

Approved: 4-25-97 _____
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on March 20, 1997 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Alan Conroy, Legislative Research Department
Kathy Porter, Legislative Research Department
Mark Burenheide, Legislative Research Department
Norman Furse, Revisor of Statutes
Michael Corrigan, Revisor of Statutes
Judy Bromich, Administrative Assistant
Janet Henning, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Senator Downey reviewed the Subcommittee report for the Emergency Medical Services Board (Attachment 1). Senator Ranson moved, Senator Downey seconded, that the Subcommittee report for the Emergency Medical Service Board be approved. The motion carried on a voice vote.

Senator Ranson reviewed the Subcommittee report for the Ombudsman for Corrections (Attachment 2). Senator Feleciano moved, Senator Ranson seconded, that the Subcommittee report for the Ombudsman for Corrections be approved. The motion carried on a voice vote.

Senator Lawrence reviewed the Subcommittee report for the Kansas Bureau of Investigation (Attachment 3). Senator Lawrence moved, Senator Salmans seconded, that the Subcommittee report for the Kansas Bureau of Investigation be approved. The motion carried on a voice vote.

Senator Ranson reviewed the Subcommittee report for the Parole Board budget (Attachment 4). Senator Feleciano moved, Senator Ranson seconded, that the Subcommittee report for the Parole Board be approved. The motion carried on a voice vote.

Senator Morris reviewed the Subcommittee report for the State Fire Marshal (Attachment 5). Senator Morris moved, seconded by Senator Gilstrap seconded, that the Subcommittee report for the State Fire Marshal budget be approved. The motion carried on a voice vote.

Senator Morris reviewed the Subcommittee report for the Kansas Highway Patrol (Attachment 6). Committee members expressed concern regarding the delay of implementation of the 800 MHZ network system in the state of Kansas. Concerns were also expressed regarding reduction of FTE's for FY 1996 and FY 1997 and the lack of utilization of the training academy in Salina. Senator Morris moved, seconded by Senator Gilstrap, to approve the Subcommittee report for the Kansas Highway Patrol. The motion carried on a voice vote.

Senator Ranson reviewed the Subcommittee report for the Adjutant General's budget (Attachment 7). After a brief discussion among Committee members, Senator Feleciano moved, Senator Ranson seconded, that the Subcommittee report for the Adjutant General's budget be approved. The motion carried on a voice vote.

Senator Downey reviewed the Subcommittee report for the Kansas Sentencing Commission (Attachment 8). Senator Downey moved, seconded by Senator Ranson, that the Subcommittee report for the Kansas Sentencing Commission be approved. The motion carried on a voice vote.

Senator Jordan reviewed the Subcommittee report for the budget of the Juvenile Justice Authority (Attachment 9). Senator Jordan told Committee members it was recommended this issue be

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS, Room 123-S Statehouse, at 11:00 a.m. on March 20, 1997.

readdressed in the Omnibus session. Senator Jordan moved, seconded by Senator Gilstrap, that the Subcommittee report for the Juvenile Justice Authority be approved. The motion carried on a voice vote.

Senator Jordan reviewed the Subcommittee report for the Youth Center at Atchison (Attachment 10). Senator Jordan moved, Senator Gilstrap seconded, that the Subcommittee report for the Youth Center at Atchison be approved. The motion carried on a voice vote.

Senator Jordan reviewed the Subcommittee report for the Youth Center at Beloit (Attachment 11). Senator Jordan moved, Senator Gilstrap seconded, that the Subcommittee report for the Youth Center at Beloit be approved. The motion carried on a voice vote.

Senator Jordan reviewed the Subcommittee report for the Youth Center at Larned (Attachment 12). Senator Jordan moved, Senator Gilstrap seconded, that the Subcommittee report for the Youth Center at Larned be approved. The motion carried on a voice vote.

Senator Jordan reviewed the Subcommittee report for the Youth Center at Topeka (Attachment 13). Senator Jordan moved, Senator Gilstrap seconded, that the Subcommittee report for the Youth Center at Topeka be approved. The motion carried on a voice vote.

The meeting was adjourned at 12:25 p.m.

The next meeting is scheduled for March 21, 1997.

SENATE WAYS AND MEANS COMMITTEE GUEST LIST

DATE: 3-20-97

NAME	REPRESENTING
Bob McDavidd	Board of EMS
Helen Stephens	KPOA / KSA
Marsha Lippin	KBI
Terry Knowles	KBI
Dale Finger	KBI
Mitch Cooper	SRS
Feresa Markowitz	SRS
Laura Howard	SRS
BOB HEDBERG	SRS
Griffith	SRS
Dennis Williams	KDOC
Marilyn Sule	KPB
TERESA SAIYA	KDOC
Wendy Stambrecht	ombudsman
MARC HEINZE	DEPT. OF ADMIN
Meggen Griggs	KS Troopers Association
Tom Brund	Allen Assoc.
LINDA, McGee	PMA
Ken Baker	KS. Governmental Consulting

SUBCOMMITTEE REPORT

Agency: Emergency Medical Services Board

Bill No. –

Bill Sec. –

Analyst: Rampey

Analysis Pg. No. 585

Budget Page No. 177

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 746,768	\$ 745,915	\$ 0
Other Assistance	<u>68,094</u>	<u>68,094</u>	<u>0</u>
TOTAL	<u>\$ 814,862</u>	<u>\$ 814,009</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 325,633	\$ 324,780	\$ 0
Other Assistance	<u>68,094</u>	<u>68,094</u>	<u>0</u>
TOTAL	<u>\$ 393,727</u>	<u>\$ 392,874</u>	<u>\$ 0</u>
FTE Positions	13.0	13.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>13.0</u>	<u>13.0</u>	<u>0.0</u>

Agency Overview

The Emergency Medical Services Board regulates ambulance services and attendants in Kansas. Its duties include issuing permits and inspecting ambulance services operating in the state, examining and certifying ambulance attendants, training and certifying emergency medical service instructors, approving emergency medical service training programs and continuing education courses, operating an emergency communications system in more than 50 Kansas counties, and monitoring use of state grants to four regional emergency medical service councils covering the state.

Agency Estimate/Governor's Recommendation

The current year estimate of \$814,862 is the amount approved by the 1996 Legislature. The amount consists of \$393,727 from the State General Fund and \$421,135 from the Emergency Medical Services Operating Fund. FY 1997 will be the last year that funding from the Emergency Medical Services Operating Fund will be a major source of revenue because legislation enacted by the 1996 Legislature eliminates docket fees as a source to the Fund, effective July 1, 1997. Beginning in FY 1998, most of the funding of the Board will shift to the State General Fund and the only revenues to the Emergency Medical Services Operating Fund will be receipts collected from charges for educational and mailing label materials. Current year funding continues the Board's staff of 13.0 FTE positions and provides a total of \$68,094 in assistance to the four regional emergency medical service councils.

Senate Ways and Means Committee

Date *3-20-97*

Attachment # */*

Governor's Recommendation. The Governor recommends expenditures of \$814,009 for FY 1997, a reduction of \$853 from the agency's estimate. The reduction is due to technical adjustments to fringe benefits and is a savings to the State General Fund.

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendation of the Governor.

House Committee of the Whole

The House Committee of the Whole has not taken action on this budget.

Agency: Emergency Medical Services Board **Bill No. –** **Bill Sec. –**

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 746,768	\$ 745,915	\$ 50,000
Other Assistance	68,094	68,094	0
TOTAL	<u>\$ 814,862</u>	<u>\$ 814,009</u>	<u>\$ 50,000</u>
State General Fund:			
State Operations	\$ 325,633	\$ 324,780	\$ 0
Other Assistance	68,094	68,094	0
TOTAL	<u>\$ 393,727</u>	<u>\$ 392,874</u>	<u>\$ 0</u>
FTE Positions	13.0	13.0	-
Unclassified Temp. Positions	0.0	0.0	-
TOTAL	<u>13.0</u>	<u>13.0</u>	<u>-</u>

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the recommendations of the Governor, with the following exception:

1. The Senate Subcommittee notes the expenditure of a federal grant of \$50,000 from the Department of Health and Human Services that has been used for a project

concerning emergency medical services for children. The grant was received too late to be included in the Governor's recommendations and does not require Legislative authorization in order to spend. According to the Administrator of the Board, there is an assumption that services for children are inadequate, in part because child-related emergencies constitute a small portion of the emergency situations to which most hospitals and ambulance services respond. The project funded by the grant primarily involved contacting hospitals to find out what services currently are provided and assessing unmet needs.

According to the Administrator of the Board, once the needs assessment is done, additional federal funding could be available to work with hospital emergency services to implement recommendations to strengthen their response to pediatric emergencies. However, the Subcommittee emphasizes that the Administrator understands there is no expectation that state funding will be provided for follow-up studies, projects, or services that might be identified as an outgrowth of the recently-completed needs assessment.

Current Status Comparison

<u>Expenditure</u>	<u>Gov. Rec. FY 1997</u>	<u>House Committee Rec. FY 1997</u>	<u>Senate Subcommittee Rec. FY 1998</u>	<u>Senate Subcommittee Change from House Committee</u>
All Funds:				
State Operations	\$ 745,915	\$ 745,915	\$ 795,915	\$ 50,000
Other Assistance	68,094	68,094	68,094	0
TOTAL	\$ 814,009	\$ 814,009	\$ 864,009	\$ 50,000
State General Fund:				
State Operations	\$ 324,780	\$ 324,780	\$ 324,780	\$ 0
Other Assistance	68,094	68,094	68,094	0
TOTAL	\$ 392,874	\$ 392,874	\$ 392,874	\$ 0
FTE Positions	13.0	13.0	13.0	0.0
Unclass.Temp. Positions	0.0	0.0	0.0	0.0
TOTAL	13.0	13.0	13.0	0.0

Pat Ranson

Senator Pat Ranson, Subcommittee Chair

Christine Downey

Senator Christine Downey

SUBCOMMITTEE REPORT

Agency: Emergency Medical Services Board

Bill No. 2160

Bill Sec. 92

Analyst: Rampey

Analysis Pg. No. 585

Budget Page No. 177

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 904,102	\$ 746,882	\$ 7,900
Other Assistance	<u>100,000</u>	<u>68,094</u>	<u>(68,094)</u>
TOTAL	<u>\$ 1,004,102</u>	<u>\$ 814,976</u>	<u>\$ (60,194)</u>
State General Fund:			
State Operations	\$ 875,702	\$ 718,482	\$ 7,900
Other Assistance	<u>100,000</u>	<u>68,094</u>	<u>(68,094)</u>
TOTAL	<u>\$ 975,702</u>	<u>\$ 786,576</u>	<u>\$ (60,194)</u>
FTE Positions	15.0	13.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>15.0</u>	<u>13.0</u>	<u>0.0</u>

Agency Request/Governor's Recommendation

The total requested for FY 1998 is \$1,004,102, an increase of \$189,240 over the current year. Part of the increase is accounted for by a request for 2.0 FTE new positions. (The new positions and associated costs total \$96,464.) More money also is requested to increase grants to emergency medical services regional councils from a statewide total of \$68,094 to \$100,000. There is a significant shift in funding beginning in FY 1998, the result of eliminating docket fees as a source of revenue to the Board and operating almost entirely on financing from the State General Fund. The FY 1998 request includes only \$28,400 from special revenue funds and the remainder (\$975,702) from the State General Fund.

The Governor recommends expenditures of \$814,976, only a slight increase (\$967) over the current year and a reduction of \$189,126 from the request. The Governor's recommendation does not include funding for the two new positions or to increase grants to the regional councils from the current year level.

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Governor, with the following exceptions:

1. Add \$7,900 from the State General Fund for other operating expenditures. Excluding salaries and capital outlay, the Governor's FY 1998 recommendation for other operating expenditures is a reduction of \$6,711 from the current year. The Subcommittee's addition generally would maintain the budget at its current level.
2. Delete \$68,094 from the State General Fund for grants to the four emergency medical services regional councils. The recommendation would delete all state funding for the councils. Information presented to the Subcommittee by the Administrator of the Board indicates that the Board does not assume responsibility to act as an advocate for the councils. Furthermore, no performance measures were presented to the Subcommittee to document the councils' activities. Because the councils apparently are not a priority of the Board, the Subcommittee sees no compelling reason to continue funding them.
3. The Subcommittee notes with approval the continued progress of the Kansas Department of Transportation to implement a statewide 800 megahertz communication system that will be available for use for emergency medical services. Funding for equipment purchases and installation costs is contained in the budget of the Kansas Department of Transportation. When complete in several more years, the system will be available for use by the Department of Transportation, the Emergency Medical Services Board, and other state agencies involved in public safety, such as the Highway Patrol, the Department of Wildlife and Parks, and the Kansas Bureau of Investigation.

The Subcommittee commends the cooperative effort of the agencies involved and urges completion of the system as soon as possible.

4. The Subcommittee requests that the Administrator of the Emergency Medical Services Board and the Superintendent of the State Highway Patrol report to the 1998 Legislature on the feasibility of a consolidation of the two agencies. Items to be addressed in the study should include, but not be limited to, the consolidation of administrative and staff support services and facilities, possible savings in delivering services, and an analysis of advantages and disadvantages of a consolidation.

The Subcommittee also asks that the Administrator of the Emergency Medical Services Board and the Superintendent of the State Highway Patrol consult with the Director of the Kansas Bureau of Investigation and the State Fire Marshal about the feasibility of a consolidation of the four agencies. If agreement is reached between or among any of the parties involved, the agency heads in agreement should prepare a joint report to the 1998 Legislature. Separate reports should be presented to the 1998 Legislature by agency heads not in agreement, explaining why consensus was not reached.

House Committee of the Whole

The House Committee of the Whole has not taken action on this budget.

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 904,102	\$ 746,882	\$ (10,215)*
Other Assistance	<u>100,000</u>	<u>68,094</u>	<u>0</u>
TOTAL	<u>\$ 1,004,102</u>	<u>\$ 814,976</u>	<u>\$ (10,215)</u>
State General Fund:			
State Operations	\$ 875,702	\$ 718,482	\$ (10,215)
Other Assistance	<u>100,000</u>	<u>68,094</u>	<u>0</u>
TOTAL	<u>\$ 975,702</u>	<u>\$ 786,576</u>	<u>\$ (10,215)</u>
FTE Positions	15.0	13.0	-
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>-</u>
TOTAL	<u>15.0</u>	<u>13.0</u>	<u>-</u>

* Includes the deletion of \$18,115 for the Governor's salary plan adjustments.

Senate Subcommittee Recommendations

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

1. Delete \$18,115 from the State General Fund, based on the recommendation to delete funding for the 3.5 percent unclassified merit pool (\$2,316); classified step movement (\$8,766); longevity bonus payments (\$2,980); and the 1.0 percent classified base salary adjustment (4,053) from individual agency budgets.
2. Add \$7,900 from the State General Fund for other operating expenditures. Excluding salaries and capital outlay, the Governor's FY 1998 recommendation for other operating expenditures is a reduction of \$6,711 from the current year. The Subcommittee's addition generally would maintain the budget at its current level.
3. Although the Subcommittee concurs with the Governor's recommendation to allocate \$68,094 for emergency medical services regional councils, it requests that the Board in developing its FY 1999 budget explore the feasibility of replacing state funding with user fees and other local funding. The main purpose of the four councils is to provide training equipment, continuing education programs, and public education in their geographic areas. In spite of the fact that these councils provide a service to local users, they are almost entirely dependent upon state

funding for administrative expenses and equipment that is used for training. The Subcommittee's position is that, if the service is needed and valuable, local sources of revenue, including fees from those hospitals and ambulance services that use the service and support from local units of government, should be developed.

4. The Subcommittee calls attention to the attached letter to the Administrator of the Emergency Medical Services Board from the Secretary of Transportation. The letter concerns the implementation of a statewide 800 megahertz communication system dedicated to emergency medical services. Money for equipment purchases and installation costs is included in the Department of Transportation's budget because the federal money being used to finance the project has been from the Kansas Highway Safety Fund and the equipment is being installed at tower sites that are being constructed for the Department of Transportation's statewide 800 megahertz system that began in FY 1993. When complete in several more years, the system will be available for use by the Department of Transportation, the Emergency Medical Services Board, and other state agencies involved in public safety, such as the Highway Patrol, the Department of Wildlife and Parks, and the Kansas Bureau of Investigation.

Because of a change in federal law, there no longer is the requirement that the state use as much of its highway construction funds for highway safety projects, such as the emergency medical services communication system. As a result, there was concern during the 1996 Session that the Department of Transportation might no longer allocate federal funding for the project and the system might not be completed. At the request of the Legislature, the Secretary of Transportation wrote the attached letter to the Administrator of the Emergency Medical Services Board indicating the commitment of the Department to support the Emergency Medical Services component of the communications system.

It is the Subcommittee's recommendation that the Secretary of Transportation make a report by the Omnibus Session to provide current information concerning the entire project, not just the portion that concerns emergency medical services. Specifically, the Subcommittee would like the following issues addressed:

- a. How much money has been spent by the Department of Transportation on all components of the statewide 800 megahertz communication system and what is the estimate of remaining costs of the project?
- b. What is the source of funding for the remaining costs and, if requirements for the use of federal funding have changed, how likely is it that unfinished components of the system will be completed?
- c. What is the timeline for system completion?
- d. Which agencies are included in the system and what steps have been taken to ensure that the statewide system will not duplicate the communication systems of individual agencies?
- e. What are the chances that the system will be obsolete by the time it is completed?

Current Status Comparison

Expenditure	Gov. Rec. FY 1998	House Committee Rec. FY 1998	Senate Subcommittee Rec. FY 1998	Senate Subcommittee Change from House Committee
All Funds:				
State Operations	\$ 746,882	\$ 754,782	\$ 736,667*	\$ (18,115)
Other Assistance	68,094	0	68,094	68,094
TOTAL	<u>\$ 814,976</u>	<u>\$ 754,782</u>	<u>\$ 804,761</u>	<u>\$ 49,979</u>
State General Fund:				
State Operations	\$ 718,482	\$ 726,382	\$ 708,267*	\$ (18,115)
Other Assistance	68,094	0	68,094	68,094
TOTAL	<u>\$ 786,576</u>	<u>\$ 726,382</u>	<u>\$ 776,361</u>	<u>\$ 49,979</u>
FTE Positions	13.0	13.0	13.0	0.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0
TOTAL	<u>13.0</u>	<u>13.0</u>	<u>13.0</u>	<u>0.0</u>

* Includes the deletion of \$18,115 for the Governor's salary plan adjustments.

Pat Ranson

Senator Pat Ranson, Subcommittee Chair

Christine Downey

Senator Christine Downey

STATE OF KANSAS

KANSAS DEPARTMENT OF TRANSPORTATION

E. Dean Carlson
Secretary of Transportation

Docking State Office Building
Topeka 66612-1568
(913) 296-3566
TTY (913) 296-3585
FAX (913) 296-1095

Bill Graves
Governor of Kansas

March 27, 1996

The Honorable Dave Kerr, Chairman
Senate Ways and Means Committee
Room 120-S, Statehouse
Topeka, Kansas 66612

Dear Chairman Kerr:

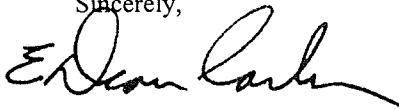
The Senate Committee amended SB 719 to add a proviso to the Kansas Department of Transportation (KDOT) agency operations line item directing the expenditure of \$145,075 for EMS transmitters within seven specific counties. While the intent of that proviso does not differ from my agreement to support EMS, its application can cause significant problems. For example, local zoning decisions may preclude KDOT from erecting a tower in one or more of those seven counties in FY 1997. Likewise, similar complications on tower erection or equipment pricing in FY 1996 would mean that more than seven sites might need to be equipped in FY 1997. Additionally, as the proviso sub-account total of \$145,075 includes the estimated KDOT personnel cost of installation, the accounting not only becomes burdensome but it may well restrict KDOT's ability to provide the most prudent assistance to EMS in FY 1997.

As I have stated previously, it is my intention to directly fund and support EMS communication needs by providing base station equipment, telephone interfaces, FCC License Fees, and necessary KDOT installation at each tower site as it is developed in accordance with our 10-year plan. This commitment is based on our understanding that necessary mobile radio units, cellular phones, or other off-site communication needs would be an EMS or local unit cost as specified in the 1995 Senate Subcommittee Report. In view of the above uncertainties and my restatement of intent to provide EMS communication capability from each of KDOT's tower sites over the life of the accelerated KDOT communications plan, it is my unqualified opinion that EMS and KDOT both would be better served by removal of the proviso, and I respectfully request that the proviso be removed.

As you may or may not be aware, a dedicated EMS frequency cannot meet federal minimum user requirements for licensing. Consequently, EMS needs must be integrated into the KDOT/KHP program. With interagency cooperation EMS communication capabilities can be provided and federal requirements for bandwidth usage satisfied.

I hope this letter helps to clarify KDOT's commitment to provide needed support for EMS communication needs. If you have any questions, I will be glad to personally meet with you at your convenience.

Sincerely,



E. Dean Carlson
Secretary of Transportation

cc: Legislative Research Department
Division of the Budget

SUBCOMMITTEE REPORT

Agency: Ombudsman for Corrections

Bill No. 2272

Bill Sec. --

Analyst: Little

Analysis Pg. No. 562

Budget Page No. 149

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 179,448	\$ 170,000	\$ 6,000
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 179,448	\$ 170,000	\$ 6,000
Capital Improvements	0	0	0
TOTAL	\$ 179,448	\$ 170,000	\$ 6,000
State General Fund:			
State Operations	\$ 129,448	\$ 120,000	\$ 6,000
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 129,448	\$ 120,000	\$ 6,000
Capital Improvements	0	0	0
TOTAL	\$ 129,448	\$ 120,000	\$ 6,000
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	4.0	4.0	0.0

Agency Estimate/Governor's Recommendation

The agency's revised FY 1997 estimate is an increase of \$9,448 over the amount approved by the 1996 Legislature. The agency reports that the \$9,448 supplemental appropriation would be used throughout the program to maintain current operations.

The Governor recommends FY 1997 funding at the approved budget level and does not concur with the agency's request for an increase of \$9,448. The Governor recommends the agency's request of \$156,157 for salaries and wages, but recommends \$13,843 for other operating expenditures, a reduction of \$9,457.

Senate Ways and Means Committee

Date 3-20-97

Attachment # 2

House Subcommittee Recommendation

For FY 1997, the Subcommittee concurs with the Governor's recommendation with the following adjustments and recommendations.

1. The Subcommittee adds \$6,000, all from the State General Fund. The Subcommittee heard testimony that the Ombudsman office does not have sufficient funds to continued operations to the end of the current fiscal year. The agency spent \$23,368 for operating expenditures in FY 1996 and the Governor recommends \$25,487 for operating expenditures in FY 1998. The Governor recommends \$13,843 in the current year for operating expenditures. The Governor did not recommend an agency request for a supplemental appropriation of \$9,448. The agency reports a decline in performance due to the inability to travel and investigate complaints. The agency reports they will attempt to gain savings through the reduction of leased office space and employee furloughs. The Subcommittee directs the agency to report on any savings gained in the current year during the Omnibus session.
2. The Subcommittee recommends that any savings obtained in the current year be reappropriated to the agency in FY 1998.
3. The Subcommittee notes the role the agency has in addressing inmate complaints which help to limit inmate claims against the state. The Subcommittee notes that the Ombudsman may save the state funds due to a perceived reduction in meetings of the Joint Committee on Special Claims. The Subcommittee notes that the average cost for a two-day meeting of the claims committee is \$5,612.
4. Because the Subcommittee recognizes the value of the Ombudsman for Corrections, the agency is directed to visit and hear complaints at all eight state correctional facilities no less than once every six months.
5. The Subcommittee recommends that the Department of Corrections extend every opportunity to the ombudsman to travel to correctional facilities with the Department of Corrections' staff when they travel. This effort should help limit agency travel expenses.

