

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Senator August "Gus" Bogina, Chairperson, at 10:30 a.m. on May 2, 1992 in Room 123-S of the Capitol.

All members were present except:

Senator Brady

Conferees appearing before the committee:

Bill Pursinger, Association of Community Mental Health Centers
Laura Kelly, Kansas Recreation & Parks Association
Lyndon Drew, Kansas Department on Aging

The Chairman noted that the House Committee had passed their version of the Omnibus Appropriations Bill. The purpose of this meeting of the Senate Ways and Means Committee would be to address items that were not addressed during consideration of Omnibus items on April 27 and 28, 1992. He stated that the Governor requested and the House introduced a bill that contains only the appropriations for capital improvements recommended as recipients of the one-time disproportionate share monies.

The Committee reviewed a document prepared by the Kansas Legislative Research Department that listed unaddressed items for Omnibus consideration (Attachment 1). All motions carried on a voice vote unless otherwise noted.

DEPARTMENT OF REVENUE - Julian Efird

1. **SB 683** - Delete.
2. **SB 723** - Delete.
3. **HB 2892** - Delete.

KANSAS RACING COMMISSION - Julian Efird

1. **SB 703** - Delete.

KANSAS LOTTERY - Julian Efird

1. **Lottery FY93 Sales Estimate** - Senator Winter moved, Senator Rock seconded, that the FY93 estimate for lottery sales receipts be increased to \$75 million. Carried.

DEPARTMENT OF ANIMAL HEALTH - Debra Duncan

Fee reduction for Animal Dealers - No action.

YOUTH CENTERS AT TOPEKA, BELOIT AND ATCHISON - Debra Duncan

Teacher Salary Increases - The Committee recommended a 4% increase for teachers' salaries in FY93.

WILDLIFE AND PARKS - Debra Duncan

Restoration of 2 FTE positions - No action.

Senator Moran moved, Senator Gaines seconded, that \$2,000 SGF be appropriated for use by Wildlife and Parks in cleaning vegetation and silt from the Smoky Hill River channel west of Cedar Bluff Reservoir. Carried.

KANSAS STATE FAIR - Leah Robinson

Construction of milking parlor on fairgrounds - It was moved by Senator Kerr and seconded by Senator Moran that \$15,000 from the SGF be appropriated in FY93 for the construction of a new milking parlor with the requirement that the State Fair provide a match of \$15,000. Carried.

BOARD OF AGRICULTURE - Leah Robinson

1. **HVAC replacement** - Senator Harder moved, Senator Doyen seconded, that \$50,000 SGF be appropriated in FY92 for the replacement of the heating and air conditioning system at the Board of Agriculture laboratory. Carried.
2. Concur.

SECRETARY OF STATE - Russell Mills

A. SCR 1632 - In conference.

KANSAS SENTENCING COMMISSION - Russell Mills

A. SB 479 - No action.

DEPARTMENT OF CORRECTIONS - Russell Mills

A. SB 479 - It was moved by Senator Kerr and seconded by Senator Parrish to add \$584,840 SGF and 20 Parole Officer positions (funded for the last nine months of FY93) because of enactment of sentencing guidelines. Carried.

In answer to Senator Kerr, Secretary of Corrections, Gary Stotts, stated that the House had recommended that the agency continue the current level of juvenile retention supervision but had not provided any additional funding. He said that \$2.1 million is the agency's estimate of continuing the current community corrections programs, and added that he would prefer that the allocation not be limited to Johnson and Sedgwick counties. Senator Kerr moved, Senator Feleciano moved, to add \$2,112,300 SGF in FY93 for community corrections to finance adult residential programs but not to allocate the monies to the adult residential programs in Johnson and Sedgwick counties. Carried.

50. Transfer of positions between correctional facilities - In answer to Senator Gaines, Secretary Stotts stated that the agency is trying to get the work crews back in the community, but cautioned that sentencing guidelines may result in a lower percentage of minimum custody inmates. Senator Gaines stated that he believed the warden's policy at the maximum security facility of treating everyone as though they're maximum security inmates has become a community problem. It was moved by Senator Gaines and seconded by Senator Rock that the transfer of 2 FTE positions and \$57,310 from the ElDorado Correctional Facility to the Winfield Correctional Facility in FY93 be authorized. Carried.

51. Housing Unit for Women at Topeka Correctional Facility - It was moved by Senator Gaines and seconded by Senator Parrish to add \$1,900,000 in FY93 from the Correctional Institutions Building Fund to provide for the construction of a new maximum security correctional facility for female inmates. Carried. The Chairman added that the funding source may have to be revisited during conference.

ADJUTANT GENERAL - Paul West

Senator Hayden moved, Senator Doyen seconded, that the agency be directed to pay in FY92 a claim in the amount of \$4,934.01 as recommended by the Governor in the veto message on HB 2791. Carried.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES - Laura Howard

1. Senator Gaines moved and Senator Parrish seconded to include \$200,000 from the SRS Fee Fund for the contract with Kansas Legal Services for adult social security advocacy in FY93. Carried.

1. Nonconcur.

3. Nonconcur.

4. SB 631 - In conference.

5. SB 182 - In conference.

6. HB 2987 - In conference.

7. HB 3113 - Nonconcur.

8. SB 588 - In conference.

9. Agency letter - Attachment 2 - Senator Gaines moved, Senator Parrish seconded, to add \$544 from the SGF (49,454 All Funds) in FY92, and \$2,162 SGF (\$510,952 All Funds) in FY93 and five special project positions in disability determination services to address a projected backlog. Carried.

LEGISLATURE - Ed Ahrens

1. Computerization - There was discussion regarding the benefits versus the expense of computerizing the legislative offices which are used 4 months of the year. Senator Feleciano moved, Senator Parrish seconded, that the House version be adopted. The motion failed.

2. Census Data Analysis Unit - Adopt the Senate version.

DEPARTMENT OF EDUCATION - Carolyn Rampey

HB 2835 - In conference.

BOARD OF TECHNICAL PROFESSIONS - Carolyn Rampey

A. SB 380 - Senator Winter moved, Senator Hayden seconded, to increase the expenditure limitation on the Board's fee fund by \$28,344 in FY93 as a result of SB 380. Carried.

DEPARTMENT OF EDUCATION - Carolyn Rampey

Sen. Sub. for Sen. Sub for HB 2892 - It was noted that the Senate version was part of the conference agreement reached earlier that morning. No action was taken.

JUDICIAL COUNCIL - Scott Rothe

A. SB 358 - In conference.

B. SB 479 - Senator Gaines moved, Senator Kerr seconded, that \$17,925 from the SGF in FY93 be appropriated to prepare, print and distribute a supplement to PIK-Criminal 2nd and to allow for 8 committee meetings to draft changes. Carried.

C. SB 479 - In answer to a question, a representative from the agency said that 56 positions had been eliminated and the request for 29 FTE positions would renew court service officers that had been eliminated. He noted that the request was made in an attempt to place CSOs in urban areas where the need is greater. Senator Winter moved, Senator Rock seconded, to add \$997,470 and 49 FTE positions from the SGF in FY93. Carried.

D. HB 3823 - In conference.

SB 257 - In conference.

BOARD OF INDIGENTS' DEFENSE SERVICES - Scott Rothe

B. SB 358 - In conference.

C. SB 479 - Senator Winter moved, Senator Feleciano seconded, that \$8,000 from the SGF in FY93 be appropriated for four training seminars for public defenders and approximately 800 panel attorneys associated with the passage of SB 479. Carried.

EMERGENCY MEDICAL SERVICES - Scott Rothe

A. HB 2832 - In conference.

DEPARTMENT OF HEALTH AND ENVIRONMENT - Scott Rothe

D. HB 2695 - Staff noted that information requested by the Committee could be found on Attachment 1-17. Senator Doyen moved, Senator Gaines seconded, that \$30,000 from the SGF be appropriated in FY93 for forms. Carried.

Senator Feleciano moved, Senator Rock seconded to add \$38,934 in FY93 from federal funds for a special project position. Carried.

E. SB 588 - In conference.

F. SB 631 - In conference.

G. HB 2801 - In conference.

H. HB 3153 - In conference.

14. Vital statistics Satellite Office in Kansas City - Nonconcur. Attachment 3 was provided at the Committee's request.

13. Governor's veto of HB 2720 - The Chairman stated that the House had overridden the Governor's veto of HB 2720, but the Governor's office had asked that the issue be addressed in the Omnibus Appropriations Bill. He stated that the Governor's concern is that the Infant and Toddler program will cost \$6 to \$9 million in SGF monies over the next two years. Therefore, she asked that the \$18,822,606 in operating expenditures and the \$500,000 for the Infant and Toddler program be put in two separate line items to allow the Governor to insure that the program is not a longterm commitment. Staff noted that the agency's original fiscal note indicated that the program could cost \$9.6 million when fully implemented in 3 years. Senator Feleciano moved, Senator Gaines seconded, that \$18,822,606 from the SGF for operating expenditures and the associated proviso vetoed by the Governor in the agency's FY93 appropriation bill be restored and that a separate line item account from the SGF of \$500,000 for the Infant and Toddler program be created in HB 2720. Carried.

ATTORNEY GENERAL AND KANSAS BUREAU OF INVESTIGATION - Tim Colton

A. Insertion of transfer language - Concur.

B. Agent overtime and standby pay - Concur with Senate position.

C. 1991 SB 383 (Simulcasting) (Approved by Governor) - Nonconcur.

D. 1992 SB 479 (Sentencing Guidelines) - Senator Winter moved, Senator Feleciano seconded, that 2 FTE AFIS Technicians and 1 FTE AFIS Supervisor (with funding from the SGF of \$72,077); 6 FTE Office Assistants (with funding from the SGF of \$100,630); \$125,000 SGF for an AFIS workstation and AFIS forms; and \$354,000 SGF for a computer upgrade be added. Carried.

E. OJA Reports from KBI - No action.

F. 1991 HB 2353 (Driving While Impaired) - In conference.

G. GBA #4, item 20 - Concur with Senate position.

Staff noted that one item not included in Attachment 1 is a request from the Kansas Bureau of Investigation for \$10,366 from the SGF as a result of the passage of HB 3012. It was moved by Senator Winter and seconded by Senator Salisbury that \$10,366 from the SGF be added to allow the agency to collect genetic samples from juvenile sex offenders. Carried.

STATE MENTAL RETARDATION HOSPITALS - SYSTEMWIDE ISSUES - Tim Colton

A. School Contract Issues

1. **Categorical Aid** - The Committee recommended a 4% increase for categorical aid.

2. **Teacher Salary Increases** - The Committee recommended a 4% increase for teacher salaries.

B. Turnover rates - Conference committees have concurred with the Governor's budget amendments.

KANSAS HIGHWAY PATROL - Tim Colton

Concur with Senate position for trooper overtime.

SYSTEMWIDE MENTAL HEALTH HOSPITALS - Kathy Porter

A. School Contract Issues

1. **Categorical Aid** - The Committee recommended a 4% increase for categorical aid.

2. **Teacher Salary Increase** - The Committee recommended a 4% increase for teacher salaries.

D. Systemwide Enhanced Security Measures - Senator Rock moved and Senator Salisbury seconded that the Title XIX expenditure limitation in FY93 be increases by a total of \$414,244 to finance the enhanced exterior lighting, the hospital-wide rekeying, and the local area network at Topeka State Hospital and that \$50,000 from Title XIX funds be added in FY93 to allow Larned State Hospital to make security modifications deemed most necessary in light of survey recommendations. Carried.

FORT HAYS STATE UNIVERSITY - Diane Duffy

GBA #3 - New Physical Sciences Building - This item will be discussed in the capital improvements bill regarding the disproportionate share monies.

