

Approved April 6, 1992

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Senator August "Gus" Bogina, Chairperson, at 11:14 a.m. on March 31, 1992 in Room 123-S of the Capitol.

All members were present except:

No one was absent

Conferees appearing before the committee:

None

HB 2722 - Appropriations for FY93, state public safety agencies, including youth centers.

ADJUTANT GENERAL

Senator Salisbury reviewed the FY92 and FY93 subcommittee reports, Attachment 1. Concern was expressed regarding Health & Environment's involvement in Right-to-Know and about the proposal to increase fees in conjunction with the termination of federal funds for the service. In answer to a question, Senator Doyen stated that the Kansas Act is not more stringent than federal requirements. It was noted that the Legislature should more closely scrutinize agency requests for personnel in the fee funds. Senator Salisbury stated that testimony indicated that fees in the SGF are insufficient to cover Right-to-Know and Emergency Preparedness. It was moved by Senator Gaines and seconded by Senator Hayden that the FY93 subcommittee report be amended by requesting that the Adjutant General and the Department of Health and Environment reconcile this issue for consideration during the Omnibus. The motion carried.

Senator Salisbury moved, Senator Hayden seconded, that the subcommittee report as amended be adopted. The motion carried.

STATE FIRE MARSHAL

Senator Rock reviewed the FY92 and FY93 subcommittee reports, Attachment 2. It was moved by Senator Rock and seconded by Senator Doyen that the subcommittee reports be adopted. The motion carried.

KANSAS PAROLE BOARD

Senator Salisbury reviewed the FY92 and FY93 subcommittee reports, Attachment 3. Senator Salisbury stated that the agency will have to prioritize what they want after decisions are made on sentencing guidelines. The Chairman noted that the agency's request to acquire computers and software could be revisited in the Omnibus if necessary.

It was moved by Senator Salisbury and seconded by Senator Harder that the subcommittee reports be adopted. The motion carried.

KANSAS BUREAU OF INVESTIGATION

Senator Feleciano reviewed the FY92 and FY93 subcommittee reports, Attachment 4. It was noted by Senator Bogina that the problem with the Narcotics Strike Force using the Special Assets Forfeiture Fund is that insufficient revenues were generated by the forfeitures (item 1, Attachment 4-7).

Senator Parrish inquired how the KBI would be impacted by the passage of sentencing guidelines. It was stated that, by the agency's estimate, the cost of **SB 479** to KBI would be \$2,524,961.

It was noted that the subcommittee's recommendation to use monies from the Lottery and Racing Investigations Fee Fund for travel for the agency's Special Services Division cannot be done. Senator Gaines moved, Senator Feleciano seconded, that the subcommittee report be amended by recommending that the \$20,000 for travel for the agency's Special Services Division be appropriated from the state general fund. The motion carried.

The Chairman noted that the subcommittee recommended treating overtime for

the KBI in the same manner as overtime for the KHP. He suggested addressing this issue during Omnibus considerations.

It was moved by Senator Feleciano and seconded by Senator Doyen that the subcommittee report be adopted. The motion carried.

YOUTH CENTERS SYSTEMWIDE RECOMMENDATIONS

Senator Kerr reviewed Attachment 5. It was stated that the \$730,000 does not include the cost of designing the program which would have to be absorbed by SRS (item 1, Attachment 5-1).

Senator Salisbury expressed concern that not all juveniles could complete the work release program (item 3, Attachment 5-2). Senator Feleciano stated that the work release program would be provided for the 20% of adjudicated juvenile offenders mentioned in the recommendation for the pilot day reporting system. Senator Brady's concern centered around releasing juvenile offenders with daily reporting. Senator Kerr noted that 17 existing programs have been successful even though they operate at a lower cost per person. Senator Parrish noted that other states have made use of federal Title IV-E funds and queried whether SRS is getting the juvenile offenders placed in the youth centers qualified for the Title IV-E funds. Senator Kerr responded that he did not know, but had been made aware that Colorado uses Title IV-E funds for a program almost identical to the one recommended herein.

INTRODUCTION OF BILLS

It was moved by Senator Moran and seconded by Senator Brady that bill draft 1 RS 2941 be introduced. The motion carried.

The Vice-Chairman told members that the discussion of HB 2722 would be continued the following day and adjourned the meeting at 12:10 p.m.

SUBCOMMITTEE REPORT

Agency: Adjutant General

Bill No. 2729

Bill Sec. 20

Analyst: West

Analysis Pg. No. 147

Budget Page No. 6

<u>Expenditure Summary</u>	<u>Agency Est. FY 92</u>	<u>Gov. Rec. FY 92</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 7,844,367	\$ 8,053,557	\$ 11,711
Aid to Local Units	4,027,302	5,195,984	--
Other Assistance	605,321	4,519	--
Subtotal	<u>\$ 12,476,990</u>	<u>\$ 13,254,060</u>	<u>\$ 11,711</u>
Capital Improvements	146,657	146,657	--
Total	<u><u>\$ 12,623,647</u></u>	<u><u>\$ 13,400,717</u></u>	<u><u>\$ 11,711</u></u>
State General Fund:			
State Operations	\$ 3,006,746	\$ 2,956,691	\$ --
Aid to Local Units	209,302	465,618	--
Other Assistance	154,719	4,519	--
Subtotal	<u>\$ 3,370,767</u>	<u>\$ 3,426,828</u>	<u>\$ --</u>
Capital Improvements	103,343	103,343	--
Total	<u><u>\$ 3,474,110</u></u>	<u><u>\$ 3,530,171</u></u>	<u><u>\$ --</u></u>
FTE Positions	141.0	139.5	1.0

Agency Estimate/Governor's Recommendation

FY 1992. The agency's current year estimate of \$12,476,990 for operating expenses is a net decrease of \$204,045 from the approved budget. State General Fund expenditures of \$3,370,767 reflect a requested supplemental appropriation of \$69,322 for disaster relief expenses associated with storms in late April, 1991. Special revenue financed operations are estimated to be \$9,106,223, a net decrease of \$273,367. Increased expenditure authority of \$16,285 is requested for the state operations account of the Emergency Preparedness-Federal Fund Matching-Administration Fund and of \$26,448 on the Emergency Preparedness-Nuclear Civil Protection-Federal Fund. The agency also requests the creation of a new fund with a \$5,000 expenditure limitation for emergency preparedness training. The agency also requests an increase in the position limitation from 140.5 to 141.0 FTE positions. Revised estimates of disaster relief costs submitted subsequent to the development of the budget have increased the requested State General Fund supplemental appropriation to \$175,426.