House Committee Recommendation

The Committee concurs with the Subcommittee's recommendation.

House Recommendation

The Full House has not taken action on this agency's budget

Agency: Ombudsman for Corrections

Bill No. --

Bill Sec. --

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 170,000	\$ 6,000
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 170,000	\$ 6,000
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 170,000</u>	<u>\$ 6,000</u>
State General Fund:		
State Operations	\$ 120,000	\$ 6,000
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 120,000	\$ 6,000
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 120,000</u>	<u>\$ 6,000</u>
FTE Positions	4.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>4.0</u>	<u>0.0</u>


Senate Subcommittee Recommendation

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

1. Add \$6,000, all from the State General Fund, to provide operating expenditures for the remainder of the current fiscal year. The agency reported a shortfall in funds in the current year and reported to the committee that \$6,000 would be required to continue operations.

Current Status Comparison

	Gov. Rec. FY 97	House Committee Action FY 97	Senate Subcommittee Action FY 97	Senate Subcommittee Change from House FY 97
All Funds:				
State Operations	\$ 170,000	\$ 176,000	\$ 176,000	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	\$ 170,000	\$ 176,000	\$ 176,000	\$ 0
Capital Improvements	0	0	0	0
TOTAL	<u>\$ 170,000</u>	<u>\$ 176,000</u>	<u>\$ 176,000</u>	<u>\$ 0</u>
State General Fund:				
State Operations	\$ 120,000	\$ 126,000	\$ 126,000	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	\$ 120,000	\$ 126,000	\$ 126,000	\$ 0
Capital Improvements	0	0	0	0
TOTAL	<u>\$ 120,000</u>	<u>\$ 126,000</u>	<u>\$ 126,000</u>	<u>\$ 0</u>
FTE Positions	4.0	4.0	4.0	0.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0
TOTAL	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>	<u>0.0</u>



 Senator Pat Ranson
 Subcommittee Chair



 Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Agency: Ombudsman for Corrections

Bill No. 2160

Bill Sec. 94

Analyst: Little

Analysis Pg. No. 562

Budget Page No. 149

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 185,725	\$ 170,000	\$ (6,000)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 185,725	\$ 170,000	\$ (6,000)
Capital Improvements	0	0	0
TOTAL	\$ 185,725	\$ 170,000	\$ (6,000)
State General Fund:			
State Operations	\$ 185,725	\$ 170,000	\$ (6,000)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 185,725	\$ 170,000	\$ (6,000)
Capital Improvements	0	0	0
TOTAL	\$ 185,725	\$ 170,000	\$ (6,000)
FTE Positions	4.0	3.5	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	4.0	3.5	0.0

Agency Request/Governor's Recommendation

The agency's request for \$185,725 is an increase of \$6,277, or 3.5 percent, over the FY 1997 estimate. The 1996 Legislature provided \$50,000 in funding from the special revenue Inmate Benefit Fund. All of the FY 1998 funding request is from the State General Fund. The \$6,277 increase is entirely in salaries and wages for step movement (\$665) and \$2,665 for unclassified merit and fringes.

For FY 1998, the Governor recommends funding of \$170,000, a reduction of \$15,725 from the agency's request. The Governor's FY 1998 recommendation is the same amount as recommended in FY 1997. The Governor in FY 1998 recommends funding the agency's other operating expenditures at \$25,487, but reduces 1.0 FTE Associate Ombudsman to 0.5 FTE, for an agency total FTE of 3.5. Salaries and wages total \$144,513, including step movement, unclassified merit, and the 1.0 percent classified base salary adjustment.

House Subcommittee Recommendation

For FY 1998, the Subcommittee concurs with the Governor's recommendations, with the following adjustments and recommendations.

1. Delete \$6,000, all from the State General Fund, to adjust for the FY 1997 supplemental appropriation of \$6,000. The agency has been requested to report back any savings at Omnibus and will be reappropriated any remaining balance gained from savings in the current fiscal year.
2. The Subcommittee concurs with the Governor's recommendation to eliminate a 0.5 FTE associate ombudsman position. The Subcommittee will review the elimination of the position at Omnibus when it evaluates the agency's report on savings gained in the current year.

House Committee Recommendation

The Committee concurs with the Subcommittee recommendation.

House Recommendation

The full House has not taken action on this agency's budget.

Agency: Ombudsman for Corrections

Bill No. 178

Bill Sec. 94

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 170,000	\$ 8,377
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal - Operating	\$ 170,000	\$ 8,377
Capital Improvements	0	0
TOTAL	<u>\$ 170,000</u>	<u>\$ 8,377</u>
State General Fund:		
State Operations	\$ 170,000	\$ (6,623)
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal - Operating	\$ 170,000	\$ (6,623)
Capital Improvements	0	0
TOTAL	<u>\$ 170,000</u>	<u>\$ (6,623)</u>
Other Funds:		
State Operations	\$ 0	\$ 15,000
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal - Operating	\$ 0	\$ 15,000
Capital Improvements	0	0
TOTAL	<u>\$ 0</u>	<u>\$ 15,000</u>
FTE Positions	3.5	0.5
Unclassified Temp. Positions	0.0	0.0
TOTAL	<u>3.5</u>	<u>0.5</u>

Senate Subcommittee Recommendation

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

1. Deleting \$4,623, all from the State General Fund, based on the recommendation to delete funding for the 3.5 percent merit pool (\$3,608); classified step movement (\$756); and the 1.0 percent classified base salary adjustment (\$259) from the individual agency budget.


2. Restore 0.5 associate ombudsman position and reduce State General Fund by \$2,000 to \$168,000. Add \$15,000 from the Department of Corrections' Inmate Benefit Fund to make the total FY 1998 operating budget \$178,377.

The Department of Corrections' Inmate Benefit Fund (IBF) was established by statute to provide program and work incentives and for any other purpose that benefits inmates. The IBF is as an off-budget account derived from commissions on interlata (outside the original area code) long distance telephone calls placed by inmates and interest earnings. The IBF has been used for offender programs, inmate medical and mental health programs, victim notification staff, and video imaging equipment. At the end of FY 1997, the Department of Corrections' reports an ending balance of \$340,418. The Subcommittee notes the IBF ending balance is sufficient to fund the Ombudsman and believes this is an appropriate use of IBF funds.


3. The Subcommittee notes that the agency should be funded at an appropriate level to continue effective and efficient operations unless the Legislature determines that the agency should be abolished.
4. The Subcommittee notes that the agency has begun implementing actions to save the state money. The agency is currently working to revise the lease agreement on 300 sq. feet. which the agency intends to lease to another agency and anticipates to save the agency \$2,250 to \$2,700 in FY 1998.
5. The agency reports continued high caseloads regarding inmate complaints. The agency reports that cases opened related to inmate complaints continue to average between 88 and 114 per month through March 1997. The agency reports that total cases opened are projected to be 1,275, while the total number of cases opened in FY 1996 was 1,131.
6. The agency reports that the Ombudsman continues to serve a valuable purpose for the State of Kansas. The agency reported that over 60 percent of the settlements negotiated by the Ombudsman office were based on findings that the Department of Corrections' staff was negligent, after the Department of Corrections had investigated the cases.
7. The Subcommittee commends the agency's efforts to obtain greater savings. The Subcommittee notes that the agency has already made use of the new Department of Administration motor pool program to use a private contractor, Enterprise, to achieve greater savings for state transportation needs. The agency reported they saved \$68 on what would have been a \$120 rental cost to travel to Norton Correctional Facility to hear inmate complaints.

Current Status Comparison

	Gov. Rec. FY 98	House Committee Action FY 98	Senate Subcommittee Action FY 98	Senate Subcommittee Change from House FY 98
All Funds:				
State Operations	\$ 170,000	\$ 164,000	\$ 178,377	\$ 14,377
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 170,000</u>	<u>\$ 164,000</u>	<u>\$ 178,377</u>	<u>\$ 14,377</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 170,000</u></u>	<u><u>\$ 164,000</u></u>	<u><u>\$ 178,377</u></u>	<u><u>\$ 14,377</u></u>
State General Fund:				
State Operations	\$ 170,000	\$ 164,000	\$ 163,377	\$ (623)
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 170,000</u>	<u>\$ 164,000</u>	<u>\$ 163,377</u>	<u>\$ (623)</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 170,000</u></u>	<u><u>\$ 164,000</u></u>	<u><u>\$ 163,377</u></u>	<u><u>\$ (623)</u></u>
Other Funds:				
State Operations	\$ 0	\$ 0	\$ 15,000	\$ 15,000
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 15,000</u>	<u>\$ 15,000</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 15,000</u></u>	<u><u>\$ 15,000</u></u>
FTE Positions	3.5	3.5	4.0	0.5
Unclass. Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>3.5</u></u>	<u><u>3.5</u></u>	<u><u>4.0</u></u>	<u><u>0.5</u></u>



 Senator Pat Ranson
 Subcommittee Chair



 Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Agency: Kansas Bureau of Investigation

Bill No. --

Bill Sec. --

Analyst: West

Analysis Pg. No. 543

Budget Page No. 307

Expenditure Summary	Agency Est. FY 97	Gov. Rec. FY 97	House Subcommittee Adjustments
All Funds:			
State Operations	\$ 13,214,199	\$ 13,028,931	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 13,214,199	\$ 13,028,931	\$ 0
Capital Improvements	160,000	160,000	0
TOTAL	<u>\$ 13,374,199</u>	<u>\$ 13,188,931</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 10,452,097	\$ 10,266,829	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 10,452,097	\$ 10,266,829	\$ 0
Capital Improvements	160,000	160,000	0
TOTAL	<u>\$ 10,612,097</u>	<u>\$ 10,426,829</u>	<u>\$ 0</u>
FTE Positions	194.5	194.5	--
Unclass. Temp. Positions	26.0	26.0	--
TOTAL	<u>220.5</u>	<u>220.5</u>	<u>--</u>

Agency Est./Governor's Recommendation

FY 1997 Supplemental Request. The current year estimate includes two requested State General Fund (SGF) supplemental appropriations totaling \$185,268. The 1996 Legislature authorized funding to fill all Special Agent vacancies in FY 1997. Funding was not added, however, for the other operating expenses associated with full staffing. The agency requests \$100,000 for operating costs associated with the newly hired personnel. \$85,268 is requested to replace a shortfall in fees for the Forensic Laboratory. A \$10 drivers license reinstatement fee which was anticipated to produce \$250,000 annually to support the laboratory is projected to only produce \$164,732 in FY 1997. **The Governor does not recommend** the requested State General Fund supplemental appropriation.

Special Revenue Funds. The requested \$1.3 million increase in special revenue fund expenditures reflects increases of \$39,169 from the Forensic Laboratory and Materials Fee Fund, \$61,974 from the General Fees Fund, \$21,191 from the Agency Special Asset Forfeiture Fund, and \$1,132,775

Senate Ways and Means Committee

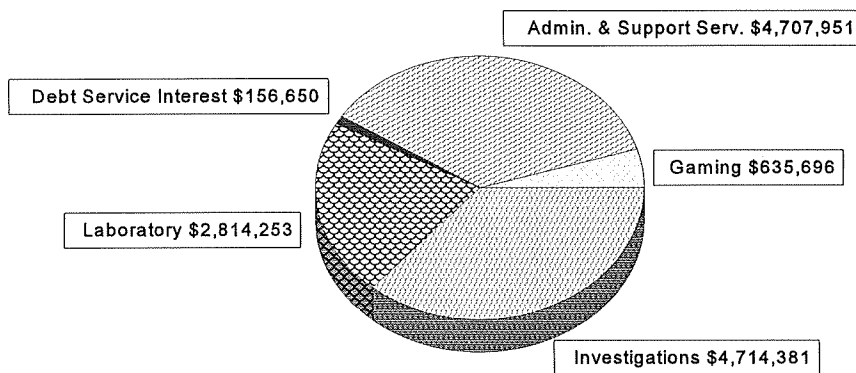
Date 3-20-97

Attachment # 3

in federal grants. \$500,000 of the federal grants are for the Automated Fingerprint Identification System (AFIS) which was authorized by the 1996 Legislature but inadvertently omitted from the budget. Other federal and special revenue financed projects added in the current year include \$311,942 for entering and checking criminal records, \$382,111 for improvements in the Forensic Laboratory, and \$59,763 for investigative program grants. **The Governor concurs.**

Unclassified Temporary Positions. The agency's current year estimate includes 26.0 Unclassified Temporary (UT) positions, an increase of 15.0 UT positions from the approved budget. 13.0 UT positions are associated with a federal Bureau of Justice grant to automate criminal histories. The other two positions added are an Office Assistant and a Forensic Scientists for the Great Bend office. **The Governor concurs.**

FY 1997 Expenditures by Program All Funds -- Governor's Recommendation



House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs with the Subcommittee.

House Committee of the Whole Recommendation

The full House has not yet taken action on this budget.

Expenditure Summary	Agency Est. FY 97	Gov. Rec. FY 97	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 13,214,199	\$ 13,028,931	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 13,214,199	\$ 13,028,931	\$ 0
Capital Improvements	160,000	160,000	0
TOTAL	<u>\$ 13,374,199</u>	<u>\$ 13,188,931</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 10,452,097	\$ 10,266,829	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 10,452,097	\$ 10,266,829	\$ 0
Capital Improvements	160,000	160,000	0
TOTAL	<u>\$ 10,612,097</u>	<u>\$ 10,426,829</u>	<u>\$ 0</u>
FTE Positions	194.5	194.5	--
Unclass. Temp. Positions	26.0	26.0	--
TOTAL	<u>220.5</u>	<u>220.5</u>	<u>--</u>


Senate Subcommittee Recommendation

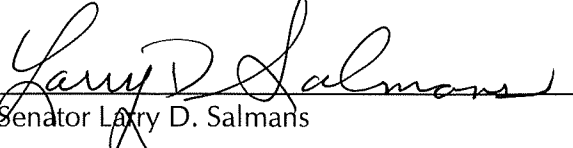
The Senate Subcommittee concurs with the Governor's recommendation.

Current Status Comparison

	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998	Senate Subcommittee Change from House FY 1998
All Funds:				
State Operations	\$ 13,028,931	\$ 13,028,931	\$ 13,028,931	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal—Operating	\$ 13,028,931	\$ 13,028,931	\$ 13,028,931	\$ 0
Capital Improvements	160,000	160,000	160,000	0
TOTAL	\$ 13,188,931	\$ 13,188,931	\$ 13,188,931	\$ 0
State General Fund:				
State Operations	\$ 10,266,829	\$ 10,266,829	\$ 10,266,829	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal—Operating	\$ 10,266,829	\$ 10,266,829	\$ 10,266,829	\$ 0
Capital Improvements	160,000	160,000	160,000	0
TOTAL	\$ 10,426,829	\$ 10,426,829	\$ 10,426,829	\$ 0
FTE Positions	194.5	194.5	194.5	--
Unclass. Temp. Positions	26.0	26.0	26.0	--
TOTAL	220.5	220.5	220.5	--


 Senator Barbara Lawrence
 Subcommittee Chair


 Senator Marge Petty


 Senator Larry D. Salmans

SUBCOMMITTEE REPORT

Agency: Kansas Bureau of Investigation

Bill No. 2160, 2166

Bill Sec. 98, 23

Analyst: West

Analysis Pg. No. 543

Budget Page No. 307

Expenditure Summary	Agency Request FY 98	Gov. Rec. FY 98	House Subcommittee Adjustments
All Funds:			
State Operations	\$ 14,426,398	\$ 12,202,234	\$ 15,174
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 14,426,398	\$ 12,202,234	\$ 15,174
Capital Improvements	335,861	170,000	--
TOTAL	<u>\$ 14,762,259</u>	<u>\$ 12,372,234</u>	<u>\$ 15,174</u>
State General Fund:			
State Operations	\$ 12,229,260	\$ 10,689,345	\$ 15,174
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 12,229,260	\$ 10,689,345	\$ 15,174
Capital Improvements	335,861	170,000	0
TOTAL	<u>\$ 12,565,121</u>	<u>\$ 10,859,345</u>	<u>\$ 15,174</u>
FTE Positions	199.5	194.5	--
Unclassified Temp. Positions	10.0	10.0	--
TOTAL	<u>209.5</u>	<u>204.5</u>	<u>--</u>

Agency Request/Governor's Recommendation

The agency requests an FY 1998 operating budget of \$14.4 million, a net increase of \$1.2 million from the current year. The expiration of one-time federal grants is associated with reductions of \$1.1 million and 14.0 Unclassified Temporary (UT) positions. Funding of \$2.3 million (\$1.6 million SGF) is requested for 13 budget enhancement packages as summarized below.

FY 1998 Program Enhancements						
	Agency Request			Governor's Recommendation		
	State General	All Other	Total	State General	All Other	Total
	Fund	Funds		Fund	Funds	
Overtime for Agents and Scientists	\$ 389,577	\$ 30,047	\$ 419,624	\$ 150,000	\$ 11,569	\$ 161,569
Upgrade of ASTRA	279,265	0	279,265	0	0	0
Laboratory Accreditation	98,233	0	98,233	0	0	0
New FTEs	138,883	0	138,883	0	0	0
Federal Grant Match	89,575	268,725	358,300	0	0	0
Year 2000 Computer Project	233,120	0	233,120	0	0	0
Upgrade Special Agent Position	5,484	0	5,484	0	0	0
Agent Safety Package	73,468	0	73,468	0	0	0
ARREST Project	41,165	370,485	411,650	0	0	0
Investigations Operations Improvement	59,225	0	59,225	0	0	0
Major Case Investigations Upgrade	183,240	0	183,240	0	0	0
Upgrade Office Assistant Position	0	6,153	6,153	0	0	0
Computer System Upgrade	0	25,000	25,000	0	0	0
Total Enhancements	\$ 1,591,235	\$ 700,410	\$ 2,291,645	\$ 150,000	\$ 11,569	\$ 161,569

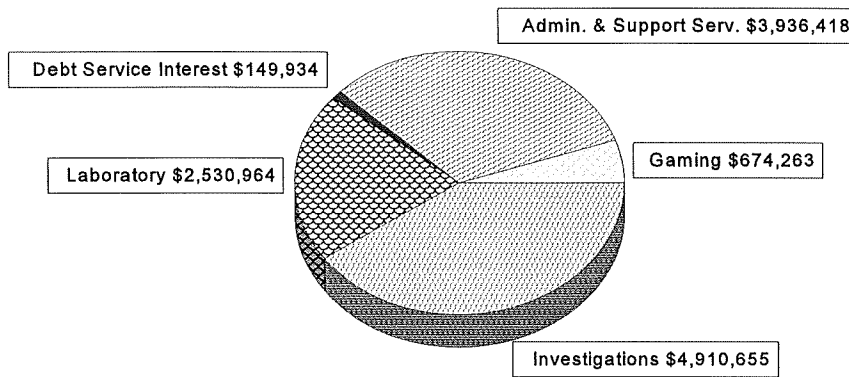
New FTEs. \$138,883 is requested for 5.0 FTE positions in FY 1998. The positions with the salary and benefit costs are summarized below. Further information regarding the requested positions may be found in the budget detail sections which follow. **The Governor recommends** no funding for the requested new FTE positions.

FY 1998 Requested New Positions		
Program/ Position	Agency Request	Governor's Rec.
Administration and Support Services:		
Secretary II	\$ 23,633	\$ 0
Utility Worker	19,267	0
Custodial Worker	18,347	0
Subtotal - Admin. Services	<u>\$ 61,247</u>	<u>\$ 0</u>
Investigations:		
Special Investigator I	\$ 31,991	\$ 0
Other Operating Expenses	6,200	0
Subtotal - Investigations	<u>\$ 38,191</u>	<u>\$ 0</u>
Forensic Laboratory:		
Forensic Scientist I	\$ 33,445	\$ 0
Other Operating Expenses	6,000	0
Subtotal - Laboratory	<u>\$ 39,445</u>	<u>\$ 0</u>
TOTAL	\$ 138,883	\$ 0

Shrinkage Savings. As directed by the 1996 Legislature, the agency's budget request assumes no artificial savings by leaving vacant positions open. **The Governor's FY 1998 recommendation** assumes shrinkage savings of \$267,245, a 3.0 percent reduction in the agency's salary budget.

Overtime Pay. The agency requests \$419,624 (\$389,577 SGF) for overtime pay for the agency's agents and scientists. \$150,000 was authorized for overtime pay in FY 1996 while the current year estimate includes \$58,619 (including benefits). Under the Federal Fair Labor Standards Act, work in excess of the "standard" work week (43 hours for law enforcement personnel and 40 hours for other personnel) must be compensated through overtime pay or compensatory time off at a rate of 1.5 times the overtime hours. **The Governor recommends** \$161,569 (including benefits) for overtime pay in FY 1998.

FY 1998 Expenditures by Program All Funds -- Governor's Recommendation



House Subcommittee Recommendation

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

1. As requested by the agency, authorize the expenditure of \$15,174 in funds reappropriated from FY 1994 due to the release of a prior year encumbrance. The funding is the result of a canceled computer project and would be spent in FY 1998 on additional programming services for the Criminal Justice Information System.
2. The Subcommittee notes that the development of the Criminal Justice Information System is woven throughout several state and local entities. Development of a workable integrated system will be one of the key elements to meeting the public safety information needs of the 21st century. The Subcommittee would strongly recommend that the relevant agencies pull together to facilitate proper planning and implementation of the system.
3. The Subcommittee has reviewed the agency's request for \$98,233 for accreditation of the forensic laboratory. While the Subcommittee does not recommend funding for this project at this time, the Subcommittee recognizes the long-term importance of the project and believes it would be a possible top priority for consideration for next year's budget.

4. The House Subcommittee makes the following recommendation for the State Fire Marshal, Highway Patrol, Kansas Bureau of Investigation (KBI), and Emergency Medical Services. The Subcommittee requests that the State Fire Marshal and the Director of the KBI report to the 1998 Legislature on the feasibility of a consolidation of the two agencies. Items to be addressed in the study should include, but not be limited to, the consolidation of administrative and staff support services and facilities, possible savings in delivering services, and an analysis of advantages and disadvantages of a consolidation.

The Subcommittee also asks that the Administrator of the Emergency Medical Services Board and the Superintendent of the State Highway Patrol consult with the Director of KBI and the State Fire Marshal about the feasibility of a consolidation of the four agencies. If agreement is reached between or among any of the parties involved, the agency heads in agreement should prepare a joint report to the 1998 Legislature. Separate reports should be presented to the 1998 Legislature by agency heads not in agreement, explaining why consensus was not reached.

