Department of Education to maintain compliance with federal requirements for the District's continued eligibility for P.L. 874 federal funds, i.e. state per pupil aid equivalent to 65 percent of state-wide per pupil aid.

2. Concur.

3. Lapse \$100,000 and \$63,810 for FY 1989 and FY 1990, respectively, to fund School District Transportation Aid at the 96 percent level. The revisions reflect additional audit exceptions which have been identified for FY 1989 and projected to FY 1990 per Governor's Budget Amendment No. 3, Item 1.

3. Concur.

4. The Senate in final action appropriates \$1,500,000 in FY 1990 from the General Fund for At-Risk Pupil and Innovative Program Assistance.

4. Not considered.

5. The Senate in final action appropriates in FY 1990 \$5,000 for the Kansas Foundation for Agriculture Project Grant.

5. Not considered.

*25,000 in SB28
also \$5,000 more*

Sec. 5 -- School for the Visually Handicapped

1. Appropriate \$55,000 for FY 1990 from the State Institutions Building Fund to replace a roof on Brighton Recreation Center and make related repairs, as recommended by the Joint Committee on State Building Construction.

1. Concur.

Senate Recommendations

2. Authorize the establishment of an additional position and appropriate \$27,645 for salary and benefits to provide an outreach orientation and mobility instructor primarily to serve students west of Highway 183.

Sec. 6 -- Department of Corrections

1. Addition of \$4,296,139 and 15.0 FTE positions in FY 1990 from the State General Fund to provide for implementation of Sub. S.B. No. 49 which mandates that all counties adopt community corrections programs and makes other changes in sentencing procedures and penalties. The total recommended includes \$232,500 in planning funds for the 93 counties currently not participating in community corrections; \$2.5 million for bringing new counties on-line in the last half of FY 1990 and \$1.0 million for expansion of existing programs in participating counties; \$113,105 and 3.0 FTE positions in the Department of Corrections (a Community Program Consultant I, a Management Analyst II, and an Office Assistant II) to administer the expanded programs; \$362,284 for 10.0 FTE new parole staff (8.0 Parole Officer I positions and 2.0 clerical positions) in response to the liberalized good time credits which are estimated to result in the conditional release of 200 inmates and the release on parole of approximately 200 inmates; and \$88,250 and 2.0 FTE positions (a hearing officer/director and a clerical position) to staff the State Community Corrections Board.

House Committee Recommendations

2. Concur.

Conference Committee Recommendations

Senate Recommendations

2. Addition of \$16,615 and 0.5 FTE position in FY 1990 to allow the Department to implement H.B. 2199 which requires the Secretary of Corrections to provide notice to victims prior to the release of an inmate convicted of crimes against persons, sex offenses, or crimes affecting family relationships and children. The recommended funding is composed of \$11,040 in salaries, \$2,500 for postage and supplies, and \$3,075 for capital outlay.
3. Establishment in FY 1989, as recommended in GBA No. 3, of a no-limit fund entitled "Library Grant--Federal Fund" to allow for the expenditure of \$11,893 in federal library funds among the following correctional institutions for the purchase of books: State Penitentiary (\$8,350), Industrial Reformatory (\$703), Osawatomie Correctional Facility (\$1,840), and Reception and Diagnostic Center (\$1,000).
4. Addition of \$143,727 from the State General Fund in FY 1989, as recommended by GBA No. 3, for county jail payments to reimburse local units for the cost of housing parole violators until a parole revocation hearing is held before the Parole Board. The amount recommended is in addition to the \$185,000 currently budgeted for these payments.

House Committee Recommendations

2. Addition of \$500 in FY 1990 for additional postage costs.
3. Concur.
4. Concur.

Conference Committee Recommendations

Senate Recommendations

5. Addition of \$2,445,600 from the State General Fund in FY 1990, as recommended by GBA No. 3, for an inmate contingency housing fund to finance the costs of the purchase of bedspace from **Missouri** or placements in other state-operated facilities (\$1,950,000), and for additional placements at the Kansas Correctional Institution at Lansing (\$495,600).
6. Addition of \$130,000 from the State General Fund in FY 1990, as recommended in GBA No. 3, for a Programmer III position and capital and operating and capital costs for developing an updated computer system for the Department.
7. Transfer of \$96,306 (SGF) and 4.0 FTE Parole Coordinator positions in FY 1990, as recommended in GBA No. 3, from the Department of Corrections to three correctional institutions.
8. Transfer of \$20,738 (SGF) in FY 1990, as recommended by GBA No. 3, from the Department of Corrections of inmate medical funding to five correctional facilities' budgets for inmate drug screening and other services; the funding was inadvertently centralized in the Department's budget. The funding is transferred as follows: Osawatomie Correctional Facility (\$5,103), Wichita Work Release Center (\$5,435), Stockton Correctional Facility (\$2,400), Norton Correctional Facility (\$5,000), and Topeka Correctional Facility (\$2,800).

House Committee Recommendations

5. No funding is recommended for this item.

6. Reduction of \$91,504 in FY 1990, which will provide \$38,496 for the salary costs of the Programmer III position.

7. Concur.

8. Concur.

Conference Committee Recommendations

Senate Recommendations

9. Deletion of 46.0 FTE positions in FY 1990, as recommended by GBA No. 3, to reflect the correct number of medical staff personnel who have elected to remain as state employees (64.5 FTE) rather than transfer to the private medical contractor under the systemwide medical and mental health services contract with CMS.
10. Reduction of \$23,425 (SGF) in FY 1990, as recommended by GBA No. 3, in payments to county jails for the placement of DOC inmates from the honor camps to reflect compliance with the mandated population limits of the U. S. district court.
11. Addition of \$1,200,000 in FY 1989 and \$1,971,000 in FY 1990 from the State General Fund for the community conservation camps in Labette and Meade counties, which funding was line-item vetoed by the Governor in H.B. 2063 and H.B. 2037.
12. Reduction of an additional \$28,140 (SGF) in FY 1989, as recommended by GBA No. 3, from the sex offender program because of delays in start-up of the program.
13. Reduction of \$8,000 (SGF) in FY 1989, as recommended by GBA No. 3, to reflect compliance with the mandated population limits of the U.S. District Court.

House Committee Recommendations

9. Concur.
10. Concur.
11. No funding is included for this item.
12. Concur.
13. Concur.

Conference Committee Recommendations

Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSec. 7 -- Kansas State Penitentiary ok

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| <p>1. Reduction of \$13,060 (SGF) in <u>FY 1990</u>, as recommended in GBA No. 3, which is composed of: a) the lapse of \$32,000 of operating expenditures to reflect compliance with the population limits mandated by the district court; and b) the addition of \$18,940 and 1.0 FTE Parole Coordinator position which is transferred from the budget of the Department of Corrections to the Penitentiary's budget.</p> | <p>1. Concur.</p> |
| <p>2. Addition of \$237,044 in <u>FY 1989</u> from the State General Fund as recommended in GBA No. 3 for the payment of medical expenses which were incurred prior to December 18, 1988, when the Department entered into a contract with Correctional Medical Services, Inc. (CMS) to provide medical and mental health services. The amount represents higher than anticipated medical bills not received until after the beginning of the contract.</p> | <p>2. Concur.</p> |

Sec. 8 -- Kansas State Industrial Reformatory ok

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| <p>1. Addition of \$154,181 as recommended in GBA No. 3 (of which \$126,181 is from the State General Fund) as an <u>FY 1989</u> supplemental appropriation for increased operating expenditures caused by the role of this institution as the major center for the intake and movement of inmates in the system.</p> | <p>1. Concur.</p> |
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Senate Recommendations

2. Reduction of \$17,354 (SGF) in FY 1990, as recommended in GBA No. 3, which is composed of: a) the lapse of \$65,0000 of operating expenditures to reflect compliance with the population limits mandated by the district court; and b) addition of \$47,646 and 2.0 FTE Parole Coordinator positions which are transferred from the budget of the Department of Corrections to the Reformatory's budget.

3. Addition of \$150,750 in FY 1989 from the State General Fund as recommended in GBA No. 3 for the payment of medical expenses which were incurred prior to December 18, 1988, when the Department entered into a contract with Correctional Medical Services, Inc. (CMS) to provide medical and mental health services. The amount represents higher than anticipated medical bills not received until after the beginning of the contract.

House Committee Recommendations

2. Concur.

3. Concur.

Conference Committee RecommendationsSec. 9 -- State Reception and Diagnostic Center

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| <ol style="list-style-type: none"> 1. Reduction of \$2,000 (SGF) of operating expenditures in <u>FY 1990</u>, as recommended in GBA No. 3, to reflect compliance with the population limits mandated by the district court.
 2. Addition of \$13,086 in <u>FY 1989</u> from the State General Fund as recommended in GBA No. 3 for the payment of medical expenses which were incurred prior to December 18, 1988, when the Department entered into a contract with Correctional Medical Services, Inc. (CMS) to provide | <ol style="list-style-type: none"> 1. Concur.
 2. Concur. |
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Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

medical and mental health services. The amount represents higher than anticipated medical bills not received until after the beginning of the contract.

Sec. 10 -- Kansas Correctional-Vocational Training Center *ok*

- 1. Reduction of \$10,000 (SGF) of operating expenditures in FY 1990, as recommended in GBA No. 3, to reflect compliance with the population limits mandated by the district court.
- 2. Addition of \$90,720 in FY 1989 from the State General Fund as recommended in GBA No. 3 for the payment of medical expenses which were incurred prior to December 18, 1988, when the Department entered into a contract with Correctional Medical Services, Inc. (CMS) to provide medical and mental health services. The amount represents higher than anticipated medical bills not received until after the beginning of the contract.

- 1. Concur.
- 2. Concur.

Sec. 11 -- Kansas Correctional Institution at Lansing *ok*

- 1. Addition of \$62,350 (SGF) for additional operating expenditures in FY 1990, as recommended by GBA No. 3, to reflect the increased average daily inmate population upon completion on the new housing dormitory at the facility.
- Addition of \$21,543 in FY 1989 from the State General Fund as recommended in

- 1. Concur.
- 2. Concur.

Senate RecommendationsHouse Committee RecommendationsConference Committee Recommendations

GBA No. 3 for the payment of medical expenses which were incurred prior to December 18, 1988, when the Department entered into a contract with Correctional Medical Services, Inc. (CMS) to provide medical and mental health services. The amount represents higher than anticipated medical bills not received until after the beginning of the contract.

Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSec. 12 -- Ellsworth Correctional Work Facility ok

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| <p>1. Reduction of \$28,500 (SGF) of operating expenditures in <u>FY 1990</u>, as recommended by GBA No. 3, to reflect compliance with the population limits mandated by the district court.</p> | <p>1. Concur.</p> |
| <p>2. Addition of \$13,160 in <u>FY 1989</u> from the State General Fund as recommended in GBA No. 3 for the payment of medical expenses which were incurred prior to December 18, 1988, when the Department entered into a contract with Correctional Medical Services, Inc. (CMS) to provide medical and mental health services. The amount represents higher than anticipated medical bills not received until after the beginning of the contract.</p> | <p>2. Concur.</p> |

Sec. 13 -- Norton Correctional Facility ok

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| <p>1. A net addition of \$17,220 (SGF) in <u>FY 1990</u>, as recommended by GBA No. 3, which is composed of: a) a reduction of \$17,500 of operating expenditures to reflect compliance with the population limits mandated by the district court; b) addition of \$29,720 and 1.0 Parole Coordinator position which is transferred from the Department of Correction's budget to this facility's budget; and c) addition of \$5,000 for medical expenses which is transferred from the Department's budget to this facility's budget for inmate drug screening and other services.</p> | <p>1. Concur.</p> |
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Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSec. 14 -- Kansas Sentencing Commission

1. Addition of \$4,350 in FY 1989 and \$446,989 in FY 1990 from the State General Fund as recommended in GBA No. 3 for operating expenditures for the Kansas Sentencing Commission created by S.B. 50. The recommended funding would provide salaries for 5.0 permanent positions and 8.0 temporary positions (\$272,976), and other operating expenditures of \$174,013.

1. Addition of \$4,350 in FY 1989 and \$287,294 in FY 1990 for operating expenditures for the Sentencing Commission. The House Committee recommendation provides for 4.0 permanent positions and 4.0 temporary positions (\$200,287), and other operating expenditures of \$87,007. The House Committee recommendation for FY 1990 is a reduction of \$159,695 from the Senate recommendation.

Sec. 15 -- Kansas Parole Board

1. Addition of \$8,359 from the State General Fund in FY 1990 to grant each Board member an additional 2.5 percent salary adjustment, as members salaries are statutorily linked to judicial salaries. All judges will receive a 6.5 percent salary adjustment in FY 1990.

1. The House has not addressed this item.

Sec. 16 -- Department of Social and Rehabilitation Services

1. Add \$225,000 from the State General Fund in FY 1990 for a study of the state's services for children, and direct the agency to also pursue foundation funding or other private contributions to help pay for the study.
2. Add \$69,450 from the SIBF in FY 1990 to repair the roof at the Kansas Vocational Rehabilitation Center.

1. Concur.
2. Concur.

Handwritten note:
 1.0 permanent positions
 4.0 temporary positions

57-1

Senate Recommendations

3. Recommend that effective in FY 1990, the operation of the Wichita State Office Building be transferred from the Department of Administration to SRS, which is currently the sole occupant of the building, and that 1.0 FTE position for the facility manager be transferred from the Department of Administration to SRS. The Senate Committee also recommends establishing a fund within SRS for Wichita State Office Building maintenance into which SRS would pay "rent" (i.e., the operating costs previously included in its rent payments to the Department of Administration), and that the expenditure limit for this account be set at \$406,464.
4. Reduce the agency's position limitation for FY 1990 by 50.0 FTE to correctly reflect the number of number of new positions for the KanWork program.
5. For FY 1990, revise the expenditure limits for state operations, and within that total, limits on salaries and wages and other operating expenditures to accurately reflect legislative adjustments. The revised limits are as follows: \$158,487,678 for state operations, \$105,242,862 for salaries and wages, and \$53,244,816 for other operating expenditures.
6. Add language to reappropriate funding from the State General Fund for the fence construction project at the Youth Center at Topeka from FY 1989 to FY 1990.

House Committee Recommendations

3. Concur.
4. Concur.
5. Concur.
6. Concur.

Conference Committee Recommendations

Senate RecommendationsHouse Committee RecommendationsConference Committee Recommendations

7. Add \$31,350 from the State General Fund and 1.0 FTE for an Accountant II position in FY 1990 to implement House Bill 2333, the self-sufficiency trust fund program for developmentally disabled persons. This new program will allow relatives of developmentally disabled persons to set up such trust funds without affecting their relative's eligibility for SRS services. Of the recommended amount, \$27,350 is for salaries and wages and \$4,000 is for other operating expenditures. The Senate Committee also recommends adding two line items to reflect the two funds needed by the program: the self sufficiency trust fund and a special fund for the developmentally disabled for contributions from any source for low-income developmentally disabled persons or other low-income persons eligible for SRS services. The two funds should have no expenditure limits.
8. In FY 1990, add \$131,818 (\$65,909 SGF) and 1.0 FTE position to implement H.B. 2012, which establishes an alternative Home and Community-Based Services program under which clients may select, train, manage, pay and dismiss their attendants. Of the recommended amount, \$32,818 is for salaries and wages, \$2,400 is for other operating expenditures associated with the position, \$45,000 for computer updates, and \$50,000 for contracts with independent living centers.

7. Concur.

8. Concur.

Senate RecommendationsHouse Committee RecommendationsConference Committee Recommendations

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| 9. Delete 29.0 FTE positions in <u>FY 1990</u> to reflect the transfer of nursing home inspection duties from SRS to the Department of Health and Environment. To meet federal Medicaid requirements, the federal and state shares of these nursing home inspection expenditures will continue to be shown in the SRS budget, although now as contractual services. The transfer of nursing home inspection to KDHE results in a more favorable federal match. Therefore, the Senate Committee decreases the FY 1990 appropriation from the State General Fund for other medical assistance by \$49,845. | 9. Concur. |
| 10. Decrease the <u>FY 1989</u> appropriation from the State General Fund for the KanWork program by \$242,418 and increase federal funds by the same amount, to concur with the Governor's Budget Amendment pertaining to additional savings in this program. | 10. Concur. |
| 11. Delete \$159,147 from the State General Fund in <u>FY 1990</u> for the school contract for the Comprehensive Screening Unit, which is being transferred from Topeka State Hospital to Youth Services. This amount will instead continue to be provided through the Topeka State Hospital budget. | 11. Concur. |
| 12. Add a proviso to the <u>FY 1990</u> appropriation from the State General Fund for Youth Services clarifying that expenditures may be made from that account for liability insurance for foster parents. | 12. Concur. |

M-1

Senate Recommendations

13. Add \$40,543 from the State General Fund in FY 1990 for salaries and wages to continue a special projects position to direct placement of mentally retarded persons in community placements.
14. Add \$53,908 from the State General Fund in FY 1989 for mental health administrative costs which were to have been funded from the federal mental health block grant. The state's block grant allocation was reduced in FY 1989, and federal law now permits states to use only 5 percent of the block grant for administration instead of 10 percent. The Senate Committee also reduces the expenditure limit for the federal mental health block grant by \$53,908 to more accurately reflect the amount available.
15. In FY 1990, add \$460,068 from the State General Fund for mental health state operations and aid to local units, and reduce funding from the federal mental health block grant by the same amount. This is to compensate for reduced federal funding and for the lower limit on administrative expenditures. Of the recommended amount, \$265,202 is for special purpose mental health grants, \$127,042 is for mental health administrative staff, and \$67,824 is for technical assistance staff.

House Committee Recommendations

13. Delete \$40,543 from the State General Fund in FY 1990 for salaries and wages for the mental retardation community placement director.
- 14.
- 15.
16. In FY 1990 add \$176,196 (\$81,050 SGF) for additional medical assistance long-term care expenditures associated with the new federal division of assets law which will supersede the current state law.

Conference Committee Recommendations

16. 0

81-1

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

Sec. 17 -- Larned State Hospital

- 1. Add a no-limit Work Therapy Patient Benefit Fund for FY 1989 and FY 1990 with a proviso stating that all revenues received from work therapy programs shall be deposited to the credit of the fund and that expenditures may be made from the fund for patient salaries and benefits.
- 2. Add \$200,000 from the State General Fund to the hospital's operating expenditures for FY 1990 with a proviso stating that expenditures shall be made from the operating expenditures account to provide a pay rate differential for direct care personnel employed by Larned State Hospital in the Security program.

- 1. Concur.
- 2. The House Committee did not address this item.

Sec. 18 -- Topeka State Hospital

- 1. Add a no-limit Work Therapy Patient Benefit Fund for FY 1989 and FY 1990 with a proviso stating that all revenues received from work therapy programs shall be deposited to the credit of the fund and that expenditures may be made from the fund for patient salaries and benefits.

- 1. Concur.

Senate Recommendations

2. Concur with GBA No. 3, Item 10, which adds \$159,147 from the State General Fund to finance the Comprehensive Screening Unit portion of the hospital's education contract in FY 1990. A corresponding amount will be deleted from the budget of the Comprehensive Screening Unit within the Department of Social and Rehabilitation Services, Division of Youth Services.
3. Adjust the expenditure limitation of the Chapter I (federal elementary and secondary education) fund from \$92,520 to \$95,520 to reflect the amount of federal funds to be transferred to the hospital for the school program in FY 1990.

Sec. 19 -- Osawatomie State Hospital

1. Add a no-limit Work Therapy Patient Benefit Fund for FY 1989 and FY 1990 with a proviso stating that all revenues received from work therapy programs shall be deposited to the credit of the fund and that expenditures may be made from the fund for patient salaries and benefits.
2. Adjust the amount to be transferred by the Director of Accounts and Reports to the hospital's Title XIX Fund in FY 1990 from \$2,612,385 to \$2,600,905 to agree with the hospital's Title XIX Fund expenditure limitation.