DEPARTMENT OF ADMINISTRATION - Diane Duffy

HB 2682 - The Committee recommended that a proviso be added to the DISC funds as a result of the passage of HB 2682 to permit the limitations to be exceeded for expenditures associated with telecommunication services provided to governmental units.

PITTSBURG STATE UNIVERSITY - Diane Duffy

GBA #3 - Kansas Technology Center - This item will be discussed during deliberations of the capital improvements bill associated with the disproportionate share monies.

KANSAS ASSOCIATION OF PUBLIC EMPLOYEES - Alan Conroy

1. Senator Winter moved, Senator Gaines seconded, that \$50,000 (KPERS Fund) be included in FY93 for local special legal counsel to advise KPERS Board of Trustees on pending investment litigation. Carried.

2. Senator Winter moved, Senator Gaines seconded, that \$24,000 (KPERS Fund) be added in FY93 for a survey of KPERS members and special actuarial studies. Carried. (This action along with action taken during the April 27-28 meeting brings the total for operating expenditures of the KPERS Retirement Study Commission to \$49,829 in KPERS Fund monies for FY93).

3. SB 526 - Senator Feleciano moved, Senator Winter seconded, that \$10,000 (KPERS Fund) be appropriated in FY93 for costs associated with 1992 SB 526, the KPERS reform bill. Carried.

4. **Sub. for HB 2096** - No action.

REGENTS SYSTEMWIDE ISSUES - Alan Conroy

1. **General Fee Release in FY92** - Senator Winter moved, Senator Doyen seconded, to restore the FY92 release of General Fees at the 75% level. Carried.

2. **Library Enhancement in FY93** - It was moved by Senator Feleciano and seconded by Senator Moran that \$500,000 from the SGF in FY93 be included in a separate line item for library enhancements. Carried.

KANSAS STATE UNIVERSITY - Alan Conroy

1. **Graduate teaching assistant fee waiver** - Senator Winter moved, Senator

Feleciano seconded, that the fee waiver be funded at 100% Carried. (This will be applicable to all regents institutions).

2. **GBA #3 - Farrell Library Renovation & Expansion** - will be considered during review of capital improvements bill regarding the one-time disproportionate share monies.

UNIVERSITY OF KANSAS - Alan Conroy

1. **Graduate teaching assistant fee waiver** - Previously addressed.

2. **GBA #3 - Hoch Auditorium Reconstruction & Library Expansion** -will be considered during review of capital improvements bill regarding disproportionate share monies.

UNIVERSITY OF KANSAS MEDICAL CENTER - Alan Conroy

1. **Graduate teaching assistant fee waiver** - Previously addressed.

2. **Family practice program on the Kansas City campus**

3. **HB 3202 - family practice program in Salina**

4. **HB 3211 - Kansas Medical Residency Bridging Program**

Senator Gaines moved, Senator Moran seconded that items 2, 3, and 4 be included. Carried.

WICHITA STATE UNIVERSITY - Alan Conroy

1. **Graduate teaching assistant fee waiver** - Previously addressed.

2. **HB 3207 - Ventilation improvements at McKinley Hall** - to be considered during deliberations on capital improvements bill.

3. **HB 3207 - Preliminary planning for Chemistry building and power plant addition** - to be considered during deliberations on capital improvements bill.

STATE LIBRARY - Ellen Piekalkiewicz

1. **Purchase of St. Mary of the Plains library collection** - Staff distributed Attachment 4 which provided background information on the proposal made by the Dodge City Public Library. The Committee also reviewed a budget request from Senator McClure, Attachment 5. Senator Gaines noted that the President of Fort Hays State University is attempting to use the facilities of St. Mary of the Plains to provide educational services in southwest Kansas. Senator Hayden moved, Senator Rock seconded, that \$200,000 (as per Attachment 5) from the SGF be appropriated for the purpose of acquiring the St. Mary of the Plains library collection with the stipulation that it appear on Dodge City Public Library letterhead. Senator Gaines offered a substitute motion that \$150,000 from the SGF be appropriated to Fort Hays State University for the purpose of acquiring the library collection. Senator Moran seconded the motion for the purpose of getting the issue in conference. Committee members noted that the issue would be a conference item because the House had recommended \$200,000 for the acquisition of the library collection. The substitute motion failed on a show of hands. The primary motion failed on a show of hands.

SCHOOL FOR THE VISUALLY HANDICAPPED - Ellen Piekalkiewicz

1. Attachment 6 was reviewed by staff. It was moved by Senator Feleciano and seconded by Senator Parrish that \$15,144 be appropriated in FY92 for evaluation costs of a student with behavioral problems. Carried.

2. and 3. - Will be discussed during hearing on HB 3207 - the capital improvements bill associated with the disproportionate share monies.

DEPARTMENT ON AGING - Ellen Piekalkiewicz

1. **SB 182** - In conference.

SCHOOL FOR THE DEAF - Ellen Piekalkiewicz

1. **GBA #4 - renovation of elementary school** - to be discussed during deliberations on HB 3207.

STATE HISTORICAL SOCIETY - Ellen Piekalkiewicz

1. **Center for Historical Research** - to be discussed during consideration of HB 3207.

Having voted on the prevailing side, Senator Parrish moved, Senator Kerr seconded, to reconsider action on item 13 of page 20, Attachment 1. Senator Parrish expressed concern that the Governor would again veto the \$500,000 appropriation for the Infant and Toddler program. Thus, she would prefer to fund the program for half a year in order to give the Department of Health and Environment an opportunity to better estimate the costs. The motion to

reconsider carried.

Senator Parrish moved, Senator Feleciano seconded, to create a separate line item account from the SGF of \$250,000 and begin the program on January 1, 1993. Carried.

State Fire Marshal - Senator Feleciano moved, Senator Rock seconded, to include the language contained in Attachment 7 regarding the state fire marshal. Carried.

Department of Commerce - Senator Gaines moved, Senator Kerr seconded, that the transfer language necessary for the SKILL program be included in the Omnibus Appropriations Bill (See Attachment 8). Carried.

Public Broadcasting Commission - It was moved by Senator Feleciano and seconded by Senator Moran to add \$100,000 from the SGF in FY93 for a matching pool that public television and radio stations can use to finance local matches for federal grants. Carried.

Historical Society - Senator Winter moved, Senator Moran seconded, that \$20,000 from the SGF be appropriated in FY93 for a contract with the University of Kansas School of Architecture and Urban Design for a student team to architecturally record state historic sites. Carried.

The Chairman adjourned the meeting at 2:28 p.m.

Department of Revenue (Pending Items)

1. Senate Bill No. 683 (Conference)--Deferred Item. This bill would permit cities (Class A, B, or C) or counties having a local city sales tax on July 1, 1990, to adopt an additional tax in the amount of 0.25 percent, as well as 0.50 percent which is the current minimum increment.

The agency indicates that notification of retailers would be the main cost associated with the bill. The fiscal note assumed 25,000 notices might be required, at a cost of \$9,057 for printing and mailing notices to retailers.

2. Senate Bill No. 723 (Conference)--Deferred Item. This bill would amend provisions allowing Class D cities to impose a local retailers sales tax and allow optional rates in increments of 0.25 percent.

The agency indicates that notification of retailers would be the main cost associated with the bill. The fiscal note assumed 50,000 notices might be required, at a cost of \$16,114 for printing and mailing notices to retailers.

3. House Bill No. 2892 (Conference)--New Item. This bill concerns school finance and funding options. The agency has been asked if there will be an administrative impact relative to programming changes in the tax software, plus printing and mailing notices of tax changes.

The agency indicates that the House version fiscal note is \$63,223, including 2.0 FTE positions. The Senate version fiscal note is \$21,183 for printing and mailing costs, with 0.0 FTE positions.

Kansas Racing Commission

1. Senate Bill No. 703 (Conference)--New Item. This bill provides for one-third of the simulcasting revenues to be deposited into the County Fair Horse Racing Benefit Fund, which is created in the State Treasury. Those funds would be used to pay expenses of county fair associations according to rules and regulations of the Racing Commission. In FY 1992, one-third of the estimated simulcasting revenue would be \$83,250.

Kansas Lottery

1. Lottery FY 1993 Sales Estimate (Deferred). The Senate Ways and Means Subcommittee suggested revisiting this estimate during the Omnibus period since the various gambling proposals and other developments may negatively impact on the current type of lottery games offered by the Kansas Lottery. The Subcommittee noted that the Governor's recommended FY 1993 lottery sales estimate (which presumes no changes in the types of gambling within Kansas) is \$72.0 million.

SWAM
May 2, 1992
Attachment 1

Department of Animal Health

Fee reduction for Animal Dealers. \$100,000 from the State General Fund with a proviso providing that expenditures shall be made from this account to reduce fees charged for the Animal Facilities Inspection program. The House Committee included the full \$100,000 in the Omnibus bill. The Senate Committee passed over this item pending resolution of S.B. 752 which amended the Animal Dealers Act. S.B. 752 was conferenced and no significant changes were made in the current funding structure.

Youth Center at Topeka

Teacher Salary Increases. The agency requested a 4.0 percent increase for teacher's salaries in FY 1993. The Governor's budget recommendation for the agency's education contract does not include a salary increase for teachers. The Senate Committee passed over this item. The House Committee recommended that one-half of the agency request, or \$27,081 from the State General Fund, be included in the Omnibus bill.

Youth Center at Beloit

Teacher Salary Increase. The agency requested a 5.0 percent increase for teacher's salaries in FY 1993. The Governor's budget recommendation for the agency's education contract does not include a salary increase for teachers. The Senate Committee passed over this item. The House Committee recommended that one-half of the agency request, or \$22,327 from the State General Fund, be included in the Omnibus bill.

Youth Center at Atchison

Teacher Salary Increase. The agency requested a 3.8 percent increase for teacher's salaries in FY 1993. The Governor's budget recommendation for the agency's education contract does not include a salary increase for teachers. The Senate Committee passed over this item. The House Committee recommended that one-half of the agency request, or \$13,361 from the State General Fund, be included in the Omnibus bill.

Wildlife and Parks

Restoration of 2.0 FTE Positions. The House Committee restored two of the ten FTE positions deleted by the Governor. One is an Engineering Technician IV position, the other an Equipment Operator III. Total cost of the two positions is \$63,825 which includes \$2,743 from the State General Fund, \$60,082 from the Wildlife Fee Fund and \$1,000 from the Parks Fee Fund. This item was not in the GBA or the Omnibus Memo; consequently, it was not considered by the Senate Committee.

Kansas State Fair

The House Committee recommended \$30,000 from disproportionate share funding for construction of a new milking parlor on the fairgrounds.

Board of Agriculture

1. The House Committee recommended \$50,000 from disproportionate share funding for HVAC replacement at the Board of Agriculture laboratory.

2. The House Committee recommended increasing the expenditure limitation on the grain sorghum fund by \$1,589 in FY 1992 and \$167,090 in FY 1993, as the result of the veto override on S.B. 763, which provides for an increase in the grain sorghum assessment rate from 3 mills per bushel to 5 mills per bushel. The agency anticipates increased receipts of \$238,700 in FY 1993.

Secretary of State

A. S.C.R. 1632 (conference). S.C.R. 1632 would amend the *Kansas Constitution* to provide that the State Lottery may include only instant lottery games using preprinted tickets, keno and lotto games, and electronic or computerized versions of those games. Prior to an electoral vote to change the *Constitution*, the Secretary of State is required to provide a public notice of the resolution through its publication in local newspapers. According to the Secretary of State's Office, \$29,888 from the State General Fund will be needed for publication costs associated with S.C.R. 1632. The resolution would be submitted to the voters at the 1992 primary election or at a special election if one is called prior to the primary election.