5. The Subcommittee learned that the agency is concerned about the possible use of record check fees to subsidize other operating expenses in other agency programs. To better monitor the use of record check fees, the Subcommittee recommends the introduction of legislation which would deposit the record check fees into a separate fund instead of the agency's General Fees Fund, as is the current practice.
6. The Subcommittee notes that the Governor's recommendation does not include the 2.0 FTE positions requested by the agency for custodial and maintenance services, yet also does not restore the 2.0 unclassified temporary positions which the agency has budgeted in the current year for these services. The Subcommittee is perplexed as to how the agency can operate a building with no maintenance or custodial services. The Subcommittee was informed the agency formerly had FTE positions to perform these services until FY 1992, when the Legislature approved eliminating the positions and shifting the money to contractual services, so that the agency could contract with private sector firms for these services. Unfortunately, the private sector was reportedly unable to supply employees who could pass the necessary security checks. Since the funding was not spent this also led to the money being removed from future budgets. In FY 1995, the agency reallocated resources in order to hire unclassified temporary positions, but has had a hard time attracting applicants due to the unclassified temporary status of the positions. The Subcommittee has also been informed that if the KBI building was a Regents institution building, then the agency would be entitled to 3.44 FTE based on the formula for servicing new buildings. The Subcommittee recommends that the Governor reconsider his position on this issue and consider a Governor's Budget Amendment which would fund custodial and maintenance services.

House Committee Recommendation

The House Committee concurs with the recommendations of the Subcommittee, with the following adjustment:

1. Add \$36,486 and 2.0 FTE positions to provide custodial and maintenance services for the agency.

2. Delete 14.1 FTE positions and \$407,586 (including \$385,769 from the State General Fund) to reflect a 5.0 percent reduction in staffing from the approved FY 1996 level.

House Committee of the Whole Recommendation

The full House has not considered this budget.

Agency: Kansas Bureau of Investigation

Bill No. 178

Bill Sec. 98

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 12,202,234	\$ (271,753)
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal—Operating	\$ 12,202,234	\$ (271,753)
Capital Improvements	170,000	0
TOTAL	<u>\$ 12,372,234</u>	<u>\$ (271,753)</u>
State General Fund:		
State Operations	\$ 10,689,345	\$ (252,739)
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal—Operating	\$ 10,689,345	\$ (252,739)
Capital Improvements	170,000	0
TOTAL	<u>\$ 10,859,345</u>	<u>\$ (252,739)</u>
FTE Positions	194.5	2.0
Unclassified Temp. Positions	10.0	0.0
TOTAL	<u>204.5</u>	<u>2.0</u>

* Includes a reduction of \$323,413 (\$304,399 State General Fund) for the Governor's recommended salary adjustments.

Senate Subcommittee Recommendation

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

1. Delete \$323,413, including \$304,399 from the State General Fund, based on the recommendation to delete funding for the 3.5 percent unclassified merit pool (\$15,675); classified step movement (\$149,608); longevity bonus payments

(\$84,319); and the 1.0 percent classified base salary adjustment (\$73,811) from individual agency budgets.

2. Add \$36,486 and 2.0 FTE positions to provide custodial and maintenance services for the agency's Topeka headquarters.
3. As requested by the agency, authorize the expenditure of \$15,174 in funds reappropriated from FY 1994 due to the release of a prior year encumbrance. The funding is the result of a canceled computer project and would be spent in FY 1998 on additional programming services for the Criminal Justice Information System.
4. In order to better monitor the receipt and utilization of record check fees, establish a Record Check Fee Fund with no limit on expenditures and transfer any current year balances in the General Fees Fund attributable to record checks into the new fund.
5. The Subcommittee notes that the Senate Subcommittee reports on the Lottery and Racing and Gaming Commission have recommended the deletion of the transfers from those agencies which have traditionally supported the Gaming Unit and that the KBI is to bill those entities for their services. The Subcommittee is concerned that this will result in a cumbersome and bureaucratic process for which the KBI lacks the resources to address. The Subcommittee recommends that the KBI meet with the Lottery and Racing and Gaming Commission to reach a mutually agreeable solution to this issue and to report back to the Ways and Means Committee prior to Omnibus.
6. The Subcommittee spent a considerable amount of time reviewing the current controversy on background checks for tribal casinos. The Subcommittee has been informed that the agency has received requests for background checks on 770 persons involved with the tribal casinos and have completed 448 of them. Of the balance, an estimated 205 are over the 90-day limit allowed under the gaming compacts. The Subcommittee hopes that the additional positions added to the State Gaming Agency for category II checks will help alleviate this problem. The Subcommittee also reviewed the rates charged by the KBI for gaming background checks as well as those of other states. This information is summarized below:

KANSAS	\$30.00/hour plus out-of-state travel
Iowa	\$51.00/hr. plus travel expenses
Missouri	\$50,000 application fee per facility and an additional \$15,000 per key employee background. Other applicants are given cursory record check at \$200.00 per individual.
South Dakota	\$35.00/hr. Plus \$150.00 application fee
Minnesota	\$25.06/hr. Plus all expenses with an additional 10% administrative fee
Colorado	\$54.00/hr. plus out-of-state travel
Oregon	\$89.00/hr. plus all expenses
Louisiana	\$79.00/hr. plus travel expenses


The Subcommittee does not concur with the Senate Subcommittee recommendation number 2 on the State Gaming Agency that the KBI seek a State General Fund appropriation in lieu of raising fees to the tribal casinos. The Subcommittee does not believe that it is in the best interest of Kansas taxpayers to subsidize costs which should be properly borne by the tribal casinos. The Subcommittee recommends that the KBI set investigation reimbursement rates which will cover all of the direct and indirect costs of performing these background checks.

Current Status Comparison

	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998	Senate Subcommittee Change from House FY 1998
All Funds:				
State Operations	\$ 12,202,234	\$ 11,846,308	\$ 11,930,481	\$ 84,173
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal—Operating	\$ 12,202,234	\$ 11,846,308	\$ 11,930,481	\$ 84,173
Capital Improvements	170,000	170,000	170,000	0
TOTAL	\$ 12,372,234	\$ 12,016,308	\$ 12,100,481	\$ 84,173
State General Fund:				
State Operations	\$ 10,689,345	\$ 10,355,236	\$ 10,436,606	\$ 81,370
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal—Operating	\$ 10,689,345	\$ 10,355,236	\$ 10,436,606	\$ 81,370
Capital Improvements	170,000	170,000	170,000	0
TOTAL	\$ 10,859,345	\$ 10,525,236	\$ 10,606,606	\$ 81,370
FTE Positions	194.5	182.4	196.5	14.1
Unclass. Temp. Positions	10.0	10.0	10.0	0.0
TOTAL	204.5	192.4	206.5	14.1


 Senator Barbara Lawrence
 Subcommittee Chair

 Senator Marge Petty


 Senator Larry D. Salmans

SUBCOMMITTEE REPORT

Agency: Parole Board

Bill No. 2272

Bill Sec. 41

Analyst: Mills

Analysis Pg. No. 568

Budget Page No. 365

Expenditure	Agency Est. FY 97	Gov. Rec. FY 97	House Subcommittee Adjustments
All Funds:			
State Operations	\$ 574,854	\$ 583,835	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 574,854	\$ 583,835	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 574,854</u>	<u>\$ 583,835</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 574,854	\$ 583,835	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 574,854	\$ 583,835	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 574,854</u>	<u>\$ 583,835</u>	<u>\$ 0</u>
FTE Positions	5.0	5.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>5.0</u>	<u>5.0</u>	<u>0.0</u>

Agency Est./Governor's Recommendation

The agency's revised FY 1997 estimate of operating expenditures totals \$574,854, including \$10,486 in FY 1996 State General Fund savings reappropriated to FY 1997. The agency indicates that it is requesting a State General Fund supplemental appropriation of \$6,703 in FY 1997. The net request of \$6,703 is the result of savings in salaries and wages (\$3,300 from a vacancy in a Board member position), which is offset by increases in other operating expenditures (\$10,003, largely communication, printing, and rents). The agency's estimate for FY 1997 funds 5.0 FTE positions, which is the number authorized.

The Governor recommends current year expenditures of \$583,835, an increase of \$8,981 from the agency's estimate. The Governor's recommendation for salaries and wages is \$467,684, an increase of \$9,000 over the agency's estimate; the increase is related to one-time annual leave payments for a member who left the Board in FY 1997. The Governor's recommendation for other operating

Senate Ways and Means Committee

Date 3-20-97

Attachment # 4

expenditures in FY 1997 totals \$107,151, a reduction of \$19 from the agency's estimate. The recommended reduction is in commodities.

The Governor recommends a State General Fund supplemental appropriation of \$15,684 to finance the FY 1997 budget including the annual leave payment noted above, and increases in rents, communication, printing, and office supplies.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1997.

House Committee Recommendation

The House Committee concurs with the Governor's recommendation for FY 1997.

House Recommendation

The House has not considered this item.

<u>Expenditure</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 583,835	\$ 0
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 583,835	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 583,835</u>	<u>\$ 0</u>
State General Fund:		
State Operations	\$ 583,835	\$ 0
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 583,835	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 583,835</u>	<u>\$ 0</u>
FTE Positions	5.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>5.0</u>	<u>0.0</u>

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation for FY 1997.

Current Status Comparison

	Gov. Rec. FY 1997	House Committee Action FY 1997	Senate Subcommittee Action FY 1997	Senate Subcommittee Change from House Comm. FY 1997
All Funds:				
State Operations	\$ 583,835	\$ 583,835	\$ 583,835	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	\$ 583,835	\$ 583,835	\$ 583,835	\$ 0
Capital Improvements	0	0	0	0
TOTAL	\$ 583,835	\$ 583,835	\$ 583,835	\$ 0
State General Fund:				
State Operations	\$ 583,835	\$ 583,835	\$ 583,835	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	\$ 583,835	\$ 583,835	\$ 583,835	\$ 0
Capital Improvements	0	0	0	0
TOTAL	\$ 583,835	\$ 583,835	\$ 583,835	\$ 0
FTE Positions	5.0	5.0	5.0	0.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0
TOTAL	5.0	5.0	5.0	0.0

Pat Ranson

 Senator Pat Ranson
 Subcommittee Chair

Paul Feleciano, Jr.

 Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Agency: Parole Board

Bill No. 2601

Bill Sec. 84

Analyst: Mills

Analysis Pg. No. 568

Budget Page No. 365

Expenditure	Agency Req. FY 98	Gov. Rec. FY 98	House Subcommittee Adjustments
All Funds:			
State Operations	\$ 585,180	\$ 486,379	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 585,180	\$ 486,379	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 585,180	\$ 486,379	\$ 0
State General Fund:			
State Operations	\$ 585,180	\$ 486,379	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 585,180	\$ 486,379	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 585,180	\$ 486,379	\$ 0
FTE Positions	5.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	5.0	4.0	0.0

Agency Req./Governor's Recommendation

The agency's FY 1998 requested operating expenditures total \$585,180 an increase of \$10,326 (1.8 percent) over the revised FY 1997 estimate. Requested increases of \$9,826 in salaries and wages, \$250 in contractual services, and \$3,750 in capital outlay are partially offset by a reduction of \$3,500 in commodities.

The FY 1998 agency request does not include any major program enhancements.

The Governor's FY 1998 recommendation for the agency totals \$486,379, a reduction of \$97,456 from the amount requested by the agency. The Governor's recommendation reduces salaries and wages by \$92,221 from the agency's request. This large reduction is explained by the Governor's recommendation to reduce the size of the Board by eliminating one member's seat. This recommendation is discussed below. The Governor's recommendation for other operating expenditures reduces the agency request by \$6,580, all in contractual services.

4-5

The Governor's recommendation reduces the agency's FY 1998 contractual services request by \$6,580. Given the restructuring of the agency, the Governor does not recommend any funding for commodities. The Governor recommends \$3,750 for capital outlay.

Proposed Downsizing of Board. The *Governor's Budget Report* notes that the adoption of determinant sentencing guidelines in FY 1992 has reduced the number of inmates in correctional facilities eligible for parole. The Parole Board anticipates that the number of parole hearings will decline from 3,235 in FY 1996 to 2,911 in FY 1997 to 2,620 in FY 1998. The Governor recommends eliminating the seat that was vacated at the end of 1996, reducing the number of Parole Board members from five to four. Action by the 1996 Legislature has already transferred all administrative personnel of the Board to the Department of Corrections.

House Subcommittee Recommendation

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

1. The House Subcommittee notes that 1997 H.B. 2211 would amend current law to restructure the Parole Board to four members. The Subcommittee recommends the enactment of H.B. 2211.

House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation.

House Recommendation

The House has not yet considered this item.

Expenditure	Gov. Rec. FY 98	Senate Subcommittee Adjustments
All Funds:		
State Operations	\$ 486,379	\$ (13,029)
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal - Operating	\$ 486,379	\$ (13,029)
Capital Improvements	0	0
TOTAL	<u>\$ 486,379</u>	<u>\$ (13,029)</u>
State General Fund:		
State Operations	\$ 486,379	\$ (13,029)
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal - Operating	\$ 486,379	\$ (13,029)
Capital Improvements	0	0
TOTAL	<u>\$ 486,379</u>	<u>\$ (13,029)</u>
FTE Positions	4.0	0.0
Unclassified Temp. Positions	0.0	0.0
TOTAL	<u>4.0</u>	<u>0.0</u>

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following adjustment and comments:

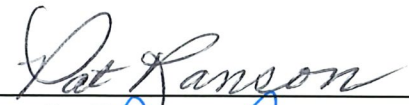
1. Delete \$13,029 from the State General Fund, based on the recommendation to delete funding for classified step movement (\$0), the 1.0 percent classified base salary increase (\$0), the unclassified 3.5 percent merit pool (\$13,029), and the longevity bonus (\$0) from individual agency budgets.
2. The Senate Subcommittee notes that 1997 H.B. 2211, which would enact the Governor's recommendation to downsize the Parole Board to four members, is currently under consideration in the Senate. The Subcommittee expresses its support for this legislation.
3. The Subcommittee understands that the Parole Board is in the preliminary stages of using interactive video to conduct hearings at correctional facilities across the state.

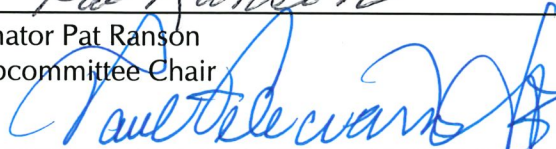
The actual video equipment is being purchased by the Department of Corrections, and the Parole Board will be allowed to use the equipment on a cooperative basis. The Subcommittee notes that increased use of this technology will offset some costs for travel and expenses which are now incurred. The Subcommittee endorses this use of interactive video technology and encourages the Parole Board to maximize its use to reduce travel expenses.

Current Status Comparison

	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate* Subcommittee Action FY 1998	Senate Subcommittee Change from House Comm. FY 1998
All Funds:				
State Operations	\$ 486,379	\$ 486,379	\$ 473,350	\$ (13,029)
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 486,379</u>	<u>\$ 486,379</u>	<u>\$ 473,350</u>	<u>\$ (13,029)</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 486,379</u></u>	<u><u>\$ 486,379</u></u>	<u><u>\$ 473,350</u></u>	<u><u>\$ (13,029)</u></u>
State General Fund:				
State Operations	\$ 486,379	\$ 486,379	\$ 473,350	\$ (13,029)
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 486,379</u>	<u>\$ 486,379</u>	<u>\$ 473,350</u>	<u>\$ (13,029)</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 486,379</u></u>	<u><u>\$ 486,379</u></u>	<u><u>\$ 473,350</u></u>	<u><u>\$ (13,029)</u></u>
FTE Positions	4.0	4.0	4.0	0.0
Unclass. Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>4.0</u></u>	<u><u>4.0</u></u>	<u><u>4.0</u></u>	<u><u>0.0</u></u>

* Includes a reduction of \$13,029 (SGF) to remove the Governor's recommended pay plan.



 Senator Pat Ranson
 Subcommittee Chair


 Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Agency: State Fire Marshal

Bill No. 2272

Bill Sec. 43

Analyst: Mills

Analysis Pg. No. 593

Budget Page No. 183

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97*</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,122,006	\$ 2,099,305	\$ 0
Aid to Local Units	10,000	10,000	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 2,132,006	\$ 2,109,305	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 2,132,006</u></u>	<u><u>\$ 2,109,305</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 0	\$ 0	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	40.0	40.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>40.0</u></u>	<u><u>40.0</u></u>	<u><u>0.0</u></u>

* Per GBA No. 1, includes an additional \$12,243 from the Fire Marshal Fee Fund for a technical correction.

Agency Estimate/Governor's Recommendation

The agency's revised FY 1997 estimate is \$2,132,006 (of which \$2,118,155 is from the Fire Marshal Fee Fund and \$13,851 is from federal funds). The revised estimate is an increase of \$34,944 over the amount approved by the 1996 Legislature. The bulk of this increase is attributed to: unfunded longevity payments (\$9,720); unrealized shrinkage (\$16,346); and overtime payments to fire investigators (\$14,600).

The Governor recommends FY 1997 expenditures of \$2,097,062 (of which \$2,083,211 is from the Fire Marshal Fee Fund and \$13,851 is from federal funds), a reduction of \$34,944 (1.6 percent) from the agency estimate. The Governor's recommendation makes the reduction in salaries and wages of \$34,944.

Senate Ways and Means Committee

Date 3-20-97

Attachment # 5

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1997, including the technical correction in GBA No. 1 (item 10).

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The House has not considered this item.

Agency: State Fire Marshal

Bill No. 228

Bill Sec. 43

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97*</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 2,099,305	\$ 0
Aid to Local Units	10,000	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 2,109,305	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 2,109,305</u>	<u>\$ 0</u>
State General Fund:		
State Operations	\$ 0	\$ 0
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 0	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 0</u>	<u>\$ 0</u>
FTE Positions	40.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>40.0</u>	<u>0.0</u>


* Per GBA No. 1, includes an additional \$12,243 from the Fire Marshal Fee Fund as a technical correction

Senate Subcommittee Recommendation

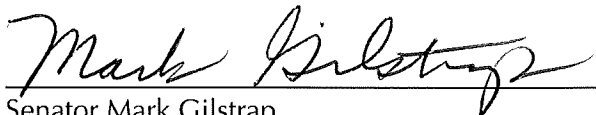
The Senate Subcommittee concurs with the Governor's recommendation.

Current Status Comparison

	Gov. Rec. FY 1997	House Committee Action FY 1997	Senate Subcommittee Action FY 1997	Senate Subcommittee Change from House Comm. FY 1997
All Funds:				
State Operations	\$ 2,099,305	\$ 2,099,305	\$ 2,099,305	\$ 0
Aid to Local Units	10,000	10,000	10,000	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 2,109,305</u>	<u>\$ 2,109,305</u>	<u>\$ 2,109,305</u>	<u>\$ 0</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 2,109,305</u></u>	<u><u>\$ 2,109,305</u></u>	<u><u>\$ 2,109,305</u></u>	<u><u>\$ 0</u></u>
State General Fund:				
State Operations	\$ 0	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	40.0	40.0	40.0	0.0
Unclas. Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>40.0</u></u>	<u><u>40.0</u></u>	<u><u>40.0</u></u>	<u><u>0.0</u></u>



 Senator Stephen R. Morris
 Subcommittee Chair



 Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: State Fire Marshal

Bill No. 2160

Bill Sec. 83

Analyst: Mills

Analysis Pg. No. 593

Budget Page No. 183

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,420,740	\$ 2,184,998	\$ 0
Aid to Local Units	55,000	10,000	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 2,475,740	\$ 2,194,998	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 2,475,740</u></u>	<u><u>\$ 2,194,998</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 0	\$ 0	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	43.0	40.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>43.0</u></u>	<u><u>40.0</u></u>	<u><u>0.0</u></u>

Agency Request/Governor's Recommendation

The agency requests funding for FY 1998 operating expenditures of \$2,475,740 from the Fire Marshal Fee Fund, an increase of \$343,734, or 16.1 percent, above the FY 1997 estimate of \$2,132,006.

The Governor recommends FY 1998 operating expenditures of \$2,194,998 from the Fire Marshal Fee Fund, an increase of \$97,936 (4.7 percent) over the current year recommendation. The FY 1998 recommendation is a reduction of \$280,742 from the agency request, which reflects reductions for 3.0 new FTE positions which were not recommended (\$95,566), and other expenditures associated with the requested initiatives which were not funded (\$182,690).

FY 1998 Enhancement Packages

For FY 1998, the State Fire Marshal is requesting three enhancement packages with a total cost of \$294,747; one in each of the three program divisions, as follows: Fire Inspection, \$85,534 including 1.0 new FTE Fire Investigator position (\$38,876 including fringe benefits); Fire Prevention, \$59,652 including 1.0 new FTE Fire Prevention Inspector position (\$34,970 including fringe benefits); and Administration, \$149,561, including 1.0 new FTE Office Assistant III position (\$21,720 including fringe benefits). Other components of the enhancement package in addition to the 3.0 new FTE positions requested, include enhanced funding for a summer intern program, the public education program, the firefighter certification program, overtime funding, and capital outlay funding. The components of the enhancement package are discussed further in the budget detail for the individual operating programs.

The Fire Marshal has ranked the enhancements in the following priority order:

<u>PRIORITY</u>	<u>ITEM</u>
1	Public education program (\$57,650)
2	Firefighter certification (\$45,000)
3	Technology upgrades (\$50,665)
4	Office Assistant III (\$21,720)
5	Summer Interns (\$9,100)
6	Fire Investigator and Fire Prevention Inspector (\$103,582)
7	Overtime Funding (\$10,000)

The Governor does not recommend the 3.0 new positions or the enhancement packages; the Governor does recommend \$16,491 for several of the minor components of the enhancement.

Fire Marshal Fee Fund

From its inception in 1913, the State Fire Marshal was funded by a fee paid on fire insurance premiums in the State of Kansas. Beginning in 1984, fees were placed in the State General Fund and the office was funded from the State General Fund. During the 1992 Legislative Session, the Fire Marshal's operating budget was returned to fee status. The Fire Marshal Fee Fund is the primary funding source for the Fire Marshal's budget, supplemented by a minor federal grant.

K.S.A. 75-1508 requires each fire insurance company doing business in Kansas to pay to the Commissioner of Insurance, on or before March 15 of each year, a levy imposed by the State Fire Marshal, not to exceed 1.25 percent of a sum equal to the gross cash receipts of such company on all fire business transacted by the company in the preceding calendar year. The agency has established the levy on fire insurance premiums at 1.20 percent. Approximately 94 percent of the Fire Marshal's revenue is from this levy. The agency also collects certification fees from all businesses inspecting, installing or servicing portable fire extinguishers or automatic fire extinguishers for commercial cooking equipment and from indirect cost recovery for administration of the Social Security Act in the Fire Prevention Division.