The Governor's current year recommendation for operating expenses of \$13,254,060 reflects a net increase of \$777,070 from the agency's estimate. Recommended changes from the agency's estimate include reductions in salaries (\$59,520), utilities (\$43,800), supplies (\$4,590), and travel (\$4,000), and increases in disaster relief payments (\$567,880) and federally financed security contracts (\$321,100). State General Fund financing of \$3,426,828 reflects decreases from the agency's estimates for salaries (\$40,051), other operating expenses (\$10,004), and an increase of \$106,116 for disaster relief payments. The Governor recommends a State General Fund supplemental appropriation of \$175,426 to finance the state's share of disaster relief payments. Special revenue

*SWAM
MARCH 31, 1992
Attachment 1*

fund financed operations are recommended to be \$9,827,232, reflecting increases from the agency's estimates for security contracts (\$321,100), disaster relief payments (\$461,764), and decreases in salaries (\$19,469) and other operating expenses (\$42,386).

The Governor recommends several expenditure limitation increases, including the Military Fees Fund (from \$4,626,189 to no limit), the State Operations Account of the Emergency Preparedness-Federal Fund Matching-Administration Fund (from \$205,054 to \$220,669), the Emergency Preparedness-RADEF Instrument Maintenance Fund (from \$104,152 to \$118,460), the Emergency Preparedness-Nuclear Civil Protection-Federal Fund (from \$107,312 to \$111,625), and the Training and Support of Title III-Federal Fund (from \$80,000 to no limit). The Governor concurs with the agency's request for the creation of a new emergency preparedness training fee fund with a \$5,000 expenditure limit. The Governor's recommendation of 139.5 FTE reflects the elimination of a 0.5 Office Assistant III and a recommendation that the agency not restore a Civil Engineer position until FY 1993.

Capital improvement expenditures of \$146,657, including \$103,343 from the State General Fund, do not reflect the lapse of \$1,092 from the 1 percent cut authorized by the State Finance Council nor the reappropriation of \$5,885 from FY 1991.

Recommended capital improvement expenditures of \$146,657, including \$103,343 from the State General Fund, reflects the lapse of an additional \$4,793 from available State General Fund financing for repair and rehabilitation. The Governor also recommends the lapse of two State General Fund accounts for armory planning fees.

House Subcommittee Recommendation

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

1. Add federal funds of \$11,711 and 1.0 FTE position to restore a Civil Engineer position for emergency preparedness planning.

House Committee Recommendation

The House Committee concurs with the recommendation of the Subcommittee.

House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the recommendation of the Committee.

<u>Expenditure Summary</u>	<u>House Adj. FY 92</u>	<u>House Rec. FY 92</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 11,711	\$ 8,065,268	\$ (35,000)
Aid to Local Units	--	5,195,984	--
Other Assistance	--	4,519	--
Subtotal	<u>\$ 11,711</u>	<u>\$ 13,265,771</u>	<u>\$ (35,000)</u>
Capital Improvements	--	146,657	--
Total	<u><u>\$ 11,711</u></u>	<u><u>\$ 13,412,428</u></u>	<u><u>\$ (35,000)</u></u>
State General Fund:			
State Operations	\$ --	\$ 2,956,691	\$ 15,000
Aid to Local Units	--	465,618	--
Other Assistance	--	4,519	--
Subtotal	<u>\$ --</u>	<u>\$ 3,426,828</u>	<u>\$ 15,000</u>
Capital Improvements	--	103,343	--
Total	<u><u>\$ --</u></u>	<u><u>\$ 3,530,171</u></u>	<u><u>\$ 15,000</u></u>
FTE Positions	1.0	140.5	--

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendation of the House, with the following adjustment:

1. Add \$15,000 from the State General Fund to partially offset a \$50,000 decrease in federal funding available for emergency preparedness-community right to know training. The resulting recommendation of \$50,000 for FY 1992 training leaves the program \$30,000 below the authorized FY 1991 level.



 Senator Alicia L. Salisbury
 Subcommittee Chair



 Senator Leroy A. Hayden

SUBCOMMITTEE REPORT

Agency: Adjutant General

Bill No. 2722

Bill Sec. 2

Analyst: West

Analysis Pg. No. 147

Budget Page No. 6

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 10,027,851	\$ 8,603,346	\$ 77,105
Aid to Local Units	2,000,000	2,000,000	--
Other Assistance	4,519	4,519	--
Subtotal	<u>\$ 12,032,370</u>	<u>\$ 10,607,865</u>	<u>\$ 77,105</u>
Capital Improvements	461,506	461,506	--
Total	<u><u>\$ 12,493,876</u></u>	<u><u>\$ 11,069,371</u></u>	<u><u>\$ 77,105</u></u>
State General Fund:			
State Operations	\$ 3,570,867	\$ 3,007,623	\$ --
Aid to Local Units	--	--	--
Other Assistance	4,519	4,519	--
Subtotal	<u>\$ 3,575,386</u>	<u>\$ 3,012,142</u>	<u>\$ --</u>
Capital Improvements	461,506	--	--
Total	<u><u>\$ 4,036,892</u></u>	<u><u>\$ 3,012,142</u></u>	<u><u>\$ --</u></u>
 FTE Positions	 166.0	 137.5	 2.0

Agency Request/Governor's Recommendation

FY 1993. The agency's requested state operations budget is \$10,027,851, an increase of \$2,183,484 from the current year. The request is financed by \$3,570,867 from the State General Fund (an increase of \$564,121) and \$6,456,984 from special revenue funds (an increase of \$1,619,363). The request includes \$606,592 for 27.0 new FTE positions and reflects the elimination of 2.0 FTE positions. Local aid and other assistance payments of \$2,004,519 is a decrease of \$2,628,104 (\$359,502 state and \$2,268,102 federal) associated with current year disaster relief payments.

The Governor recommends an FY 1993 state operations budget of \$8,603,346, an increase of \$549,789 from the current year recommendation. The recommendation is financed by \$3,007,623 from the State General Fund (an increase of \$50,932) and \$5,595,723 from special revenue funds (an increase of \$498,857). The recommendation reflects the restoration of a Civil Engineer position and the elimination of an Office Assistant III and 2.0 Custodial Worker positions, a net decrease of 2.0 FTE positions from the current year recommendation. The Governor concurs with the agency's estimate for aid and assistance.

The agency requests \$461,506 from the State General Fund to continue repairs to the state's armories and facilities. Subsequent to the submission of the budget, the Adjutant General testified before the Joint Committee on State Building Construction that the agency was requesting authority to issue \$1,000,000 in bonds for armory repairs in FY 1993.