Kansas Sentencing Commission

A. S.B. 479 (Conference Committee) would enact the "Kansas Sentencing Guidelines Act." The Kansas Sentencing Commission would be required, under the bill, to develop a system of guidelines for prosecutors. The Commission requests in FY 1993 an additional 1.0 FTE Attorney position and associated funding of \$42,500. The Attorney position would be responsible for developing the prosecutors' guidelines.

Department of Corrections

A. S.B. 479 (Conference Committee) would enact the "Kansas Sentencing Guidelines Act." The major impact of S.B. 479 is the replacement of the current indeterminate method of sentencing felony offenders with a presumptive and determinate sentencing system. The determinate sentence is based upon the category of offense and the prior criminal history of the defendant. The Department of Corrections (DOC) estimates that additional funding will be needed of \$3,011,000 in FY 1993 and \$5,072,811 in FY 1994 to implement S.B. 479. The funding estimate is composed of the following elements:

	FY 1993	FY 1994
Parole (20 FTE)	\$ 898,700	\$ 790,700
Parole (27 FTE)	--	1,066,400
Community Corrections	2,112,300	3,215,711
Total	<u>\$ 3,011,000</u>	<u>\$ 5,072,811</u>

+

The parole element assumes the addition of 47.0 FTE new parole officer positions (20.0 in FY 1993 and 27.0 in FY 1994 and associated equipment and office furnishings) to handle postrelease supervision of inmates. The funding for the 20.0 new parole officers in FY 1993 is composed of \$669,959 for salaries (for 12 months) and \$228,741 for other operating expenditures. The community corrections element is for adult residential programs (in Johnson and Sedgwick Counties) funded through Community Corrections Act grants.

~~50. Transfer of Positions between Correctional Facilities~~

I recommend a transfer of 2.0 FTE positions and \$57,310 (\$28,655 State General Fund; \$28,655 General Fees Fund) from the El Dorado Correctional Facility to the Winfield Correctional Facility for FY 1993. The responsibility for maintaining the roadside parks and highways in that area of the state has been shifted to the Winfield Correctional Facility. My amendment facilitates this transfer of responsibility. The positions are funded half by the State General Fund and half by a transfer from the State Highway Fund. *(Recommended by House Cttee.)*

~~51. Housing Unit for Women at Topeka Correctional Facility~~

In order to eliminate the practice of co-correctional prison operations in the state of Kansas, I amend my budget to finance the construction of an 85-bed, self-contained, high security housing unit for women on the grounds of the Topeka Correctional Facility. The building would be located on property to the rear of the Central Unit and adjacent to the

Reception and Diagnostic Unit. The construction would take 18 months and require a total of \$2.7 million. I am financing the construction of the building from the Correctional Institutions Building Fund (CIBF) with appropriations of \$1.9 million in FY 1993 and \$800,000 in FY 1994. The project would require no additional monies in FY 1993, as the \$1.9 million would be shifted from the rehabilitation and repair account in the Department of Corrections.

(Recommended by House Cttee.)

Adjutant General

Direct the agency to pay in FY 1992 a claim in the amount of \$4,934.01, as recommended by the Governor in the veto message on H.B. 2791.

ITEMS FOR CONSIDERATION BY SENATE COMMITTEE:

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

1. The House Committee added \$200,000 from the SRS Fee Fund for the contract with Kansas Legal Services for adult social security advocacy in FY 1993.

2. The House Committee recommended the deletion of \$5,005,259 from the State General Fund and the addition of \$5,005,259 from the SRS Fee Fund in FY 1993 based on the recommendation to offset one-time State General Fund expenditures across all agency budgets with disproportionate share funds.

3. The House Committee recommended that 10 percent (\$76,283) of new federal LIEAP funds be shifted to the Social Service Block Grant. The Senate Ways and Means Committee recommended that the entire amount be expended for the LIEAP program.

4. S.B. 631 (Pending) requires the development of a comprehensive health plan for pregnant women and children. The House Committee of the Whole amended in the provisions of H.B. 2697 pertaining to the development of a children's budget.

Agency Estimate of Fiscal Impact:

Comprehensive Health Plan \$98,401 SGF (\$131,201 All Funds)
3.0 FTE positions

Children's Budget \$34,634 SGF (\$48,747 All Funds)
1.0 FTE position

5. S.B. 182 (Conference) incorporates the prescreening provisions of H.B. 2566.

Agency Estimate of Fiscal Impact: SRS estimates additional expenditures of \$414,039 from the State General Fund (\$1,656,157 All Funds) for operational expenses and screening costs, including 1.0 FTE new position. Medicaid costs of \$802,285 SGF (\$1.9 million All Funds) would be averted for a net savings of \$388,246 SGF. This could be further offset by \$45,000 in projected fee fund receipts.

6. H.B. 2987 (Conference) establishes citizen review boards in each judicial district and funds citizen review boards and court appointed special advocates from increased birth certificate fees.

Agency Estimate of Fiscal Impact: Receipts of \$329,849 would be credited from additional birth certificate fees. SRS estimates that one additional staff position, an Office Specialist, would be required to provide the technical support to this grant program at an estimated cost of \$35,209. The remaining funding would be

available for grants.

7. H.B. 3113 (House Concurred) establishes regional interagency councils to collaborate in the provision of services for children and adolescents requiring services beyond one agency. The director of each SRS area office is charged with convening and chairing each council. SRS estimates additional operational expenses of \$50,352 from the State General Fund (\$89,874 All Funds).

8. S.B. 588 (Conference) requires that the court enter a support order when a child enters SRS custody. The agency estimates that 6.0 FTE new positions in child support would be required for a total cost of \$241,852, including \$82,230 from the SRS Fee Fund and \$159,622 from federal funds. Fee Fund revenue is estimated to increase by approximately \$793,208 in FY 1993, for net receipts to the fee fund after operational expenses of \$710,978.

9. Agency Letter Disability Determination Staffing (Zebley Workload Increase). The agency requests an increase in both fiscal years:

<u>FY 1992:</u>	\$544 SGF	\$49,454 All Funds	5.0 FTE
<u>FY 1993:</u>	2,162 SGF	196,400 All Funds	5.0 FTE

The funding is intended to progress a workload greater than projected previously due to the children's disability claims arising from the Zebley court case. The Social Security Administration recommended the addition of this level of staff and funding to reduce the size of the pending workload and the processing time required to make disability decisions.

Legislature

1. Computerization
House Version -- \$374,313
Senate Version -- 48,000
2. Census Data Analysis Unit
House Version -- \$130,609
Senate Version -- 0

HB. 2835 (as amended by the Senate Education Committee) would create a new program to provide state aid to school districts that are making bond and interest payments. Money for the program would be a demand transfer from the State General Fund and would not be subject to overall reductions that might be imposed by executive order for the purpose of maintaining a \$100 million balance in the State General Fund.

State aid would be distributed to districts that are making bond and interest payments in the following way: the State Board of Education would rank districts from low to high based on assessed valuation per pupil. The district at the median would be eligible to have 25 percent of its bonded debt obligation paid by the state. For each \$1,000 that a district is below the median, it would get another 1 percent of its bonded debt obligation paid by the state. For each \$1,000 it is above the median, state aid would be reduced by 1 percent. Districts that greatly exceed the median would not be eligible for state aid under the program.

The State Department estimates the fiscal impact of the bill to be \$16.5 million in FY 1993. The amount would depend on the bond and interest obligations undertaken by school districts each year. (The House-passed version of the bill would allow the district at the median to receive state aid for 40 percent of its bonded indebtedness and would cost an estimated \$26.5 million.) Because the state aid would be a demand transfer, the state would be obligated to pay the entire amount to which districts would be entitled.

Board of Technical Professions

A. S.B. 380 (Conference) makes a number of changes to statutes affecting the Board of Technical Professions, the Board that regulates engineers, land surveyors, architects, and landscape architects. Among the matters the bill addresses are a redefinition of terms associated with the practice of the technical professions, changes in statutory requirements for licensure, changes in some of the Board's fees, and a change in the composition and size of the Board. (A House floor amendment to S.B. 380 also statutorily creates the Kansas Apprenticeship Council within the Department of Human Resources. The fiscal impact of that amendment is discussed in connection with the Department of Human Resources.)

The fiscal impact of S.B. 380 as it relates to the Board of Technical Professions concerns increases in the Board's operating expenses and additional receipts due to higher fees. Increased operating expenses estimated by the board would total \$28,344 and consist of the following:

1. \$8,600 for the per diem compensation and travel expenses of four new Board members (an increase from nine to 13 members);
2. \$8,172 for part-time help (in addition to the \$6,430 currently budgeted for FY 1993), a one-time cost due to the increased clerical workload to implement the bill;
3. \$1,200 for computer programming, a one-time cost to revise the current computer database;
4. \$1,500 for increased investigative services; and
5. \$8,872 to print and mail copies of revised statutes and fee schedules to licensees and applicants.

(The Board's FY 1993 budget already includes \$8,872 to begin the annual publication of a booklet for licensees, as well as periodic newsletters and a roster, but the Board now thinks its earlier estimate of printing and mailing costs was low.)

Additional revenues generated due to fee increases are expected to total \$45,140 in FY 1993, of which \$9,028 (20 percent) would be credited to the State General Fund. (Revenues will vary in succeeding years due to biennial renewal schedules.)

The table below shows the Board's fee fund, based on its expenditure limitation as approved by the Legislature (excluding salary increases) and assuming the increases in operating expenditures and revenues (excluding receipts to the State General Fund) estimated by the board in connection with S.B. 380:

Resource Estimate	Actual FY 1991	Approved FY 1992	Estimated FY 1993
Beginning Balance	\$ 207,013	\$ 168,713	\$ 125,947
Net Receipts	227,638	239,000	283,047
Total Funds Available	<u>\$ 434,651</u>	<u>\$ 407,713</u>	<u>\$ 408,994</u>
Less: Nonreportable Expenditures	80	--	--
Expenditures	265,858	281,766	317,258
Ending Balance	<u><u>\$ 168,713</u></u>	<u><u>\$ 125,947</u></u>	<u><u>\$ 91,736</u></u>

Department of Education

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Sen. Sub. for Sen. Sub. for H.B. 2892 would require the State Board of Education to assess the attainment of pupils at least three grade levels in the areas of mathematics, science, communications (including reading, writing, speaking, and listening), and social studies.

On its own initiative, the State Board in FY 1991 began the development of an assessment program that, by FY 1993, will include testing in math, reading, and writing at three grade levels. (The State Department's appropriations bill contains \$569,000 for the assessment program in FY 1993.)

If Sen. Sub. for Sen. Sub. for H.B. 2892 is enacted, the State Board would have to expand its present testing to include assessments in the areas of science and social studies. The State Department estimates it would cost \$162,000 to hire consultants and contract with the University of Kansas Assessment Center to develop the standards for the science and social studies tests. (The cost of the science and social studies components of the program would increase to \$420,000 in FY 1994 when the tests would be given to students in three grade levels.)

In addition to the \$162,000 needed in FY 1993 to develop the tests, the State Department is requesting an additional \$55,000 for the salary (\$45,000) and other operating expenses (\$10,000) of a new position to serve as a coordinator in the area of standards and assessment. (There presently is no staff person assigned to testing in the State Department.)