Revenue Transfer to State General Fund. As with most other fee funded agencies, the law provides that 20 percent of revenue collected by the Fire Marshal shall credit to the State General Fund, with a maximum contribution to the State General Fund of \$200,000. Unlike most other agencies, the FY 1996 appropriation (as in the past years since FY 1993) also provides that for the fiscal year ending June 30, 1997, 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. This is done in order to transfer "excess" moneys not currently needed to pay for the operations of the office of the State Fire Marshal. Upon receipt of such certification, the Director of Accounts and Reports shall transfer the amount certified (which was estimated to be \$550,000 in both FY 1996 and FY 1997) from the Fire Marshal Fee Fund to the State General Fund. **The agency has requested that the discretionary transfer to the State General Fund from the fee fund not occur in FY 1996, FY 1997, or FY 1998.** (Staff Note: The Subcommittee Report of the House Appropriations Subcommittee which considered the State Fire Marshal's budget during the 1996 Session contains the following passage:

"Therefore, the Subcommittee considers the practice of discretionary transfers from the Fire Marshal Fee Fund to the State General Fund to be unconstitutional and recommends that when the State Fire Marshal makes his recommendation to the Commissioner of Insurance at the end of calendar year 1996, the State Fire Marshal shall consider lowering the levy on insurance premiums to a level which will adequately fund the agency budget, and thus eliminate the opportunity for a discretionary transfer from the Fire Marshal Fee Fund to the State General Fund in following fiscal years."

The Consensus Revenue Estimating Group assumes discretionary transfers of \$600,000 in FY 1997 and \$1,200,000 in FY 1998 to the State General Fund.

The Governor recommends estimated insurance premium receipts of \$2,764,623 in FY 1997 and \$2,740,000 FY 1998 for the Fire Marshal Fee Fund. **The Governor also recommends** discretionary transfers of \$600,000 in FY 1997 and \$1,200,000 in FY 1998 to the State General Fund.

Fire Marshal Fee Fund

	Actual FY 96	Agency Estimate FY 97	Gov. Rec. FY 97	Agency Request FY 98	Gov. Rec. FY 98
Balance Forward	\$ 842,077	\$ 1,275,447	\$ 1,275,447	\$ 2,079,915	\$ 1,525,631
Net Receipts	<u>2,920,483</u>	<u>2,898,000</u>	<u>2,922,623</u>	<u>2,898,000</u>	<u>2,898,000</u>
Total Funds Available	\$ 3,762,560	\$ 4,173,447	\$ 4,198,070	\$ 4,977,915	\$ 4,423,631
Less: Expenditures	1,930,915	2,093,532	2,072,439	2,475,740	2,194,998
Discretionary Transfer Out	556,198	0	600,000	0	1,200,000
Ending Balance	<u>\$ 1,275,447</u>	<u>\$ 2,079,915</u>	<u>\$ 1,525,631</u>	<u>\$ 2,502,175</u>	<u>\$ 1,028,633</u>
Ending Balance as a Percentage of Expenditures	66.1%	99.3%	73.6%	101.1%	46.9%

House Subcommittee Recommendation

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

1. The House Subcommittee notes that the agency request included \$50,665 (Fire Marshal Fee Fund) for technology upgrades in the Fire Marshal's Office, including replacement computers, laptop computers, camcorders, mobile radios, and software. Of the total requested, the Governor recommended only \$7,400 for the purchase of two mobile radios and two camcorders. The Subcommittee recommends that the Joint Committee on Computers and Telecommunications review the entire request, and make a recommendation for review during Omnibus. The House Subcommittee believes that continued development of the 800 MHZ network should be a priority for all state law enforcement agencies.
2. The House Subcommittee believes that the legality of the discretionary transfers from the Fire Marshal Fee Fund to the State General Fund should be determined. These discretionary transfers (which are discussed in an earlier part of this report) have been authorized by appropriation language since FY 1993. Last year's House Subcommittee which reviewed the Fire Marshal's budget objected strongly to this practice. This Subcommittee notes that the Governor has recommended discretionary transfers of \$600,000 in FY 1997 and \$1,200,000 in FY 1998 to the State General Fund; this Subcommittee questions both the legality and appropriateness of these transfers. The Subcommittee recommends that the Chair of the House Appropriations Committee seek a formal opinion of the Attorney General regarding the legality of these discretionary transfers.
3. The House Subcommittee notes that the agency had requested an enhancement of \$45,000 for the firefighter certification program; the program was originally funded by the 1996 Legislature as a pilot project at the level of \$10,000. For FY 1998, the Governor recommends continuation of the \$10,000 funding level which will certify about 170 firefighters. The House Subcommittee recommends that the Fire Marshal consider establishing a modest fee for persons participating in the certification program to offset costs and allow for increased participation.
4. The House Subcommittee makes the following recommendation for the State Fire Marshall, Highway Patrol, Kansas Bureau of Investigation (KBI), and Emergency Medical Services. The Subcommittee requests that the State Fire Marshal, the Director of the KBI report to the 1998 Legislature on the feasibility of a consolidation of the two agencies. Items to be addressed in the study should include, but not be limited to, the consolidation of administrative and staff support services and facilities, possible savings in delivering services, and an analysis of advantages and disadvantages of a consolidation.

The Subcommittee also asks that the Administrator of the Emergency Medical Services Board and the Superintendent of the State Highway Patrol consult with the Director of the KBI and the State Fire Marshal about the feasibility of a consolidation of the four agencies. If agreement is reached between or among any of the parties involved, the agency heads in agreement should prepare a joint report to the 1998

Legislature. Separate reports should be presented to the 1998 Legislature by agency heads not in agreement, explaining why consensus was not reached.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The House has not considered this item.

Agency: State Fire Marshal

Bill No. 178

Bill Sec. 83

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 2,184,998	\$ 52,768
Aid to Local Units	10,000	45,000
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 2,194,998	\$ 97,768
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 2,194,998</u></u>	<u><u>\$ 97,768</u></u>
State General Fund:		
State Operations	\$ 0	\$ 0
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 0	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	40.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>40.0</u></u>	<u><u>0.0</u></u>

5-8

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following additional recommendations:

1. Delete \$55,547, all of which is from the Fire Marshal Fee Fund, based on the recommendation to delete funding for classified step movement (\$26,917), the 1.0 percent classified base salary increase (\$15,337), the unclassified 3.5 percent merit pool (\$2,501), and the longevity bonus (\$10,792) from individual agency budgets.
2. Add a total of \$153,315, all of which is from the Fire Marshal Fee Fund, for three enhancement packages which were appealed by the State Fire Marshal as the top priority enhancement requests. The Subcommittee notes that there are ample funds in the Fire Marshal Fee Fund (slightly over \$1.0 million ending balance under the Governor's recommendation) to finance these three enhancements. The three enhancement packages are summarized below:
 - a. **Firefighter Certification** (\$45,000). The Subcommittee recommends an expansion of the firefighter certification program to fund scholarship grants through local fire departments for assistance of persons participating in the Firefighter I certification program. The firefighter certification program was initially funded by the 1996 Legislature as a pilot program at a funding level of \$10,000. Under the pilot program, about 170 firefighters were certified; the enhanced program would allow for the certification of an additional 500 firefighters. The Governor had recommended continuation of the program at the \$10,000 funding level. The Subcommittee recommends enhancement of the program by adding an additional \$45,000 to the Governor's recommendation, for a total of \$55,000. The Fire Marshal stated that he plans to pursue the enhanced program for five years, after which maintenance funding of \$10,000 per year would be adequate. The Fire Marshal stated that over the five-year period about 5,000 firefighters would be certified, which is about one-third of the 15,000 firefighters in Kansas. The funding is used to pay for workbooks and the costs of the tests. Administrative costs in the Fire Marshal's office will be handled by existing staff.
 - b. **Public Education** (\$57,650). The second enhancement priority recommended by the Subcommittee is to expand the public education efforts of the Fire Marshal. Specifically, the enhancement would allow for the commissioning of deputy state fire marshals at the local level. The local inspector would have to volunteer to become a commissioned deputy, and both the local fire chief and the State Fire Marshal would have to approve the individual. The deputies would have to complete the training contained in the "Kansas Buildings Fire Safety Handbook" and the State Fire Marshal would provide technical support, training and continuing education, and oversight audits for the deputies. The State Fire Marshal would retain full authority over enforcement efforts, and the program would have a set of criteria, including limits of jurisdiction, enforcement authority, which codes would be enforced, local control, and educational requirements. The State Fire Marshal plans to commission no more than 25 inspectors in the first year.

- c. **Computer Technology** (\$50,665). The third enhancement priority recommended by the Subcommittee is for enhanced computer technology for the Fire Marshal's Department. The enhancement includes capital outlay funding for the purchase of nine computers, two camcorders, two 800 MHZ mobile radios, and computer software to increase the level of technology in the department. The Subcommittee believes that this new equipment will allow the Fire Marshal to operate in a more efficient and economical fashion; the use of laptop computers for field staff should insure better documentation and speedier filing of inspection reports. The Subcommittee notes that the Fire Marshal has requested time to appear before the Joint Committee on Computers and Telecommunications (JCCT) to present his request. The Subcommittee recommends that this funding be subject to release by the State Finance Council, following review by JCCT.

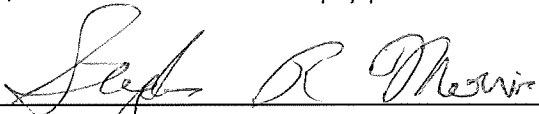
3. The Senate Subcommittee believes that the legality of the discretionary transfers from the Fire Marshal Fee Fund to the State General Fund should be determined. These discretionary transfers (which are discussed in an earlier section of this report) have been authorized by appropriations bill language since FY 1993. The Subcommittee notes that the Governor has recommended discretionary transfers of \$600,000 in FY 1997 and \$1,200,000 in FY 1998 from the Fire Marshal Fee Fund to the State General Fund. The Subcommittee understands that the House Appropriations Committee has requested a formal opinion from the Attorney General regarding the legality of these transfers, which opinion should be available prior to Omnibus deliberations.

Current law allows the State Fire Marshal to annually set a levy on each fire insurance company doing business in Kansas not to exceed 1.25 percent of the gross cash receipts of such company on all fire business transacted in the preceding year. The levy is currently set at 1.20 percent; this levy generates approximately \$3.0 million in receipts annually. (This tax levy equates to \$3.00 on a \$100,000 house.) The Senate Subcommittee further recommends that the Fire Marshal reduce this tax levy by one-third, which would generate about \$2.0 million per year which would adequately fund the Department, and also end the discretionary transfers. The Subcommittee recommends that this issue be flagged for review during Omnibus after receipt of the Attorney General's opinion, as well as for review during the 1998 Session.


Current Status Comparison

	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998*	Senate Subcommittee Change from House Comm. FY 1998
All Funds:				
State Operations	\$ 2,184,998	\$ 2,184,998	\$ 2,237,766	\$ 52,768
Aid to Local Units	10,000	10,000	55,000	45,000
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 2,194,998</u>	<u>\$ 2,194,998</u>	<u>\$ 2,292,766</u>	<u>\$ 97,768</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 2,194,998</u></u>	<u><u>\$ 2,194,998</u></u>	<u><u>\$ 2,292,766</u></u>	<u><u>\$ 97,768</u></u>
State General Fund:				
State Operations	\$ 0	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	40.0	40.0	40.0	0.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0
TOTAL	<u><u>40.0</u></u>	<u><u>40.0</u></u>	<u><u>40.0</u></u>	<u><u>0.0</u></u>

* Includes reduction of \$55,547 (Fire Marshal Fee Fund) to remove the Governor's pay plan.



 Senator Stephen R. Morris
 Subcommittee Chair



 Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: Kansas Highway Patrol

Bill No. –

Bill Sec. –

Analyst: Mills

Analysis Pg. No. 604

Budget Page No. 235

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 41,451,298	\$ 41,473,108	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 41,451,298</u>	<u>\$ 41,473,108</u>	<u>\$ 0</u>
Capital Improvements	627,823	627,823	0
TOTAL	<u><u>\$ 42,079,121</u></u>	<u><u>\$ 42,100,931</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 22,740,202	\$ 22,763,618	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 22,740,202</u>	<u>\$ 22,763,618</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 22,740,202</u></u>	<u><u>\$ 22,763,618</u></u>	<u><u>\$ 0</u></u>
FTE Positions	799.5	799.5	0.0
Unclassified Temp. Positions	14.0	14.0	0.0
TOTAL	<u><u>813.5</u></u>	<u><u>813.5</u></u>	<u><u>0.0</u></u>

Agency Estimate/Governor's Recommendation

The agency's revised current year estimate is \$1,224,660 above approved expenditures. This is due to higher-than-estimated expenditures from the Kansas Highway Patrol Motor Vehicle Fund, which is a no-limit fund. Spending from the State General Fund is lower than the approved amount, due to savings in various object codes. **The Governor recommends** FY 1997 spending (State General Fund) that is equal to the approved amount. The Governor concurs with the agency's estimate for spending from the Kansas Highway Patrol Motor Vehicle Fund.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1997.

Senate Ways and Means Committee

Date 3-20-97

Attachment # 6

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The House has not taken action on the agency's budget.

Agency: Kansas Highway Patrol

Bill No. -

Bill Sec. -

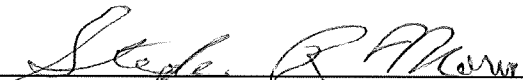
<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 41,473,108	\$ 0
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 41,473,108	\$ 0
Capital Improvements	<u>627,823</u>	<u>0</u>
TOTAL	<u>\$ 42,100,931</u>	<u>\$ 0</u>
State General Fund:		
State Operations	\$ 22,763,618	\$ 0
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 22,763,618	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 22,763,618</u>	<u>\$ 0</u>
FTE Positions	799.5	0.0
Unclassified Temp. Positions	<u>14.0</u>	<u>0.0</u>
TOTAL	<u>813.5</u>	<u>0.0</u>

Senate Subcommittee Recommendation

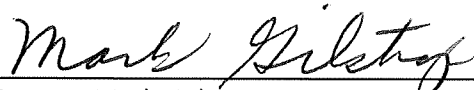
The Senate Subcommittee concurs with the Governor's recommendation.

Current Status Comparison

	Gov. Rec. FY 1997	House Committee Action FY 1997	Senate Subcommittee Action FY 1997	Senate Subcommittee Change from House FY 1997
All Funds:				
State Operations	\$ 41,473,108	\$ 41,473,108	\$ 41,473,108	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 41,473,108	\$ 41,473,108	\$ 41,473,108	\$ 0
Capital Improvements	<u>627,823</u>	<u>627,823</u>	<u>627,823</u>	<u>0</u>
TOTAL	<u><u>\$ 42,100,931</u></u>	<u><u>\$ 42,100,931</u></u>	<u><u>\$ 42,100,931</u></u>	<u><u>\$ 0</u></u>
State General Fund:				
State Operations	\$ 22,763,618	\$ 22,763,618	\$ 22,763,618	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 22,763,618	\$ 22,763,618	\$ 22,763,618	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 22,763,618</u></u>	<u><u>\$ 22,763,618</u></u>	<u><u>\$ 22,763,618</u></u>	<u><u>\$ 0</u></u>
FTE Positions	799.5	799.5	799.5	0.0
Unclass. Temp. Positions	<u>14.0</u>	<u>14.0</u>	<u>14.0</u>	<u>0.0</u>
TOTAL	<u><u>813.5</u></u>	<u><u>813.5</u></u>	<u><u>813.5</u></u>	<u><u>0.0</u></u>



 Senator Stephen R. Morris



 Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: Kansas Highway Patrol

Bill No. 2160

Bill Sec. 85

Analyst: Mills

Analysis Pg. No. 604

Budget Page No. 235

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 44,447,709	\$ 42,696,657	\$ 28,000
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 44,447,709</u>	<u>\$ 42,696,657</u>	<u>\$ 28,000</u>
Capital Improvements	5,450,176	450,176	0
TOTAL	<u><u>\$ 49,897,885</u></u>	<u><u>\$ 43,146,833</u></u>	<u><u>\$ 28,000</u></u>
State General Fund:			
State Operations	\$ 24,178,971	\$ 23,574,191	\$ 28,000
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 24,178,971</u>	<u>\$ 23,574,191</u>	<u>\$ 28,000</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 24,178,971</u></u>	<u><u>\$ 23,574,191</u></u>	<u><u>\$ 28,000</u></u>
FTE Positions	849.5	799.5	0.0
Unclassified Temp. Positions	14.0	14.0	0.0
TOTAL	<u><u>863.5</u></u>	<u><u>813.5</u></u>	<u><u>0.0</u></u>

Agency Request/Governor's Recommendation

The agency requests funding of \$44,447,709 in FY 1998 for operating expenditures. This requested funding is composed of \$24,178,971 from the State General Fund and \$20,268,738 from special revenue funds. The requested funding would support the 799.5 positions currently approved, and also allow for the creation of 50.0 new FTE positions. This total amount of funding would:

- Allow the Patrol Operations Program to implement two enhancement packages totaling \$568,740 (of which \$540,303 is from the State General Fund); the enhancements would establish a Computer Enhanced Accident Reconstruction Team (\$533,740 and 16.0 new FTE positions) and allow the Patrol to contract with a private firm for a certified examination for KHP applicants (\$35,000). **The Governor** recommends no funding for these enhancements.

- Allow the Data Processing Program to implement two enhancement packages totaling \$252,613 (State General Fund) as follows: (1) \$88,910 for the Patrol's share (25%) of the cost to upgrade the ASTRA law enforcement system; and (2) \$163,703 to upgrade the agency's personal computer systems. **The Governor** recommends no funding for these enhancements.
- Allow the Motor Carrier Inspection program to implement two enhancement packages totaling \$1,311,290 in FY 1998: (1) the first enhancement of \$230,623 is to reduce the shrinkage rate in the program from 5.0 percent to 1.0 percent, and (2) the second enhancement would establish a Coordinated Hazardous Materials Emergency Response Team (\$1,080,667 and 34.0 new FTE positions). **The Governor** does not recommend funding for the requested HazMat Response Team. The Governor does recommend additional salaries funding of \$114,165 to reduce the shrinkage rate to 3.0 percent.
- Provide the Motorist Assistance Program with \$96,328 from the Highway Safety Fund to match federal moneys to operate the program. Total requested funding for the program is \$481,642. This funding would allow the agency to replace its vans at 100,000 miles. **The Governor** concurs.
- Allow the Vehicle Identification Number Inspection Program to operate at current service levels. **The Governor** concurs.
- Allow the Highway Patrol Training Academy to operate at current service levels, while providing stable funding for utilities and maintenance costs. **The Governor** concurs.
- Provide the Data Processing Program with \$128,375 for upgrades to the agency's AS 400 computer system, and for an expansion of the agency's PC local area network (in addition to the enhancements noted above). **The Governor** concurs.
- Provide for current service levels in the Motor Carrier Safety Assistance Program and the Turnpike Patrol. **The Governor** concurs.

House Subcommittee Recommendation

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

1. Add \$28,000 (State General Fund) to reimburse the Highway Patrol for the cost of an audit of the Patrol's Motor Vehicle Program; the audit has been completed and the Patrol has paid the fee out of its operating expenditures. Funding for this audit (and several other state agencies) was originally included in the budget of the Division of Post Audit. The House Appropriations Subcommittee which reviewed the budget of the Division of Post Audit recommended that the funding for these audits be removed from that budget and placed in the budgets of the affected state agencies. The House Subcommittee notes that 1996 S.B. 662 requires three annual audits of the Patrols Motor Vehicle program. The Legislative Post Audit Committee has introduced legislation (1997 S.B. 16) to repeal the requirement for the two

additional audits of the Patrol. The House Subcommittee supports the enactment of S.B. 16; if S.B. 16 is not enacted, proviso language should be included to provide that the two additional audits are not conducted (at a cost of \$20,000 each).

2. The House Subcommittee reviewed the KHP Motor Vehicle Fund which was created by the 1993 Legislature to provide for a replacement program to allow the Patrol to purchase replacement vehicles. The Fund receives revenues from a \$2.50 fee added to each motor vehicle title issued in Kansas and from the sale of retired KHP patrol vehicles. The Fund appears to be working well and the Subcommittee recommends no changes. An analysis of the Fund appears below.

KHP MOTOR VEHICLE FUND

	<u>Actual FY 96</u>	<u>Gov. Rec. FY 97</u>	<u>Gov. Rec. FY 98</u>
Beginning Balance	\$ 288,574	\$ 533,318	\$ 134,498
Receipts:			
Vehicle Registrations	\$ 3,063,915	\$ 2,000,000	\$ 2,000,000
Sale of Vehicles	1,552,837	2,739,000	3,355,297
Subtotal—Receipts	<u>\$ 4,616,752</u>	<u>\$ 4,739,000</u>	<u>\$ 5,355,297</u>
Total Available	\$ 4,905,326	\$ 5,272,318	\$ 5,489,795
Expenditures	\$ 4,372,008	\$ 5,137,820	\$ 5,446,194
Balance Forward	\$ 533,318	\$ 134,498	\$ 43,601
Replacement Vehicles Purchased	232	262	262

3. The House Subcommittee has reviewed the Patrol's Asset Forfeiture Funds and believes that more legislative oversight is needed on expenditures from these funds. For the period FYs 1993-1995, receipts to those funds totaled \$2.8 million, while expenditures were \$1.9 million. Uses of this funding included transfers to other state agencies (KBI for Drugfire), equipment purchases (radios, drug dogs, cameras, bullet proof vests, etc.), and other items (training, DARE, repairs, etc.). While an annual report is prepared, the Subcommittee requests that the Patrol provide expenditure data from these funds to the Division of the Budget and the Legislative Research Department more often, perhaps on a quarterly basis.
4. The House Subcommittee notes with some concern that, under the Governor's directive to reduce FTE positions by 5 percent, the Patrol must give up 40.0 FTE positions: 16 FTE in FY 1997 and 24.0 FTE in FY 1998. All of the positions eliminated are Trooper positions. The House Subcommittee expresses the concern that eliminating 40.0 FTE positions may have a negative impact on the ability of the Highway Patrol to continue its mission in an efficient and professional manner. The Subcommittee requests that the Superintendent provide additional information on

the impact of this staffing reduction and how it will affect the distribution of KHP personnel across the state.

5. The House Subcommittee has reviewed a number of the Patrol's performance measures and recommends that several new, more tangible measures be adopted in future budget years. As an example, the Subcommittee believes that the following types of performance measures would be more useful: accident rates by type of highway, average speeds on highways, number of fatalities by type of road, and distribution of KHP personnel by geographic area.
6. The Subcommittee requests that the Administrator of the Emergency Medical Services Board and the Superintendent of the State Highway Patrol report to the 1998 Legislature on the feasibility of a consolidation of the two agencies. Items to be addressed in the study should include, but not be limited to, the consolidation of administrative and staff support services and facilities, possible savings in delivering services, and an analysis of advantages and disadvantages of a consolidation.

The Subcommittee also asks that the Administrator of the Emergency Medical Services Board and the Superintendent of the State Highway Patrol consult with the Director of the Kansas Bureau of Investigation and the State Fire Marshal about the feasibility of a consolidation of the four agencies. If agreement is reached between or among any of the parties involved, the agency heads in agreement should prepare a joint report to the 1998 Legislature. Separate reports should be presented to the 1998 Legislature by agency heads not in agreement, explaining why consensus was not reached.

House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation, with the following additions:

1. With regard to House Subcommittee Item No. 4 above concerning the loss of 40.0 FTE positions, the Highway Patrol is requested to provide additional information regarding these positions and where they would be used by the Patrol. The Committee will review this information during Omnibus session.
2. Delete 24.7 FTE positions and \$780,965 from the State General Fund based on the recommendation to delete a total of 5.0 percent of the total FTE positions (from the level approved by the 1995 Legislature for FY 1996) from each agency budget in FY 1998.

House Recommendation

The House has not taken action on this agency's budget.