House Committee Recommendations

2. Concur.
3. Concur.

Conference Committee Recommendations

<u>Senate Recommendations</u>	<u>House Committee Recommendations</u>	<u>Conference Committee Recommendations</u>
3. Add \$44,700 from the State Institutions Building Fund in <u>FY 1990</u> to remodel the dining area of Biddle Cafeteria, as recommended by the Joint Committee on State Building Construction.	3. Concur.	
<u>Sec. 20 -- Kansas Neurological Institute</u>		
1. Delete \$86,635 in salaries and wages in <u>FY 1990</u> , and 1.0 FTE physician specialist position.	1. Concur.	
2. Add \$118,110 in salaries and wages in <u>FY 1990</u> and 5.0 FTE Mental Retardation Specialist positions.	2. Add \$94,488 in salaries and wages in FY 1990 and 4.0 FTE Mental Retardation Specialist positions.	
3. Make a technical adjustment to reduce state operating expenditures in <u>FY 1990</u> by \$41,038 to allow for a revised categorical aid rate of \$17,022 per teaching unit. The categorical aid rate, as approved in H.B. 2028, allowed for a rate of \$15,443 per teaching unit.	3. Concur.	
4. Make a technical adjustment to establish a no limit special revenue fund for the fiscal years ending <u>June 30, 1989</u> and <u>June 30, 1990</u> , with the following proviso: That all revenues received from work therapy programs shall be deposited to the credit of this fund: <u>Provided further</u> , That expenditures may be made from this fund for patient salaries and benefits.	4. Concur.	

Senate Recommendations

5. Make a technical adjustment to designate FY 1990 as the year to appropriate moneys designated in H.B. 2028 Sec. 3(c) for preliminary planning for the work/recreation activities building.

House Committee Recommendations

5. Concur.

Conference Committee RecommendationsSec. 21 -- Winfield State Hospital and Training Center

1. Make a technical adjustment to reduce state operating expenditures in FY 1990 by \$52,498 to allow for a revised categorical aid rate of \$17,022 per teaching unit. The categorical aid rate as approved in H.B. 2028, allowed for a rate of \$15,443 per teaching unit.
2. Make a technical adjustment to establish a no-limit special revenue fund for the fiscal years ending June 30, 1989 and June 30, 1990, with the following proviso: That all revenues received from work therapy programs shall be deposited to the credit of this fund: Provided further, That expenditures may be made from this fund for patient salaries and benefits.

1. Concur.

2. Concur.

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Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

- 3. The House Committee directs SRS and the Division of Personnel Services (DPS) to cooperatively meet and review laws, policies, and regulations relating to nursery personnel. The Committee further directs SRS and DPS to submit a comprehensive proposal regarding the recruitment and retention of nursery personnel at the mental retardation agencies. The Committee encourages SRS and DPS to have a minimum of two nurse personnel participate in any such discussion or decision making.

Sec. 22 -- Parsons State Hospital and Training Center

- 1. Make a technical adjustment to reduce state operating expenditures in FY 1990 by \$23,716 to allow for a revised categorical aid rate of \$17,022 per teaching unit. The categorical aid rate as approved in H.B. 2028, allowed for a rate of \$15,443 per teaching unit.
- 2. Make a technical adjustment to establish a no limit special revenue fund for the fiscal years ending June 30, 1989 and June 30, 1990, with the following proviso: That all revenues received from work therapy programs shall be deposited to the credit of this fund: Provided further, That expenditures may be made from this fund for patient salaries and benefits.

- 1. Concur.
- 2. Concur.

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

Sec. 23 -- Youth Center at Atchison

- 1. Reduce the line item for **salaries** and wages for FY 1990 by \$17,722 and increase the line item for other operating expenditures by the same amount for a technical adjustment to H.B. 2027.

- 1. Concur.

Sec. 24 -- Youth Center at Topeka

- 1. Add \$58,900 from the State Institutions Building Fund for FY 1990 for final planning on a project to install a new central heating and air conditioning system in the administration building, auditorium/gym, and dining facility/kitchen at the Youth Center at Topeka. The total estimated project cost is \$667,700.

- 1. Concur.

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210.172*

Sec. 25 -- Public Broadcasting Commission

- 1. Add \$150,000 from the State General Fund for FY 1990 to enable KANZ-FM radio station (Pierceville) to relocate to Garden City and to upgrade several translators. Expenditures from the State General Fund are to be matched on a dollar-for-dollar basis and are to be released in increments of \$25,000. In combination with private contributions, the state aid will provide funding for the relocation of studio equipment, studio construction, and the upgrade of several translators.

- 1. Add \$175,000 from the EDIF for FY 1989 and ~~\$25,000~~ for FY 1991 for a grant to KANZ-FM radio station to relocate to Garden City, to upgrade translations, to construct two satellite studios, and to establish an equipment endowment fund.

125,000

200,000 total

Senate Recommendations

2. Add \$30,000 from the EDIF for FY 1990 for a project to extend KOOD's signal into Northwest Kansas.

House Committee Recommendations

2. Delete.

Conference Committee RecommendationsSec. 26 -- State Historical Society

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| <ol style="list-style-type: none"> 1. Add a new no limit line item in <u>FY 1990</u> for the Law Enforcement Memorial Fund due to the passage of S.B. 206, which transfers the fund from the Department of Administration to the State Historical Society. 2. Add \$7,500 for <u>FY 1990</u> for contractual anthropological studies to be conducted on human skeletal remains on the occasions of the disturbance of unmarked burial sites to determine the age, sex and stature of the individual. | <ol style="list-style-type: none"> 1. Concur. 2. Delete \$7,500 for <u>FY 1990</u> for contractual studios.
<i>Studies.</i> |
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Sec. 27 -- Board of Barber Examiners

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| <ol style="list-style-type: none"> 1. Add \$4,060 in special revenue funds for salaries and wages for <u>FY 1990</u>. Presently, the Board has a full-time office assistant and a half-time administrative assistant. This recommendation provides financing for a full-time administrative assistant and a half-time office assistant. | <ol style="list-style-type: none"> 1. Delete \$4,060 for <u>FY 1990</u> for salaries and wages. |
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Sec. 28 -- Department of Commerce

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| <ol style="list-style-type: none"> 1. Add \$100,000 from the EDIF in <u>FY 1990</u> for financial assistance payments to Kansas small business concerns for expenses related to participation in overseas trade shows pursuant to H.B. 2485. | <ol style="list-style-type: none"> 1. Concur. |
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Senate Recommendations

2. Add \$100,000 (\$59,245 State General Fund for salaries and \$40,755 from the EDIF for other operating expenses) and 2.0 FTE positions in FY 1990 for administration of the Kansas Export Finance program created by S.B. 21. The positions (a Program Director and a Secretary I) are financed beginning in September, 1989. In order to not increase overall State General Fund expenditures of the agency, shift the financing of \$59,245 in previously approved other operating expenditures from the State General Fund to the EDIF.

House Committee Recommendations

2. Add an additional \$10,867 from the EDIF in FY 1990 for other operating expenses to provide a total of \$110,867 for administration of the Kansas Export Finance program.

Conference Committee RecommendationsSec. 29 -- Department of Wildlife and Parks

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| <ol style="list-style-type: none"> 1. As a technical adjustment, appropriate several new fee funds which are created by H.B. 2005 in <u>FY 1990</u> to replace several existing fee funds. No additional expenditures are included in this recommendation. 2. Add \$18,365 (\$6,030 State General Fund and \$12,335 special revenue funds) for <u>FY 1990</u> salaries and wages as a technical adjustment as per GBA No. 3. 3. Add \$27,000 in <u>FY 1990</u> from the Wildlife Fee Fund (formerly known as the Fish and Game Fee Fund) for the installation of a waterline for the proposed habitat center at the El Dorado Honor Camp as per GBA No. 3. | <ol style="list-style-type: none"> 1. Concur. 2. Concur. 3. Concur. |
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Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

- 4. Appropriate a new Federal Grants Fund as a no limit fund for FY 1990 as per GBA No. 3 for the purpose of receiving unanticipated federal grants.

- 4. Concur.

Sec. 30 -- Board of Agriculture

- 1. Replace State General Fund expenditures of \$14,408 for salaries in the Laboratory with new Seed Examination Fee Fund receipts of \$14,408 in FY 1990 due to passage of H.B. 2133.

- 1. Concur.

- 2. Add \$57,826 from the Fertilizer Fee Fund in FY 1990 due to passage of H.B. 2422 which regulates the handling, storage, and disposal of commercial fertilizers. The amount includes \$18,000 for the salary of 1 FTE Keyboard Operator I, \$28,000 for the salary of 1 FTE Agricultural Inspector III, and \$11,826 for other operating costs.

- 2. Concur.

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Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

- 3. Add \$246,192 from the State General Fund and 6 FTE positions in FY 1990 due to passage of S.B. 272 which transfers the Petroleum Measurement Enforcement Program (PMEP) from the Department of Revenue to the Board of Agriculture. The recommendation includes \$146,537 for the salaries of 6 FTE positions and \$99,655 for other operating costs. The Senate recommends passage of legislation which would double the existing fee of one-half cent per barrel collected from individuals first selling, offering for sale, using or delivering gasoline, other motor vehicle fuels, or kerosene within Kansas. A fee increase would result in total FY 1990 receipts of approximately \$285,000 deposited in the State General Fund which would offset PMEP costs.

- 4. Add \$69,404 in FY 1990, including \$64,604 from the State General Fund and \$4,800 from new Pesticide Use Fees, due to passage of S.B. 3 which authorizes the agency to develop pesticide management areas when notified that a particular pesticide poses a threat to the public. The recommendation includes \$38,300 for the salary of 1 FTE Attorney II, \$19,489 for the salary of 1 FTE Secretary I, and \$11,615 for other operating expenditures.

3. Concur.

4. Concur.

Senate Recommendations

5. Add \$39,629 in FY 1990, including \$20,519 from the State General Fund and \$19,110 from new Chemigation Fee Fund receipts due to passage of S.B. 2 which requires the collection of fees for each point of chemigation diversion. The recommendation includes \$32,733 for the salary of 1 FTE Chemigation Specialist and \$6,896 for other operating costs.
6. Add \$35,000 from the State General Fund in FY 1990 to the Marketing Division to enable the Board of Agriculture to contract for a white wheat study with the Agricultural Value Added Processing Center associated with Kansas State University.
7. The Senate does not recommend altered expenditures at the result of the pending passage of H.B. 2293 which requires the inspection of restaurants which sell home-made ice crease.