Judicial Council

A. Senate Bill No. 358 (Pending) amends the Kansas Criminal Code. The Judicial Council states that passage of the bill will require an FY 1993 expenditure of \$8,725 from the State General Fund to prepare, print and distribute a supplement to *PIK-Criminal 2d*, as follows:

Preparation of camera-ready copy, 400 pages at \$3.00 per page	\$ 1,200
Printing 1,000 copies of 200 pages, on both sides, at \$.0025 per page	5,000
1,000 mailing envelopes and labels	275
Postage for 1,000 copies of 24 oz. supplement at \$2.25 per mailing	2,250
TOTAL	<u>\$ 8,725</u>

B. Senate Bill No. 479 (Pending) enacts the Kansas Sentencing Guidelines Act. The Council states that passage of the House version of the bill, with a July 1, 1994 effective date, would require an FY 1993 expenditure of \$5,750 from the State General Fund for five additional meetings to begin work on preparing a *PIK - Criminal 3d* which would be published in FY 1994.

If S.B. 479 passes with an effective date of July 1, 1993 (the Senate version), the Council estimates FY 1993 expenditures of \$30,300 for eight meetings and to prepare, print and distribute the *PIK - Criminal 3d* in FY 1993, as follows:

8 committee meetings to draft changes at \$1,150 per meeting	\$ 9,200
Preparation of camera-ready copy, 625 pages at \$3.00 per page	1,875
Printing 1,000 copies of 313 pages, on both sides, at \$.0025 per page	7,825
1,000 binders at \$8.25 per binder	8,250
1,000 mailing envelopes and labels	400
Postage for 1,000 four-pound copies at \$2.75 per mailing	2,750
TOTAL	<u>\$ 30,300</u>

The Senate Committee deferred action on these items until they passed.

C. Senate Bill No. 479 (Pending) enacts the Kansas Sentencing Guidelines Act.

Office of Judicial Administration (OJA) submits the following FY 1993 fiscal impact on the Judicial Branch based upon the first conference committee report on the bill (with an effective date of July 1, 1993):

Purchase of <i>PIK Criminal 3rd</i>	\$ 18,000
New Forms	10,000
Education and Training	140,000
Restore 29.0 FTE Deleted in FY 1992	833,181
17.0 FTE New Court Services Officers and 3.0 FTE New Clerical for Three Months	136,289
TOTAL	<u>\$ 1,137,470</u>

Passage of S.B. 479 would alter the Judicial Council's current *Pattern Instructions for Kansas - Criminal, 2nd*. Publication of a third edition would require the Judicial Branch to purchase 240 volumes at an estimated price of \$75 each. According to the OJA, if the effective date of the bill is moved to July 1, 1994, or to January 1, 1993, some of the cost could be delayed until FY 1994. The restoration of 29.0 FTE positions (\$833,181) and the purchase of *PIK Criminal 3rd* (\$18,000) would still be FY 1993 expenditures, but the remaining items may not be needed until FY 1994. The OJA states that it would be necessary to hire 20.0 FTE new personnel, offer training, and order forms three months prior to the effective date. With an effective date of July 1, 1993, these costs (including prorated costs for personnel) would be in FY 1993. A later effective date would delay the costs until FY 1994. The Conference Committee Report states that the "committee on conference recommends that there is a need in the fiscal year ending June 30, 1993, for 26 full-time employee positions in the office of judicial administration and 20 full-time positions in the department of corrections for probation and parole services and the committee on appropriations of the house of representatives and the committee on ways and means of the senate should further review the funding of community corrections services pursuant to this recommendation."

D. House Bill No. 2832 (Pending) creates the Judicial Branch Education Fund to be used to educate and train judicial branch officers and employees as well as to train, test, and educate municipal judges. The new fund would absorb the current Municipal Judge Education Fund (FY 1993 receipts of \$144,812) and raise district court docket fees for traffic and fish and game cases as well as appearance bond amounts by \$2.00 to support the fund. The House version of the bill, according to the Office of Judicial Administration (OJA), would result in new FY 1993 receipts of \$454,000 and existing receipts of \$144,812, for total receipts of approximately \$599,000. The Senate version of the bill would result in FY 1993 new receipts of \$410,000 and existing receipts of \$144,812, for total receipts of approximately \$555,000. The Senate version requires an FY 1993 expenditure from the fund not to exceed \$30,000 for the planning and implementation of a family court system as provided by law. The OJA estimates total FY 1993 education and training needs of \$823,014. The OJA requests that the fund be appropriated with no limit.

The Senate Committee deferred action on these items until they passed.

Senate Bill No. 257 (Pending) concerns salaries of judges and justices of the Judicial Branch. The bill was passed by the House on April 30, so the Senate Committee on Ways and Means did not review this item for Omnibus on April 26. If S.B. 257 and S.B. 791 (the state pay bill) pass in their current form, the salaries of judges and justices will need to be increased by 2.5 percent (\$381,063) in S.B. 791 (an amount in addition to the 2.5 percent already in S.B. 791 for judges and justices).

B. Senate Bill No. 358 (Pending) recodifies the Kansas Criminal Code, major drug crimes, and some of the other miscellaneous crimes throughout the state statutes. BIDS states that the bill contains five new crimes, 13 sections which expand the scope of existing crimes, and eight sections which increase crime penalties. BIDS estimates a total workload increase of seven percent, five percent attributed to new case filings and two to three percent on additional workload on remaining cases. The following summarizes the agency's fiscal note:

<u>Topeka Public Defender Office:</u>			
0.5 FTE Attorney	\$	18,239	
Temporary Clerical		2,500	
OOE		6,000	\$ 26,739
<hr/>			
<u>Junction City and Salina PDO:</u>			
0.5 FTE Attorney	\$	18,239	
Temporary Clerical		2,500	
OOE		6,000	\$ 26,739
<hr/>			
<u>Wichita PDO:</u>			
1.0 FTE Attorney	\$	35,322	
0.5 FTE Secretary		10,477	
OOE		6,000	\$ 51,799
<hr/>			
<u>Johnson County PDO:</u>			
0.5 FTE Attorney	\$	18,239	
Temporary Clerical		2,500	
OOE		6,000	\$ 26,739
<hr/>			
<u>Appellate Defender Office:</u>			
1.0 FTE Attorney	\$	35,322	
0.5 FTE Secretary		10,477	
OOE		6,000	\$ 51,799
<hr/>			
<u>Administrative Office:</u>			
0.5 FTE Office Assistant	\$	9,660	
OOE		3,000	\$ 12,660
<hr/>			
<u>Assigned Counsel:</u>			
7.0 Percent Increase in Claims			
(616 Claims @ \$526)			\$ 324,016
TOTAL			<u>\$ 520,491</u>

C. Senate Bill No. 479 (Pending) enacts the Kansas Sentencing Guidelines Act. BIDS submitted an FY 1993 fiscal impact request for \$8,000 from the State General Fund based upon the first conference committee report on the bill (with an effective date of July 1, 1993). Although this version of the bill is not effective until FY 1994, BIDS states that it will provide defense attorney training for the public defenders and for approximately 800 panel attorneys in FY 1993. BIDS states that the complexity of the legislation will require advance training for agency attorneys and appointed counsel. The agency would sponsor no less than four training seminars throughout Kansas at an approximate cost of \$8,000 in FY 1993 for public defender travel and subsistence. Panel attorneys would be expected to pay their own way to these sessions. A portion of the \$8,000 would be used to fund specialized training for chief public defenders so that they may be utilized as trainers.

The Senate Committee deferred action on these items until they passed.

Emergency Medical Services

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Scott

A. House Bill No. 2832 (Pending), which creates the Judicial Branch Education Fund, was amended by the Senate Committee of the Whole to credit 9.74 percent of the remittances of docket fees into a newly created Emergency Medical Services Operating Fund. Fund receipts would total approximately \$1.2 million annually, although FY 1993 receipts would not be available until August, 1992. The agency states that the new fund would eliminate the need for financing from the State General Fund following August, 1992. The 1992 Legislature approved FY 1993 EMS expenditures of \$779,353, including \$750,953 from the State General Fund (\$670,953 for state operations and \$80,000 for grants to four regional EMS councils). The agency suggests utilizing the fund to increase FY 1993 expenditures to its "C-Level" request of \$1,033,665, which includes \$32,444 from an existing EMS Fee Fund. The remainder of the new fund (\$198,779) could be utilized to begin upgrading and gradually completing the state's UHF/EMS communications system. EMS suggests the following new expenditures to arrive at an FY 1993 budget of \$1,232,444:

2.0 FTE New Positions	\$	46,000
Adjunct Training Costs		30,000
Training Equipment		74,543
Regional Council Grants		70,000
Other Operating Expenditures		21,773
EMS Communication System		198,779
Subtotal	\$	<u>441,095</u>
Existing Budget (H.B. 2722)		791,349
TOTAL	\$	<u><u>1,232,444</u></u>

The Senate Committee deferred action on these items until they passed.

Department of Health and Environment

D. House Bill No. 2695 (Law) requires that after July 1, 1993, all pupils entering any Kansas school for the first time will be required to present the results of a health assessment done within six months prior to admission. The health assessment includes screening for hearing, vision, dental, lead, urinalysis, hemoglobin/hematocrit, nutrition, developmental, health history and complete physical examination. The bill permits local health departments to charge a fee for health assessments based on ability to pay. Pupils are exempted from health assessment requirements where local health departments can certify that no local funds are available to provide assessments to pupils unable to pay. The Secretary of KDHE is required to prescribe the content of forms and certificates to be used by school boards in carrying out the provisions of the bill.

The 1992 Legislature (H.B. 2720) approved FY 1993 aid to local units expenditures of \$142,578 from federal funds for local health departments. In addition for FY 1993 the agency requests a total of \$91,199 for the state administration of the program, including \$38,934 from federal medicaid funds for 1.0 FTE Public Health Nurse VI and \$52,265 from the State General Fund for OOE, \$40,000 of which would be for printing of forms. The new nurse would train school nurses and public health nurses, many of whom have never had this training.

The Senate Committee deferred action on this item pending receipt of more information from KDHE on the cost of printing forms. (see attached memo) p. 17

E. Senate Bill No. 588 (Pending) was amended by the House to require coroners to perform an investigation and autopsy of a child less than 18 years of age who dies under a suspicious circumstance or unknown cause. The bill requires that a fee for such autopsies and related travel expenses be paid from appropriations to KDHE. The agency submitted a fiscal note of \$19,822 from the State General Fund for FY 1993, including \$10,000 for an estimated 10 autopsies and \$9,822 for a 0.5 FTE new Office Assistant III. The agency states that it currently lacks the capability to provide coroner mailings, autopsy reimbursements, autopsy record management and retrieval, and compilation of statistical reports.

F. Senate Bill No. 631 (Pending), as recommended by the Senate, directs the Secretary of KDHE, working in cooperation with the Secretary of SRS and the Commissioners of Insurance and Education, to develop a proposal for consolidating all health programs for children and pregnant women into one comprehensive program under one state agency. KDHE submitted an estimate of expenditures from the State General Fund of \$150,000 for FY 1993 and \$150,000 for FY 1994 to contract for a consultant for two years.

S.B. No. 631, as amended by the House, directs the same individuals to develop a proposal for consolidating all health programs for children and pregnant women into one comprehensive plan to be implemented by one or several agencies through interagency contracts, contracts with private agencies, or the provision of direct services. KDHE submitted an estimate of expenditures for FY 1993 of \$35,000 from the State General Fund to contract for a consultant for six months.

The Senate Committee deferred action on these items until they passed.

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

HB 2695 STATE OPERATIONS - PRINTING

The printing estimate in the state operating budget for HB 2695 with KDHE printing all the health assessment forms is as follows:

Type Setting	\$ 500
Assessment NCR Forms -- 100,000	20,000
Pamphlets to inform parents	10,000
Child Health Assessment guidelines	<u>4,500</u>
Total	\$35,000

If KDHE prescribes the content of forms and provides a form to be duplicated locally, the cost is reduced to \$15,000.