Expenditure Summary	Gov. Rec. FY 98	Senate Subcommittee Adjustments
All Funds:		
State Operations	\$ 42,696,657	\$ (1,023,106)
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal - Operating	\$ 42,696,657	\$ (1,023,106)
Capital Improvements	450,176	0
TOTAL	<u>\$ 43,146,833</u>	<u>\$ (1,023,106)</u>
State General Fund:		
State Operations	\$ 23,574,191	\$ (688,525)
Aid to Local Units	0	0
Other Assistance	0	0
Subtotal - Operating	\$ 23,574,191	\$ (688,525)
Capital Improvements	0	0
TOTAL	<u>\$ 23,574,191</u>	<u>\$ (688,525)</u>
FTE Positions	799.5	0.0
Unclassified Temp. Positions	14.0	0.0
TOTAL	<u>813.5</u>	<u>0.0</u>

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following additional recommendations:

1. Delete \$1,051,106, including \$716,525 from the State General Fund, based on the recommendation to delete funding for classified step movement (\$431,558), the 1.0 percent base salary increase (\$251,508), the unclassified 3.5 percent merit pool (\$5,920), and the longevity bonus (\$362,120) from individual agency budgets.
2. Add \$28,000 (State General Fund) to reimburse the Highway Patrol for the cost of an audit of the Patrol's Motor Vehicle Program; the audit has been completed and the Patrol has paid the fee out of its operating expenditures. Funding for this audit (and for several other state agencies) was originally included in the budget of the Division of Post Audit. The House Appropriations Subcommittee which reviewed the budget of the Division of Post Audit recommended that the funding for these audits be removed from that budget and placed in the budgets of the affected state agencies. The Senate Subcommittee notes that 1996 S.B. 6622 requires three annual

audits of the Patrol's Motor Vehicle Program. The Legislative Post Audit Committee has introduced legislation (1997 S.B. 16) to repeal the requirement for the two additional audits of the Patrol. The Senate Subcommittee supports the enactment of S.B. 16; if S.B. 16 is not enacted, proviso language should be included to provide that the two additional audits are not conducted (at a cost of \$20,000 each).

3. The Senate Subcommittee wishes to express its concern regarding the delays in implementing the 800 MHZ network in the state. Implementation of this network has been discussed for years in the Legislature; however, it appears that actual implementation of the 800 MHZ network is still years away. The Highway Patrol has been reviewing the possible use of cellular phone technology, as well as satellite technology and Global Positioning Systems (GPS) to supplement existing communications. The Senate Subcommittee believes that some existing technologies should be examined in the interim period while the 800 MHZ network is being implemented. The Senate Subcommittee believes that the need exists to examine additional technologies or add digital data transfer capabilities 800 MHZ system as it is constructed.
4. The Subcommittee notes that the Highway Patrol, in an effort to improve efficiency and better utilize limited resources, has been researching cellular phone and satellite technology to allow transmission of reports and access to national databases. The Patrol stated that this existing technology could be utilized to improve communications and data transmission for all law enforcement and emergency responder personnel. The Subcommittee learned that law enforcement personnel in Utah are utilizing a cellular system which has a flat cost of \$50 per month per patrol car.

The Subcommittee directs the Highway Patrol to continue to investigate technologies that would allow it to establish a statewide means of data transfer and automated data searches of national criminal justice databases directly from emergency response vehicles. However, the timing for implementation of such a system should be kept to a minimum by using proven technologies such as cellular, satellite or others, while considering adaptation to the 800 MHZ system when complete. The Subcommittee directs the Patrol to prepare recommendation for review during the 1998 Legislative Session, for possible implementation in FY 1999.

5. The Subcommittee has reviewed a number of the performance measures presented by the Patrol. The performance measures for Highway Patrol operations are shown below. The Subcommittee notes that, while only 3.0 percent of accidents involve alcohol, about 50 percent of traffic accident fatalities are alcohol-related.

Performance Measures – Highway Patrol Operations

	<u>Actual FY 1996</u>	<u>Estimate FY 1997</u>	<u>Estimate FY 1998*</u>
Number of miles patrolled	10,439,134	10,500,000	11,250,000
Fatalities per 100 million miles traveled	1.6	1.6	1.6
Number of felony arrests	1,343	1,500	1,500
Percent of accidents involving alcohol	3.0%	3.0%	3.0%

* Estimated level of performance under Governor's recommendation..


6. The Senate Subcommittee notes with some concern that, under the Governor's directive to reduce FTE positions by 5 percent, the Patrol must give up 40.0 FTE: 16.0 in FY 1996 and 24.0 in FY 1997. The Subcommittee expresses the concern that elimination of these positions may have a negative impact on the ability of the Patrol to continue its mission in an efficient and professional manner. The Subcommittee wishes to flag this item for Omnibus consideration and requests that the Patrol prepare additional information on this staffing reduction and how it will affect Patrol operations. The Subcommittee that it costs about \$50,000 (\$30,000 salary and \$20,000 other operating expenditures) to field a new Trooper; thus, the cost for 24.0 new Troopers would be about \$1.2 million. The Subcommittee recommends that the full Committee review this issue at Omnibus and consider whether to add funding for a portion or all of the positions.

Current Status Comparison

	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998	Senate Subcommittee Change from House FY 1998
All Funds:				
State Operations	\$ 42,696,657	\$ 41,943,692	\$ 41,673,551	\$ (270,141)
Aid to Local Units	0	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 42,696,657	\$ 41,943,692	\$ 41,673,551	\$ (270,141)
Capital Improvements	<u>450,176</u>	<u>450,176</u>	<u>450,176</u>	<u>0</u>
TOTAL	<u><u>\$ 43,146,833</u></u>	<u><u>\$ 42,393,868</u></u>	<u><u>\$ 42,123,727</u></u>	<u><u>\$ (270,141)</u></u>
State General Fund:				
State Operations	\$ 23,574,191	\$ 22,821,226	\$ 22,885,666	\$ 64,440
Aid to Local Units	0	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 23,574,191	\$ 22,821,226	\$ 22,885,666	\$ 64,440
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 23,574,191</u></u>	<u><u>\$ 22,821,226</u></u>	<u><u>\$ 22,885,666</u></u>	<u><u>\$ 64,440</u></u>
FTE Positions	799.5	774.8	799.5	24.7
Unclass. Temp. Positions	<u>14.0</u>	<u>14.0</u>	<u>14.0</u>	<u>0.0</u>
TOTAL	<u><u>813.5</u></u>	<u><u>788.8</u></u>	<u><u>813.5</u></u>	<u><u>24.7</u></u>



 Senator Stephen R. Morris



 Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: Adjutant General

Bill No. 2272

Bill Sec. 54

Analyst: Mills

Analysis Pg. No. 523

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 15,761,680	\$ 15,039,880	\$ 0
Aid to Local Units	1,060,105	1,039,646	0
Other Assistance	4,519	231,214	0
Subtotal - Operating	<u>\$ 16,826,304</u>	<u>\$ 16,310,740</u>	<u>\$ 0</u>
Capital Improvements	541,534	541,534	0
TOTAL	<u><u>\$ 17,367,838</u></u>	<u><u>\$ 16,852,274</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 3,931,543	\$ 3,427,839	\$ 0
Aid to Local Units	0	101,000	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	<u>\$ 3,936,062</u>	<u>\$ 3,533,358</u>	<u>\$ 0</u>
Capital Improvements	312,476	312,476	0
TOTAL	<u><u>\$ 4,248,538</u></u>	<u><u>\$ 3,845,834</u></u>	<u><u>\$ 0</u></u>
FTE Positions	227.0	226.0	0.0
Unclassified Temp. Positions	42.5	46.5	0.0
TOTAL	<u><u>269.5</u></u>	<u><u>272.5</u></u>	<u><u>0.0</u></u>

Agency Estimate/Governor's Recommendation

The revised FY 1997 estimate is composed of \$15,761,680 for state operations, \$1,060,105 for aid to local units, \$4,519 for other assistance, and \$541,534 for capital improvements. The revised agency estimate for FY 1997 is a reduction of \$910,839 from the approved budget. That reduction is the net result of underspending from other funds of \$1,330,891, which is offset by an increase in State General Fund spending of \$420,052. The State General Fund increase includes a supplemental request of \$432,755, offset by underspending in various object codes of \$12,703. The underspending in other funds represents the winding down of federally-funded flood relief efforts. The agency requests 13.0 new FTE positions in the current year. The new positions are discussed in the paragraph below regarding the State General Fund supplemental request.

The agency requests a State General Fund supplemental appropriation in FY 1997 of \$432,755 for three program enhancements:

Senate Ways and Means Committee

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Attachment # 7

- ◆ 1) \$125,473 for the creation of a new Information Technology (IT) section in the department , which includes salaries funding of \$106,756, including fringe benefits, for 4.0 new FTE positions (1.0 Emergency Information Systems Engineer, \$29,734; 2.0 User Consultant positions, \$59,469; and 1.0 Emergency Information Systems Data Specialist, \$17,553); \$11,717 for the reclassification of existing positions; and \$7,000 for training.
- ◆ 2) \$262,660 to strengthen the emergency management capabilities of the Division of Emergency Management (DEM)–Operations, which includes salaries funding of \$144,629 for 7.0 new FTE positions (1.0 Public Information Officer II, \$19,640; 5.0 Public Service Administrator III positions, \$112,393; and 1.0 Attorney, \$12,596); \$72,108 for other operating expenditures; and \$45,923 for a disaster preparedness improvement grant.
- ◆ 3) \$44,622 to strengthen efforts in the Division of Emergency Management (DEM)-Technological Hazards section, including \$38,872 in salaries funding for 2.0 new FTE positions (1.0 Chemist II, \$17,492 and 1.0 Planner II, \$21,380), and \$5,750 for other operating expenditures.

The Governor's operating expenditures recommendation for FY 1997 totals \$16,310,740, of which \$3,533,358 is from the State General Fund. The recommendation is a reduction of \$515,564 from the revised estimate: the reductions are found in salaries and wages (\$125,471) and other operating expenditures (\$390,093). The Governor's recommendation will support 226.0 FTE positions.

The Governor does not fund the requested State General Fund supplemental appropriation for the enhancement packages.

The Governor does recommend a State General Fund supplemental appropriation of \$30,000 for utilities at the armories.

House Subcommittee Recommendation

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

1. A technical correction to the appropriation bill to properly reflect the Governor's recommendation.
2. The agency indicated that utility expenditures at the state armories are increasing because of the cost of natural gas. The agency should request a Governor's Budget Amendment if additional utilities funding is needed in the current year.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The House has not considered this agency's budget.

Agency: Adjutant General

Bill No. 228

Bill Sec. 54

Analyst: Mills

Analysis Pg. No. 523

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 15,039,880	\$ 25,000
Aid to Local Units	1,039,646	0
Other Assistance	231,214	0
Subtotal - Operating	\$ 16,310,740	\$ 25,000
Capital Improvements	541,534	0
TOTAL	\$ 16,852,274	\$ 25,000
State General Fund:		
State Operations	\$ 3,427,839	\$ 25,000
Aid to Local Units	101,000	0
Other Assistance	4,519	0
Subtotal - Operating	\$ 3,533,358	\$ 25,000
Capital Improvements	312,476	0
TOTAL	\$ 3,845,834	\$ 25,000
FTE Positions	226.0	0.0
Unclassified Temp. Positions	46.5	0.0
TOTAL	272.5	0.0

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following additional recommendation.

1. Add \$25,000 (State General Fund) for increased utilities costs (chiefly natural gas costs) at the National Guard facilities. This funding is in addition to the \$30,000 supplemental already recommended by the Governor and is to meet a funding shortfall in utilities expenses.

Current Status Comparison

	Gov. Rec. FY 1997	House Committee Action FY 1997	Senate Subcommittee Action FY 1997	Senate Subcommittee Change from House Comm. FY 1997
All Funds:				
State Operations	\$ 15,039,880	\$ 15,039,880	\$ 15,064,880	\$ 25,000
Aid to Local Units	1,039,646	1,039,646	1,039,646	0
Other Assistance	231,214	231,214	231,214	0
Subtotal - Operating	<u>\$ 16,310,740</u>	<u>\$ 16,310,740</u>	<u>\$ 16,335,740</u>	<u>\$ 25,000</u>
Capital Improvements	541,534	541,534	541,534	0
TOTAL	<u><u>\$ 16,852,274</u></u>	<u><u>\$ 16,852,274</u></u>	<u><u>\$ 16,877,274</u></u>	<u><u>\$ 25,000</u></u>
State General Fund:				
State Operations	\$ 3,427,839	\$ 3,427,839	\$ 3,452,839	\$ 25,000
Aid to Local Units	101,000	101,000	101,000	0
Other Assistance	4,519	4,519	4,519	0
Subtotal - Operating	<u>\$ 3,533,358</u>	<u>\$ 3,533,358</u>	<u>\$ 3,558,358</u>	<u>\$ 25,000</u>
Capital Improvements	312,476	312,476	312,476	0
TOTAL	<u><u>\$ 3,845,834</u></u>	<u><u>\$ 3,845,834</u></u>	<u><u>\$ 3,870,834</u></u>	<u><u>\$ 25,000</u></u>
FTE Positions	226.0	226.0	226.0	0.0
Unclass. Temp. Positions	46.5	46.5	46.5	0.0
TOTAL	<u><u>272.5</u></u>	<u><u>272.5</u></u>	<u><u>272.5</u></u>	<u><u>0.0</u></u>

Pat Ranson

Senator Pat Ranson
Subcommittee Chair

Paul Feleciano, Jr.

Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Agency: Adjutant General

Bill No. 2160

Bill Sec. 87

Analyst: Mills

Analysis Pg. No. 523

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 15,987,314	\$ 14,345,082	\$ 0
Aid to Local Units	991,573	991,573	0
Other Assistance	4,519	238,313	0
Subtotal - Operating	\$ 16,983,406	\$ 15,574,968	\$ 0
Capital Improvements	2,341,329	200,000	0
TOTAL	\$ 19,324,735	\$ 15,774,968	\$ 0
State General Fund:			
State Operations	\$ 4,912,971	\$ 3,687,626	\$ 0
Aid to Local Units	0	22,337	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	\$ 4,917,490	\$ 3,714,482	\$ 0
Capital Improvements	946,500	200,000	0
TOTAL	\$ 5,863,990	\$ 3,914,482	\$ 0
FTE Positions	248.5	226.0	0.0
Unclassified Temp. Positions	46.5	50.5	0.0
TOTAL	295.0	276.5	0.0

Agency Request/Governor's Recommendation

The agency request for operating expenditures in FY 1998 totals \$16,983,406 (All Funds), which is an increase of \$157,102 from the revised estimate for FY 1997. The bulk of the increase is attributed to a requested increase of \$981,428 in expenditures from the State General Fund, with a reduction of \$824,326 in spending from other funds. Of the total request for operating expenditures, \$4,917,490 is from the State General Fund and \$12,065,916 is from other funds, largely federal funds.. The total request is composed of \$15,987,314 for state operations, \$991,573 for aid to local units, and \$4,519 for other assistance. The agency requests 9.5 FTE new positions above the 13.0 new requested FY 1997, and associated salaries and wages funding of \$748,786 for all 22.5 positions.

Major items contained in the FY 1998 request include the following:

- ◆ The agency requests \$37,481 for classified **step movement**, \$129,904 for a 2.5 percent unclassified merit pool, and \$16,409 for longevity pay. **The Governor recommends** \$37,481 for classified step movement, \$166,205 for unclassified merit increases, and \$15,000 for longevity pay. The Governor also recommends \$70,578 for a 1.0 percent classified base salary adjustment.

- ◆ **New Positions.** The agency requests 22.5 FTE new positions (13.0 of the new FTE positions were also requested in FY 1997), as part of the requested enhancement packages. The requested positions and associated funding, including fringe benefits, are summarized in the table below.

The Governor recommends 4.0 new FTE positions: 2.0 Resource Protection Officers at Forbes (\$22,820 federal funds), and the shift of 2.0 temporary positions to FTEs (no funding needed) at Ft. Riley. (**Staff Note:** The Governor's recommendation indicates that these 4.0 positions are unclassified temporaries; however, apparently they were to be recommended as FTEs.)

- ◆ **Active Duty Pay.** The agency requests \$49,782 (of which \$8,918 is from the State General Fund and \$40,864 is from the Nuclear Safety Fee Fund) for active duty pay for Guard units ordered out for emergency duty, for emergency training exercises at Wolf Creek, and for the pay of troops participating in rifle and pistol team competition events. **The Governor recommends** \$49,782 for active duty pay, including \$8,918 from the State General Fund for 669 guard days of active duty, and \$40,864 from the Nuclear Safety Fees Fund.
- ◆ **National Guard Educational Assistance Program.** The agency requests \$150,000 (State General Fund) to provide state payment of tuition and fees for eligible members of the Kansas Army and Air National Guard, as authorized by the enactment of 1996 S. B. 670. **The Governor recommends** no funding for this request.
- ◆ **Emergency Preparedness Grants.** The agency requests expenditure authority of \$819,886 in FY 1998 to disburse federal aid payments to match local county expenditures for emergency preparedness training, facilities, and equipment. **The Governor concurs** with the agency request for these federal grants.
- ◆ **Utilities -- National Guard Facilities.** The agency requests \$3,403,786 in FY 1998 for utility payments for armories and other Army and Air National Guard facilities. **The Governor recommends** \$5,588,836 for contractual services in FY 1998.
- ◆ **Capital Improvements.** The agency requests \$2,341,329, of which \$946,500 is from the State General Fund in FY 1998 for various repair and rehabilitation projects at the National Guard facilities. **The Governor recommends** a total of \$200,000 from the State General Fund for rehabilitation and repair projects.

House Subcommittee Recommendation

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

1. The House Subcommittee has asked the Adjutant General's Department to prioritize the agency's long-term capital improvements needs. The agency plans to submit this report to the Subcommittee in mid-April. The Subcommittee plans to review this report and will make any recommendations regarding capital improvements during Omnibus.

2. The House Subcommittee notes that, with the downsizing of the federal armed forces, the reliance on a well-trained ready reserve is important to our national defense. As part of this equation, the Kansas National Guard serves a multipurpose role of both a war and peace time mission. The Subcommittee encourages the Adjutant General to seek more progressive and creative approaches to solving the new challenges facing the National Guard.
3. The House Subcommittee wishes to express its grave concern about the apparent lack of direction by the Executive Branch to the Adjutant General's Department. The Subcommittee believes that this agency has historically been underfunded. While some of the blame for this situation must fall on the Legislature, some must also be given to the Executive Branch which apparently does not believe that adequate funding for the Kansas National Guard is a priority item. By way of example, the House Subcommittee notes that the 1996 Legislature approved a multi-year appropriation for a new addition at the lola Armory. The Governor line-item vetoed this appropriation and stated that the repair and upkeep of existing National Guard facilities was a higher priority. Yet in his FY 1998 capital improvements budget, the Governor included barely enough funding to reroof one armory building (Topeka). The Subcommittee feels that there is a lack of communication or cooperation between the Adjutant General and the Governor's Office. The House Subcommittee believes that the Executive Branch should establish a priority of adequately funding Kansas National Guard operations.

House Committee Recommendation

The House Committee concurs with the House Subcommittee, with the following adjustments:

1. Add \$150,000 (SGF) as requested by the agency to implement the National Guard Educational Assistance program, which provides for state payment of tuition and fees for eligible members of the Kansas National Guard who are enrolled in Kansas educational institutions.
2. Delete 8.5 FTE positions and \$268,753 from the State General Fund based on the recommendation to delete a total of 5.0 percent of the total FTE positions (from the level approved by the 1995 Legislature for FY 1996) from each agency budget in FY 1998.

House Recommendation

The House _____.

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 14,345,082	\$ (110,362)
Aid to Local Units	991,573	0
Other Assistance	238,313	0
Subtotal - Operating	<u>\$ 15,574,968</u>	<u>\$ (110,362)</u>
Capital Improvements	200,000	0
TOTAL	<u><u>\$ 15,774,968</u></u>	<u><u>\$ (110,362)</u></u>
State General Fund:		
State Operations	\$ 3,687,626	\$ 96,736
Aid to Local Units	22,337	0
Other Assistance	4,519	0
Subtotal - Operating	<u>\$ 3,714,482</u>	<u>\$ 96,736</u>
Capital Improvements	200,000	0
TOTAL	<u><u>\$ 3,914,482</u></u>	<u><u>\$ 96,736</u></u>
FTE Positions	226.0	0.0
Unclassified Temp. Positions	50.5	0.0
TOTAL	<u><u>276.5</u></u>	<u><u>0.0</u></u>

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following additional recommendations:

1. Delete \$260,362, including \$53,264 from the State General Fund, based on the recommendation to delete funding for classified step movement (\$38,778), the 1.0 percent classified base salary increase (\$15,510), the unclassified 3.5 percent merit pool (\$189,026), and the longevity bonus (\$17,048).
2. Add \$150,000 (State General Fund) as requested by the agency to implement the National Guard Educational Assistance Program (1996 S.B. 675), which provides for state payment of tuition and fees for eligible members of the Kansas National Guard who are enrolled in Kansas educational institutions. It is estimated that this level of funding will provide assistance to about 100 eligible Guard members. The Subcommittee understands that this educational assistance program functions as a recruiting tool for the Kansas National Guard. The Subcommittee requests that the Adjutant General report to the 1998 and the 1999 Legislatures on the effectiveness of this program in maintaining and increasing the Guard's strength. It is the Subcommittee's understanding that this program will be capped at the \$150,000 level each year.

3. The agency plans to request a Governor's Budget Amendment to correct a salary miscalculation contained in the Governor's recommendation. The Subcommittee will review this amendment, if it is issued.
4. Make a technical correction to the appropriation bill to properly reflect the Governor's recommendation.

Current Status Comparison

	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998	Senate Subcommittee Change from House Comm. FY 1998
All Funds:				
State Operations	\$ 14,345,082	\$ 14,226,329	\$ 14,234,720	\$ 8,391
Aid to Local Units	991,573	991,573	991,573	0
Other Assistance	238,313	238,313	238,313	0
Subtotal - Operating	<u>\$ 15,574,968</u>	<u>\$ 15,456,215</u>	<u>\$ 15,464,606</u>	<u>\$ 8,391</u>
Capital Improvements	200,000	200,000	200,000	0
TOTAL	<u><u>\$ 15,774,968</u></u>	<u><u>\$ 15,656,215</u></u>	<u><u>\$ 15,664,606</u></u>	<u><u>\$ 8,391</u></u>
State General Fund:				
State Operations	\$ 3,687,626	\$ 3,568,873	\$ 3,784,362	\$ 215,489
Aid to Local Units	22,337	22,337	22,337	0
Other Assistance	4,519	4,519	4,519	0
Subtotal - Operating	<u>\$ 3,714,482</u>	<u>\$ 3,595,729</u>	<u>\$ 3,811,218</u>	<u>\$ 215,489</u>
Capital Improvements	200,000	200,000	200,000	0
TOTAL	<u><u>\$ 3,914,482</u></u>	<u><u>\$ 3,795,729</u></u>	<u><u>\$ 4,011,218</u></u>	<u><u>\$ 215,489</u></u>
FTE Positions	226.0	217.5	226.0	8.5
Unclass. Temp. Positions	50.5	50.5	50.5	0.0
TOTAL	<u><u>276.5</u></u>	<u><u>268.0</u></u>	<u><u>276.5</u></u>	<u><u>8.5</u></u>

* Includes reduction of \$260,362 to delete the Governor's pay plan.