The Governor recommends \$461,506 to continue repairs to the state's armories and facilities. The recommendation would be financed by a proposed General Facilities Building Fund, which would be supported by the dedication of 15 percent of the proceeds received by the State Gaming Revenues Fund from lottery and parimutuel activities.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's FY 1993 recommendation, with the following adjustments:

1. Add \$77,105 from federal funds and 2.0 FTE positions for environmental compliance activities, as recently authorized by the National Guard Bureau. The Subcommittee recommends that the agency's policy of eliminating positions if the supporting federal funding is withdrawn be maintained with regard to these positions.
2. The Subcommittee notes that the reduction of military forces proposed by the U.S. Department of Defense is scheduled to continue through FFY 1995. The Subcommittee has been informed that if these reductions are adopted as proposed it would likely lead to armory closings in future years. The Subcommittee recommends that the Adjutant General develop a three-year plan outlining the agency's responses to the potential downsizing and present the plan to the 1993 Legislature.
3. The Subcommittee notes that the recommended FY 1993 capital improvement budget of \$461,506 is primarily for roof replacements and structural repairs for armories. The Subcommittee recommends that the Adjutant General review proposed repair projects prior to their commencement to ensure that state funds are not spent on armories which may be retroceded to local units of government in the near future.
4. The Subcommittee received information indicating that the current policy on the disposal of closed armories is that they are given to local units of government which participated in their construction. The Subcommittee recommends that the House Appropriations Committee review this policy to determine if some nominal fee should be required prior to such a disposition.

House Committee Recommendation

The House Committee concurs with the recommendation of the Subcommittee.

House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the recommendations of the Committee.

<u>Expenditure Summary</u>	<u>House Adjustments</u>	<u>House Rec. FY 93</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 77,105	\$ 8,680,451	\$ (10,000)
Aid to Local Units	--	2,000,000	--
Other Assistance	--	4,519	--
Subtotal	<u>\$ 77,105</u>	<u>\$ 10,684,970</u>	<u>\$ (10,000)</u>
Capital Improvements	--	461,506	--
Total	<u><u>\$ 77,105</u></u>	<u><u>\$ 11,146,476</u></u>	<u><u>\$ (10,000)</u></u>
State General Fund:			
State Operations	\$ --	\$ 3,007,623	\$ 100,000
Aid to Local Units	--	--	--
Other Assistance	--	4,519	--
Subtotal	<u>\$ --</u>	<u>\$ 3,012,142</u>	<u>\$ 100,000</u>
Capital Improvements	--	--	--
Total	<u><u>\$ --</u></u>	<u><u>\$ 3,012,142</u></u>	<u><u>\$ 100,000</u></u>
FTE Positions	2.0	139.5	--

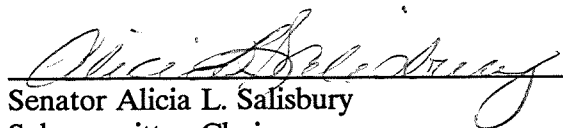
Senate Subcommittee Recommendation

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

1. Make technical an adjustment to the bill to reflect the Governor's intent.
2. The Subcommittee reviewed the Adjutant General's Community Right-to-Know program. Concern was expressed over the level of fiscal cooperation between the Adjutant General's program and the Community Right-to-Know program at the Department of Health and Environment. The Subcommittee held a joint meeting with both agencies and learned that the 1991 Legislature directed the Department of Health and Environment to increase Right-to-Know fees (which are deposited in the State General Fund) to a level where they meet program expenditures. Recommended Health and Environment program expenditures are \$409,232 in FY 1993, all from the State General Fund. Health and Environment has proposed an increase in Right-to-Know fees from \$228,134 in FY 1992 to \$456,268 in FY 1993. The increase is pending in the rules and regulations process. Upon the Subcommittee's recommendation, Health and Environment has agreed to reexamine the proposal and will work with the Adjutant General to coordinate the fee increase between the two agencies. The Subcommittee strongly supports this level of cooperation. The Subcommittee has been informed that federal funding to support Right-to-Know training, originally estimated to be \$110,000 in FY 1993, has been terminated. The Subcommittee recommends the addition of \$100,000 from the State General Fund to partially offset this loss of federal funding. This additional State General Fund expenditure is to be offset by additional State General Fund receipts through increased fees. The

Subcommittee also was told that termination of the federal funding would impact on the operations of local emergency planning committees, but received no formal appeal from the agency for replacement funding.

3. The Subcommittee expresses support for the passage of H.B. 3084, currently pending before the Senate Ways and Means Committee. The bill would raise the minimum pay for National Guard members called to state emergency active duty from \$45 to \$48 per day. The Subcommittee has been informed that the current rate was established in 1988 and was designed to be comparable to other public safety employees. The Subcommittee was also informed that the estimated annual cost, based on prior state emergencies, would be between \$500 and \$1,000 per year and could either be absorbed within the agency's budget or included in requests for funding from the State Emergency Fund in the case of larger disasters.
4. The Subcommittee recognizes and commends the Adjutant General on accomplishing so much with the limited state resources available to the agency.
5. The Subcommittee notes that this report does not address capital improvement projects recommended by the Governor and the House and that those projects will be addressed by the Senate Subcommittee on H.B. 2728.



Senator Alicia L. Salisbury
Subcommittee Chair



Senator Leroy A. Hayden

034-93

SUBCOMMITTEE REPORT

Agency: State Fire Marshal

Bill No. 2729

Bill Sec. 21

Analyst: Robinson

Analysis Pg. No. 162

Budget Page No. 212

<u>Expenditure Summary</u>	<u>Agency Est. FY 92</u>	<u>Gov. Rec. FY 92</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 1,338,940	\$ 1,312,264	\$ --
Other Funds	154,708	167,753	--
Total	<u>\$ 1,493,648</u>	<u>\$ 1,480,017</u>	<u>\$ --</u>
FTE Positions	37.0	37.0	--

Agency Estimate/Governor's Recommendation

For FY 1992, the agency estimates expenditures of \$1,493,648, an increase of \$12,529 from the amount approved by the 1991 Legislature, as adjusted by State Finance Council action. The amount of the requested increase includes \$3,751 from the State General Fund and \$8,778 from other funds.

The Governor recommends FY 1992 expenditures of \$1,480,017, a net reduction of \$13,631 from the amount estimated by the agency. The Governor recommends reductions of \$57,163 in travel and \$6,281 in other expenditures. The Governor's recommendation includes an increase of \$49,813 in the amount estimated by the agency for salaries and wages. The agency estimate would have required leaving several positions vacant for all or part of the year. The Governor's recommendation would provide funding for these positions for part of the year.

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Governor.

House Committee Recommendation

The House Committee concurs with the recommendation of the Subcommittee.