April 30, 1992

G. House Bill No. 2801 (Pending) would make modifications and additions to the solid waste management statutes. The bill would create the Solid Waste Management Fund. Receipts credited to the Fund would be primarily from a state solid waste tonnage fee of \$1.50 per ton or equivalent volume of waste disposed of at a solid waste disposal area on or after January 1, 1993. KDHE estimates annual fund receipts of \$3,700,000 from tipping fees. Half-year expenditures for FY 1993 are estimated at \$1,875,000 for both the House and Senate versions of the bill. The only difference between estimated expenditures between the two versions is associated with a Senate amendment adding a market development component. Under the Senate version, \$100,000 less would be granted to local governments and \$100,000 more would be expended for contractual services.

	<u>House Rec.</u>	<u>Senate Rec.</u>
<u>Bureau of Air and Waste Management</u>		
18.0 FTE Positions	\$ 307,535	\$ 307,535
Communications	34,080	34,080
Printing	31,560	31,560
Travel	20,000	20,000
Contractual Services	250,000	350,000
Commodities	1,840	1,840
Capital Outlay	99,771	99,771
Grants to Local Units	668,313	568,313
Subtotal	<u>\$ 1,413,099</u>	<u>\$ 1,413,099</u>
<u>Bureau of Environmental Remediation</u>		
8.0 FTE Positions	\$ 112,704	\$ 112,704
Communications	13,400	13,400
Printing	2,206	2,206
Rents	14,704	14,704
Travel	15,750	15,750
Contractual Services	250,000	250,000
Commodities	15,000	15,000
Capital Outlay	38,137	38,137
Subtotal	<u>\$ 461,901</u>	<u>\$ 461,901</u>
TOTAL	<u><u>\$ 1,875,000</u></u>	<u><u>\$ 1,875,000</u></u>

The Senate Committee deferred action on these items until they passed.

KDHE

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H. House Bill No. 3153 (Pending) would make modifications to the Kansas Underground Storage Tank Act. The House version would change the initial liability amounts that owners and operators of underground storage tanks must pay for corrective action costs in order to have access to moneys in the Petroleum Storage Tank Release Trust Fund. The bill would allow those who have already taken corrective actions on or after April 1, 1990, for a tank release and paid the initial liability costs established under current law to apply for a refund from the Trust Fund, if they would be subject to lower liability costs established by the bill. According to KDHE, the

maximum fiscal impact to the Trust Fund would be \$3.3 million over a two-year period, including \$2.5 million for FY 1993.

The Senate version, in addition to the underground tank provisions approved by the House, would require KDHE to approve proposed corrective action plans. KDHE estimates FY 1993 expenditures for the Senate's version of underground tank modifications would total \$2,849,326, including \$2.5 million for refunds and \$349,326 for the salaries and OOE of 8.0 FTE new positions.

The Senate's version also expands all provisions of the Act to aboveground petroleum storage tanks. The bill would allow those who are engaged in producing or refining petroleum products to be eligible for reimbursement from receipts collected from the existing \$.01 per gallon assurance fee if corrective action was taken under certain circumstances. The bill would create the Aboveground Petroleum Storage Tank Release Trust Fund to which receipts would be transferred from the Petroleum Storage Tank Trust Fund. The Aboveground Trust Fund could be used to reimburse an owner or operator of an aboveground tank up to a specified maximum amount for the costs of corrective action taken in response to a release. The bill would also create the Storage Tank Fee Fund to which receipts would be credited from permit and registration fees, and other fees imposed by the Act (such fees are currently credited to the State General Fund, so the State General Fund would incur a net loss of approximately \$180,000 in receipts in FY 1993). Receipts in the new Storage Tank Fee Fund could be expended only for enforcement of tank performance standards and registration requirements, programs intended to prevent releases from tanks, and administration of the Act. In addition to requiring a permit to construct, modify, or operate a tank, the bill would require that a person obtain a permit or approval from KDHE to install a petroleum tank. The following table details KDHE's estimate of expenditures for FY 1993 on the Senate version of the bill.

	Underground Tank Program	Aboveground Tank Program
8.0 FTE Positions	\$ 247,352	\$ --
25.0 FTE Positions	--	852,447
Communications	14,915	29,026
Rents	27,895	74,397
Travel	6,000	51,000
Contractual Services	2,500,000	1,000,000
Commodities	8,750	18,000
Aid to Local Units	44,414	253,258
Subtotal	\$ 2,849,326	\$ 2,278,128
TOTAL	\$5,127,454	

The Senate Committee deferred action on these items until they passed.

14. Vital Statistics Satellite Office in Kansas City

I amend my FY 1993 budget to establish a Vital Statistics satellite office in the Kansas City clerk's office and staff the office with an additional FTE position in the Department of Health and Environment. While FY 1993 expenditures would be \$215,227 from the State General Fund, operation of the office in subsequent fiscal years would be approximately \$28,500. To provide additional State General Fund revenue, I recommend that the Department, within existing statutory authority, increase the fee for the first copy of a death, stillbirth, marriage, or divorce certificate from \$7.00 to \$10.00, and additional copies of the same certificate from \$4.00 to \$5.00. The new rates will generate approximately \$230,000 of additional revenue to the State General Fund annually.

	<u>FY 1992</u>	<u>FY 1993</u>
State General Fund	\$ --	\$ 215,227
All Other Funds	<u> --</u>	<u> --</u>
All Funds	\$ --	\$ 215,227

The Senate Committee deferred action on the Vital Statistics Satellite Office in Kansas City pending receipt of information from KDHE concerning a past lawsuit.

13. Restore \$18,822,606 from the State General Fund for operating expenditures and the associated proviso vetoed by the Governor in the agency's FY 1993 appropriation bill (H.B. 2720). In addition, create a separate line item account from the State General Fund of \$500,000 for FY 1993 for the Infant and Toddler Program. The Governor vetoed the line item Operating Expenditures account of \$19,322,606, which included \$500,000 added by the Legislature for the Infant and Toddler Program. The veto reflects the Governor's disagreement with the addition of the \$500,000 amount for the Infant and Toddler Program in H.B. 2720.

The House overrode the Governor's veto of KDHE's operating expenditure line item. If the Senate overrides the veto, this item will no longer be needed in the Omnibus Bill.

Attorney General – Kansas Bureau
of Investigation

A. Insertion of Transfer Language. The 1992 Legislature added \$8,665 in FY 1992 and \$13,395 in FY 1993 from the Lottery and Racing Investigations Fee Fund for salaries for the agency's Gaming Unit. The Lottery and Racing Investigations Fee Fund is funded by transfers from the State Racing Fund. When the additional expenditures were authorized from the Lottery and Racing Investigations Fee Fund, language raising the amount to be transferred from the Kansas Racing Commission's Racing Fund to the KBI's Lottery and Racing Investigations Fee Fund was not included in either the Racing Commission's or the KBI's appropriations bill.

Both Committees have agreed to insert the transfer language.

B. Agent Overtime and Standby Pay. The agency requested \$310,967 in overtime pay and \$34,539 in standby pay for agents in FY 1993. According to the agency, the money would fund ten hours of overtime per agent per 28-day period, as well as \$1.00 per hour in standby pay for agents, who are required to be on-call every seventh weekend, as well as on certain holidays. It would also provide two hours' overtime pay per criminalist per 28-day period. Although the money has not been added by the 1992 Legislature, the Senate Ways and Means Subcommittee that examined the KBI budget expressed the opinion that there should be "at least a rough parity between the Highway Patrol and the KBI in the agencies' abilities to provide overtime and stand-by pay to their law-enforcement personnel," and recommended that the matter be revisited during Omnibus. The 1992 Legislature added \$485,932 to the Kansas Highway Patrol's FY 1993 budget for trooper overtime and holiday pay.

House Committee added \$34,539 for stand-by pay. Senate Committee concurred with agency request.

C. 1991 S.B. 383 (Simulcasting) (Approved by Governor). The Senate Ways and Means Subcommittee that examined the KBI's budget recommended an Omnibus reexamination of the agency's financial and manpower needs should S.B. 383, which provides for simulcasting of horse and greyhound races, be approved by the 1992 Legislature. The bill passed both houses and was approved by the Governor on April 4, 1992.

S.B. 383 gives responsibility for doing background checks on applicants for simulcasting licenses to the Kansas Bureau of Investigation. The Bureau asserts that, in addition to this responsibility, it may be faced with an increase in the number of requests to investigate crimes related to the increase in legalized wagering made possible by simulcasting; an increase in illegal bookmaking; a proliferation of frauds, scams and thefts "capitalizing on the inherent idiosyncracies of the simulcasting process"; and increased attempts by organized criminal groups to influence and corrupt the industry. To deal with this situation, the KBI estimates that 3.0 new FTE positions (two Special Agent II positions and one Office Specialist position), as well as other operating expenditures, will be required. The expenses listed by the agency are as follows:

2.0 FTE Special Agents II	\$	71,926
1.0 FTE Office Specialist		25,297
Travel and Subsistence		24,000
Supplies		15,064
Contractual Services		966
Capital Outlay		1,486
Total	\$	<u>138,739</u>

House Committee concurred with agency and added funding from the Gaming Fund. Senate Committee deferred action.

D. 1992 S.B. 479 (Sentencing Guidelines) (Conference Committee). S.B. 479 would replace the present indeterminate method of sentencing felony offenders with a presumptive and determinate sentencing system. Determinate sentences would be based upon categories of offenses and defendants' criminal histories.

According to the KBI, the dependence of the sentencing guidelines on the prior criminal history of defendants requires a strong emphasis on the accurate gathering and reporting of arrest and conviction records from local, state and national sources, including the recording of all class A and B misdemeanors and juvenile adjudications.

The KBI is responsible for the compilation and reporting of these records. The agency estimates that an additional 40,000 to 50,000 fingerprint cards will be received because of the bill, nearly doubling the amount that it is currently required to process.

The agency has indicated that it would need both personnel and hardware to upgrade the capabilities of the Automated Fingerprint Identification System (AFIS) and the criminal and juvenile history record systems. The agency, in order to handle the increase in records documentation, proposes the purchase of an optical disc storage system. The optical disc would cost \$1.5 million to purchase, with annual maintenance costs of \$250,000. The agency's plans to acquire and utilize the optical disc (which could also be utilized for purposes other than processing records required by the sentencing guidelines) have not been reviewed by DISC.

The agency estimates its FY 1993 needs, connected with the implementation of the sentencing guidelines, to be as follows:

4.0 FTE AFIS Technicians and	
1.0 FTE Supervisor	\$ 117,731
6.0 FTE Office Assistants	100,630
AFIS Forms	25,000
AFIS Workstation	100,000
Upgrade on AS400 Computer	384,000
Total without Optical Disc	<u>\$ 727,361</u>
Purchase of Optical Disc	1,500,000
TOTAL	<u><u>\$ 2,227,361</u></u>

If collection of misdemeanor data were to begin in FY 1992 (the sentencing guidelines would go into effect on July 1, 1992), the agency requests an additional \$438,590 for the computer upgrade and to hire the 11.0 FTE positions for the last quarter of fiscal year 1992.

House Committee added 9.0 FTE and \$651,707. Senate Committee has not acted.

E. OJA Reports from KBI. The House Appropriations Subcommittee for the Judicial Branch reviewed a conflict between the Office of Judicial Administration and the Judicial Branch and the KBI concerning the processing of OJA probation reports. The reports include individual cases handled by a Court Services Officer (CSO), including identifiers, case numbers and prior involvements with the criminal justice system. Since 1980, the KBI Statistical Analysis Center,

through an informal agreement with the OJA, has been processing these reports and providing monthly summaries concerning individual CSO caseloads to the OJA. Due to a four-month backlog in the entry of Incident-Based reports, the KBI ceased entry of OJA probation reports in May 1991, until the backlog could be resolved. The KBI explained that the loss of a key staff person at the Statistical Analysis Center in August 1991 has aggravated the situation. The House Subcommittee directed the two agencies to prepare a report detailing an arrangement whereby the backlog and the resulting conflict could be resolved and to present it to the Subcommittee in April for consideration during Omnibus.