 Senator Pat Ranson
 Subcommittee Chair



 Senator Paul Feleciano, Jr.

SUBCOMMITTEE REPORT

Agency: Kansas Sentencing Commission

Bill No. 2272

Bill Sec. 42

Analyst: Mills

Analysis Pg. No. 576

Budget Page No. 413

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 509,832	\$ 654,398	\$ 0
Aid to Local Units	3,326,603	3,326,603	0
Other Assistance	<u>1,638,000</u>	<u>2,071,118</u>	<u>0</u>
Subtotal - Operating	\$ 5,474,435	\$ 6,052,119	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 5,474,435</u>	<u>\$ 6,052,119</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 301,964	\$ 446,530	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>185,000</u>	<u>618,118</u>	<u>0</u>
Subtotal - Operating	\$ 486,964	\$ 1,064,648	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 486,964</u>	<u>\$ 1,064,648</u>	<u>\$ 0</u>
FTE Positions	7.0	6.0	0.0
Unclassified Temp. Positions	<u>4.0</u>	<u>3.0</u>	<u>0.0</u>
TOTAL	<u>11.0</u>	<u>9.0</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The agency's revised estimate for FY 1997 is \$5,474,435, an increase of \$1,461,552 (composed of \$30,065 from the State General Fund and \$1,431,487 in other federal funds) from the amount approved by the 1996 Legislature. The agency is requesting a State General Fund supplemental appropriation of \$30,065 in FY 1997 for salaries for 2.0 requested new positions. The 2.0 requested new positions are Research Analyst positions, one of which would be an FTE position, while the other would be an unclassified temporary position. The agency is requesting the two new positions in both the current year (FY 97) and in the budget year (FY 98). The net FTE change is 1.0 additional position, as shown in the above table. The unclassified temporary position will be funded 75 percent federal/25 percent state, and the FTE position will be 100 percent state funded. According to the agency, the additional positions are needed because of the additional workload brought about by the enactment of 1996 H.B. 2900, which enacted the Juvenile Justice Reform Act of 1996; the agency states that additional

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Date 3-20-97

Attachment # 8

data collection duties will result from this bill. The increase in other funds is caused by the anticipated receipt of \$1,638,000 in federal aid to local units associated with the update of the Criminal Justice Information System (CJIS), which was originally approved by the 1995 Legislature.

The Governor's FY 1997 recommendation is \$6,052,119, of which \$1,064,648 is from the State General Fund. The Governor's recommendation is an increase of \$577,684 over the agency revised request; all of the increase is from the State General Fund. The Governor recommends a State General Fund supplemental appropriation of \$433,118. The Governor's recommendation of \$433,118 in FY 1997 will be used to match approximately \$1.3 million of federal funds to replace the switch of the Automated Statewide Telecommunications and Record Assessment (ASTRA) Network. ASTRA serves as the main switch within the Kansas Criminal Justice Information System. The Governor's recommendation also includes a State General Fund match of \$185,000 needed to receive \$1,228,000 of federal dollars for the continued development of the Criminal Justice Information System (CJIS). Also included is \$225,000 from the Highway Patrol's Special Asset Forfeiture Fund which is needed to receive additional federal funding. The Governor does not recommend the requested new positions in FY 1997.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation for FY 1997, with the following additional recommendation:

1. The House Subcommittee notes that the Governor's recommendation for FY 1997 includes a reappropriated balance of \$214,002 (State General Fund), which was originally approved by the 1995 Legislature as the state match for Federal Fiscal Year 1992-1995 federal funding. The 1995 Legislature had approved a total of \$302,245 for this purpose; of that total, \$42,473 was expended in FY 1996 for the Criminal Justice Information System, leaving an unexpended balance of \$259,772. Because of a technical error, reappropriation language did not allow for the full amount to carry forward to FY 1997. The Governor recommends that \$214,002 of the remaining balance be reappropriated, which is \$45,770 less than the available balance. The agency is seeking a Governor's Budget Amendment to allow for reappropriation of the entire unexpended balance. Should a GBA be issued, the Subcommittee will make a recommendation on this issue.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The House has not taken action on this agency's budget.

Agency: Kansas Sentencing Commission

Bill No. 228

Bill Sec. 42

Analyst: Mills

Analysis Pg. No. 576

Budget Page No. 413

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 654,398	\$ 0
Aid to Local Units	3,326,603	0
Other Assistance	<u>2,071,118</u>	<u>0</u>
Subtotal - Operating	\$ 6,052,119	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 6,052,119</u>	<u>\$ 0</u>
State General Fund:		
State Operations	\$ 446,530	\$ 0
Aid to Local Units	0	0
Other Assistance	<u>618,118</u>	<u>0</u>
Subtotal - Operating	\$ 1,064,648	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 1,064,648</u>	<u>\$ 0</u>
FTE Positions	6.0	0.0
Unclassified Temp. Positions	<u>3.0</u>	<u>0.0</u>
TOTAL	<u>9.0</u>	<u>0.0</u>

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

Current Status Comparison

	Gov. Rec. FY 1997	House Committee Action FY 1997	Senate Subcommittee Action FY 1997	Senate Subcommittee Change from House FY 1997
All Funds:				
State Operations	\$ 654,398	\$ 654,398	\$ 654,398	\$ 0
Aid to Local Units	3,326,603	3,326,603	3,326,603	0
Other Assistance	<u>2,071,118</u>	<u>2,071,118</u>	<u>2,071,118</u>	<u>0</u>
Subtotal - Operating	\$ 6,052,119	\$ 6,052,119	\$ 6,052,119	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 6,052,119</u>	<u>\$ 6,052,119</u>	<u>\$ 6,052,119</u>	<u>\$ 0</u>
State General Fund:				
State Operations	\$ 446,530	\$ 446,530	\$ 446,530	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	<u>618,118</u>	<u>618,118</u>	<u>618,118</u>	<u>0</u>
Subtotal - Operating	\$ 1,064,648	\$ 1,064,648	\$ 1,064,648	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 1,064,648</u>	<u>\$ 1,064,648</u>	<u>\$ 1,064,648</u>	<u>\$ 0</u>
FTE Positions	6.0	6.0	6.0	0.0
Unclass. Temp. Positions	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>	<u>0.0</u>
TOTAL	<u>9.0</u>	<u>9.0</u>	<u>9.0</u>	<u>0.0</u>

Pat Ranson

Senator Pat Ranson
Subcommittee Chair

Christine Downey

Senator Christine Downey

SUBCOMMITTEE REPORT

Agency: Kansas Sentencing Commission

Bill No. 2160

Bill Sec. 93

Analyst: Mills

Analysis Pg. No. 576

Budget Page No. 413

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 535,090	\$ 498,341	\$ 0
Aid to Local Units	3,426,401	3,426,401	0
Other Assistance	<u>292,500</u>	<u>292,500</u>	<u>0</u>
Subtotal - Operating	\$ 4,253,991	\$ 4,217,242	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 4,253,991</u></u>	<u><u>\$ 4,217,242</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 285,651	\$ 247,556	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 285,651	\$ 247,556	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 285,651</u></u>	<u><u>\$ 247,556</u></u>	<u><u>\$ 0</u></u>
FTE Positions	7.0	6.0	0.0
Unclassified Temp. Positions	<u>4.0</u>	<u>4.0</u>	<u>0.0</u>
TOTAL	<u><u>11.0</u></u>	<u><u>10.0</u></u>	<u><u>0.0</u></u>

Agency Request/Governor's Recommendation

The agency's FY 1998 request of \$4,253,991 is a reduction of \$1,220,444 from its revised FY 1997 estimate. A substantial reduction is the request for federal aid to local units (\$1,345,500) primarily from federal funds connected with the Criminal Justice Information System improvement plan is partially offset by modest increases in other state operations expenditures. Aid to Local Units is projected to increase by \$99,798 (3.0 percent); while Other Assistance is expected to decrease by \$1,345,500 (82.1 percent). The Criminal Justice Coordinating Council intends to evaluate areas of need throughout the state which are not currently receiving grant funding.

The Governor recommends FY 1998 expenditures totaling \$4,217,242, a reduction of \$36,749 from the amount requested by the agency. The Governor's recommendation for state operations expenditures totals \$498,341, a reduction of \$36,749 (including \$38,095 from the State General Fund) from the agency's request. The Governor recommends aid to local units expenditures of \$3,426,401

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the same as the agency's request. The Governor also concurs with other assistance expenditures of \$292,500.

New Positions. The agency requests \$60,853, including fringe benefits, for 2.0 new positions: Research Analyst positions, one of which would be an FTE position, while the other would be an unclassified temporary position. According to the agency, the positions are needed because of the additional workload brought about by the enactment of 1996 H.B. 2900, which gave the agency additional data collection duties for juvenile offenders. The agency is requesting the two positions in both the current fiscal year (FY 97) and in the budget year (FY 98). The primary responsibility of the unclassified regular position would be to aid in the development of a Juvenile Justice Database System and the processing of probation and juvenile journal entry grant reviews. The unclassified temporary position would be primarily responsible for grant administration and also to aid in the agency's annual reports. The temporary position will be funded 75 federal/25 state, and the FTE position will be 100 percent state funded. **The Governor recommends** 1.0 new unclassified temporary position (\$28,586) which would be responsible for grant administration.

House Subcommittee Recommendation

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

1. The House Subcommittee notes that the Sentencing Commission requested 2.0 new Research Analyst positions, one of which would be an FTE position, while the other would be an unclassified temporary position. The Governor recommended funding for 1.0 new unclassified temporary position. The House Subcommittee believes that the additional 1.0 FTE Research Analyst position may well be needed to aid in the development of a Juvenile Justice Database System, as mandated in 1996 H.B. 2900, which enacted the Juvenile Justice Reform Act of 1996. The Subcommittee recommends that the issue of 1.0 new Research Analyst position be flagged for review during Omnibus.
2. The agency has expressed the concern that it may need additional office space for the new position recommended by the Governor. The Subcommittee recommends that the Joint Committee on State Building Construction review the space needs of the Sentencing Commission and make a recommendation for Omnibus review.
3. The agency has requested that a new account be established for any required state match to qualify for federal funds. Any required state match funding is currently included in the agency's operating expenditure line item. The House Subcommittee is supportive of creation of a new account, which would allow the agency to track this funding more efficiently.

House Committee Recommendation

The House Committee concurs with the House Subcommittee, with the following adjustment:

1. Delete 0.3 FTE positions and \$9,485 from the State General Fund based on the recommendation to delete a total of 5.0 percent of the total FTE positions (from the

level approved by the 1995 Legislature for FY 1996) from each agency budget in FY 1998.

House Committee Recommendation

The House has not taken action on this agency's budget.

Agency: Kansas Sentencing Commission

Bill No. 178

Bill Sec. 93

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:		
State Operations	\$ 498,341	\$ 25,752
Aid to Local Units	3,426,401	0
Other Assistance	<u>292,500</u>	<u>0</u>
Subtotal - Operating	\$ 4,217,242	\$ 25,752
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 4,217,242</u>	<u>\$ 25,752</u>
State General Fund:		
State Operations	\$ 247,556	\$ 28,892
Aid to Local Units	0	0
Other Assistance	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 247,556	\$ 28,892
Capital Improvements	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 247,556</u>	<u>\$ 28,892</u>
FTE Positions	6.0	1.0
Unclassified Temp. Positions	<u>4.0</u>	<u>0.0</u>
TOTAL	<u>10.0</u>	<u>1.0</u>

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following additional recommendations:

1. Delete \$7,940, including \$4,800 from the State General Fund, based on the recommendation to delete funding for classified step movement (\$0), the 1.0 percent

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classified base salary adjustment (\$4,766), the unclassified 3.5 percent merit pool (\$3,174), and the longevity bonus (\$0) from individual agency budgets.

2. Add \$32,267 (State General Fund) and 1.0 FTE Research Analyst position which will be needed to aid in the development of a Juvenile Justice Database System, as mandated by 1996 H.B. 2900, which enacted the Juvenile Justice Reform Act of 1996. The Subcommittee notes that the Sentencing Commission requested 2.0 new Research Analyst positions in their budget request; the Governor recommended funding for 1.0 new unclassified temporary position to aid in grants administration. The Subcommittee believes that the other additional position is also warranted due to the increased data collection workload related to the Juvenile Justice Database.
3. Add \$1,425 (State General Fund) in rents to allow the Commission to rent an additional 300 square feet of office space for the new positions. The 300 square feet is currently being rented by the Ombudsman for Corrections, so the net impact of this change will have no fiscal effect.
4. The agency has requested that a new account be established for any required state match for federal funds. Currently, any state match funding is included in the agency's operating expenditures line item. The Subcommittee is supportive of creation of this new account, which would allow the agency to track this funding more efficiently.
5. The Subcommittee was impressed with the progress that is being made in upgrading the Criminal Justice Information System. The Senate Subcommittee was briefed on the status of the Criminal Justice Information System (CJIS) project. Currently, Kansas' mechanisms for collecting information on offenders is primarily manual. Information is not accessible between local law enforcement, judicial, prosecutorial, and correctional agencies. The CJIS project was created to improve and modernize the state's systems for reporting and accessing offender criminal history information. Funding for the CJIS project has been obtained from a combination of federal grant programs and state funds. The entire CJIS project is scheduled for completion in FY 2000. The CJIS project includes funding for replacement of the Automated Statewide Telecommunications and Records Access (ASTRA) switch, which is required to allow the local agencies to dial-up into the system. Also included in the plan is the criminal records automation project at the Kansas Bureau of Investigation records repository.


Current Status Comparison

	<u>Gov. Rec. FY 1998</u>	<u>House Committee Action FY 1998</u>	<u>Senate Subcommittee Action FY 1998*</u>	<u>Senate Subcommittee Change from House FY 1998</u>
All Funds:				
State Operations	\$ 498,341	\$ 488,856	\$ 524,093	\$ 35,237
Aid to Local Units	3,426,401	3,426,401	3,426,401	0
Other Assistance	<u>292,500</u>	<u>292,500</u>	<u>292,500</u>	<u>0</u>
Subtotal - Operating	\$ 4,217,242	\$ 4,207,757	\$ 4,242,994	\$ 35,237
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 4,217,242</u></u>	<u><u>\$ 4,207,575</u></u>	<u><u>\$ 4,242,994</u></u>	<u><u>\$ 35,237</u></u>
State General Fund:				
State Operations	\$ 247,556	\$ 238,071	\$ 276,448	\$ 38,377
Aid to Local Units	0	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 247,556	\$ 238,071	\$ 276,448	\$ 38,377
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 247,556</u></u>	<u><u>\$ 238,071</u></u>	<u><u>\$ 276,448</u></u>	<u><u>\$ 38,377</u></u>
FTE Positions	6.0	5.7	7.0	1.3
Unclassified Temp. Positions	<u>4.0</u>	<u>4.0</u>	<u>4.0</u>	<u>0.0</u>
TOTAL	<u><u>10.0</u></u>	<u><u>9.7</u></u>	<u><u>11.0</u></u>	<u><u>1.3</u></u>

* Includes reduction of \$7,940 to delete the Governor's pay plan.



 Senator Pat Ranson
 Subcommittee Chair



 Senator Christine Downey

SUBCOMMITTEE REPORT

Agency: Juvenile Justice Authority

Bill No. 2272

Bill Sec. 44

Analyst: Pierron

Analysis Pg. No. 682

Budget Page No. 305

<u>Expenditure Summary</u>	<u>Agency Est. FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 0	\$ 157,448	\$ (83,369)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Total – Operating	<u>\$ 0</u>	<u>\$ 157,448</u>	<u>\$ (83,369)</u>
FTE Positions	0.0	5.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>5.0</u>	<u>0.0</u>

Agency Est./Governor's Recommendation

Pursuant to statute, the agency will come into existence on July 1, 1997 therefore a budget was not submitted.

The Governor recommended \$157,448 for the Juvenile Justice Authority for operating expenditures for an anticipated five months of operation in FY 1997. The Governor announced his appointment for the Juvenile Justice Commissioner late last week. The Commissioner will presumably hire a small staff to begin planning and to help implement the Juvenile Justice Reform Act. A budget of \$93,041 was recommended for salaries and wages in the original budget for five months pay.

Operating expenditures of \$64,407 were recommended to provide office space, basic equipment, and services. The estimated expenditures are based on the cost of space and services in Landon or Docking State Office Buildings for FY 1997 for a five-month period.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation but adds the following adjustments and recommendation:

1. Delete \$83,369 (State General Fund) from the Governor's FY 1997 recommended five-month amount for operating expenditures the following: \$55,825 for salaries and wages, \$2,986 for rent, \$1,278 for communications (based on offices in capital complex), \$2,960 for travel and subsistence, and \$20,320 for miscellaneous expenses (e.g., office supplies) to reflect only two months of operation in FY 1997 (May and June). The Subcommittee notes the base salary for the Commissioner as

Senate Ways and Means Committee

Date 3-20-97

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announced last Friday is \$15,000 higher than the amount included in the Governor's recommendation. Therefore the Subcommittee does not adjust the Commissioner's salary from the amount recommended by the Governor.

Juvenile Justice Authority Suggested Staff and Expenditures for FY 1997

	<u>Base Expenditure</u>	<u>12 Month Estimate</u>	<u>Governor's FY 1997 5-Month Recommendation</u>	<u>House Subcommittee Rec.</u>	
Salaries and Wages	\$ 197,000	\$ 224,580	\$ 93,041	\$ (55,825)	\$ 37,216
Rent	740	9,953	4,977	(2,986)	1,991
Communication	8,076	22,760	20,610	(1,278)	19,332
Travel and Subsistence	-	11,840	4,933	(2,960)	1,973
Other Operating Expend.	-	80,000	33,867	(20,320)	13,547
TOTAL	<u>\$ 205,816</u>	<u>\$ 349,133</u>	<u>\$ 157,448</u>	<u>\$ (83,369)</u>	<u>\$ 74,079</u>

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The full House has not taken action on this agency's budget.

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:		
State General Fund	\$ 157,448	\$ (83,369)
Aid to Local Units	0	0
Other Assistance	0	0
Total – Operating	<u>\$ 157,448</u>	<u>\$ (83,369)</u>
FTE Positions	5.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>5.0</u>	<u>0.0</u>

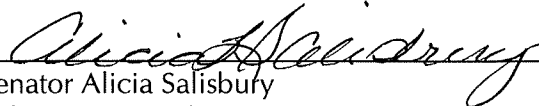
Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor’s recommendations and makes the following adjustments:

1. Delete \$83,369 (State General Fund) from the Governor’s FY 1997 recommended five-month amount for operating expenditures (\$55,825 for salaries and wages, \$2,986 for rent, \$1,278 for communications based on offices in capital complex, \$2,960 for travel and subsistence, and \$20,320 for miscellaneous expenses (e.g., office supplies) to reflect two months of operation in FY 1997 (May and June). The Subcommittee notes the base salary for the Commissioner is reportedly \$15,000 higher than included in the Governor’s recommendation. The Subcommittee, therefore, does not adjust the Commissioner’s salary from the amount recommended by the Governor. The Subcommittee awaits a Governor’s Budget Amendment to address this salary change.

Current Status Comparison

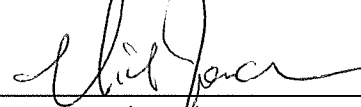
	<u>Gov. Rec. FY 1997</u>	<u>House Committee Action FY 1997</u>	<u>Senate Subcommittee Action FY 1997</u>	<u>Senate Subcommittee Change from House Committee FY 1997</u>
State Operations:				
State General Fund	\$ 157,448	\$ 74,079	\$ 74,079	\$ 0
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Total -- Operating	<u>\$ 157,448</u>	<u>\$ 74,079</u>	<u>\$ 74,079</u>	<u>\$ 0</u>
FTE Positions	5.0	5.0	5.0	0.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0
TOTAL	<u>5.0</u>	<u>5.0</u>	<u>5.0</u>	<u>0.0</u>



Senator Alicia Salisbury
Subcommittee Chair



Senator Mark Gilstrap



Senator Nick Jordan

SUBCOMMITTEE REPORT

Agency: Juvenile Justice Authority

Bill No. 2160

Bill Sec. 87

Analyst: Pierron

Analysis Pg. No. 682

Budget Page No. 305

<u>Expenditure Summary</u>	<u>Agency Req. FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 0	\$ 5,279,123	\$(5,279,123)
Aid to Local Units	0	9,134,501	(9,134,501)
Other Assistance	0	7,985,162	(7,985,162)
Total – Operating	<u>\$ 0</u>	<u>\$ 22,398,786</u>	<u>\$(22,398,786)</u>
FTE Positions	0.0	151.5	(151.5)
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>0.0</u>	<u>151.5</u>	<u>(151.5)</u>

Agency Est./Governor's Recommendation

Pursuant to statute, the agency will come into existence on July 1, 1997 therefore a budget was not submitted.

The Governor recommends \$22,398,786 for operating expenditures in FY 1998, an increase of \$22,241,338 above FY 1997. Of the total FY 1998 assignment, \$17,792,412 is financed from the State General Fund, and \$4,606,374 is financed from other funds. The majority of the funding will be transferred from existing agencies and programs to the Juvenile Justice Authority on July 1, 1997. The agency is assigned 151.5 FTE for FY 1998, an increase of 146.5 FTE above FY 1997. The following table and chart reflect the Governor's operating expenditure assignments for the Juvenile Justice Authority in FY 1998.

House Subcommittee Recommendation

The House Subcommittee deletes all funding (\$22,398,786—all funds including \$5,278,123 from the State General Fund) recommended by the Governor and defers action on this budget until Omnibus session when further information on future operations will be available. The Subcommittee adds the following comments and recommendations:

In light of the recent appointment of the Commissioner of the Juvenile Justice Authority, the Subcommittee respectfully requests a Governor's Budget Amendment by April 1 or earlier, if at all possible, for consideration during the Omnibus session which provides comprehensive budget requests for the remaining months of the current fiscal year and a revised budget for fiscal year 1998 that reflects the Kansas Youth Authority recommendations.