House Committee Recommendations

5. Concur.
6. The House Committee did not address this item. *delete*
7. Replace State General Fund expenditures of \$3,000 for salaries in the Dairy Inspection Program with new Dairy Division Fee receipts in FY 1990 due to the pending passage of H.B. 2293. The Committee does not recommend an additional position to inspect restaurants which prepare home-made ice cream. The Committee recommends that the Board of Agriculture develop an interagency agreement with the Department of Health and Environment (which currently inspects restaurants) for inspections required by H.B. 2293.

Conference Committee RecommendationsSecs. 31 and 32 -- State Fair Board

1. Add a "no-limit" line item for the State Fair Capital Improvements Fund for FY 1990 as a technical adjustment.
1. Concur.

Senate RecommendationsHouse Committee RecommendationsConference Committee Recommendations

2. Add a proviso waiving for FY 1989 and FY 1990 the agency's requirement to transfer at least five percent of its total gross receipts from all fair activities during each fiscal year to its State Fair Capital Improvements Fund. The recommendation is made to enable the agency to build up its fee fund balances for FY 1989 and FY 1990. Without the proviso, the agency's FY 1990 ending balances would be (\$4,361) in the State Fair Fee Fund and \$1,199 in the Nonfair Days Activities Fund.

2. The House Committee did not address this item.

Sec. 33 -- Kansas Highway Patrol

1. Delete \$37,660 from the State General Fund in FY 1990 and 1 FTE unclassified Assistant Attorney General pending passage of authorizing legislation (S.B. 358).
2. Concur with GBA No. 3 to rename the Interagency Motor Vehicle Fuel Sales Fund to the "Motor Vehicle Fuel and Storeroom Sales Fund" for FY 1989 and FY 1990.
3. Concur with GBA No. 3 which recommends the continuation of a one-range pay differential for troopers with four or more years of experience in FY 1990. Recommended expenditures of \$202,198 include \$160,940 from the State General Fund, \$14,172 from the Motor Carrier Safety Assistance Program Fund, and \$27,086 from the Turnpike Fund.

1. Concur.
2. Concur.
3. Concur.

Senate Recommendations

4. Add \$48,835 from the State General Fund in FY 1989 due to passage of H.B. 2421 (Claims Bill). Section 7 of the Claims Bill directs the Patrol to pay \$10,000 from the State General Fund to the **owner** of a vehicle damaged while impounded by the Patrol. The bill also directs the Patrol to pay \$38,835 from the State General Fund to AT&T for unpaid bills.

House Committee Recommendations

4. The House Committee did not address this item.

Conference Committee RecommendationsSec. 34 -- Fort Hays State University

1. Add \$20,232 in State General Fund financing and decrease the General Fees Fund expenditure limitation by \$20,232, both in FY 1990. The shift in financing reflects the latest estimates for the General Fees Fund based on actual enrollments for fall, 1988 and spring, 1989. The action concurs with GBA No. 3-16.
2. Increase the expenditure limitation by \$118,007 for the Parking Fees Fund in FY 1990 for a parking lot improvement project. The action reflects the latest recommendation of the Joint Committee on State Building Construction.
3. Delete \$18,347 (State General Fund) in FY 1990 for utilities based on the latest revised estimates. The action concurs with GBA No. 3-16.

1. Concur.

2. Concur.

3. Concur.

Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSec. 35 -- Kansas State University

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| 1. Add \$668,447 (State General Fund) in <u>FY 1989</u> for unanticipated utility expenditures. The action concurs with GBA No. 3-16. | 1. Concur. |
| 2. Add \$50 (State General Fund) in <u>FY 1989</u> for the Southeast Kansas Agricultural Experiment Station operations to correct a staff oversight in 1989 S.B. 80. | 2. Concur. |
| 3. Add \$1,941,026 in State General Fund financing and decrease the General Fees Fund expenditure limitation by \$1,941,026, both in <u>FY 1990</u> . The shift reflects the latest estimates for the General Fees Fund based on actual enrollment for fall, 1988 and spring, 1989. The action corrects a technical computer error that resulted in the General Fees Fund receipts in FY 1990 being overstated. The action also concurs with GBA No. 3-16. | 3. Delete \$441,026 in State General Fund financing and increase the General Fees Fund expenditure limitation by \$441,026, both in <u>FY 1990</u> . |
| 4. Make a technical adjustment in <u>FY 1990</u> to increase the unclassified position limitation by 7.0 FTE and decrease the classified position limitation by 7.0 FTE to correct a staff error in 1989 S.B. 67. | 4. Concur. |
| 5. Make a technical adjustment to shift in <u>FY 1990</u> a total of \$2,891,298 among State General Fund line items to more accurately reflect the anticipated expenditure of the funds. The total State General Fund appropriation amount will not be changed by this action. | 5. Concur. |

Senate Recommendations

6. Add \$588,447 (State General Fund) for utilities in FY 1990 based on the latest available estimates for utility expenditures. The action concurs with GBA 3-16.

House Committee Recommendations

6. Delete \$588,447 (State General Fund for utilities in FY 1990. The Committee recommends the Legislative Post Audit Committee conduct a full audit on the agency's utility expenditures.

Conference Committee RecommendationsSec. 36 -- Kansas State University Veterinary Medical Center

1. Add \$15,440 in State General Fund financing and decrease the General Fees Fund expenditure limitation by \$15,440, both in FY 1990. The shift reflects the latest estimates for the General Fees Fund based on actual enrollment for fall, 1988 and spring, 1989. The action concurs with GBA No. 3-16.
2. Make a technical adjustment to clarify that a transfer from the Hospital and Diagnostic Laboratory Revenue Fund to the Hospital and Diagnostic Laboratory Improvement Fund in 1989 S.B. 67 be made in FY 1990.
3. Delete \$39,790 (State General Fund) in FY 1990 for utilities based on the latest revised estimates. The action concurs with GBA No. 3-16.

1. Concur.

2. Concur.

3. Concur.

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

Sec. 37 -- Emporia State University

1. Add \$32,470 in State General Fund financing and decrease the General Fees Fund expenditure limitation by \$32,470, both in FY 1990. The shift reflects the latest estimates for the General Fees Fund based on actual enrollment for fall, 1988 and spring, 1989. The action concurs with GBA No. 3-16.
2. Delete \$31,210 (State General Fund) in FY 1990 for utilities based on the latest revised estimates. The action concurs with GBA No. 3-16.

1. Concur.
2. Concur.

Sec. 38 -- University of Kansas

1. Make a technical adjustment to clarify that two capital improvement projects appropriated by 1989 S.B. 67 are for FY 1990.
2. Add \$200,000 from the State General Fund in FY 1990 to fund a study of the Dakota aquifer by the Kansas Geological Survey. Delete the transfer and expenditure authority in FY 1990 of \$200,000 in oil overcharge funds for a Dakota aquifer study.
3. Delete \$383,345 (State General Fund) in FY 1990 for utilities based on the latest revised estimates. The action concurs with GBA No. 3-16.

1. Concur.
2. The House Committee did not recommend this item. However, the Committee was supportive of considering a supplemental State General Fund appropriation by the 1990 Legislature.
3. Concur.

Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSecs. 39 and 40 -- University of Kansas
Medical Center

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| 1. Add \$120,718 in State General Fund financing and decrease the General Fees Fund expenditure limitation by \$120,718, both in <u>FY 1990</u> . The shift reflects the latest estimates for the General Fees Fund based on actual enrollment for the fall, 1988 and spring, 1989. The action concurs with GBA No. 3-16. | 1. Concur. |
| 2. Clarify in <u>FY 1990</u> that the position classifications authorized to receive a 10 percent salary shift differential in 1989 S.B. 67 are nursing personnel, respiratory therapists, radiology technologists, medical technicians, and medical technologists at the institution. | 2. Concur. |
| 3. Addition of technical language in <u>FY 1990</u> to permit the transfer of an additional \$10,000 from the General Fees Fund for matching the available resources in the federal National Direct Student Loan Fund. | 3. Concur. |
| 4. Make a technical adjustment to add 34.5 FTE positions in <u>FY 1990</u> to correct a staff oversight in 1989 S.B. 67. The positions represent the FTE associated with the Margin of Excellence in the budget year. | 4. Concur. |

Senate Recommendations

5. Make a technical adjustment in FY 1990 to clarify that in 1989 S.B. 67 that medical students enrolled at the Medical Center are self-insured by the state of Kansas while in clinical training at the Medical Center or at other health care institutions for the budget year. 1989 S.B. 67 incorrectly references FY 1989.
6. Delete \$18,098 (State General Fund) in FY 1990 for utilities based on the latest revised estimates. The action concurs with GBA No. 3-16.
7. The Senate did not recommend this item.

House Committee Recommendations

5. Concur.
6. Concur.
7. Provide a "no-limit" expenditure limitation on a new account entitled "University of Kansas Medical Center Private Practice Foundation Reserve Fund" as established by 1989 S.B. 18. Add a proviso to authorize transfers from this new reserve fund to the Health Care Stabilization Fund.

Conference Committee RecommendationsSec. 41 -- Wichita State University

1. Add \$454,696 in State General Fund financing and decrease the General Fees Fund expenditure limitation by \$457,879, both in FY 1989. The shift reflects the latest estimates for the General Fees Fund based on actual enrollment for fall, 1988 and spring, 1989. The action concurs with GBA No. 3-16.
1. Concur.

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Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

2. Decrease \$198,792 in State General Fund financing and increase the General Fees Fund expenditure limitation by \$198,792, both in FY 1990. The shift reflects the latest estimates for the General Fees Fund based on actual enrollment for fall, 1988 and spring, 1989. The action concurs with GBA No. 3-16.

3. Authorize the agency in FY 1989 to obtain financing through the Kansas Development Finance Authority in the amount of \$144,550 plus interest to permit repayment of a loan made to the agency's residence hall operations by the Wichita State University Board of Trustees. The loan was made to replace the air conditioning units for Fairmount Towers.

4. Delete \$246,754 (State General Fund) in FY 1990 for utilities based on the latest revised estimates. The action concurs with GBA No. 3-16.

2. Concur.

3. The House Committee did not consider this item.

4. Concur.

Sec. 42 -- State Board of Regents

1. Authorize in FY 1990 the transfer of \$435,000 from the Medical Scholarship Repayment Fund at the University of Kansas Medical Center to the State Board of Regents to finance the state portion of the new Nursing Student Scholarship Program (H.B. 2279).