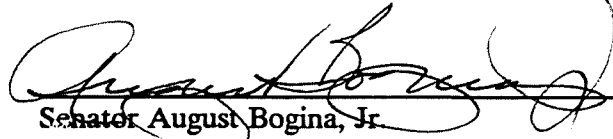
House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the recommendation of the House Committee.

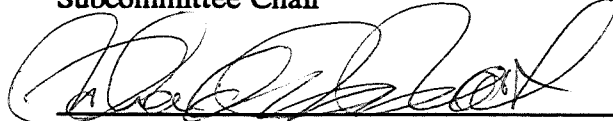
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March 31, 1992
Attachment 2*

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the House.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Richard Rock

SUBCOMMITTEE REPORT

Agency: State Fire Marshal

Bill No. 2722

Bill Sec. 3

Analyst: Robinson

Analysis Pg. No. 162

Budget Page No. 212

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 2,085,088	\$ 1,432,887	\$ --
Other Funds	172,199	162,166	--
Total	<u>\$ 2,257,287</u>	<u>\$ 1,595,053</u>	<u>\$ --</u>
FTE Positions	46.0	37.0	--

Agency Request/Governor's Recommendation

For FY 1993, the agency requests \$2,257,287 for state operations, an increase of \$763,639 from the current year estimate. Of the total amount requested for FY 1993, \$2,085,088 is from the State General Fund, and \$172,199 is from other funds. The FY 1993 request includes funding for 46.0 FTE positions, an increase of 9.0 FTE over the number authorized by the 1991 Legislature.

The Governor's FY 1993 recommendation totals \$1,595,053, a reduction of \$662,234 from the amount requested by the agency. Recommended areas of reduction include \$287,980 in salaries and wages, \$167,350 in travel and subsistence, \$30,815 in commodities, \$76,481 in capital outlay, and \$99,608 in other contractual expenditures. The Governor does not recommend the addition of 9.0 new FTE positions.

House Subcommittee Recommendation

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

1. The Subcommittee recommends the introduction of legislation proposed by the agency for charging fees for certification and registration of programs under the jurisdiction of the State Fire Marshal. The proposed legislation would provide maximum amounts which could be charged for certification and registration for programs already under the control of the agency, including explosives users, bottle rocket manufacturers, fireworks manufacturers and display operators, and others. The agency estimates that such legislation could provide additional revenue in the amount of almost \$360,000.

House Committee Recommendation

The House Committee concurs with the recommendation of the House Subcommittee with the following observation:

1. The House Committee expresses its continued support for H.B. 2611, which would return the agency to fee-fund status. The bill passed the House during the 1991 Session and is currently awaiting further action in the Senate. The Committee still supports the bill as an appropriate funding mechanism for the agency.

House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the House Committee's recommendation, with the following adjustment:

1. Remove the expenditure limitation from the indirect cost recovery fund and appropriate the fund as "no limit."

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 1,432,887	\$ (1,432,887)
Fire Marshal Fee Fund	--	--	1,432,887
Other Funds	--	162,166	--
Total	<u>\$ --</u>	<u>\$ 1,595,053</u>	<u>\$ --</u>
FTE Positions	--	37.0	--

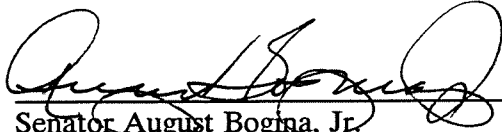
Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendation of the House, with the following adjustment:

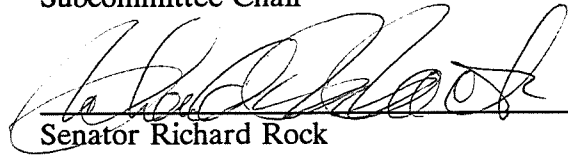
1. With the passage of H.B. 2611 by both the House and the Senate, shift funding of \$1,432,887 recommended by the Governor from the State General Fund to the new Fire Marshal fee fund.
2. The Subcommittee also expresses its support for legislation proposed by the House regarding the charging of fees for certification and registration of programs under the jurisdiction of the State Fire Marshal.
3. Restore the \$28,600 expenditure limitation on the indirect cost recovery fund.

The status of the Fire Marshal fee fund, based on the recommendation of the Subcommittee, is as follows:

Resource Estimate	Actual FY 91	Estimated FY 92	Estimated FY 93
Beginning Balance	\$ --	\$ --	\$ --
Net Receipts	--	--	2,037,400
Total Funds Available	\$ --	\$ --	\$ 2,037,400
Less: Expenditures	--	--	1,432,887
Ending Balance	\$ --	\$ --	\$ 604,513



 Senator August Bogma, Jr.
 Subcommittee Chair



 Senator Richard Rock

SUBCOMMITTEE REPORT

Agency: Kansas Parole Board

Bill No. --

Bill Sec. --

Analyst: Duncan

Analysis Pg. No. 144

Budget Page No. 452

<u>Expenditure Summary</u>	<u>Agency Est. FY 92</u>	<u>Gov. Rec. FY 92</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 681,956	\$ 678,845	\$ --
FTE Positions	12.0	12.0	--

Agency Estimate/Governor's Recommendation

The Board's current year estimate of expenditures is \$681,956, the approved amount for FY 1992. Requested expenditures for FY 1992 include \$569,989 for salaries and wages, \$44,770 for rents, \$44,113 for travel and subsistence, and \$23,084 for all other operating expenditures.

The Governor's recommendation of \$678,845 is a decrease of \$3,111 from the agency's FY 1992 request. The Governor recommends an additional \$213 for salaries and a decrease of \$3,324 in travel and subsistence.

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Governor.

House Committee Recommendation

The House Committee concurs with the recommendation of the Subcommittee.

House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the recommendation of the House Committee.

*SWAM
March 31, 1992
Attachment 3*

<u>Expenditure Summary</u>	<u>House Adjustments</u>	<u>House Rec. FY 92</u>	<u>Senate Subcommittee Adj. FY 92</u>
State Operations:			
State General Fund	\$ --	\$ 678,845	\$ --
FTE Positions	--	12.0	--

Senate Subcommittee Recommendation

The Senate Subcommittee concurs.



 Senator Alicia Salisbury
 Subcommittee Chair



 Senator Leroy Hayden

SUBCOMMITTEE REPORT

Agency: Kansas Parole Board

Bill No. 2722

Bill Sec. 4

Analyst: Duncan

Analysis Pg. No. 144

Budget Page No. 452

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations: State General Fund	\$ 742,704	\$ 715,001	\$ --
FTE Positions	13.0	13.0	--

Agency Request/Governor's Recommendation

The Board requests a total of \$742,704 for FY 1993, an increase of \$60,748 (8.9 percent) over the FY 1992 agency estimate. The Board's requested FY 1993 budget includes \$593,351 for salaries and wages for 13.0 FTE positions, an increase of one Office Assistant II position over the current year. The request also includes \$129,153 for contractual services, \$6,200 for commodities, and \$14,000 for a new computer system.