The Subcommittee requests the new budget address the Youth Authority recommendations described in the Kansas Youth Authority "Transition Blueprint" which was submitted to the Subcommittee on March 5, 1997. Specifically, the Subcommittee would like the new budget for fiscal year 1998 to include language and/or budget detail addressing the following items:

1. The need for a legislative oversight committee to monitor the two year transition period to implement the Juvenile Justice Reform Act.
2. Alternatives for the Comprehensive Evaluation and Treatment Unit (CETU). Currently the CETU is located at Topeka State Hospital but the Department of Social and Rehabilitation Services estimates it will be closed by the end of the current fiscal year. The Subcommittee would like all options for alternative sites to be explored which would minimize any negative impacts that may result from the closing of the current site. Federal regulations prohibit the use of Medicaid funds for persons who are incarcerated. The CETU at Topeka State Hospital provided an alternative venue that allowed pregnant juveniles and other juveniles who suffer from severe mental illness to receive Medicaid funding to cover their medical costs. Funding has not been provided in the Juvenile Justice Authority or SRS budgets for this need. The Juvenile Justice Authority has submitted a revised transition plan and the Subcommittee has requested that the Juvenile Justice Authority Commissioner address this concern for examination during the Omnibus session. Furthermore, the Subcommittee notes that one of the expressed intents in creating the Juvenile Justice Authority (JJA) was to improve the lives of juveniles. Closing a unit eliminates bed space which results in a lowering of the amount of time an offender can stay in a youth center and potentially increases the recidivism rate for all of the youth centers. The stated goal of the center is to have an offender for 12 to 14 months. Currently that stay averages 6 to 8 months. The Subcommittee believes closing a unit without adjustments to the intake is inappropriate and requests the Secretary of SRS and the Commissioner of the JJA to make recommendations for review during the Omnibus session addressing the need for replacement beds.
3. Specific expenditures that will be incurred for the planning of the maximum security facility. The Kansas Youth Authority's Transition Blueprint requests \$850,000 for the planning of a maximum security facility.
4. Removal of the trust funds currently administered by the Corporation for Change from the purview of the Commissioner of the Juvenile Justice Authority as recommended by the Kansas Youth Authority. The Governor has recommended that the Corporation for Change trust funds be administered by the agency once the Corporation for Change is abolished.
5. The criteria to be used to determine the dispersion of the \$2 million requested by the Kansas Youth Authority for community planning. The Subcommittee would like to know who will make the ultimate decisions concerning which communities will receive these funds and what parameters will determine the communities eligibility to receive these funds. Also, the Subcommittee would like to know the

amount of funds available to be appropriated during FY 1999 and FY 2000 for community services.

6. The Subcommittee recommends the request for a Management Information System (MIS) of \$1,500,000 be submitted for review by the Joint Committee on Computers and Telecommunications.
7. The Subcommittee requests that the Kansas Youth Authority's request of \$1,055,200 for rehabilitation and repair of existing facilities be submitted to the Joint Committee on State Building Construction for review.
8. Details of the use of the planning money for a maximum security facility or other facilities which could also include, but not be limited to, the demolition or reconstruction of existing facilities or the construction of new facilities to replace existing facilities.
9. The Subcommittee also requests that the concept of a Youth Academy consisting of a corps of cadets from middle school through high school ages be considered as a placement option for juvenile offenders. The cadets would spend several years at the facility and would graduate with the intention of reintegrating into a new environment different from the one from which they came.
10. The Subcommittee requests privatization of states services and privatization of expansion of current facilities be explored by the administration as implementation of the Juvenile Justice Reform Act proceeds.
11. As a technical adjustment to properly appropriate the no-limit Kansas Endowment for Youth Trust Fund for FY 1998, the Subcommittee recommends this fund be transferred from the Judicial Branch budget to the Juvenile Justice Authority pursuant to statute 75-7021. This was a new fund created by the 1996 Legislature. A portion of each juvenile docket fee (2.03 percent) supports this fund "for the purpose of making grants to further the purpose of juvenile justice reform, including rational prevention programs and programs for treatment and rehabilitation of juveniles and to further the partnership between state and local communities."
12. The Subcommittee would like to note, along with members of the full committee, that a juvenile justice reform plan has been expected for approximately eight years and notes its frustration at receiving a plan at this date of the legislative session.

House Committee Recommendation

The House Committee concurs with the Subcommittee.

House Recommendation

The House has taken no action on the agency's budget.

Expenditure Summary	Gov. Rec. FY 98	Senate Subcommittee Adjustments
State Operations:		
State General Fund	\$ 5,279,123	\$ (32,675)*
Aid to Local Units	9,134,501	(2,254,518)
Other Assistance	7,985,162	0
Total – Operating	<u>\$ 22,398,786</u>	<u>\$(2,287,193)</u>
FTE Positions	151.5 ✓	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>151.5 ✓</u>	<u>0.0</u>

* The entire \$32,675 relates to deletion of the Governor’s recommended pay plan.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor’s recommendation with the following adjustments and notations:

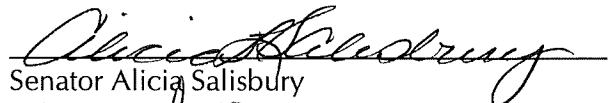
1. Delete \$32,675 (State General Fund) based on the recommendation to delete funding for the 3.5 percent unclassified merit pool (\$4,773) and the 1.0 percent classified base salary adjustment (\$27,902).
2. Delete \$1,279,518 (State General Fund) recommended for intake and assessment. This amount is new State General Fund money that was recommended by the Governor in addition to the amount recommended to be transferred from the Office of Judicial Administration. The Subcommittee requests detail be provided explaining what these monies would be used for so it may readdress the request in the Omnibus session.
3. Delete \$975,000 recommended to be transferred to the Juvenile Justice Authority from the Corporation for Change.
4. The Subcommittee recommends the Kansas Youth Authority, ^{understand} request a Governor’s budget amendment for FY 1998 for the Juvenile Justice Authority that will address the need for alternative space that would replace the 24 beds being lost due to closure of the Comprehensive Evaluation and Treatment Unit (CETU) at Topeka State Hospital. The Subcommittee would also request that the Governor’s budget amendment address funding for care of the pregnant offenders at the Youth Center at Beloit. The Subcommittee notes these girls may deliver their babies and be separately from them for up to a year after delivery. ^{will}

5. The Subcommittee recommends that the requests made by the Kansas Youth Authority (KYA) in their "Transition Blueprint" for funding for the Juvenile Justice Authority* beyond the funding originally recommended by the Governor be adopted with the following notations:
 - a. The transition plan transfers all of the youth center budgets into the Juvenile Justice Authority budget.
 - b. No money for rehabilitation and repair is included in the Governor's budget as it exists for the youth centers. The KYA's "Transition Blueprint" contains \$1,055,200 for rehabilitation and repair of existing facilities.
 - c. The Subcommittee recommends the request for a Management Information System (\$1,500,000) be reviewed by the Joint Committee on Computers and Telecommunications.
 - d. The Subcommittee requests budget detail for the \$850,000 requested for planning a maximum security facility.

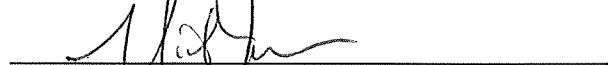
* See Attached.

Current Status Comparison

	<u>Gov. Rec. FY 1998</u>	<u>House Committee Action FY 1998</u>	<u>Senate Subcommittee Action FY 1998</u>	<u>Senate Subcommittee Change from House FY 1998</u>
State Operations:				
State General Fund	\$ 5,279,123	\$ 0	\$ 31,841,508	\$ 31,841,508
Aid to Local Units	9,134,501	0	8,879,983	8,879,983
Other Assistance	<u>7,985,162</u>	<u>0</u>	<u>10,604,362</u>	<u>10,604,362</u>
Total – Operating	<u>\$ 22,398,786</u>	<u>\$ 0</u>	<u>\$ 51,325,853</u>	<u>\$ 51,325,853</u>
FTE Positions	151.5	0.0	151.5	151.5
Unclas. Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>151.5</u>	<u>0.0</u>	<u>151.5</u>	<u>151.5</u>



Senator Alicia Salisbury
Subcommittee Chair



Senator Nick Jordan



Senator Mark Gilstrap

**JUVENILE JUSTICE AUTHORITY
GOVERNOR'S BUDGET**

<u>REVENUE</u>	<u>ACTUAL</u>
SRS Transfer (includes Youth Centers)	37,917,012
OJA Transfer	4,180,743
Community Corrections Transfer	3,485,328
Corporation for Change	975,000
Other	330,633
	<hr/>
	46,888,716
 <u>EXPENDITURES</u>	
Administration	638,918
Intake and Assessment	4,180,923
Community Corrections	3,485,328
Family and Children Investment Fund	975,000
Juvenile Justice and Delinquency Prevention	903,544
Other Field Services	12,215,073
Youth Center Operations	24,489,930
	<hr/>
	46,888,716

REQUESTED ADDITIONAL FUNDING

Juvenile Justice Community Planning Fund	2,000,000
SRS/CETU/A&D	1,322,455
Management Information System (MIS)	
State General Fund	750,000
State Institutional Building Fund	250,000
Byrne Grant	500,000
	<hr/>
Subtotal MIS	1,500,000
Existing Facilities Rehabilitation and Repair (SIBF)	1,055,200
	<hr/>
Total	5,877,655
 DOC/Federal Building Fund (\$4,400,000)	
Planning Maximum Security Facility	850,000

11-6

SUBCOMMITTEE REPORT

Agency: Youth Center at Atchison

Bill No. –

Bill Sec. –

Analyst: Pierron

Analysis Pg. No. 625

Budget Page No. 515

<u>Expenditure Summary</u>	<u>Agency Estimate FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
State Operations			
State General Fund	\$ 5,190,826	\$ 5,188,026	\$ 0
YCAA Fee Fund	120,000	120,000	0
Fed. Education Funds	71,547	71,547	0
Total - Operating	<u>\$ 5,382,373</u>	<u>\$ 5,379,573</u>	<u>\$ 0</u>
FTE Positions	128.0	128.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>128.0</u>	<u>128.0</u>	<u>0.0</u>
Rated Bed Capacity	100	100	--
Average Daily Census	107	100	--

Agency Estimate/Governor's Recommendation

The agency estimates \$5,382,748 for state operations in FY 1997, the amount approved by the 1996 Legislature. The current year estimate is an increase of \$107,836, 2.0 percent, over FY 1996 actual expenditures for state operations. In November 1996, the State Finance Council approved expenditures of \$28,200 from the State Institutions Building Fund for FY 1996 to provide security gates and radios. This amount was part of a \$1.0 million appropriation approved by the 1996 Legislature for capital security enhancements in FY 1996. The funding was reappropriated for use in FY 1997.

The Governor recommends \$5,379,573 for state operations in FY 1997, \$3,175 less than the amount approved by the 1996 Legislature. The recommendation is \$83,496, 1.6 percent, over FY 1996 actual expenditures for operating expenditures. The recommendation includes \$5,188,026 from the State General Fund, \$149,115 (3.0 percent) over the FY 1996 actual expenditures, and \$191,547 from other funds, \$65,617 (25.5 percent) below the FY 1996 actual expenditures.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

Senate Ways and Means Committee

Date *3-20-97*

Attachment # *10*

House Recommendation

The full House has not taken action on the agency's budget.

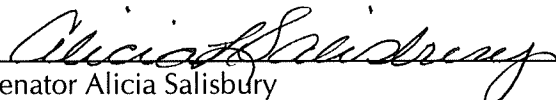
Agency: Youth Center at Atchison	Bill No. --	Bill Sec. --
<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
State Operations		
State General Fund	\$ 5,188,026	\$ 0
YCAA Fee Fund	120,000	0
Fed. Education Funds	71,547	0
Total - Operating	<u>\$ 5,379,573</u>	<u>\$ 0</u>
FTE Positions	128.0	0.0
Unclassified Temp. Positions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>128.0</u>	<u>0.0</u>
Rated Bed Capacity	100	--
Average Daily Census	100	--

Senate Subcommittee Recommendation

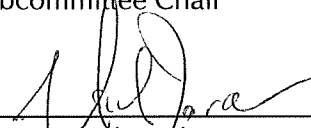
The Senate Subcommittee concurs with the Governor's recommendation.

Current Status Comparison

	<u>Gov. Rec. FY 1997</u>	<u>House Committee Action FY 1997</u>	<u>Senate Subcommittee Action FY 1997</u>	<u>Senate Subcommittee Change from House Committee FY 1997</u>
State Operations				
State General Fund	\$ 5,188,026	\$ 5,188,026	\$ 5,188,026	\$ 0
YCAA Fee Fund	120,000	120,000	120,000	0
Fed. Education Funds	<u>71,547</u>	<u>71,547</u>	<u>71,547</u>	<u>0</u>
Total - Operating	<u>\$ 5,379,573</u>	<u>\$ 5,379,573</u>	<u>\$ 5,379,573</u>	<u>\$ 0</u>
FTE Positions	128.0	128.0	128.0	0.0
Unclass. Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u>128.0</u>	<u>128.0</u>	<u>128.0</u>	<u>0.0</u>



Senator Alicia Salisbury
Subcommittee Chair



Senator Nick Jordan



Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: Youth Center at Atchison

Bill No. 2160

Bill Sec. 90

Analyst: Pierron

Analysis Pg. No. 625

Budget Page No. 515

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 5,305,032	\$ 5,326,391	\$ 0
YCAA Fee Fund	120,000	120,000	0
Fed. Education Funds	71,547	71,547	0
Total - Operating	<u>\$ 5,559,740</u>	<u>\$ 5,517,938</u>	<u>\$ 0</u>
FTE Positions	119.0	119.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>119.0</u>	<u>119.0</u>	<u>0.0</u>
Rated Bed Capacity	100	100	-
Average Daily Census	107	100	-

Agency Request/Governor's Recommendation

The agency requests \$5,496,954 for state operations, an increase of \$114,206 (2.1 percent) over the revised current year estimate. The requested increase is proportioned as follows:

<u>Item</u>	<u>Percent of Total Increase</u>
Salaries and Wages	17.7%
Other Contractual Services	99.7
Commodities	(24.0)
Capital Outlay	6.6
TOTAL	<u>100.0%</u>

The Governor recommends FY 1998 operating expenditures of \$5,517,938, an increase of \$138,365, 2.7 percent, over the FY 1997 recommendation and \$20,984, 0.4 percent above the agency's request.

Salaries and Wages. The agency's salaries and wages request of \$3,542,314 from the State General Fund includes classified step movement (\$45,162), a 2.5 percent unclassified merit pool (\$1,635), longevity (\$46,324), shift differential (\$28,699), and a turnover rate of 3.0 percent (\$109,555),

the same rate as FY 1997. The agency's request is an increase of \$20,227 (0.6 percent) over the FY 1997 request of \$3,522,087.

The Governor recommends \$3,572,692 for salaries and wages from the State General Fund in FY 1998. The recommendation includes classified step movement (\$45,162), a 2.5 percent merit pool (\$1,635), longevity (\$46,324), shift differential (\$28,699), a 1.0 percent base salary adjustment, (\$35,727) and a turnover rate of 3.0 percent (\$110,496), the same rate as FY 1997. The Governor's recommendation for FY 1998 is \$30,378 (0.9 percent) above the agency's request.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor and makes the following notation:

1. The Subcommittee requests that the Superintendent provide the Legislature with goals for meeting the Youth Center's public policy mission. The Subcommittee notes the difficulties experienced by the Youth Center administration during this period of transition from SRS to the Juvenile Justice Authority. The Subcommittee expresses its concern as to the problems the agency faces in planning programming and in formulating budget requests as the control of its operations switches from the purview of SRS to the Juvenile Justice Authority. The Subcommittee commends the Superintendent for his administrative oversight performed during these months of transition.
2. The Subcommittee notes that no funds have been provided in the agency's budget for rehabilitation and repair projects. The Subcommittee would request the new Commissioner of Juvenile Justice address this issue and provide information indicating how rehabilitation and repair projects will be funded so it may be considered during the Omnibus Session.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The full House has not taken action on this agency's budget.

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:		
State General Fund	\$ 5,326,391	\$ (121,314)*
YCAA Fee Fund	120,000	0
Fed. Education Funds	71,547	0
TOTAL	<u>\$ 5,517,938</u>	<u>\$ (121,314)</u>
FTE Positions	119.0	0.0
Unclassified Temp. Positions	0.0	0.0
TOTAL	<u>119.0</u>	<u>0.0</u>

* The entire reduction relates to removal of the Governor's recommended pay plan.

Senate Subcommittee Recommendation

The Senate Subcommittee makes the following recommendations and notations:

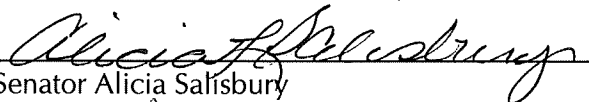
1. Delete \$121,314 based on the recommendation to delete funding for the 3.5 percent unclassified merit pool (\$1,586); classified step movement (\$43,808); longevity bonus payments (\$44,934); and the 1.0 percent classified base salary adjustment (\$30,986).
2. The rated bed capacity at the Youth Center at Atchison is 100 and the estimated admissions for FY 1997 and FY 1998 are 175 and 178, respectively. The average daily census for both fiscal years is estimated at 107. Direct court admissions have continued to rise and the average length of stay has decreased as a result of limited bed space at the Youth Center. The Subcommittee notes that the acceptable stay reported by the Department of Social and Rehabilitation Services for a juvenile offender at a youth center is 12 to 14 months. Presently, the average stay is six to eight months which does not allow the residents to complete the programs designed for their rehabilitation.
3. The Subcommittee notes that the admission age for juvenile offenders into the youth centers has decreased from 13 to ten years of age pursuant to the Juvenile Justice Reform Act. This decrease in age requirement may exacerbate the space problems already being experienced at the Youth Center.
4. The Subcommittee notes that a consistent definition among the youth centers for "returnees," "readmissions," and "recidivism" needs to be created to give meaning to the agency's performance measures which monitor the rates of returns, readmissions, etc.

5. The agency reports an increase in their conditionally released offenders that successfully complete discharge. The agency credits the Aggressive Replacement Training curriculum for this increased success.
6. The Subcommittee notes that the demographics at the youth centers in general are changing. More felons are composing the population and there are more serious offenders at a younger age than in the past few years.
7. The Subcommittee notes a marked turnover (13 to 20 percent) in direct care staff at the Youth Center. The turnover is partially attributed to the low pay assigned to these positions and to the disparity of pay between the personnel at the youth centers and the personnel at the Department of Corrections.
8. The Subcommittee notes the Youth Center at Atchison will not be receiving part of the Comprehensive Evaluation and Treatment Unit (CETU) presently located at Topeka State Hospital. The CETU is being split and relocated to the other three youth centers (Beloit, Larned and Topeka) upon closure of Topeka State Hospital this year.

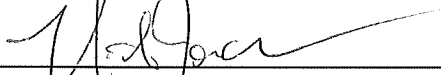
Current Status Comparison

	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998	Senate Subcommittee Change from House FY 1998
State Operations:				
State General Fund	\$ 5,326,391	\$ 5,326,391	\$ 5,205,077	\$ (121,314)*
YCAA Fee Fund	120,000	120,000	120,000	0
Fed. Education Funds	71,547	71,547	71,547	0
TOTAL	<u><u>\$ 5,363,907</u></u>	<u><u>\$ 5,517,938</u></u>	<u><u>\$ 5,396,624</u></u>	<u><u>\$ (121,314)</u></u>
FTE Positions	119.0	119.0	119.0	0.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0
TOTAL	<u><u>119.0</u></u>	<u><u>119.0</u></u>	<u><u>119.0</u></u>	<u><u>0.0</u></u>

* The entire reduction relates to removal of the Governor's recommended pay plan.



 Senator Alicia Salisbury
 Subcommittee Chair



 Senator Nick Jordah



 Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: Youth Center at Beloit

Bill No. --

Bill Sec. --

Analyst: Pierron

Analysis Pg. No. 639

Budget Page No. 517

Expenditure	Agency Est. FY 97	Gov. Rec. FY 97	House Subcommittee Adjustments
State Operations:			
State General Fund	\$ 4,402,381	\$ 4,402,381	\$ 0
YCAB Fee Fund	0	0	0
Fed. Education Funds	0	0	0
TOTAL	<u>\$ 4,402,381</u>	<u>\$ 4,402,381</u>	<u>\$ 0</u>
FTE Positions	95.0	94.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>95.0</u>	<u>94.0</u>	<u>0.0</u>
Youth Center:			
Rated Bed Capacity	84	84	--
Average Daily Census	84	84	--

Agency Estimate/Governor's Recommendation

The agency estimates \$4,402,381 for state operations in FY 1997, the amount approved by the 1996 Legislature. The current year estimate is a decrease of \$53,912, 1.2 percent, below FY 1996 actual expenditures for state operations. However, the agency request would need an additional \$36,042 from the State General Fund to fully finance the agency request. The approved FY 1997 budget assumed that a total of \$68,950 in State General Fund resources would be reappropriated from FY 1996 to FY 1997. However, the agency expended \$36,042 in anticipated savings in FY 1996 instead of reappropriating the funding to FY 1997. The current year estimate for FTE positions is 95, 1.0 above the number approved by the 1996 Legislature. Included in the estimate is \$22,978 plus benefits for the addition of a Chemical Dependency Counselor for the last nine months of the fiscal year. For the past three fiscal years, the Youth Center has utilized the assignment of a Chemical Dependency Counselor, the funding for which was provided through Alcohol and Drug Abuse Services in SRS by virtue of federal grant money. The grant expired in September 1995. The Secretary of Social and Rehabilitation Services (SRS) has approved this position to be restored by means of reallocating 1.0 FTE positions and the fiscal savings generated through privatization of the Youth Center dietary operations. The restoration of the position became effective in October 1996, and is directed to continue through the five-year period of the dietary contract.

The Governor recommends current year operating expenditures of \$4,402,381, the same amount requested by the agency and approved by the 1996 Legislature. The recommendation includes \$4,154,286 from the State General Fund and \$248,095 from other funds. It appears that funding was included for reaccreditation by the American Correctional Association at a cost of \$9,400.

Senate Ways and Means Committee

Date *3-20-97*

Attachment # *//*

The recommendation reduces expenditures from the State General Fund by \$36,042. However, the Governor increases expenditures from the agency fee fund by \$36,042. The shift in financing is necessary since the agency reappropriated State General Fund resources of only \$32,908 to FY 1997 from FY 1996. The approved FY 1997 agency budget assumed a State General Fund reappropriation of \$68,950, or a difference of \$36,042 from the actual reappropriated amount.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendations.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The full House has not taken action on this agency's budget.

Agency: Youth Center at Beloit

Bill No. --

Bill Sec. --

Expenditure	Gov. Rec. FY 97	House Subcommittee Adjustments
State Operations:		
State General Fund	\$ 4,402,381	\$ 0
YCAB Fee Fund	0	0
Fed. Education Funds	0	0
TOTAL	<u>\$ 4,402,381</u>	<u>\$ 0</u>
FTE Positions	94.0	0.0
Unclassified Temp. Positions	0.0	0.0
TOTAL	<u>94.0</u>	<u>0.0</u>


Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor.

Current Status Comparison

<u>Expenditure</u>	<u>Gov. Rec. FY 1997</u>	<u>House Committee Rec. FY 1997</u>	<u>Senate Subcommittee Rec. FY 1997</u>	<u>Senate Subcom. Change from House Comm. FY 1997</u>
All Funds:				
State Operations	\$ 4,402,382	\$ 4,402,381	\$ 4,402,381	\$ 0
YCAB Fee Fund	0	0	0	0
Fed. Education Funds	0	0	0	0
TOTAL	<u>\$ 4,402,382</u>	<u>\$ 4,402,381</u>	<u>\$ 4,402,381</u>	<u>\$ 0</u>
FTE Positions	94.0	94.0	94.0	0.0

* The entire amount relates to deletion of the Governor's recommended pay plan.