1. Delete authority for the transfer from the Medical Scholarship Repayment Fund and instead add \$435,000 from the State General Fund in FY 1990 for the new Nursing Student Scholarship Program.

Senate Recommendations

2. Authorize in FY 1990 a "no limit" expenditure limitation on the Nursing Scholarship Program Fund to expend the state funds and matching institutional sponsor funds for the program.
3. Add 1.0 FTE for a clerical position in FY 1990 to assist in the administration of the new Nursing Student Scholarship program and direct the agency to expend \$26,200 in administrative expenses within the \$435,000 recommended for the program. The action concurs with GBA No. 3-16.
4. Make a technical adjustment in FY 1990 to authorize the agency to transfer money from a central major repairs and maintenance account (Educational Building Fund) to the Regents' institutions for projects approved by the Board of Regents. The action clarifies legislative intent within 1989 S.B. 67.

House Committee Recommendations

2. Concur.
3. Concur with the addition of 1.0 FTE, however direct the agency to expend no more than \$24,400 in administrative expenses with \$16,267 from the Nursing Student Scholarship Program (State General Fund) and \$8,133 from the State General Fund appropriation for the Ethnic Minority Scholarship Program.
4. Concur.

Conference Committee RecommendationsSec. 43 -- Kansas Public Employees Retirement System (KPERS)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Add \$2,860,360 from the State General Fund in <u>FY 1990</u> for KPERS local school employer contributions. The addition reflects the latest estimates by the Department of Education based on 1989 H.B. 2085 (school finance). 2. The Senate did not recommend this item. | <ol style="list-style-type: none"> 1. Delete \$2,148,272 (State General Fund) in <u>FY 1990</u> for KPERS local school employer contributions. The House Committee recommendation would provide an additional \$712,088, which concurs with GBA No. 3-3. 2. Add \$37,300 in <u>FY 1990</u> from the KPERS Fund to fund administrative expenses associated with 1989 H.B. 2403 (the omnibus retirement bill). |
|---|--|

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

Sec. 44 -- Attorney General -- Kansas

Bureau of Investigation

- 3 stories*
1. Add \$355,590 from the State General Fund and 1.0 FTE custodial position in FY 1990 to provide for a new lease for the KBI headquarters, as proposed by the KBI. The Joint Committee on State Building Construction approved the KBI's proposal.
 2. Add \$90,000 from the State General Fund in FY 1990 for laboratory services -- other operating expenditures for the KBI to acquire the ability to conduct DNA examinations. The recommendation includes laboratory equipment (\$60,020), training in DNA analysis (\$15,400), and other operating costs associated with DNA examinations (\$14,580).

KBI 7.32 11,60 sq ft

1. Concur.
2. The House Committee did not address this item.

5 stories House

*166,396 KBI
100,000 sq ft
(w/ 100,000)*

Salute

Sec. 45 -- Department of Administration

1. Add \$3,478,209 from the State General Fund in FY 1990 to restore the Central Management Information System and Computing Operations account. This account was removed from H.B. 2064. The Senate also recommends the restoration of the following DISC funds: Central Mail Services Fund, Information Technology Fund, and the Information Technology Reserve Fund. These funds were also removed from H.B. 2064.
1. Concur; however, the House Committee recommends a proviso which requires that all expenditures from the Central Management Information System and Computing Operations account be reported on a quarterly basis to the members of the Legislative Budget Committee.

Senate Recommendations

- 2. Delete \$406,464 from the operating expenditures account on the Wichita State Office Building Fund in FY 1990 and delete 1.0 FTE position to accomplish the transfer of the operation of the Wichita State Office Building from the Department of Administration to the Department of Social and Rehabilitation Services. This was a recommendation of the Joint Committee on State Building Construction.
- 3. Add \$15,000 from the State General Fund in FY 1990 for improvements to certain windows in the Statehouse.

Sec. 46 -- Kansas Development
Finance Authority

- 1. Create the Kansas Basic Enterprise Loan Guarantee Fund established by H.B. 2020 with a "no-limit" expenditure limitation. Further, the Senate Committee recommends that on April 15, 1990, or as soon as funds are available, \$1,000,000 be transferred from the EDIF to capitalize the Kansas Basic Enterprise Loan Guarantee Fund.

House Committee Recommendations

- 2. Concur.
- 3. The House did not address this item.

delete

Conference Committee Recommendations

*400,000
State*

Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSec. 47 -- Judicial Branch

- | | | |
|---|--|--------------------|
| <p>1. Add \$76,480 from the State General Fund and 2.0 FTE nonjudicial personnel in <u>FY 1990</u> as a result of the passage of S.B. 126 which provides mandatory certification, training, and continuing education programs for non-lawyer municipal judges. The recommendation includes \$48,100 for salaries and wages and \$28,380 for other operating expenditures. In addition, the Committee recommends the creation of a special revenue fund, Municipal Judges Training Fund, with a no limit expenditure limitation.</p> | <p>1. The House Committee recommends no expenditures from the State General Fund and concurs with the creation of the Municipal Judges Training Fund with a no-limit expenditure limitation.</p> | <p><i>blue</i></p> |
| <p>2. Add \$13,500 in <u>FY 1989</u> and \$15,000 in <u>FY 1990</u> from the State General Fund for expenditures associated with the passage of S.R. 1837. The resolution requested the Chief Justice to appoint an advisory committee to review the Kansas Child Support Guidelines.</p> | <p>2. The House Committee does not recommend additional funding in <u>FY 1989</u> or <u>FY 1990</u> for this item.</p> | <p><i>blue</i></p> |
| <p>3. Add a proviso to the appellate operations - other operating expenditures account to provide that up to \$25,000 may be used for contingencies, at the discretion of the Chief Justice.</p> | <p>3. Concur.</p> | |

Senate Recommendations

4. S.B. 27, the appropriation bill for the Judicial Branch, provided each justice and judge (excluding the district magistrate judges) the 4 percent general salary adjustment for all of FY 1990 and an additional 4 percent base salary increase for the last six months. In addition, the district magistrate judges were granted the 4 percent general salary adjustment and an additional 1 percent base salary increase in FY 1990. Further, S.B. 27 provided partial year funding (three months) for a new district court judge in the 5th judicial district.

The Governor line-item vetoed district court operations -- salaries and wages and \$48,311,132. The Governor's veto included the salary increase for the district court judges and magistrates (\$210,657), as well as the additional judgeship for the 5th judicial district (\$19,282).

House Committee Recommendations

4. The House did not address this item.
- no action*

Conference Committee Recommendations

1070

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

The Senate Committee recommends \$4,780,693 for appellate operations -- salaries and wages in FY 1990. Further, the Senate Committee recommends \$48,305,773 for district court operations -- salaries and wages in FY 1990. The Senate Committee recommendation would provide each justice and judge (excluding the district magistrate judges) the 4 percent general salary adjustment and an additional 3 percent base salary increase (a total of 7 percent) for all of FY 1990. The Senate recommends the 4 percent general salary adjustment and an additional 1 percent base salary increase for the district magistrate judges for all of FY 1990. In addition, the Senate Committee recommends the addition of \$18,633 as a separate line item for partial-year funding (three months) for a district court judgeship in the 5th judicial district.

23 11 1990

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

Sec. 48 -- Board of Indigents' Defense Services

1. Add \$108,120 from the State General Fund in FY 1990 for the Board of Indigents' Defense Services contract with Legal Services for Prisoners (LSP). The Senate Committee recommends that two new branch offices be established, one at the Hutchinson Correctional Work Facility and another in Hays. The Hutchinson office would also serve the Winfield, Toronto, and El Dorado facilities. The Hays office would serve the Norton, Stockton, Larned, and Ellsworth facilities. The Senate Committee's recommendation includes \$91,032 for salaries and wages and \$17,088 for other operating expenditures.

1. Add \$53,000 from the State General Fund in FY 1990 for the Board of Indigents' Defense Services' contract with Legal Services for Prisoners (LSP). The recommendation includes \$41,037 for salaries and wages and \$11,963 for other operating expenditures.

Blue

Sec. 49 -- Attorney General

1. Add line items for the Crime Victims Compensation Fund and Crime Victims Assistance Fund created by 1989 H.B. 2200 and establish "No Limit" expenditure authority for these funds in FY 1990.
2. Lapse the expenditure authority for the Crime Victims Reparations Fund which was abolished by H.B. 2200.
3. Add \$65,944 from the State General Fund and 2.0 FTE positions in FY 1990 for the establishment of a Victims Rights Coordinator and a support staff position within the Office of the Attorney General.

1. Concur, but add a proviso to the Crime Victims Compensation Fund limiting state operations expenditures to \$141,976.
2. Concur.
3. Concur.

Blue

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

Sec. 50 -- Board of Veterinary Examiners

- 1. Add \$40,700 in FY 1990 from the veterinary examiners fee fund for an impaired veterinarian program.

- 1. Concur.

Secs. 51 and 52 -- State Corporation Commission

- 1. Add \$5,344 from fee funds in FY 1990 for Commissioners' salaries to provide a 6.5 percent salary increase as recommended for Court of Appeals judges. The salaries of the Commissioners are statutorily tied to the salaries of Court of Appeals Judges.
- 2. Adjust the agency's FY 1989 and FY 1990 financing to more accurately reflect actual and anticipated expenditure patterns. Total agency expenditures are not affected.
- 3. Add \$150,000 from the Public Service Regulation Fund for consulting services in FY 1990 to provide a total of \$250,000 for consulting services for the Utilities Division.

- 1. Add \$3,549 to provide a total of \$8,893 for Commission salary adjustments.
- 2. Concur.
- 3. Concur.

needs technical staff

Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsSec. 53 -- Department of Health and Environment

1. Add \$193,925 from the State General Fund in FY 1990 and 1.0 FTE position based on the passage of Senate Bill 6 which authorizes the Secretary to coordinate local hazardous waste collection programs and provide grants to local units of government of up to 50 percent of the program cost. The recommendation includes \$150,000 in aid to local units for grants and \$43,925 for operating expenditures. In addition, establish a "No Limit" fund for the receipt of any grants and gifts associated with such programs.
2. Increase the expenditure limitation on the Title XIX fund by \$1,206,880 in FY 1990 and increase the agency's position limitation by 29.0 FTE to reflect the recommendations of the Governor in Governor's Budget Amendment No. 3 to transfer the nursing home inspection duties performed by the Department of Social and Rehabilitation Services to the Department of Health and Environment.