The Governor recommends \$715,001 for FY 1993, a decrease of \$27,703 from the agency request. The recommendation includes a \$10,898 increase in salaries and wages, and reductions in printing and advertising (\$1,320); repairing and servicing (\$1,901); travel (\$17,203); fees -- other services (\$775); other contractual services (\$302); professional supplies (\$400); and office supplies (\$2,700). The Governor's recommendation includes funding for 13.0 FTE positions -- the current 7.0 FTE classified employees, five Board members, and restoration of the Office Assistant II position deleted in 1991.

House Subcommittee Recommendations

The House Subcommittee concurs with the recommendations of the Governor and makes the following observation:

1. The Subcommittee notes that K.S.A. 22-3708 links the salaries of the Parole Board members to the salaries of certain judges of the Judicial Branch. If action is taken to remove the 2.5 percent increase for unclassified merit pay from judge's salaries, a like adjustment for Parole Board members' salaries will be necessary.

House Committee Recommendation

The House Committee concurs with the recommendation of the Subcommittee.

House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the recommendation of the House Committee.

<u>Expenditure Summary</u>	<u>House Adjustments</u>	<u>House Rec. FY 93</u>	<u>Senate Subcommittee Adj. FY 93</u>
State Operations:			
State General Fund	\$ --	\$ 715,001	\$ --
FTE Positions	--	13.0	--

Senate Subcommittee Recommendation

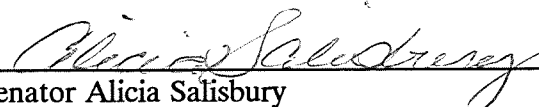
The Senate Subcommittee concurs, with the following adjustments and observations:

1. The Subcommittee heard testimony indicating that Carla Stovall, the only attorney on the Parole Board, has recently spent a significant amount of time responding to federal court requests for Martinez Reports and testifying in state court concerning Parole Board activities. The agency expressed concern over the amount of time involved in litigation and stated that the Parole Board is frequently named in pro se lawsuits filed by inmates. The Subcommittee learned that one half-time Assistant Attorney General has been assigned to the Parole Board and notes that the agency requests that this position be increased to at least three-quarter time. In lieu of increasing the amount of time that the Assistant Attorney General spends on Parole Board issues, the agency requests two alternatives: contracting for a part-time attorney or, to ensure that at least one Parole Board member will always be able to respond to litigation requests, a statutory amendment specifically requiring that one Parole Board member be a licensed attorney.

After discussing the merits of each of these alternatives, the Subcommittee believes that the most viable option, at this time, is to introduce legislation requiring that one of the five Parole Board members be a licensed attorney. The Subcommittee bases this decision on the assumption that an attorney on the Board would provide continuity and uniformity regarding the management of legal issues which routinely confront the Board.

The Subcommittee notes that, if the recommendation for legislation to require that one Parole Board member be an attorney is not enacted this legislative session, the Parole Board may be without an attorney after this summer when Carla Stovall's term expires. If the Governor does not appoint an attorney to fill this position, the Subcommittee recommends that, if needed, the agency contract for additional legal help, providing that the agency can do so within current resources.

2. The Subcommittee learned that the Governor recommended funding for in-state travel only in FY 1993. The Subcommittee notes that the Association of Parole Authorities International holds annual meetings which a few of the Board members would like to attend. Despite the international nature of the organization, these meetings will be held, this year and next, within the United States. In addition, the Board requested that it be permitted to send new Board members to Boulder, Colorado for training. The Subcommittee believes that, under these circumstances, the requests are warranted if the agency can provide out-of-state travel and subsistence within its present budget limitations.
3. The Subcommittee notes the agency's request of \$14,000 to allow it to acquire computers and software. The computers would allow the agency to track statistics relating to parolees and Parole Board decisions. The Subcommittee understands the agency's need for computerization, particularly since the agency has only one computer; and that computer is tied into the DOC mainframe. The Subcommittee is not convinced, at this time, that it is necessary for the agency to track its own statistics. The Subcommittee believes, however, that the agency should purchase computer equipment for day to day usage. The Subcommittee notes that, if passed, the sentencing guidelines would have a significant effect on the operation and duties of this agency. Therefore, the Subcommittee recommends that this issue be revisited during the Omnibus Session if the sentencing guidelines are not enacted.
4. The Subcommittee visited the Parole Board office and recognizes the agency's obvious need for modernized office equipment. The Subcommittee has no opposition to expenditures for office equipment, out-of-state travel or the purchase of other items deemed necessary by the agency as long as expenditures remain within current resources. The Subcommittee urges the agency to prioritize its needs and expend monies accordingly.



 Senator Alicia Salisbury
 Subcommittee Chair



 Senator Leroy Hayden

SUBCOMMITTEE REPORT

Agency: Kansas Bureau of Investigation

Bill No. 2729

Bill Sec. 23

Analyst: Colton

Analysis Pg. No. 198

Budget Page No. 358

<u>Expenditure Summary</u>	<u>Agency Est. FY 92</u>	<u>Gov. Rec. FY 92</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 8,060,561	\$ 7,650,710	\$ 169,765
Special Revenue Funds	1,749,636	1,841,034	(54,797)
Subtotal - Operating	<u>\$ 9,810,197</u>	<u>\$ 9,491,744</u>	<u>\$ 114,968</u>
Capital Improvements:			
State General Fund	90,000	90,000	--
Special Revenue Funds	--	--	--
TOTAL	<u><u>\$ 9,900,197</u></u>	<u><u>\$ 9,581,744</u></u>	<u><u>\$ 114,968</u></u>
FTE Positions	191.5	191.5	--

Agency Request/Governor's Recommendation

The agency's revised current fiscal year expenditure estimate totals \$9,900,197. Of this amount, \$9,810,197 is for state operations and \$90,000 is for capital improvements. The FY 1992 estimate includes \$8,150,561 from the State General Fund and \$1,749,636 from special revenue funds. The agency's FY 1992 estimate for State General Fund operating expenditures requires a supplemental appropriation of \$509,849. The agency is seeking an FY 1992 supplemental appropriation from the State General Fund in this amount. The agency is requesting an FY 1992 transfer of \$160,660 from the State General Fund to the Attorney General's Special Asset Forfeiture Fund; the agency maintains that this is the amount needed in order to reach the State's 25 percent match for federal funds for use by the Narcotics Strike Force. The 1991 Legislature provided that \$213,005 from the Asset Forfeiture Fund should be used as a match for federal funding for the Narcotics Strike Force. When this decision was made, there was \$54,160 in the Asset Forfeiture Fund, and, according to the agency, an estimated \$225,995 in litigation. The appropriations committees of both chambers recommended that if receipts to the fund did not reach \$213,005, the matter could be revisited by the 1992 Legislature. The agency requests that the Kansas Racing Commission transfer \$32,244 to the Lottery and Investigation Fee Fund to cover revised FY 1992 salaries and wages expenditures for the Gaming Unit.