In order to deal with the backlog described above, and to prevent such a backlog from recurring, the KBI is requesting the following:

1.0 FTE Office Assistant II	\$	17,782
Computer and Office Equipment for New Position		1,500
400 Hours Overtime for Existing Personnel		6,000
TOTAL	\$	<u>25,282</u>

According to the agency, the requested overtime would be sufficient to allow present agency personnel to alleviate the current backlog; the requested FTE position would be necessary to prevent a backlog from developing again.

House Committee has added \$6,000 for overtime. Senate Committee added everything requested by the agency.

F. 1991 H.B. 2353 (Driving While Impaired/DUI) (Conference Committee). 1991 H.B. 2353, as amended by the House Committee of the Whole, would create the new misdemeanor offense of driving while impaired. A driver with a blood alcohol level between .05 and .10 would be considered impaired within the meaning of the statute.

The bill as amended by the Senate, would create a rebuttable presumption that a driver with a blood alcohol level between .08 and .10 would be driving under the influence. The current law, whereby a driver with a blood alcohol level of .10 or more is considered under the influence with no opportunity to rebut, would be retained.

The KBI estimates that, if the Senate amendments are retained, submissions to the Bureau toxicology laboratory would increase 10-32 percent. Bureau personnel would also have to spend more testifying on such cases in court, as well as travelling to courts around the state. Passage of the bill would also mean more clerical work, according to the agency. The bureau estimates that passage of the bill would create the following needs for the agency:

1.0 FTE Criminalist/Toxicologist	\$	30,148
0.5 FTE Office Assistant I		7,500
Funding for Services (Mainly Travel)		14,080
Additional DUI Testing Equipment		80,000
TOTAL	\$	<u>131,728</u>

Bill still in conference. House Committee has denied the agency request. Senate Committee has not acted.

G. Governor's Budget Amendment No. 4, page 8, item 20.

House Committee has denied agency's request for a special agent position and funding.
Senate Committee has concurred with the agency.

State Mental Retardation Hospitals – Systemwide Issues

A. School Contract Issues

1. **Categorical Aid.** The budgeted school contracts for each of the hospitals include categorical aid based on a rate of \$15,070 per eligible teaching unit. The chart that follows shows the total categorical aid amount included in each hospital budget request and the number of eligible teaching units.

<u>Hospital</u>	<u>Teaching Units</u>	<u>Total</u>
KNI	31.794	\$ 479,136
Parsons	29.000	437,031
Winfield	32.017	482,499

Categorical aid was not included in the Governor’s recommended budgets for the hospitals. The issue of how categorical aid might be supplanted was not addressed in the *Governor’s Budget Report*. The Senate and House Subcommittees deferred consideration of this item pending approval of a school-finance plan by the Legislature.

Neither Committee has acted on this question.

2. **Teacher Salary Increases.** The amounts recommended by the Governor for FY 1993 school contracts include nothing for teacher salary increases. The agency requests had included a 4 percent teacher salary increase. Neither the Senate nor the House dealt with the issue during their deliberations on the agencies’ budgets.

House Committee has added funding for a 2 percent increase. Senate Committee has not acted.

B. Turnover Rates

All three state mental retardation hospitals requested relief from salary turnover rates recommended by the Governor for FY 1992 in hearings before the Senate Ways and Means Subcommittee, which added moneys from the hospitals’ fee funds and Title XIX funds. Relief was also requested by KNI and Parsons State Hospital for FY 1993; the Senate Subcommittee addressed the request by adding State General Fund money, though not in the amounts requested by the hospitals. The House Appropriations Committee deleted all moneys added by the Senate in both fiscal years, and recommended that the issue of staff turnover rates at the state’s mental retardation institutions be reviewed during the Omnibus Session. It recommended further that the institutions, the Division of Mental Health and Retardation Services of the Department of Social and Rehabilitation Services and the Division of the Budget study the issue of staff turnover, and that a Governor’s Budget Amendment be submitted to resolve the problem.

The hospitals are asking for relief in the amounts that follow.

1. Kansas Neurological Institute

<u>FY 1992</u>	<u>Agency Request</u>	<u>Gov. Rec. GBA No. 4 Item 102</u>
State General Fund	\$ 26,745	\$ 26,745
General Fee Fund	150,000	150,000
Total XIX	256,772	256,772
TOTAL	\$ 433,517	\$ 433,517
<u>FY 1993</u>		
State General Fund	\$ 142,717	\$ 82,846
Total XIX	198,548	119,218*
TOTAL	\$ 341,265	\$ 202,064

* All Other funds.

The requested funding would reduce KNI's FY 1992 turnover rate to 6.25 percent, and its FY 1993 turnover rate to 6.0 percent from the 7.5 percent recommended by the Governor for both fiscal years.

Bothe Committees have concurred with Governor in both fiscal years.

2. Parsons State Hospital

<u>FY 1992</u>	<u>Agency Request</u>	<u>Gov. Rec. GBA No. 4 Item 99</u>
State General Fund	\$ 43,209	\$ 184,685
General Fee Fund	140,670	--
Total XIX	266,573	265,767*
TOTAL	\$ 450,452	\$ 450,452
<u>FY 1993</u>		
State General Fund	\$ 102,500	\$ 56,901
Total XIX	147,500	82,165*
TOTAL	\$ 250,000	\$ 139,066

* All Other funds.

The requested \$250,000 would allow a 4.8 percent turnover rate in FY 1993. The Governor recommended a rate of 6.4 percent.

Both Committees have concurred with agency in FY 1992, Governor in FY 1993.

3. Winfield State Hospital.

<u>FY 1992</u>	<u>Agency Request</u>	<u>Gov. Rec. GBA No. 4 Item 101</u>
General Fee Fund	\$ 155,500	\$ 155,500

The requested money would allow for a reduction in the turnover rate at the hospital to 6.8 percent from the 7.4 percent recommended by the Governor.

Both Committees have concurred with Governor.

Parsons State Hospital

A. Governor's Budget Amendment No. 4, p. 33, Item 100.

Both Committees have concurred with Governor.

3478

Kansas Highway Patrol

House Committee has added \$150,000 SGF for trooper overtime in FY 1992. Senate Committee has added \$87,932.

House Committee has lapsed \$242,966 SGF in salary funding in FY 1993.

Systemwide Mental Health Hospitals
(Larned, Osawatomie, Rainbow, and Topeka)

A. School Contract Issues

1. **Categorical Aid.** Both the Senate and House deferred consideration of categorical aid. The budgeted school contracts for each of the hospitals in FY 1993 include categorical aid funding based on a rate of \$15,070 per eligible teaching unit. The chart below notes the total categorical aid amount included in each budget and the number of eligible teaching units.

Hospital	Teaching Units	Total
Larned	11.598	\$ 174,781
Osawatomie	13.4	201,938
Rainbow	20.53	309,422
Topeka	28.78	433,690

Categorical Aid was not included in the Governor's recommended budgets for the hospitals. The issue of how categorical aid might be supplanted was not addressed in the *Governor's Budget Report*. The Senate and House Subcommittees deferred consideration of this item pending approval of a school finance plan by the Legislature.

2. **Teacher Salary Increase.** The amounts recommended by the Governor for FY 1993 school contracts include no amounts for teacher salary increases. The following percentage increases were requested by the hospitals for teacher salaries in FY 1993: Larned, 4 percent; Osawatomie, 2 percent; Rainbow, 5 percent; and Topeka, 3 percent.

The House recommended a teacher salary increase of one-half of the percentage requested by each agency. The Senate deferred consideration of the issue.

D. **Systemwide Enhanced Security Measures.** The House Subcommittee requested a systemwide plan for enhanced security measures at each of the four hospitals. The Subcommittee recommended that SRS address any items found to be critical with a Governor's Budget Amendment request and that the issue be addressed as an Omnibus item. The agency requested the following as Governor's Budget Amendment items:

Topeka State Hospital	FY 1992	FY 1993
Behavior Treatment Unit	\$ 297,031	\$ 1,179,189
Enhanced Security Staffing	38,351	104,616
Enhanced Exterior Lighting	259,700	--
Hospital-wide Rekeying	77,367	--
Local Area Network	77,177	--
Total	\$ 749,626	\$ 1,283,805

(Staff Note: The agency notes that the passage of H.B. 3182 [Senate Judiciary] could affect this request. H.B. 3182 would provide for the admission of felons to Larned State Hospital and would provide flexibility for the other hospitals to transfer patients to Larned.)

Requests made to the House Subcommittee for personnel, modifications, and equipment associated with security issues which were not requested by SRS as Governor's Budget Amendment items include the following items:

Larned State Hospital

1. Modification of Nursing Stations -- Dillon	\$	50,000
2. Video Monitors		43,935
3. Security/Safety Personnel		40,000
4. Security Transportation		18,500
5 Full Staffing-Reduction of Shrinkage Rate		559,198
6. Metal Detectors		10,000
7. Rekeying State Security Hospital		150,000
TOTAL	\$	<u>871,633</u>

Osawatomie State Hospital

1. Enhanced Staffing of Unit for District Court Referrals	\$	103,242
2. Silent Alarm System		20,599
3. Replace Paging and/or On-Call System		15,000
4. Lock System Replacement		109,200
5. Upgrade Security Radio Equipment		21,770
6. Exterior Lighting Enhancement		36,500
7. Increased Parking		10,000
TOTAL	\$	<u>316,311</u>

Rainbow Mental Health Facility

1. Enclosed Space Between Two Buildings	\$	15,800
2. Key Replacement		4,100
3. Enhanced Personnel		110,460
TOTAL	\$	<u>130,360</u>

The Senate deferred consideration of all security measure issues. The House recommended that three of the Topeka State Hospital items, the enhanced lighting, hospital-wide rekeying, and local area network, be funded from disproportionate share (Title XIX) funds. These items had been recommended in Governor's Budget Amendment No. 4, page 31, items 66-68, with the exterior lighting funded from the SIBF and the remaining two projects funded from the State General Fund. The Building Committee recommended that the lighting project be funded with disproportionate share funds.

92-2476/KP

FORT HAYS STATE UNIVERSITY

Governor's Budget Amendment No. 3 -- New Physical Sciences Building. The Governor recommends a total of \$11,976,000 to plan, construct, and equip a new physical sciences building, of which \$8,000,000 is from the State General Fund and \$3,976,000 is from federal funds. The building (84,850 gross square feet) would include two major components, physical sciences (Departments of Chemistry, Earth Sciences, and Physics), and the University Computing Center.

The Governor's recommendation for State General Fund financing corresponds to a State General Fund reduction in the SRS budget as a result of the retroactive disproportionate share funding which is used to offset State General Fund demands in the SRS budget. The University has already received a grant of \$3,976,000 from the federal government for the project. The 1991 Legislature appropriated \$250,000 from the federal funds for preliminary planning and 1992 HB 2728 (capital improvements bill) includes \$390,000 in federal funds for final planning. The Governor recommends the \$8,000,000 from the State General Fund and the balance in federal funds of \$3,336,000 in FY 1993 for construction. The Governor notes that actual expenditures may occur over a longer period of time.