1. Delete \$193,925 from the State General Fund and 1.0 FTE position, and recommend that a proviso be included to authorize the use of hazardous waste cleanup funds for this program. *Amc*
2. Concur.

Sec. 54 -- Animal Health Department

1. Add \$60,000 from the State General Fund for the Companion Animal Program to address a shortfall in agency fee receipts in FY 1989.

1. Delete \$60,000 from the State General Fund for the Companion Animal Program. *Amc*

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

Sec. 55 -- State Fire Marshal

- 1. Add \$74,459 from the State General Fund and 2.0 FTE positions in FY 1990 as recommended by Governor's Budget Amendment No. 3. The recommendation provides two additional inspectors in order to enable the Department to regulate and inspect users of explosive chemicals within the state.

- 1. Delete \$74,459 and 2.0 FTE positions for regulation of users of explosive chemicals.

Of course with Senate (right to know)

Sec. 56 -- State Board of Technical Professions

- 1. Add \$7,990 in FY 1990 from the agency's fee fund for the Board to acquire additional office space in the Landon State Office Building.

- 1. The House did not consider this item.

Sec. 57 -- Department of Human Resources

- 1. Restore \$69,319 from the State General Fund and 2.0 FTE positions to continue the Apprenticeship program in FY 1990.

- 1. The House did not consider this item.

Of course with Senate

Sec. 58 -- Kansas Water Office

- 1. Add \$35,000 from the State General Fund in FY 1990 for an interbasin water transfer study.

- 1. The House did not consider this item.

Delete

Senate Recommendations

House Committee Recommendations

Conference Committee Recommendations

- 2. Add \$300,000 from the State General Fund in FY 1990 as a contingency fund for a flood control project for the city of Halstead, with a proviso stating that expenditure of these funds shall occur only upon approval of the state finance council. The City of Halstead is near to reaching an agreement with the U.S. Army Corps of Engineers for a flood control project which requires the city to pay 25 percent of any cost overruns. The city has been informed that the Corps would accept an arrangement that would call for a "contingency" fund of \$1.2 million, including \$300,000 for the city share.

- 2. The House did not consider this item.

Sec. 59 -- State Board of Tax Appeals

- 1. Add \$7,462 in FY 1990 from the State General Fund for increasing the salary adjustment for Board members from 4.0 to 6.5 percent since Board compensation is statutorily tied to judicial salaries which are increased 6.5 percent.

- 1. The House did not consider item.

Handwritten notes:
 7/24/90
 Transferred
 50,000

New Sec. -- Kansas, Inc.

- 1. The Senate did not recommend this item.

- 1. Add ~~\$500,000~~ from the EDIF for a special study of the effect of reappraisal and classification on economic development. Expenditure for the study should be exempted from Kansas, Inc.'s private sector match requirements.

Senate RecommendationsHouse Committee RecommendationsConference Committee RecommendationsNew Sec. -- Kansas Racing Commission

1. The Senate did not consider this item.

took no action.

1. Add \$60,000 in FY 1990 from the State Racing Fund to pay members of the Racing Commission compensation of \$2,000 per month. Current approved funding of \$60,000 in S.B. 31 would provide \$1,000 per month in FY 1990.

New Sec. -- Kansas College of Technology

1. Delete \$10,157 (State General Fund) for utilities in FY 1990 based on the latest revised estimates. The action concurs with GBA No. 3-16.

1. Concur.

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 545-N – Statehouse

Phone 296-3181

April 27, 1989

TO: Representative William Bunten

Office No. 514-S

RE: Federal Policies Regarding Heart Transplants

Following last Thursday's discussion in the House Appropriations Committee about Kansas Medicaid policy pertaining to heart transplants, SRS staff and I have made several inquiries about federal rules governing this issue.

1. Will the federal government share in the cost of heart transplants for Medicaid recipients which are performed at facilities not certified to perform this procedure under Medicare? Yes, according to a policy analyst I spoke to at the Special Coverage Issues Branch, Office of Coverage Policy, at the Health Care Financing Administration (HCFA), states need not follow the Medicare criteria in order to obtain federal Medicaid match for heart transplant operations. This contradicts information SRS had received earlier from regional HCFA officials, but SRS has since confirmed that the regional officials were incorrect.
2. May the state restrict heart transplant coverage to procedures performed in-state, or to one particular medical center? Yes, the staff person at the Special Coverage Issues Branch indicated that the state does have such options under Medicaid. He cited the case of New York State, which allows Medicaid heart transplants only at one hospital. The federal Medicaid manual sets out guidelines for state restrictions on organ transplant facilities and practitioners:

In view of the extraordinary expense and complexity of transplant procedures, you can decide to commit your resources only to those facilities and practitioners of demonstrated excellence with regard to a particular procedure, whether located in your state or not. If you choose to restrict the facilities or practitioners, assure that the designated providers render high quality care and that they are accessible, through transportation arrangements made or paid for by the state, to all eligible Medicaid recipients throughout the state.

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Attachment 2

3. What are the criteria for a facility to obtain Medicare certification to perform heart transplants? The federal criteria were published in the Federal Register on April 6, 1987. The criteria include factors such as:
- plans for a minimum of 12 heart transplants annually;
 - adequate experience and survival rates (12 or more transplants each of the preceding two years and survival rates of 73 percent for one year and 65 percent for two years;
 - establishment of patient selection criteria;
 - adequate patient management protocols, in and out of the hospital; and
 - sufficient commitment of resources, including physical resources and personnel.

Please let me know if you need more information.

Karen DeViney
Fiscal Analyst

KD/jl

HOUSE BILL NO. 2570

By Committee on Appropriations

AN ACT amending the health care provider insurance availability act; concerning persons engaged in residency training; amending K.S.A. 40-3402 and K.S.A. 1988 Supp. 40-3401 and 40-3404 and repealing the existing sections.

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

Section 1. K.S.A. 1988 Supp. 40-3401 is hereby amended to read as follows: 40-3401. As used in this act the following terms shall have the meanings respectively ascribed to them herein.

(a) "Applicant" means any health care provider.

(b) "Basic coverage" means a policy of professional liability insurance required to be maintained by each health care provider pursuant to the provisions of subsection (a) or (b) of K.S.A. 40-3402 and amendments thereto.

(c) "Commissioner" means the commissioner of insurance.

(d) "Fiscal year" means the year commencing on the effective date of this act and each year, commencing on the first day of that month, thereafter.

(e) "Fund" means the health care stabilization fund established pursuant to subsection (a) of K.S.A. 40-3403 and amendments thereto.

(f) "Health care provider" means a person licensed to practice any branch of the healing arts by the state board of healing arts, a person who holds a temporary permit to practice any branch of the healing arts issued by the state board of healing arts, a person engaged in a postgraduate training program approved by the state board of healing arts, a medical care facility licensed by the department of health and environment, a health maintenance organization issued a

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4-27-89
Attachments

certificate of authority by the commissioner of insurance, an optometrist licensed by the board of examiners in optometry, a podiatrist licensed by the state board of healing arts, a pharmacist licensed by the state board of pharmacy, a licensed professional nurse who is authorized to practice as a registered nurse anesthetist, a licensed professional nurse who has been granted a temporary authorization to practice nurse anesthesia under K.S.A. ~~1987~~ 1988 Supp. 65-1153 and amendments thereto, a professional corporation organized pursuant to the professional corporation law of Kansas by persons who are authorized by such law to form such a corporation and who are health care providers as defined by this subsection, a partnership of persons who are health care providers under this subsection, a Kansas not-for-profit corporation organized for the purpose of rendering professional services by persons who are health care providers as defined by this subsection, a dentist certified by the state board of healing arts to administer anesthetics under K.S.A. 65-2899 and amendments thereto, a physical therapist registered by the state board of healing arts, a psychiatric hospital licensed under K.S.A. 75-3307b and amendments thereto, or a mental health center or mental health clinic licensed by the secretary of social and rehabilitation services, except that health care provider does not include (1) any state institution for the mentally retarded, (2) any state psychiatric hospital or (3) any person holding an exempt license issued by the state board of healing arts.

(g) "Inactive health care provider" means a person or other entity who purchased basic coverage or qualified as a self-insurer on or subsequent to the effective date of this act but who, at the time a claim is made for personal injury or death arising out of the rendering of or the failure to render professional services by such health care provider, does not have basic coverage or self-insurance in effect solely because such person is no longer engaged in rendering professional service as a health care provider.

(h) "Insurer" means any corporation, association, reciprocal exchange, inter-insurer and any other legal entity authorized to write bodily injury or property damage liability insurance in this state, including ~~workmen's~~ workers compensation and automobile liability insurance, pursuant to the provisions of the acts contained in article 9, 11, 12 or 16 of chapter 40 of Kansas Statutes Annotated.

(i) "Plan" means the operating and administrative rules and procedures developed by insurers and rating organizations or the commissioner to make professional liability insurance available to health care providers.

(j) "Professional liability insurance" means insurance providing coverage for legal liability arising out of the performance of professional services rendered or which should have been rendered by a health care provider.

(k) "Rating organization" means a corporation, an unincorporated association, a partnership or an individual licensed pursuant to K.S.A. 40-930 or 40-1114, or both, and amendments thereto, to make rates for professional liability insurance.

(l) "Self-insurer" means a health care provider who qualifies as a self-insurer pursuant to K.S.A. 40-3414 and amendments thereto.

(m) "Medical care facility" means the same when used in the health care provider insurance availability act as the meaning ascribed to that term in K.S.A. 65-425 and amendments thereto, except that as used in the health care provider insurance availability act such term, as it relates to insurance coverage under the health care provider insurance availability act, also includes any director, trustee, officer or administrator of a medical care facility.

(n) "Mental health center" means a mental health center licensed by the secretary of social and rehabilitation services under K.S.A. 75-3307b and amendments thereto, except that as used in the health care provider insurance availability act such term,

as it relates to insurance coverage under the health care provider insurance availability act, also includes any director, trustee, officer or administrator of a mental health center.