The Governor recommends a total of \$9,581,744 for FY 1992, a reduction of \$318,453 from the agency request. Of the recommendation, \$9,491,744 is for operating expenditures and \$90,000 is for capital improvements. The Governor recommends supplemental funding from the State General Fund in the amount of \$99,998, a reduction of \$409,851 from the amount requested by the agency; the moneys are for the Building Services, Investigative and Undercover Narcotics programs. The Governor recommends the use of the Asset Forfeiture Fund for the Narcotics Strike Force, thus concurring with the decision of the 1991 Legislature. The Governor does not recommend the supplemental transfer of funds from the Kansas Racing Commission as requested by the agency.

SWAM
March 31, 1992
Attachment 4

A significant element in the reduced funding, relative to the FY 1992 agency estimate, is \$180,473 in turnover savings -- at a rate of 2.7 percent of gross salary expenditures.

House Subcommittee Recommendation

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

1. Add \$24,000 from the State General Fund for salary expenditures. Mr. James Malson is retiring from the Director position effective March 1, 1992. The added moneys are for payment of annual and sick leave upon retirement.
2. Add \$8,000 from the State General Fund for repairs and servicing at the KBI's Topeka headquarters.
3. Add \$26,320 from the State General Fund for repairs and servicing on the Bureau's computer equipment and Automated Fingerprint Identification System (AFIS). The equipment was damaged due to a power surge in July, 1991. The power surge happened because of a defective voltage regulator. The Attorney General's litigation unit is preparing to attempt to recover the cost of the damage from the manufacturer of the voltage regulator. It is the understanding of the Subcommittee that any moneys recovered from this suit will go into the State General Fund.
4. Use \$101,560 from the Special Asset Forfeiture Fund and \$111,445 from the State General Fund for the state match for the Bureau's Narcotics Strike Force. The Subcommittee recommends that \$111,445 be added from the State General Fund; it recommends further that an FY 1992 expenditure limitation of \$101,560, and an FY 1993 expenditure limitation of \$0, be placed on the Special Asset Forfeiture Fund; and that the Subcommittee examining the KBI's budget during the 1993 Legislative Session examine the status of the Special Asset Forfeiture Fund, and reduce funding from the State General Fund by a maximum of \$111,445, and direct that such funding be replaced with moneys from the Special Asset Forfeiture Fund, to be used for the purposes prescribed by law. The 1991 Legislature recommended that \$213,005 be used for the state match for the Narcotics Strike Force, but the Subcommittee learned that FY 1992 revenues to the fund will in all likelihood be inadequate to fund the match fully.
5. Add \$22,790 from the Lottery and Racing Investigations Fee Fund for salaries and wages. Of the recommended moneys, \$8,665 is for the Gaming Unit and \$14,125 is for the Special Services Division. The Subcommittee learned that all positions within these programs were filled, and that a rise in the expenditure limitation on the fund would be necessary if the positions were to be adequately funded.
6. Add \$30,000 from the Lottery and Racing Investigations Fee Fund for agent travel in the Special Services Division. The agency's FY 1992 request was \$69,338. This was reduced by the Governor to \$31,350; the Governor's recommendation provided for inflation over the FY 1991 amount of \$28,205, but

did not take into account that the agency transferred its Technical Services section and its Crime Prevention section from the administrative program to the Special Services Section in FY 1992. The Subcommittee notes that the nature of the Division's work (intelligence gathering, crime prevention, coordinating requests for training from local law enforcement agencies etc.) entails a great deal of travel. The Subcommittee recommends that any unencumbered balance of the added money recommended by the Committee for travel in FY 1992 be reappropriated to FY 1993.

7. The agency appealed \$8,000 in telecommunications expenses and \$21,900 for fees -- other services associated with the upgrade of the Automated State Telecommunications and Records Access Network (ASTRA). According to the agency, it has incurred \$1,000 per month, since the beginning of the upgrade in November, in order to help local law enforcement agencies configure their terminals and printers to the upgraded network. The upgrade is being carried out by DISC, but paid for through an initial appropriation by the 1991 Legislature of \$100,000 to the KBI, and a certificate of participation to be retired over five years by the KBI and the Highway Patrol. In addition to the telephoning expenses that the KBI has incurred due to the upgrade, it was billed \$21,900 by DISC for interior wiring at 146 sites (at \$150 per site). According to the KBI, the costs for interior wiring were not included in the original DISC cost estimates for the upgrade. The Subcommittee does not believe that an additional appropriation of money should be made to cover these items, and it does not believe that they are the responsibility of the KBI.

House Committee Recommendation

The House Committee agrees with the Subcommittee's recommendations.

House Committee of the Whole Recommendation

The House Committee of the Whole is in accord with the House Committee.

<u>Expenditure Summary</u>	<u>House Adj. FY 92</u>	<u>House Rec. FY 92</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 169,765	\$ 7,820,475	\$ 191,742
Special Revenue Funds	(54,797)	1,786,237	(72,560)
Subtotal - Operating	<u>\$ 114,968</u>	<u>\$ 9,606,712</u>	<u>\$ 119,182</u>
Capital Improvements:			
State General Fund	--	90,000	--
TOTAL	<u><u>\$ 114,968</u></u>	<u><u>\$ 9,696,712</u></u>	<u><u>\$ 119,182</u></u>
FTE Positions	--	191.5	--

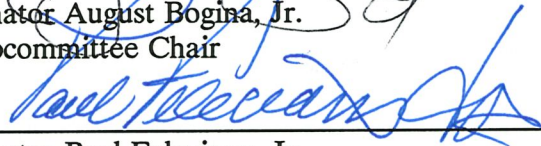
Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House's recommendations, with the following modifications:

1. Replace the \$101,560 from the Special Asset Forfeiture Fund that the House recommended for the state match for the agency's Narcotics Strike Force with the same amount from the State General Fund.
2. Reduce the FY 1992 expenditure limitation on the Special Asset forfeiture Fund from \$101,560 to \$29,000. The agency should use money from the Fund as "buy funds" for undercover narcotics investigations in accordance with K.S.A. 64-4173.
3. Add \$54,782 from the State General Fund for telecommunications costs. The Subcommittee expresses its concern with the ever-increasing telecommunications costs with which the state is faced. The Subcommittee believes that the state is not doing enough to take advantage of the highly competitive climate in the telecommunications industry. The Subcommittee notes that a multitude of new companies have recently come into this market. The Subcommittee believes that the KANS-A-N system needs to be reevaluated in light of this development, to see whether the new market environment can provide the state with savings in its telecommunications costs, particularly its long-distance telephone costs.
4. Add \$35,400 from the State General Fund for installation and computer equipment costs associated with the upgrade of the ASTRA network. While the Senate Subcommittee shares the frustration of the House Subcommittee about unanticipated costs associated with the upgrade, the Subcommittee believes that, unfortunately, an additional appropriation must be made to cover these expenditures. The Subcommittee expresses its deep concern about the growth in "off-line" budget expenditures, for example, for DISC services. The Subcommittee notes that such expenditures now total circa \$72 million. The Subcommittee believes that there should be an interim study of this "off-line" budget. One scope of the study would be to investigate whether a consultant should be hired to help the state control the growth of its off-budget expenditures.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Agency: Kansas Bureau of Investigation **Bill No.** 2722 **Bill Sec.** 6
Analyst: Colton **Analysis Pg. No.** 198 **Budget Page No.** 358

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Governor's Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 8,709,647	\$ 8,176,805	\$ 80,446
Special Revenue Funds	3,013,357	1,694,093	13,395
Subtotal -- Operating	<u>\$ 11,723,004</u>	<u>\$ 9,870,898</u>	<u>\$ 93,841</u>
Capital Improvements:			
State General Fund	3,652,250	--	--
Special Revenue Funds	--	110,000	--
TOTAL	<u><u>\$ 15,375,254</u></u>	<u><u>\$ 9,980,898</u></u>	<u><u>\$ 93,841</u></u>
 FTE Positions	 205.5	 189.0	 --

Agency Request/Governor's Recommendation

The agency's FY 1993 request is for \$15,375,254. Of the request, \$12,361,897 is from the State General Fund and \$3,013,357 is from special revenue funds. Of the State General Fund request, \$8,709,647 is for operating expenditures and \$3,652,250 is for capital improvements. All of the requested special revenue funds are for operating expenditures. Of the \$3,652,250 in requested capital improvements, \$95,000 is for debt service on the agency's headquarters, and \$3,557,250 is for an addition to the headquarters. The agency's FY 1993 request includes 14.0 new FTE positions, at a cost of \$410,128. For its investigative, gaming, narcotics undercover and narcotics strike force programs, the agency is requesting \$285,638 in agent overtime pay; the agency seeks compensation for ten hours of overtime per agent per 28-day-period. The agency is also seeking \$34,839 in stand-by pay for these agents of \$1.00 per hour; the agents are required to be on call every seventh weekend and on certain holidays. The agency is requesting an FY 1993 salary turnover rate of 2 percent. Capital outlay in the amount of \$606,917 is requested.

The Governor recommends a total of \$9,980,898 in FY 1993 funding for the KBI. Of the funding, \$9,870,898 is for operating expenditures and \$110,000 is for capital improvements. Of the recommended operating budget, \$8,176,805 is from the State General Fund, and \$1,694,093 is from special revenue funds. The recommendation reduces funding from the State General Fund by \$532,842, and from special revenue funds by \$1,319,264, for a total reduction of \$1,852,106 from the agency request. The moneys recommended for capital improvements are from the General Facilities Building Fund.

The Governor's recommendation does not include funding for the new positions requested by the agency, nor for the overtime and stand-by compensation that the Bureau requested. The Governor's recommendation includes the abolition of 2.5 FTE positions from the KBI's Building Services program. The recommendation includes a turnover rate of 4 percent in FY 1993. The

Governor recommends capital outlay funding of \$97,641, a reduction of \$509,276 from the amount requested by the agency.

House Subcommittee Recommendations

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

1. Add \$72,113 from the State General Fund in order to reduce turnover from the four percent recommended by the Governor to three percent. The agency requested a turnover rate of two percent. (The Governor's recommended rate for FY 1992 was 2.7 percent.) The Subcommittee feels that a turnover rate of three percent is more realistic, in light of the fact that most professional positions at the agency are filled at the present time, and that agent turnover is historically low.
2. Add \$8,333 for printing expenses associated with the development of the Uniform Crime Report. The Subcommittee also recommends, however, that a Crime Prevention Materials Fee Fund be established in order to recover printing costs from local law enforcement organizations. The agency requested such a fund in FY 1993, estimating revenues of \$12,000. The fund, however, was not recommended by the Governor.
3. Add \$13,395 from the Lottery and Racing Investigations Fee Fund for salaries for the agency's Gaming Unit. The agency reported that all positions in the unit were filled in FY 1992, and expects this situation to continue in FY 1993. The Subcommittee considers the additional funding necessary in order to fund the positions fully.
4. The agency appealed \$80,000 from the State General Fund in FY 1993 for "buy funds" for undercover narcotics purchases for the agency's Undercover Narcotics Unit. The Governor recommended \$65,067 in FY 1992, and \$5,645 in FY 93. The Governor recommended that the agency finance such purchases out of State General Fund savings in other areas, as well as out of the Special Asset Forfeiture Fund and the Evidence Purchase and Investigation Fund. While the Subcommittee concurs with the Governor's recommendation, it wishes to express its concern about this matter, and urges the 1993 Legislature to revisit the issue to ensure the adequacy of funding for undercover narcotics investigations.

House Committee Recommendation

The House Committee is in accord with the recommendations of the Subcommittee.

House Committee of the Whole Recommendation

The House Committee of the Whole concurs with the Committee recommendation.