House Committee Recommendation in House Substitute for H.B. 3207
-- see attached spreadsheet

Fee Release -- see Regents systemwide
Library Enhancement -- see Regents systemwide
GTA Fee Waiver - 100% -- see Regents systemwide

EMPORIA STATE UNIVERSITY

GTA Fee Waiver 100% -- see Regents systemwide

DEPARTMENT OF ADMINISTRATION

H.B. 2682 (veto overridden) authorizes the Secretary of Administration to provide telecommunications services to any county, municipality, or school district in Kansas (defined as "governmental unit" in the legislation), and to establish rates and charges and bill governmental units for those services. Prior to enactment of this legislation, the Secretary was authorized to provide such services only to state agencies. Currently, there is an expenditure limitation on DISC's operating and depreciation reserve funds (e.g. information technology fund and information technology reserve fund) of \$24,476,235 and \$8,020,275, respectively; therefore, in order to support new "governmental unit" customers, DISC would exceed the existing expenditure limitations.

The Department of Administration requests that the expenditure limitations on the two funds be changed to "no limit." Other options include: (1) retain the existing limitations and if necessary the Department of Administration can seek Finance Council approval to increase the expenditure limitations; (2) increase the limitations based on an estimate of anticipated services to governmental units; and (3) place a proviso on the existing limitation indicating that additional expenditures associated with telecommunication services to governmental units may exceed the limitations.

House Committee recommends option 3 -- place a proviso on the existing limitation indicating that additional expenditures associated with telecommunication services to governmental units may exceed the limitations.

PITTSBURG STATE UNIVERSITY

Governor's Budget Amendment No. 3 -- Kansas Technology Center.
The Governor recommends \$10,700,000 from the State General Fund for construction of the Kansas Technology Center. In addition to the 10.7 million, the University has received 9.0 million in federal grants and anticipates raising 8.0 million in private gifts and donations for a total project cost of 27.7 million. The Kansas Technology Center would provide new classroom and laboratory space for the University's School of Technology and Applied Sciences.

The Governor's recommendation for State General Fund financing corresponds to a State General Fund reduction in the SRS budget as a result of the retroactive disproportionate share funding which is used to offset State General Fund demands in the SRS budget. 1992 HB 2728 (capital improvements bill) includes \$493,000 in federal funds (\$443,000) and gift funds (\$50,000) for FY 1993 for planning. The Governor notes that actual expenditures may occur over a longer period of time.

House Recommendation in House Substitute for H.B. 3207 -- see attached spreadsheet

Fee Release -- see Regents systemwide

Library Enhancement -- see Regents systemwide

GTA Fee Waiver - 100% -- see Regents systemwide

Sec. **Kansas Public Employees Retirement System**

1. Add \$300,000 (KPERS Fund) in FY 1993 for local special legal counsel to advise the KPERS Board of Trustees on pending investment litigation.
2. Add \$24,000 (KPERS Fund) in FY 1993 for survey a KPERS members and special actuarial studies, all requested by the KPERS Retirement Study Commission.
3. S.B. 526 veto overridden. The agency has requested \$99,600 (KPERS) for administrative costs associated with implementation of the bill.
4. Sub. for H.B. 2096 (Senate Committee of the Whole). The bill is the KPERS omnibus retirement bill, the agency has estimated the fiscal note for administrative costs associated with the implementation of the bill at \$99,600 (KPERS Fund).

Sec. **Regents Systemwide Items.**

1. **General Fee Release in FY 1992.** The items were vetoed by the Governor in H.B. 2729 relate to the current year fee release. The total amount is \$317,331 (General Fees Fund).
2. **Library Enhancement in FY 1993.** The Governor vetoed in H.B. 2730 an amount of \$500,000 (State General Fund) for Regents' systemwide library enhancements.

Sec. **Kansas State University**

1. Add \$45,301 from the State General Fund and decrease the General Fees Fund by \$45,301 in FY 1993 to reflect a graduate teaching assistant fee waiver of 100 percent. The current approved level for FY 1993 is 87.5 percent.

2. **Governor's Budget Amendment No. 3 - Farrell Library Renovation and Expansion.**

The Governor recommends a total of \$28,000,000 to plan, construct and equip a major expansion and addition to Farrell Library. The Governor recommends financing of \$23,000,000 in FY 1993 with

\$18,000,000 from the State General Fund and \$5,000,000 from student financed bonds and another \$5,000,000 in FY 1994 financed from gifts and donations. The Governor notes that actual expenditures may occur over a longer period of time. The project would include the addition of 153,000 gross square feet of library stack space, student study areas and staff offices and include a major renovation of the existing library facility. The addition would provide shelving growth of collections to the year 2020 and allow for the consolidation of the Math/Physics and Chemistry/Biochemistry branches into the new complex.

The Governor's recommendation for State General Fund financing corresponds to a State General Fund reduction in the SRS budget as a result of the retroactive disproportionate share funding which is used to offset State General Fund demands in the SRS budget. The University has already received student approval for financing \$5,000,000 in bonds for the project. The University has already raised \$2.0 million of the \$5.0 million in gifts and donations.

The Joint Committee on State Building Construction has recommended the project financed through disproportionate share funding. The Joint Committee recommend funding of \$500,000 in FY 1992 and FY 1993; \$9,000,000 in FY 1994 and \$8,000,000 in FY 1995. The House Appropriations Committee recommendations for the project are in H.B. 3207 and are reflected in the attached spreadsheet.

Sec. **University of Kansas**

1. Add \$132,081 from the State General Fund and decrease the General Fees Fund by \$132,081, all in FY 1993 to reflect a graduate teaching assistant fee waiver of 100 percent. The currently approved waiver for FY 1993 is 87.5 percent._

2.

Governor's Budget Amendment No. 3 - Hoch Auditorium Reconstruction and Library Expansion. The Governor recommends a total of \$18,000,000 to plan, construct and equip the reconstruction of Hoch Auditorium that would include a library expansion. Hoch Auditorium was destroyed by fire as the result of a strike by lightening on June 15, 1991. The project would be entirely financed from the State General Fund with \$1,000,000 in Fy 1992 and \$17,000,000 in FY 1993. The Governor notes that actual expenditures may occur over a longer period of time. The 115,000 gross square foot project would include two 500 seat lecture hall (22,500 gross square feet), four 50 seat classrooms (4,500 gross square feet), a testing commons (10,000 gross square feet), library collections area (46,300 gross square feet), study/reader areas (4,100 gross square feet), and staff/service areas (5,100 gross square feet).

The Governor's recommendation for State General Fund financing corresponds to a State General Fund reduction in the SRS budget as a result of the retroactive disproportionate share funding which is used to offset State General Fund demands in the SRS budget.

 The Joint Committee on State Building Construction has recommended the project financed through disproportionate share funding. The Joint Committee recommended funding of \$1,000,000 in Fy 1993, \$10,000,000 in FY 1994, \$11,400,000 in FY 1995, and \$5,600,000 in FY 1996 for the project. The House Appropriations Committee recommendations for the project are in H.B. 3207 and are reflected in the attached spreadsheet.

Sec. University of Kansas Medical Center

1. Add \$12,121 from the State General Fund and decrease the General Fees Fund by \$12,121, all in FY 1993 to reflect a graduate teaching assistant fee waiver of 100 percent. The currently approved waiver for FY 1993 is 87.5 percent.
2. Add \$50,000 from the State General Fund in FY 1993 for additional support of the family practice program on the Kansas City campus. The additional funds can be expended only after the Chancellor certifies that the agency has internally reallocated \$50,000 to match the additional State General Fund appropriation.
3. H.B. 3202 (Senate Committee of the Whole). The bill relates to the Family Practice Program in Salina. The estimated fiscal note by the agency is \$129,600 (State General Fund) in FY 1993.
4. H.B. 3211 (Senate Committee of the Whole). The bill relates to establishment of a new Kansas Medical Residency Bridging Program. The estimated fiscal note by the agency is \$321,000 (State General Fund) in FY 1993.

Sec. Wichita State University

1. Add \$46,150 from the State General Fund and decrease the General Fees Fund by \$46,150, all in FY 1993 to reflect a graduate teaching assistant fee waiver of 100 percent. The currently approved waiver for FY 1993 is 87.5 percent.
2. In H.B. 3207 the House Appropriations Committee adds \$150,000 (disproportionate share funds) in FY 1993 for ventilation improvements in McKinley Hall. See attached spreadsheet.
3. In H.B. 3207 the House Appropriations Committee adds \$300,000 in FY 1995 from the Educational Building Fund for preliminary planning for a new Chemistry Building and power plant addition.

State Library

1. House Committee added \$200,000 from the State General Fund for FY 1992 for the Dodge City Public Library for the purchase and maintenance of Saint Mary of the Plains College's library collection. This recommendation assumes that \$200,000 will be expended in the Department of Social and Rehabilitation Services from disproportionate share funds and that a like amount from the State General Fund will be lapsed.

School for the Visually Handicapped

1. The House Committee added \$15,144 for FY 1992 for evaluation costs of a student with behavioral problems.

2. House Appropriations Committee approved \$130,000 in House Substitute for H.B. 3207 for track completion, parking, and handicap accessibility -- see attached table.

3. House Appropriations Committee approved \$1,631,200 in House Substitute for H.B. 3207 for the renovation of the Irwin Building and the planning of student group homes -- see attached table.

Department on Aging

1. S.B. 182 is still in conference. Includes a pre-screening requirement for all individuals entering nursing homes. The Department is requesting \$95,000 for the publication of long term care guides and a public information campaign.

School for the Deaf

1. Governor Budget Amendment No. 4, a \$1.9 million renovation of the elementary school. Senate Committee delayed discussion of this item pending a Building Committee recommendation. The Building Committee and House Committee approved \$6.2 million in House Substitute for H.B. 3207 for the construction of a new elementary school -- see attached table.

State Historical Society

1. House Appropriations Committee approved \$12, 277,000 in House Substitute for H.B. 3207 for the construction of a new Center for Historical Research -- see attached table.

FY 1993

Priority: Caseload
 Issue: Zebly Workload Increase
 Program: Disability Determination & Referral Services - 7800
 Subprogram: Operations - 7812
 Social Security Services - 7811
 Object Code: 100, 200, 370

<u>Sub-subprogram</u>	<u>All Funds</u>	<u>SGF</u>	<u>FTE</u>
6811	\$196,400	\$2,162	5.0
6812	314,552	0	0.0

Justification:

We are requesting additional funding of \$510,992 total funds (\$2,162 SGF) in FY 1993 to process a workload substantially greater than projected previously. That projection included children's disability claims which resulted from the settlement of the Zebly Court Case. The Zebly workload projections were based on retroactive cases going back to 1980, interim cases, and cases arising as a result of the wide publicity this case has received. Projections for new childhood claims resulting from the Zebly Court Case and the resultant new guidelines for evaluating childhood claims were much too low. That, coupled with SSI outreach initiatives which have generated increases in SSI claims and a sluggish economy which also increased claims resulted in total workload projections substantially short of the realized workload.

The pending workload doubled in the latter part of FY 1991 and remained at that high level in FY 1992. To reduce the size of the pending workload, thus reducing the processing time required to make disability decisions the Social Security Administration recommended the following actions. Staff additions should include the following: 4 full-time permanent Disability Examiners; 1 full-time permanent support staff; and 4 full-time temporary support positions. The latter temporary positions were also recommended by a Disability Review Team in December, 1991. Costs were computed for 4 Disability Examiner I positions, 1 Utility Worker (who is assisting in supply room, mailing operations, and renovation), and 4 temporary Office Assistant III positions.

Object code 100 costs were based on Step C of the salary range for Disability Examiners and Step A for the remaining positions with .1251 (FY 1992) for fringe benefits. Costs for FY 1993 were based on those needed for the entire fiscal year. Cost for four Disability Examiners for FY 1993 is \$108,508, for four contemporary (49%) Office Assistant III's \$33,228, and one Utility Worker \$15,120. Other administrative costs for FY 1993 include object code 200, communication \$38,584; and object code 370 supplies \$1,000. Preceding costs are under subprogram 6811. For subprogram 6812 Social Security Services, object code 260 fees-professional services \$314,552 is needed for consultative examinations and medical evidence of record to develop evidentiary information for these case decisions.