(o) "Mental health clinic" means a mental health clinic licensed by the secretary of social and rehabilitation services under K.S.A. 75-3307b and amendments thereto, except that as used in the health care provider insurance availability act such term, as it relates to insurance coverage under the health care provider insurance availability act, also includes any director, trustee, officer or administrator of a mental health clinic.

(p) "State institution for the mentally retarded" means Norton state hospital, Winfield state hospital and training center, Parsons state hospital and training center and the Kansas neurological institute.

(q) "State psychiatric hospital" means Larned state hospital, Osawatomie state hospital, Rainbow mental health facility and Topeka state hospital.

(r) "Person engaged in residency training" means:

(1) A person engaged in a postgraduate training program approved by the state board of healing arts who is employed by and is studying at the university of Kansas medical center only when such person is engaged in medical activities which do not include extracurricular, extra-institutional medical service for which such person receives extra compensation and which have not been approved by the dean of the school of medicine and the executive vice-chancellor of the university of Kansas medical center; and

(2) a person engaged in a postgraduate training program approved by the state board of healing arts who is employed by a nonprofit corporation organized to administer the graduate medical education programs of community hospitals or medical care facilities affiliated with the university of Kansas school of medicine or who is employed by an affiliate of the university of Kansas school of medicine as defined in K.S.A. 76-367 and amendments thereto only when such person is engaged in medical

activities which do not include extra-curricular, extra-institutional medical service for which such person receives extra compensation and which have not been approved by the chief operating officer of the nonprofit corporation or the chief operating officer of the affiliate and the executive vice-chancellor of the university of Kansas medical center.

Persons engaged in residency training shall be considered resident health care providers for purposes of K.S.A. 40-3401 et seq., and amendments thereto.

Sec. 2. K.S.A. 40-3402 is hereby amended to read as follows: 40-3402. (a) A policy of professional liability insurance approved by the commissioner and issued by an insurer duly authorized to transact business in this state in which the limit of the insurer's liability is not less than \$200,000 per occurrence, subject to not less than a \$600,000 annual aggregate for all claims made during the policy period, shall be maintained in effect by each resident health care provider as a condition to rendering professional service as a health care provider in this state, unless such health care provider is a self-insurer. Such policy shall provide as a minimum coverage for claims made during the term of the policy which were incurred during the term of such policy or during the prior term of a similar policy. Any insurer offering such policy of professional liability insurance to any health care provider may offer to such health care provider a policy as prescribed in this section with deductible options. Such deductible shall be within such policy limits.

(1) Each insurer providing basic coverage shall within 30 days after the premium for the basic coverage is received by the insurer or within 30 days from the effective date of this act, whichever is later, notify the commissioner that such coverage is or will be in effect. Such notification shall be on a form approved by the commissioner and shall include information identifying the professional liability policy issued or to be issued, the name and address of all health care providers covered by the policy, the amount of the annual premium, the inception

and expiration dates of the coverage and such other information as the commissioner shall require. A copy of the notice required by this subsection shall be furnished the named insured.

(2) In the event of termination of basic coverage by cancellation, nonrenewal, expiration or otherwise by either the insurer or named insured, notice of such termination shall be furnished by the insurer to the commissioner, the state agency which licenses, registers or certifies the named insured and the named insured. Such notice shall be provided no less than 30 days prior to the effective date of any termination initiated by the insurer or within 10 days after the date coverage is terminated at the request of the named insured and shall include the name and address of the health care provider or providers for whom basic coverage is terminated and the date basic coverage will cease to be in effect. No basic coverage shall be terminated by cancellation or failure to renew by the insurer unless such insurer provides a notice of termination as required by this subsection.

(3) Any professional liability insurance policy issued, delivered or in effect in this state on and after the effective date of this act shall contain or be endorsed to provide basic coverage as required by subsection (a) of this section. Notwithstanding any omitted or inconsistent language, any contract of professional liability insurance shall be construed to obligate the insurer to meet all the mandatory requirements and obligations of this act. The liability of an insurer for claims made prior to July 1, 1984, shall not exceed those limits of insurance provided by such policy prior to July 1, 1984.

(b) Unless a nonresident health care provider is a self-insurer, such provider shall not render professional service as a health care provider in this state unless such provider maintains coverage in effect as prescribed by subsection (a), except such coverage may be provided by a nonadmitted insurer who has filed the form required subsection (b)(1).

(1) Every insurance company authorized to transact business

in this state, that is authorized to issue professional liability insurance in any jurisdiction, shall file with the commissioner, as a condition of its continued transaction of business within this state, a form prescribed by the commissioner declaring that its professional liability insurance policies, wherever issued, shall be deemed to provide at least the insurance required by this subsection when the insured is rendering professional services as a nonresident health care provider in this state. Any nonadmitted insurer may file such a form.

(2) Every nonresident health care provider who is required to maintain basic coverage pursuant to this subsection shall pay the surcharge levied by the commissioner pursuant to subsection (a) of K.S.A. 40-3404 and amendments thereto directly to the commissioner and shall furnish to the commissioner the information required in subsection (a)(1).

(c) Every health care provider that is a self-insurer, the university of Kansas medical center for persons engaged in residency training or a medical care facility or mental health center for self-insurers under subsection (e) of K.S.A. 40-3414 and amendments thereto shall pay the surcharge levied by the commissioner pursuant to subsection (a) of K.S.A. 40-3404 and amendments thereto directly to the commissioner and shall furnish to the commissioner the information required in subsection (a)(1).

(d) In lieu of a claims made policy otherwise required under this section, a person engaged in ~~a postgraduate training program operated by the university of Kansas medical center~~ residency training who is providing services as a health care provider but while providing such services is not covered by the self-insurance provisions of subsection (d) of K.S.A. 40-3414 and amendments thereto may obtain basic coverage under an occurrence form policy if such policy provides professional liability insurance coverage and limits which are substantially the same as the professional liability insurance coverage and limits required by subsection (a) of K.S.A. 40-3402 and amendments thereto.

Where such occurrence form policy is in effect, the provisions of the health care provider insurance availability act referring to claims made policies shall be construed to mean occurrence form policies.

Sec. 3. K.S.A. 1988 Supp. 40-3404 is hereby amended to read as follows: 40-3404. (a) Except for any health care provider whose participation in the fund has been terminated pursuant to subsection (i) of K.S.A. 40-3403 and amendments thereto, the commissioner shall levy an annual premium surcharge on each health care provider who has obtained basic coverage and upon each self-insurer for each fiscal year. Such premium surcharge shall be an amount equal to a percentage of the annual premium paid by the health care provider for the basic coverage required to be maintained as a condition to coverage by the fund by subsection (a) of K.S.A. 40-3402 and amendments thereto. The annual premium surcharge upon each self-insurer, except for the university of Kansas medical center for persons engaged in residency training, shall be an amount equal to a percentage of the amount such self-insurer would pay for basic coverage as calculated in accordance with rating procedures approved by the commissioner pursuant to K.S.A. 40-3413 and amendments thereto. The annual premium surcharge upon the university of Kansas medical center for persons engaged in residency training shall be an amount equal to a percentage of an assumed aggregate premium of ~~\$600,000~~ \$900,000.

(b) In the case of a resident health care provider who is not a self-insurer, the premium surcharge shall be collected in addition to the annual premium for the basic coverage by the insurer and shall not be subject to the provisions of K.S.A. 40-252, 40-1113 and 40-2801 et seq., and amendments thereto. The amount of the premium surcharge shall be shown separately on the policy or an endorsement thereto and shall be specifically identified as such. Such premium surcharge shall be due and payable by the insurer to the commissioner within 30 days after the annual premium for the basic coverage is received by the

insurer, but in the event basic coverage is in effect at the time this act becomes effective, such surcharge shall be based upon the unearned premium until policy expiration and annually thereafter. Within 15 days immediately following the effective date of this act, the commissioner shall send to each insurer information necessary for their compliance with this subsection. The certificate of authority of any insurer who fails to comply with the provisions of this subsection shall be suspended pursuant to K.S.A. 40-222 and amendments thereto until such insurer shall pay the annual premium surcharge due and payable to the commissioner. In the case of a nonresident health care provider or a self-insurer, the premium surcharge shall be collected in the manner prescribed in K.S.A. 40-3402 and amendments thereto.

(c) The premium surcharge shall be an amount deemed sufficient by the commissioner to fund anticipated claims based upon reasonably prudent actuarial principles. In setting the amount of such surcharge, the commissioner: (1) May require any health care provider who has paid a surcharge for less than 24 months to pay a higher surcharge than other health care providers; (2) shall require that any health care provider who is insured by a policy of professional liability insurance with deductibles pay a surcharge based on an amount equal to a percentage on the annual amount of premium that would have been paid by the health care provider for basic coverage required to be maintained by the fund as provided by K.S.A. 40-3402 and amendments thereto without any deductibles; and (3) shall amortize any anticipated deficiencies in the fund over a reasonable period of time.

Sec. 4. K.S.A. 40-3402 and K.S.A. 1988 Supp. 40-3401 and 40-3404 are hereby repealed.

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

House Substitute for SENATE BILL NO. 365

By Committee on Appropriations

AN ACT concerning the behavioral sciences regulatory board; concerning registration and licensure of certain persons; amending K.S.A. 1988 Supp. 75-5354, as amended by section 4 of 1989 House Bill No. 2434, and 75-5359, as amended by section 5 of 1989 House Bill No. 2434, and repealing the existing sections.

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

Section 1. K.S.A. 1988 Supp. 75-5354, as amended by section 4 of 1989 House Bill No. 2434, is hereby amended to read as follows: 75-5354. (a) An applicant shall be exempted from the requirement for any examination provided for herein if:

(1) The applicant proves to the board that the applicant is licensed or registered under the laws of a state or territory of the United States that imposes substantially the same requirements as this act as determined by the board; and

(2) pursuant to the laws of any such state or territory, the applicant has taken and passed an examination similar to that for which exemption is sought, as determined by the board.

(b) An applicant for a license as a baccalaureate social worker who is, on the effective date of this act, employed as a social worker, social work supervisor or a social work administrator and who applied for such license on or before July 1, 1975, shall be exempted from academic and examination requirements imposed under the provisions of this act. An applicant for a license as a baccalaureate social worker who is a social worker, otherwise qualified for licensure as a baccalaureate social worker, and who applied for such license on or before July 1, 1975, shall be exempt from the examination requirements imposed under the provisions of this act.