Expenditure Summary	House Adj. FY 93	House Rec. FY 93	Senate Sub. Adjustments
State Operations:			
State General Fund	\$ 80,446	\$ 8,257,251	\$ 26,330
Special Revenue Funds	13,395	1,707,488	100,000
Subtotal -- Operating	<u>\$ 93,841</u>	<u>\$ 9,964,739</u>	<u>\$ 126,330</u>
Capital Improvements:			
Special Revenue Funds	--	110,000	--
TOTAL	<u><u>\$ 93,841</u></u>	<u><u>\$ 10,074,739</u></u>	<u><u>\$ 126,330</u></u>
 FTE Positions	 --	 189.0	 1.0

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the House's recommendations, with the following modifications:

1. Raise the expenditure limitation on the Special Asset Forfeiture Fund from \$0 to \$80,000. The agency should use money from this fund for "buy funds" for undercover narcotics investigations in accordance with K.S.A. 64-4173.
2. Add \$20,000 from the Lottery and Racing Investigations Fee Fund for travel for the agency's Special Services Division. The Senate Subcommittee revisited this item in accordance with the wishes of the House Subcommittee. The Senate Subcommittee urges the Subcommittees examining this agency's budget during the 1993 Legislative Session to revisit this item to ensure the adequacy of the Division's travel appropriation.
3. The Senate Subcommittee concurs with the House on the establishment of the Crime Prevention Materials Fee Fund. The Subcommittee recommends that a \$0 expenditure limitation be placed on the fund. In the 1993 Legislative Session, the agency's printing appropriation should be reexamined and, if possible, SGF money for the printing of crime prevention materials should be replaced with money that will have accrued to this fund.
4. The Subcommittee authorizes the agency to upgrade a Computer Systems Analyst III position to Computer Systems Analyst and Programming Manager, and a Criminalist I position to Criminalist III. The agency should finance the upgrades with savings from other areas in its budget.
5. Add \$26,330 from the State General Fund and 1.0 FTE position for a Criminalist Technician - Firearms. The new position will allow the agency to increase the agency's ability to deal with ballistics cases in a prompt manner..
6. The agency requested the addition of \$118,740 from the State General Fund for a Central Warrant File System. The system would augment local law enforcement agencies' abilities to identify people against whom there are outstanding misdemeanor warrants, and enhance their collections from such warrants. The

Subcommittee declines to add the money, but urges the agency to investigate whether local agencies would be willing to participate in an arrangement whereby the system would be fee-funded, since the benefits of such a system would be realized chiefly by local law-enforcement agencies.

7. The Subcommittee notes the following items that could require Omnibus consideration:
 - a. Reexamination of the agency's financial and manpower needs should video-simulcasting be approved by the 1992 Legislature.
 - b. Reexamination of the agency's financial and manpower needs should sentencing guidelines be approved by the 1992 Legislature.
 - c. Reexamination of the agency's financial and manpower needs should video-lottery be approved by the 1992 Legislature.
 - d. Reexamination of the agency's need for overtime and stand-by pay for agents. The Subcommittee believes that there should be at least a rough parity between the Highway Patrol and the KBI in the agencies' abilities to provide overtime and standby pay to their law-enforcement personnel.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Youth Centers Systemwide Recommendations

The Subcommittee reviewed several systemwide issues pertaining to the youth centers. Despite limited bed space in the centers, admission rates continue to rise, resulting in shorter lengths of stay for admittees. The Subcommittee concludes that the centers are approaching a crisis state. The Subcommittee believes that the use of juvenile community correctional programs would enable the State to divert some new youth center admissions. While recognizing that it is unlikely that community programs will enable the four youth centers to reduce their current bed capacities; the Subcommittee expects the average length of stay to increase, which should, among other things, lower the rate of returnees. To achieve this goal, the Subcommittee makes the following recommendations:

1. Add \$730,000 from the SRS Fee Fund to implement a pilot day reporting system for juvenile offenders in the community. The Subcommittee notes that a one time adjustment from federal Title IV-E (foster care) funds totalling \$3,273,809 will be received by SRS in FY 1993. These funds will be transferred into the SRS Fee Fund.

The Subcommittee's recommendation would fund 100 slots, which assuming a six month stay in the program, would provide funding for 200 juveniles at \$20 per day.

In addition to the one time Title IV-E funds adjustment discussed above, SRS anticipates receipt of an additional \$1.8 million in Title IV-E funds on an annualized basis. The receipt of this funding will free up State General Fund dollars currently appropriated to the foster care budget. The Subcommittee also learned that some federal matching funds may be available for a portion of these expenditures and recommends that the 1993 Legislature review the status of the program and make appropriate State General Fund reductions if matching funds are indeed available.

The Subcommittee does not intend, by this recommendation, to appropriate dollars to expand the population of juveniles receiving services. Rather, the goal of the pilot program will be to divert into the community approximately 20 percent of adjudicated juvenile offenders who would normally be sent to the youth centers. It will be the responsibility of SRS to design the program to ensure that juveniles who would have been sent to a youth center are instead sent to the pilot program; either through court or SRS placements.

The Subcommittee instructs SRS to ascertain what types of services are currently available in the community and to contract with community corrections or other essential support agencies to provide the best services available within the monetary limits provided.

2. The Subcommittee learned that the Governor's recommendation for FY 1993 for community corrections programs discontinues juvenile programs which are

*SWAM
March 31, 1992
Attachment 5*

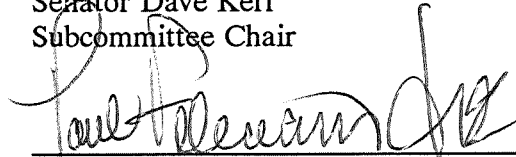
funded through the Community Corrections Act, shifting the focus of community corrections entirely to adult programming. The Subcommittee surmises that the current community correction programs prevent many juveniles from entering the youth centers. Current year funding for juvenile programs is budgeted at \$389,929; which is comprised of \$299,929 for 17 juvenile intensive supervision programs (current populations of 179 persons) and \$90,000 for the juvenile residential program in Johnson County (current population 11). The Subcommittee directs the Secretary of Corrections to utilize \$389,929 of the \$10.75 million recommended by the Governor for community corrections in FY 1993 to maintain juvenile community programs at the same level as the current year.

3. The Subcommittee inquired into the JTPA programs in the state youth centers. According to SRS, all of the state's five Service Delivery Areas (SDAs) originally participated in the Incarcerated Youth Project.

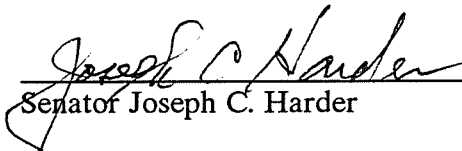
SDA IV, (Sedgwick County) which has approximately 25 percent of all youth center admissions, withdrew from participation in the project in 1988; apparently determining that JTPA resources would be better spent in the local community. The Subcommittee is concerned about the lack of participation in the Incarcerated Youth Project by the Sedgwick County SDA and urges all five SDAs and the Private Industry Council (PIC) to dedicate funding to provide income for all qualified juveniles at the youth centers. The Subcommittee suggests that as a condition of release from the youth centers or the recommended day release program, juveniles should be required to successfully complete a job training program. The Subcommittee recommends that SRS and Human Resources work together to establish criteria for an aggressive work release program. The Subcommittee envisions that an intensive work program will provide some income for the youth, build a work ethic, allow for restitution payments to victims when warranted and enable the youth, when released, to work in the community.



Senator Dave Kerr
Subcommittee Chair



Senator Paul Feleciano, Jr.



Senator Joseph C. Harder