<u>Sub-subprogram</u>	<u>Obj. Code</u>	<u>Fund</u> 3182-00	<u>Fund</u> 3287-50	<u>Fund</u> 1000-01	<u>Total</u>
6811	100	\$155,130	863	863	\$156,856
6811	200	38,160	212	212	38,584
6811	370	988	6	6	1,000
6812	260	314,552	0	0	314,552

SWAM
 May 2, 1992
 Attachment 2

FEB 28 1992

DEPARTMENT OF HEALTH & HUMAN SERVICES

Social Security Administration

Refer to:

Office of the Regional Commissioner
Room 436 Federal Office Building
601 East 12th Street
Kansas City, Missouri 64108

FEB 28 1992

Carol Rank, Acting Director
Kansas Disability Determination and
Referral Services
10th Floor, Room 1016
Docking State Office Building
915 Harrison Street
Topeka, Kansas 66612

Dear Mrs. Rank:

Social Security Disability Insurance and Supplemental Security Income case receipts have been exceeding our original expectations. We expect to provide you with revised workload projections in the very near future.

In the meantime we believe that you should maintain sufficient staff to accommodate increases in the workload. We urge that you add five full-time permanent employees; four disability examiners and a support person. This would bring your full-time permanent staff component up to 107 positions. We also urge that you act on the recommendations of the December review team and add the equivalent of 4 full-time temporary positions.

If you have any questions concerning this the staff contact is Walt Christensen. He can be reached at (816) 426-2861.

Sincerely,

Howard J. Sladek for
Howard J. Sladek
Assistant Regional Commissioner,
Program Operations and Systems



Department of Health and Environment
Azzie Young, Ph.D., Secretary

Reply to:

April 28, 1992

Senator Gus Bogina
Kansas State Senate
Topeka, Kansas

RE: Local Issuance of Vital Records in Wyandotte County

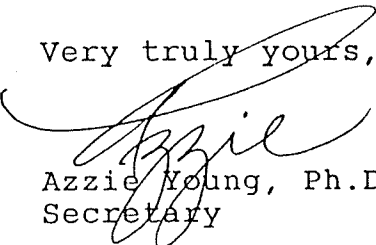
Dear Senator Bogina:

This letter is in response to your request for information about our request for funding for local issuance of vital records in Wyandotte County.

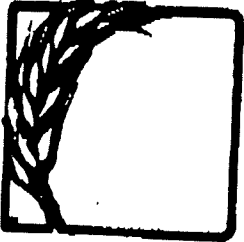
In July of 1989 a dispute arose between the Kansas Department of Health and Environment and the City of Kansas City over the use of local registrars of vital statistics. The dispute lead to a lawsuit over the interpretation of the Kansas Vital Statistics Act. After the City won in district court, KDHE appealed. During the appeal period, the parties agreed to settle the matter. KDHE, which had local issuance of vital records in its long range plans, agreed to locate the first of the regional centers in Kansas City. We felt this was appropriate since there is no KDHE regional office in Kansas City, and Kansas City is centrally located for the metropolitan Kansas City Area. In exchange for our agreement, Kansas City agreed not to pursue the lawsuit.

During the 1990 legislative session, the vital statistics laws were amended, eliminating local registrars, and making the issues in the lawsuit moot. However, KDHE feels obligated both morally and legally to pursue local issuance in Wyandotte County.

Very truly yours,


Azzie Young, Ph.D.
Secretary

SWAM
May 2, 1992
Attachment 3



Dodge City Public Library

1001 SECOND AVENUE

DODGE CITY, KANSAS 67801-4484

TELEPHONE 316 225-02

The closing of Saint Mary of the Plains College in Dodge City has created a crisis which must be addressed by May 15, 1992. The loss of the only four year academic institution in southwest Kansas has a tremendous negative effect on all the counties in the area. Several institutions are making plans to bring course work or full academic upper division offerings to Dodge City and the area. The present students at Saint Mary's and students involved in distance education learning throughout southwest Kansas have depended heavily on the academic library collection at SMPC. The magazine and book collections have been used to supply needed information to on-campus students and students in this area through the college's membership in the Southwest Kansas Library System also located in Dodge City. As a result of the college closing the collection must be sold. This will mean a very valuable resource will be lost to out-of-state book buyers. Kansas students in southwest Kansas will have no browsing access to upper level academic materials closer than Hays or Wichita.

The replacement value of the library collection is appraised at \$2,509,321.00. The college administration has offered to sell the collection to the Dodge City Public Library for \$250,000.00 under the agreement that the collection would be maintained on campus to support the higher education offerings being recruited to the community. The Dodge City Public Library Board has agreed to accept the collection, maintain the magazine subscriptions and operate the facility on a schedule that is appropriate to support classes offered by the institutions already committed to upper level and graduate courses in Dodge City and the region. Dodge City Public Library is the headquarters and main resource library for the Southwest Kansas Library System. (Operation of the Saint Mary of the Plains Library by Dodge City Public Library offers both qualified staffing and the computerized links necessary to keep the SMPC collection as a vital information resource to support students involved in distance education in the region. The Dodge City Public Library does not have the \$250,000.00 necessary to purchase and maintain the collection on campus for the next year. Operating funds can be made available in the 1993 budget year. The deadline of the school's closure on June 30, 1992 creates an emergency which the public library wishes to respond to but can not while the library operates under the present budget restrictions.

The Dodge City Public Library is requesting a one-time appropriation of \$250,000.00 in the 1992 Omnibus bill to purchase the entire collection, maintain space to house the collection on campus and provide a minimum level of operation support through the remaining months of 1992. For 1993 and future years, existing budget procedures can be utilized to provide operating funds from local sources.

SWAM
May 2, 1992
Attachment 4

BUDGET REQUEST

Purchase of library collection	\$150,000.00
Housing for the collection is provided rent-free in the administration and classroom building Utilities, janitorial service and security for the 16,000 sq. ft. library @\$ 5.00/sq.ft.	80,000.00
Maintenance of materials collection Aug.-Dec.'92	20,000.00
Total	\$250,000.00

For additional information contact:

Jane Hatch, Director
Dodge City Public Library
Southwest Kansas Library System
1001 Second Avenue
Dodge City, KS 67801

1-800-657-2533

Lyle Butler
St. Mary of the Plains Task Force Chair
Dodge City Ford County Development Corporation
P.O. Box 939
Dodge City, KS 67801

316-227-9501



TOPEKA

SENATE CHAMBER

JANICE LEE MCCLURE

SENATOR, 38TH DISTRICT
GRAY, FORD, CLARK, MEADE,
SEWARD, AND THE EASTERN
TWO-THIRDS OF HASKELL
HCR 1-BOX 70
SUBLETTE, KANSAS 67877
(316) 675-2552

STATEHOUSE—503-N
TOPEKA, KS 66612
(913) 296-7359

COMMITTEE ASSIGNMENTS

RANKING MINORITY MEMBER: AGRICULTURE
MEMBER: CONFIRMATIONS
ECONOMIC DEVELOPMENT
FEDERAL AND STATE AFFAIRS
FINANCIAL INSTITUTIONS AND
INSURANCE
JOINT ARTS AND CULTURAL
RESOURCES

OMNIBUS BUDGET REQUEST

Purchase of St. Mary of the Plains library collection	\$150,000.00
Housing for the collection is provided rent-free in the administration and classroom building Utilities, janitorial service and security for the 16,000 sq. ft. library @ \$5.00/sq.ft. Aug.-Dec. '92	30,000.00
Maintenance of materials collection Aug.-Dec '92	<u>20,000.00</u>
Total	\$200,000.00

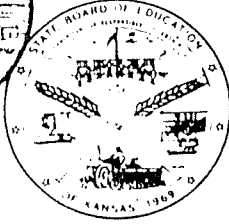
For additional information contact:

Senator Janice McClure

SWAM
May 2, 1992
Attachment 5

KANSAS STATE SCHOOL FOR THE VISUALLY HANDICAPPED

1867-1992: 125 YEARS OF SERVICE



1100 STATE AVENUE
KANSAS CITY, KANSAS 66102-4486
TELEPHONE (913) 281-3308
SPECIALNET—KSKSV
FAX—(913) 281-3104

April 28, 1992

Honorable George Teagarden
Kansas House of Representatives
Room 514-S
State Capitol
Topeka, Kansas 66612


Dear Representative Teagarden:

Please find attached a breakdown of the extra costs associated with a student from the Wichita area who we have been asked to serve and that has been placed at the Kansas State School for the Visually Handicapped (KSSVH). I apologize for the lateness of the request, however, we were attempting to exhaust all other resources and/or delay this evaluation until the next fiscal year.

In past cases, we have been able to utilize the Kansas Neurological Institute, Parsons, and/or the parents medical insurance for in-patient psychiatric evaluations. KSSVH has checked these resources and they are not available to us. These services are required by state and federal regulations and failure to provide these services may subject the state to litigation.

KSSVH requests that a supplementary appropriation be made for FY92 in order to cover the extraordinary expenses for this student's educational program.

Sincerely,


Ralph E. Bartley, Ph.D.
Superintendent

REB:gl
Encl.

cc: Bill Wisdom, House of Representatives
Lee Droegemueller, Commissioner of Education
Ellen Piekalkiewicz, Legislative Research Analyst
Dan Hermes, Budget Analyst

Sec. .

STATE FIRE MARSHAL

(a) During the fiscal year ending June 30, 1993, the director of the budget, after consultation with the state fire marshal, may periodically certify to the director of accounts and reports amounts of money for transfer from the fire marshal fee fund to the state general fund in order to transfer moneys which are not currently needed to pay for the operations of the office of the state fire marshal. Upon receipt of each such certification during the fiscal year ending June 30, 1993, the director of accounts and reports shall transfer the amount certified by the director of the budget from the fire marshal fee fund to the state general fund.

(b) All amounts transferred from the fire marshal fee fund to the state general fund under subsection (a) are to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any other governmental services which are performed on behalf of the state fire marshal by other state agencies which receive appropriations from the state general fund to provide such services. Such reimbursements are in addition to those authorized by K.S.A. 75-3170a and amendments thereto.

SWAM
May 2, 1992
Attachment 7

STATE OF KANSAS

*Skill Program*

Joan Finney, Governor

DEPARTMENT OF ADMINISTRATION

LEGAL SECTION

107 Landon State Office Building

900 Jackson

Topeka, Kansas 66612-1214

(913) 296-0000

FAX # (913) 296-0043

MEMORANDUM

TO: Gloria Timmer, Director of the Budget
Laura Nicholl, Secretary of Commerce

FROM: Arthur H. Griggs, Chief *Attorney*

DATE: April 27, 1992

RE: Transfer Language

In follow-up to this morning's meeting, I have prepared the draft language for inclusion in the omnibus appropriation bill to carry out the types of transfers envisioned by K.S.A. 1991 Supp. 74-50,108. Please let me know if you have questions or suggested edits. The proposed language is as follows:

Section _____. After consultation with the secretary of commerce, the governor's council on work force training may certify to the director of accounts and reports amounts of money for transfer from the SKILL program services fund to the state general fund in order to transfer moneys which are not currently needed to pay SKILL program costs. The first such certification may be on June 30, 1992. Thereafter, such certifications may be made as deemed necessary by the council, after consultation with the secretary of commerce. The director of accounts and reports shall carry out transfers certified by the council in accordance with this section.

AHG:db
4983L

SWAM
May 2, 1992
Attachment 8