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(c) An applicant for a license as a master social worker who applied for such license on or before July 1, 1975, and who presents proof to the board that such applicant is engaging in the private practice of social work may be exempt from the two years' supervised experience otherwise required by this act.

(d) An applicant for a license as a master social worker who has satisfactorily completed a master's program in social work and was awarded a certificate, and who is employed in a position for which the master's degree is normally required and who applied for such license on or before July 1, 1975, shall be exempt from academic and examination requirements for licensing under the provisions of this act. An applicant for a license as a master social worker who is otherwise qualified for such licensure on the effective date of this act and who applied for such license on or before July 1, 1975, shall be exempt from the examination requirements for licensing under the provisions of this act.

(e) An applicant for a license in a social work specialty who has satisfactorily completed two years of graduate social work training and was awarded a certificate, and who is employed in a position for which the master's degree is normally required and who applied for such license on or before July 1, 1975, shall be exempt from academic requirements for licensing under the provisions of this act.

(f) An applicant for a license in a social work specialty who is otherwise qualified for such license on the effective date of this act and who applied for such license on or before July 1, 1975, shall be exempt from the examination requirements for licensing under the provisions of this act.

(g) An applicant for licensing in a social work specialty who was engaged in the practice of a specialty approved by the board on the effective date of this act and who meets the academic requirements for licensing as a master social worker or qualifies for an exemption therefrom under the provisions of this section shall be exempt from the requirement for two years of

supervised experience required for licensing under the provisions of this act.

(h) Upon ~~certification---by---the---executive---director~~ application, the board shall issue temporary licenses to persons who have ~~met-all-qualifications-for-licensure-under-provisions-of~~ this act, ~~except-passage-of-the-required-examination~~ been awarded a degree in social work from a college or university which has a social work program and which is accredited as of April 15, 1989, by an accrediting agency recognized by the United States department of education for purposes of federal student aid programs, who must wait for completion of the next examination, who have paid the required fee and who have submitted documentation as required by the board under the following provisions: (1) The temporary license shall expire upon receipt and recording of the person's examination score by the board if such person fails the examination or upon the date the board issues or denies the person a license to practice social work if such person passes the examination; (2) such persons shall take the next license examination subsequent to the date of issuance of the temporary license; and (3) ~~no--person--may--be--granted--a~~ temporary--license--more--than--once; ~~and~~ (4) no person may work under a temporary license except under the supervision of a licensed social worker. Nothing in this subsection shall affect any temporary permit to practice issued under this subsection prior to the effective date of this act and in effect on the effective date of this act. Such temporary permit shall be subject to the provisions of this subsection in effect at the time of its issuance and shall continue to be effective until the date of expiration of the permit as provided under this subsection at the time of issuance of such temporary permit.

(i) Any individual employed by a hospital and working in the area of hospital social services to patients of such hospital on July 1, 1974, is exempt from the provisions of this act.

(j) If an applicant is denied licensure, the board shall provide the applicant with a written explanation of the denial

within 15 days after the decision of the board, excluding Saturdays, Sundays and legal holidays.

Sec. 2. K.S.A. 1988 Supp. 75-5359, as amended by section 5 of 1989 House Bill No. 2434, is hereby amended to read as follows: 75-5359. The following license and examination fees shall be established by the board by rules and regulations in accordance with the following limitations:

(a) Renewal fee for a license as a social work associate shall be not more than \$75.

(b) Application or renewal fee for a license as a baccalaureate social worker shall be not more than \$75.

(c) Application or renewal fee for a license as master social worker shall be not more than \$75.

(d) Application or renewal fee for a license in a social work specialty shall be not more than \$75.

(e) Examination fee for a license as a baccalaureate social worker, for a license as a master social worker or for a license in a social work specialty shall be not more than \$75. If an applicant fails an examination, such applicant may be admitted to subsequent examinations upon payment of an additional fee prescribed by the board of not more than \$75.

(f) Replacement fee for reissuance of a license certificate due to loss or name change shall be not more than \$20.

(g) Temporary license fee for a baccalaureate social worker, master social worker or a social work specialty shall be not more than \$50 \$25.

Sec. 3. K.S.A. 1988 Supp. 75-5354, as amended by section 4 of 1989 House Bill No. 2434, and 75-5359, as amended by section 5 of 1989 House Bill No. 2434, are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

STATE OF KANSAS



DEPARTMENT OF ADMINISTRATION
Division of Architectural Services

MIKE HAYDEN,
Governor
EDWARD A. DE VILBISS
Director

625 Polk
Topeka, Kansas 66603-3288
(913) 233-9367

April 26, 1989

Representative William Bunten
514-S, State Capitol
Topeka, Kansas

RE: Dillon House

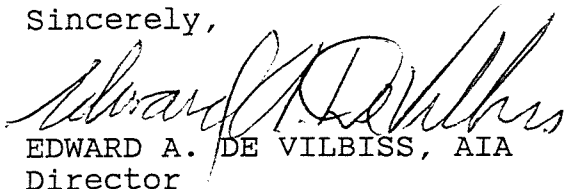
Dear Representative Bunten:

The Dillon House is a grand residence of historical significance and its location relative to the Capitol Building cannot be equaled. Regardless of all other factors such as planned use, the building should be acquired by the state. We should not miss this opportunity to preserve our heritage.

Remodeling plans may range in cost from \$100,000 to \$200,000, depending on the anticipated use. Some of the structural aspects may need strengthening. And, to avoid the possible problems with public corridors, a single occupancy may be the best solution.

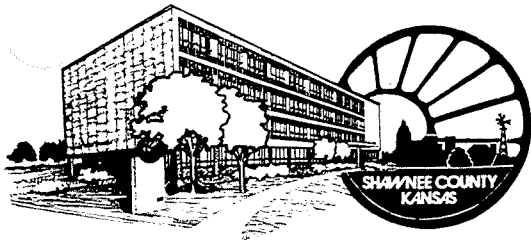
Several appropriate occupancies have been suggested. The Division of Architectural Services may be added to the list. It would be appropriate to prepare studies and designs of the possibilities, since "fit" would be one of the factors. The important assumption is that there may actually be competition among potential users, and the alternatives should be carefully explored by a design firm or by our own staff.

Sincerely,


EDWARD A. DE VILBISS, AIA
Director

EAD:gk

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Attachment 5



Shawnee County
Office of County Appraiser

GARY M. SMITH ASA, CKA
APPRAISER

ROOM 102
291-4100

COURTHOUSE
TOPEKA, KANSAS 66603-3960

April 26, 1989

Marc Lahr
Topeka-Sn Co. Met. Planning Comm.
820 SE Quincy
Topeka, Kansas 66603

To Whom It May Concern:

I have checked the records found in the Shawnee County Appraiser's Office, concerning property bounded on the South by 9th Street, on the North by 8th Street, on the East by Harrison Avenue, and on the West by the alley found in the block. The legal description is attached and describes each property under consideration.

The value found on the properties were assigned by the Shawnee County Appraiser's Office, during the Reappraisal Program.

The land values represent the market value of the land, which would be comparable to other commercial land value found in the area.

The improvement value used would be the cost approach or replacement cost of the structure less depreciation to arrive at the value for the improvement.

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The values found are as follows:

I. Property currently owned by the Presbyterian Church of Topeka and which contains the Hiram Price Dillon house and garage; and located about 404 SW 9th Street:

Legal Description: Lots 277, 279, 281, 283, 285, and 287 on Harrison Street; Original Townsite of the City of Topeka, Shawnee County, Kansas, (Containing 22,500 square feet more or less).

The Dillon House

Land Value	\$157,500
Impv. Value	<u>\$281,000</u>
	\$438,500

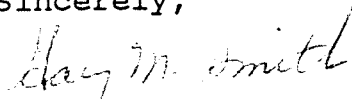
II. Property currently owned by the State of Kansas and which is a hard-surfaced parking lot; and located about 801 SW Harrison Street:

Legal description: Lots 11, 13, 15, 17, 19, 21, and 23 on Eighth Avenue East; Original Townsite of the City of Topeka, Shawnee County, Kansas, (Containing 22,750 square feet more or less).

Land value \$181,500

I hope this information will be helpful.

Sincerely,



Gary M. Smith ASA, CKA
Shawnee County Appraiser

GMS/cl

BILL NO. _____

AN ACT repealing K.S.A. 1988 Supp. 74-2913, as amended by section 91 of 1989 Substitute for House Bill No. 2004, concerning the all-sports hall of fame trust fund.

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

Section 1. K.S.A. 1988 Supp. 74-2913, as amended by section 91 of 1989 Substitute for House Bill No. 2004, is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

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HRS/ST

HOUSE BILL NO. _____

By Committee on _____

AN ACT repealing K.S.A. 1988 Supp. 83-309; relating to hearings before the state sealer on revocation, denial of renewal or suspension of scale testing and service company licenses.

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

Sec. 1. K.S.A. 1988 Supp. 83-309 is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

HOUSE BILL NO. _____

By Committee on _____

AN ACT repealing K.S.A. 47-1705, as amended by section 158 of chapter 356 of the 1988 Session Laws of Kansas; relating to denial, suspension and revocation of certificates of registration for certain pounds, animal shelters and research facilities.

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

Section 1. K.S.A. 47-1705, as amended by section 158 of chapter 356 of the 1988 Session Laws of Kansas, is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

HOUSE BILL NO. _____

By Committee on _____

AN ACT repealing K.S.A. 79-5016, as amended by section 347 of chapter 356 of the 1988 Session Laws of Kansas; relating to certain hearings of the state board of tax appeals on the matter of taxing subdivision compliance with aggregate tax levy limitations.

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

Section 1. K.S.A. 79-5016, as amended by section 347 of chapter 356 of the 1988 Session Laws of Kansas, is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

HOUSE BILL NO. ____

By Committee on ____

AN ACT repealing K.S.A. 1987 Supp. 65-3456, as amended by section 210 of chapter 356 of the 1988 Session Laws of Kansas; relating to orders of the secretary of health and environment with respect to hazardous waste clean-up activities.

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

Section 1. K.S.A. 1987 Supp. 65-3456, as amended by section 210 of chapter 356 of the 1988 Session Laws of Kansas, is hereby repealed.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

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