Senator Alicia Salisbury
Subcommittee Chair



Senator Mark Gilstrap



Senator Nick Jordan

SUBCOMMITTEE REPORT

Agency: Youth Center at Beloit

Bill No. 2160

Bill Sec. 89

Analyst: Pierron

Analysis Pg. No. 639

Budget Page No. 517

Expenditure	Agency Req. FY 98	Gov. Rec. FY 98	House Subcommittee Adjustments
State Operations:			
State General Fund	\$ 4,534,568	\$ 4,724,512	\$ 0
YCAB Fee Fund	0	0	0
Fed. Education Funds	0	0	0
TOTAL	<u>\$ 4,534,568</u>	<u>\$ 4,724,512</u>	<u>\$ 0</u>
FTE Positions	87.0	92.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>87.0</u>	<u>92.0</u>	<u>0.0</u>
Youth Center:			
Rated Bed Capacity	84	84	--
Average Daily Census	84	84	--

Agency Request/Governor's Recommendation

The agency requests \$4,534,568 for state operations, an increase of \$132,187 (3.0 percent) over the revised current year estimate. Included in the request for FY 1998 is \$50,000 to provide uniform dress for the juveniles, an increase of \$37,478 over the FY 1997 estimate for clothing expenditures. Uniform dress is currently provided at the state's three other youth centers. In FY 1998, the law will require the Juvenile Justice Commissioner to take responsibility for issuing uniforms to institutionalized juvenile offenders (75-7001 *et seq.*, of the 1996 *Cumulative Supplement to the Kansas Statutes Annotated*). Previously, the Youth Center at Beloit has provided clothing to needy girls only.

The Governor recommends FY 1998 operating expenditures of \$4,724,512, an increase of \$189,944 over the agency request. The recommendation includes the funding for uniform dress under the Physical Plant and Central Services Program and \$165,394 for a Comprehensive Evaluation and Treatment Unit (CETU) which was not included in the original budget request. The Youth Center at Beloit will receive a portion of the funding and positions from SRS in FY 1998. This unit was originally located at Topeka State Hospital which is scheduled to be closed by FY 1998. The CETU will be divided into three units located at the youth centers at Topeka, Beloit, and Larned. The transfer of this facility to the youth centers is based on the assumption that accreditation by the Joint Committee on Accreditation of Health Care would be attained thus making the program eligible for Medicaid matching funds. Approximately 54 percent of the funding for this unit has been provided by Title XIX-Medicaid. The \$201,562 being transferred from SRS only includes State General Fund monies.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's and makes the following notations:

1. The Subcommittee requests that the Superintendent provide the Legislature with goals for meeting the Youth Center's public policy mission. The Subcommittee notes the difficulties experienced by the Youth Center administration during this period of transition from SRS to the Juvenile Justice Authority. The Subcommittee expresses its concern as to the problems the agency faces in the control of its operations switch from the purview of SRS to the Juvenile Justice Authority. The Subcommittee commends the Superintendent for his administrative oversight during these months of transition.
2. The Subcommittee notes that no funds have been provided in the agency's budget for rehabilitation and repair projects. The Subcommittee would request the new Commissioner of Juvenile Justice address this issue and provide information indicating how rehabilitation and repair projects will be funded so it may be considered during the Omnibus Session.
3. The Subcommittee recommends a technical adjustment be made to the appropriation bill stating \$41,333 federal Alcohol and Drug Abuse Services funds targeted to women's substance abuse be transferred to the Youth Center at Beloit (YCAB) Fee Fund to fund the position of director of the chemical dependency program. In past years, the appropriation bill has included a transfer of this funding from the block grant to the YCAB fee fund. The budget request and the Governor's approved budget assumes expenditure of funding from the fee fund for this position, but the appropriation bill makes no transfer of funds into the fee fund for the position.
4. The Subcommittee expresses its concern about the upcoming closure of the Comprehensive Evaluation and Treatment Unit (CETU) at Topeka State Hospital. The Youth Center at Beloit will receive a portion of the funding and positions from SRS in FY 1998. The CETU will be divided into three units located at the youth centers at Topeka, Beloit, and Larned. The transfer of this facility to the youth centers is based on the assumption that accreditation by the Joint Committee on Accreditation of Health Care would be attained, thus making the program eligible for Medicaid matching funds. Approximately 54 percent of the funding for this unit has been provided by Title XIX-Medicaid. In particular, the Subcommittee is concerned about the pregnant juvenile offenders who will deliver while in custody. Federal regulations prohibit the use of Medicaid funds for persons who are incarcerated. The CETU at Topeka State Hospital provided an alternative venue that allowed pregnant juveniles to receive Medicaid funding to cover their prenatal and delivery costs. Another alternative venue or alternative funding is needed. Funding has not been provided in the Juvenile Justice Authority or SRS budgets for this need. The Juvenile Justice Authority has submitted a revised transition plan and the Subcommittee has requested that the Juvenile Justice Authority Commissioner address this concern for examination during the Omnibus session.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The House has not taken action on this agency's budget.

Agency: Youth Center at Beloit

Bill No. 178

Bill Sec. 89

Expenditure	Gov. Rec. FY 98	Senate Subcommittee Adjustments
State Operations:		
State General Fund	\$ 4,724,512	\$ 98,824*
YCAB Fee Fund	0	0
Fed. Education Funds	0	0
TOTAL	<u>\$ 4,724,512</u>	<u>\$ 98,824</u>
FTE Positions		
FTE Positions	92.0	0.0
Unclassified Temp. Positions	0.0	0.0
TOTAL	<u>92.0</u>	<u>0.0</u>
Youth Center:		
Rated Bed Capacity	84	--
Average Daily Census	84	--

* The entire reduction relates to removal of the Governor's recommended pay plan.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation and adds the following recommendations and notations:

1. Delete \$98,824 based on the recommendation to delete funding for the 3.5 percent unclassified merit pool (\$2,519); classified step movement (\$39,049); longevity bonus payment (\$32,151); and the 1.0 percent base salary adjustment for classified employees (\$25,105) from individual agency budgets.
2. The rated bed capacity at Beloit is 84 and the estimated admissions for FY 1997 is 110. The average daily census for FY 1997 and FY 1998 is estimated at 84. Direct court admissions have continued to rise and the average length of stay has

decreased as a result of limited bed space at the Youth Center. The Subcommittee notes that the acceptable stay reported by the Department of Social and Rehabilitation Services for a juvenile offender at a Youth Center is 12 to 14 months. Presently, the average stay is six to eight months, which does not allow the residents to complete the programs designed for their rehabilitation.

3. The Subcommittee notes that the admission age for juvenile offenders into the youth centers has decreased from 13 to ten years of age, pursuant to the Juvenile Justice Reform Act. This decrease in age requirement may exacerbate the space problems already being experienced at the Youth Center.
4. The Subcommittee notes an increase in the agency's natural gas prices that were unexpected when it compiled its budget and will monitor the expenses to determine if additional monies will be required.
5. The Subcommittee notes that a consistent definition among the youth centers for "returnees," "readmissions," and "recidivism" needs to be created to give meaning to the agencies' performance measures which monitor the rates of returns, readmissions, etc.
6. The Subcommittee notes that the juvenile-to-staff assault rate and the rate of escapes from Youth Center custody appear to be increasing. This is due to the high estimate and request for FY 1997 and FY 1998, respectively. The agency reports that it gives high estimates due to their lack of control over offenders being admitted. In addition, the agency reports that this data is not recorded consistently among the youth centers.
7. The Subcommittee notes that the demographics at the youth centers, in general, are changing. More felons are composing the population and there are more serious offenders at a younger age residing at the youth centers than in the past.
8. Currently, the Comprehensive Evaluation and Treatment Unit (CETU) is located at Topeka State Hospital, but the Department of Social and Rehabilitation Services (SRS) estimates it will be closed by the end of the current fiscal year. Federal regulations prohibit the use of Medicaid funds for persons who are incarcerated. The CETU at Topeka State Hospital provided an alternative venue that allowed pregnant juveniles and other juveniles who suffer from severe mental illness to receive Medicaid funding to cover their medical costs. Funding has not been provided in the Juvenile Justice Authority or SRS budgets for this need. The Juvenile Justice Authority has submitted a revised transition plan and the Subcommittee notes a request for proposal has been issued by SRS and the Subcommittee that the Juvenile Justice Authority Commissioner address this concern for examination during the omnibus session. Furthermore, the Subcommittee notes that one of the expressed intents in creating the Juvenile Justice Authority was to improve the lives of juveniles. Closing a unit eliminates bed space, which results in a lowering of the amount of time an offender can stay in a youth center and potentially increases the recidivism rate for all of the youth centers. The stated goal of the center is to have an offender for 12 to 14 months. Currently, that stay averages six to eight months. Closing the CETU eliminates 24 more beds. The Subcommittee anticipates a recommendation from the Commis-

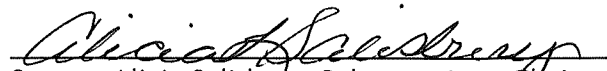
sioner of the Juvenile Justice Authority for review during the omnibus session, addressing the need for replacement beds. In addition, the Subcommittee notes that the Superintendent of YCAB testified that 100 percent of the juveniles who deliver while in custody over the past ten years have chosen to keep their babies. The juveniles and their babies remain separated until the juvenile is released. This separation may last for one year.

9. The Subcommittee recommends a technical adjustment be made to the appropriation bill, stating \$41,333 federal Alcohol and Drug Abuse Services funds targeted to women's substance abuse be transferred to the YCAB Fee Fund to fund the position of Director of the Chemical Dependency program. In past years, the appropriations bill has included a transfer of this funding from the block grant to the YCAB Fee Fund. The budget request and the Governor's approved budget assume expenditure of funding from the fee fund for this position, but the appropriations bill makes no transfer of funds into the fee fund for the position.
10. The Subcommittee notes a marked turnover (25 percent) in direct care staff at the Youth Center. The turnover is partially attributed to the low pay assigned to these positions and the disparity of pay between the personnel at the youth centers and the personnel at the Department of Corrections.


Current Status Comparison

Expenditure	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998	Senate Sub. Change from House Comm. FY 1998
State Operations:				
State General Fund	\$ 4,724,512	\$ 4,724,512	\$ 4,625,688	\$ (98,824)*
YCAB Fee Fund	0	0	0	0
Fed. Education Funds	0	0	0	0
TOTAL	\$ 4,724,512	\$ 4,724,512	\$ 4,625,688	\$ (98,824)
 FTE Positions	 92.0	 92.0	 9.0	 0.0

* The entire amount relates to removal of the Governor's recommended pay plan.


 Senator Alicia Salisbury, Subcommittee Chair


 Senator Mark Gilstrap


 Senator Nick Jordan

SUBCOMMITTEE REPORT

Agency: Youth Center at Larned

Bill No. –

Bill Sec. –

Analyst: Pierron

Analysis Pg. No. 654

Budget Page No. 519

<u>Expenditure Summary</u>	<u>Agency Est. FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 3,520,474	\$ 3,519,845	\$ 0
FTE Positions	122.0	122.0	0.0
Rated Bed Capacity	116	116	0
Average Daily Census	126	126	0

Agency Est./Governor's Recommendation

The agency estimates \$3,520,474 for state operations in FY 1997, the amount approved by the 1996 Legislature. The current year estimate is an increase of \$164,815, 4.9 percent, over FY 1996 actual expenditures for state operations. The current year FTE position estimate is 122.0, 1.0 FTE more than that approved by the 1996 Legislature. The additional 1.0 FTE was transferred from the Department of Social and Rehabilitation Services (SRS) to provide for a chemical dependency counselor. Federal funds which had supported this position were discontinued. Savings from the privatization of Dietary Services at the Youth Centers financed the transfer.

The Governor recommends current year operating expenditures of \$3,519,845 from the State General Fund, a reduction of \$629 from the agency estimate and the amount approved by the 1996 Legislature. The recommended reduction reflects an adjustment made to correct a miscalculation of fringe benefits. The Governor concurs with the agency's request for an additional 1.0 FTE for a chemical dependency counselor in the Ancillary Services Program.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The full House has not taken action on this agency's budget

Senate Ways and Means Committee

Date *3-20-97*

Attachment # *12*

Agency: Youth Center at Larned

Bill No. --

Bill Sec. --

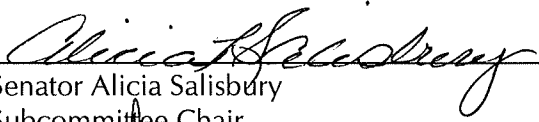
<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:		
State General Fund	\$ 3,519,845	\$ 0
FTE Positions	122.0	0.0
Unclassified Temp. Postions	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>122.0</u></u>	<u><u>0.0</u></u>

Senate Subcommittee Recommendation

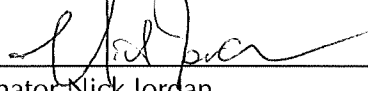
The Senate Subcommittee concurs with the recommendations of the Governor.

Current Status Comparison


	<u>Gov. Rec. FY 1997</u>	<u>House Committee Action FY 1997</u>	<u>Senate Subcommittee Action FY 1997</u>	<u>Senate Subcommittee Change from House Committee FY 1997</u>
State Operations:				
State General Fund	\$ 3,519,845	\$ 3,519,845	\$ 3,519,845	\$ 0
FTE Positions	122.0	122.0	122.0	0.0
Unclass. Temp. Positions	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>122.0</u></u>	<u><u>122.0</u></u>	<u><u>122.0</u></u>	<u><u>0.0</u></u>



 Senator Alicia Salisbury
 Subcommittee Chair



 Senator Nick Jordan



 Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: Youth Center at Larned

Bill No. 2160

Bill Sec. 91

Analyst: Pierron

Analysis Pg. No. 654

Budget Page No. 519

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 3,596,752	\$ 3,768,265	\$ 0
FTE Positions	122.0	127.0	0.0
Rated Bed Capacity	116	116	0
Average Daily Census	136	136	0

Agency Request/Governor's Recommendation

The agency requests \$3,596,752 from the State General Fund for state operations, an increase of \$76,278 (2.2 percent) over the revised current year estimate. The requested increase is proportioned as follows:

<u>Item</u>	<u>Percent of Total Increase</u>
Salaries and Wages	99.9%
Other Contractual Services	0.0
Commodities	0.0
Capital Outlay	0.1
TOTAL	<u><u>100.0%</u></u>

The Governor recommends FY 1998 operating expenditures of \$3,768,265 from the State General Fund, an increase of \$171,513 above the agency request. The Governor's recommendation includes 5.0 new FTE positions (\$116,310) that were not included in the agency's request. These 5.0 FTEs will accompany funding for a Comprehensive Evaluation and Treatment Unit. **The Governor recommends** that the Youth Center at Larned receive a portion of the funding and positions from SRS in FY 1998 used by the Topeka State Hospital for the systemwide Comprehensive Evaluation and Treatment Unit (CETU). (Topeka State Hospital is scheduled to be closed by FY 1998.) The CETU is planned to be divided into three units located at the youth centers at Topeka, Beloit, and Larned. The transfer of this facility to the youth centers is based on the assumption that accreditation from the Joint Committee on Accreditation of Health Care Organizations would be attained thereby making the

programs eligible for Medicaid matching funds. Approximately 54 percent of the funding for this unit has been provided by Title XIX-Medicaid. The transfer here would only include State General Fund monies.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation and makes the following notations:

1. The Subcommittee requests that the Superintendent provide the Legislature with goals for meeting the Youth Center's public policy mission. The Subcommittee notes the difficulties experienced by the Youth Center administration during this period of transition from SRS to the Juvenile Justice Authority. The Subcommittee expresses its concern as to the problems the agency faces in planning programming and in formulating budget requests as the control of operations switch from the purview of SRS to the Juvenile Justice Authority. The Subcommittee commends the Superintendent for his administrative oversight performed during these months of transition.
2. The Subcommittee requests a proviso be added to H.B. 2160, Section 91, providing for the continuation of in-kind services being offered by Larned State Hospital to the Youth Center at Larned.
3. The Subcommittee notes that no funds have been provided in the agency's budget for rehabilitation and repair projects. The Subcommittee would request the new Commissioner of Juvenile Justice address this issue and provide information indicating how rehabilitation and repair projects will be funded so it may be considered during the Omnibus session.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.



Agency: Youth Center at Larned

Bill No. 178

Bill Sec. 91

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:		
State General Fund	\$ 3,768,265	\$ (101,076)
FTE Positions	127.0	0.0

Senate Subcommittee Recommendations

The Subcommittee concurs with the recommendations of the Governor with the following adjustments and notations:

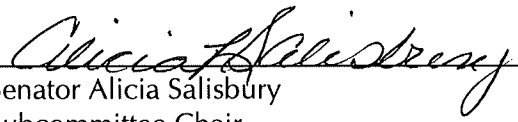
1. Delete \$101,076 based on the recommendation to delete funding for the 3.5 percent unclassified merit pool (\$1,493); classified step movement (\$42,120); longevity bonus payments (\$25,601); and the 1.0 percent classified base salary adjustment (\$31,862).
2. The rated bed capacity at the Youth Center at Larned is 116 and the average daily census for FY 1997 and FY 1998 is 136. Direct court admissions have continued to rise and the average length of stay has decreased as a result of limited bed space at the Youth Center. The Subcommittee notes that the acceptable stay reported by the Department of Social and Rehabilitation Services (SRS) for a juvenile offender at a Youth Center is 12 to 14 months. Presently, the average stay is six to eight months which does not allow the residents to complete the programs designed for their rehabilitation.
3. The Subcommittee notes that the admission age for juvenile offenders into the Youth Centers has decreased from 13 to ten years of age pursuant to the Juvenile Justice Reform Act. This decrease in age requirement may exacerbate the space problems already being experienced at the Youth Center.
4. The Youth Center has experienced a slight decrease in its juvenile-to-staff battery incidents and credits this reduction to the success of its Aggression Replacement Training (ART) curriculum.
5. The Subcommittee notes that a consistent definition among the youth centers for "returnees," "readmissions," and "recidivism" needs to be created to give meaning to the agency's performance measures which monitor the rates of returns, readmissions, etc.
6. The agency reports a slight increase in their conditionally released offenders that successfully complete discharge. The agency credits the Aggressive Replacement Training curriculum for this increased success.
7. The Subcommittee notes that the demographics at the youth centers in general are changing. More felons are composing the population and there are more serious offenders at a younger age than in the past few years.
8. The Subcommittee notes a marked turnover (20 percent) in direct care staff at the Youth Center. The turnover is partially attributed to the low pay assigned to these positions and to the disparity of pay between the personnel at the youth centers and the personnel at the Department of Corrections.
9. The Subcommittee notes the Youth Center will be receiving federal funds for a Residential Substance Abuse Treatment (RSAT) program. The agency has been

assured of funding that will continue for six years. The agency anticipates receiving approximately \$700,000 over the next six years for the RSAT program.


10. The Subcommittee recommends the continuation of in-kind services being offered by Larned State Hospital to the Youth Center at Larned (e.g., dietary services, maintenance, education services).

Current Status Comparison

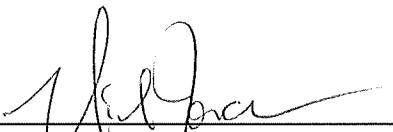
<u>Expenditure</u>	<u>Gov. Rec. FY 1998</u>	<u>House Committee Action FY 1998</u>	<u>Senate Subcommittee Action FY 1998</u>	<u>Senate Subcommittee Change from House Comm. FY 1998</u>
State Operations: State General Fund	\$ 3,768,265	\$ 3,768,265	\$ 3,667,189	\$ (101,076)
FTE Positions	122.0	122.0	122.0	0.0



Senator Alicia Salisbury
Subcommittee Chair



Senator Mark Gilstrap



Senator Nick Jordan

SUBCOMMITTEE REPORT

Agency: Youth Center at Topeka

Bill No. --

Bill Sec. --

Analyst: Pierron

Analysis Pg. No. 666

Budget Page No. 521

<u>Expenditure Summary</u>	<u>Agency Est. FY 97</u>	<u>Gov. Rec. FY 97</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 10,005,316	\$ 9,942,019	\$ 0
YCAT Fee Fund	0	0	0
Fed. Education Fund	0	0	0
Total – Operating	<u>\$ 10,005,316</u>	<u>\$ 9,942,019</u>	<u>\$ 0</u>
Capital Improvements:			
State Institutions Building Fund	<u>14,382</u>	<u>14,382</u>	<u>0</u>
TOTAL	<u><u>\$ 10,019,698</u></u>	<u><u>\$ 9,956,401</u></u>	<u><u>\$ 0</u></u>
FTE Positions	218.0	218.0	0.0
Unclassified Temp. Positions	<u>10.0</u>	<u>10.0</u>	<u>0.0</u>
TOTAL	<u><u>228.0</u></u>	<u><u>228.0</u></u>	<u><u>0.0</u></u>
Rated Bed Capacity	219	219	0
Average Daily Census	219	219	0

Agency Est./Governor's Recommendation

The agency estimates \$10,005,316, for operating expenditures in FY 1997, the amount approved by the 1996 Legislature. The current year estimate is an increase of \$294,744, 3.0 percent, over FY 1996 actual expenditures for operating expenditures. However, the agency request would need an additional \$17,491 from the State General Fund to fully finance the agency request. The approved FY 1997 budget assumed that a total of \$59,131 in State General Fund resources would be reappropriated from FY 1996 to FY 1997. However, the agency expended \$17,491 in anticipated savings in FY 1996, instead of reappropriating the funding to FY 1997.

The Governor recommends current year operating expenditures of \$9,942,019, a reduction of \$63,297 from the agency estimate. Of this amount, \$9,528,814 is from the State General Fund and \$413,205 is from special revenue funds. The recommendation is \$63,297 below the approved budget, with the reduction coming all from the State General Fund. Of the reduction from the approved budget, \$27,749 is for salary adjustments, \$24,949 is for privatization of food services, and \$10,599 is for travel adjustments.

Senate Ways and Means Committee

Date *3-20-97*

Attachment # *13*

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

House Committee Recommendation

The House Committee concurs with the House Subcommittee.

House Recommendation

The full House has not taken action on this agency's budget.

Agency: Youth Center at Topeka

Bill No. –

Bill Sec. –

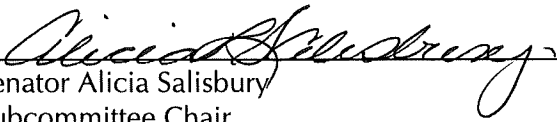
<u>Expenditure Summary</u>	<u>Gov. Rec. FY 97</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:		
State General Fund	\$ 9,942,019	\$ 0
YCAT Fee Fund	0	0
Fed. Education Fund	<u>0</u>	<u>0</u>
Total – Operating	\$ 9,942,019	\$ 0
Capital Improvements:		
State Institutions Building Fund	<u>14,382</u>	<u>0</u>
TOTAL	<u>\$ 9,956,401</u>	<u>\$ 0</u>
FTE Positions	218.0	0.0
Unclassified Temp. Positions	<u>10.0</u>	<u>0.0</u>
TOTAL	<u>228.0</u>	<u>0.0</u>

Senate Subcommittee Recommendation

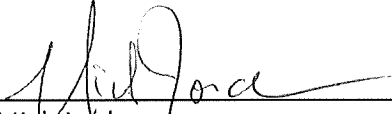
The Senate Subcommittee concurs with the recommendations of the Governor.

Current Status Comparison


	<u>Gov. Rec. FY 1997</u>	<u>House Committee Action FY 1997</u>	<u>Senate Subcommittee Action FY 1997</u>	<u>Senate Subcommittee Change from House Comm. FY 1997</u>
State Operations				
State General Fund	\$ 9,942,019	\$ 9,942,019	\$ 9,942,019	\$ 0
YCAT Fee Fund	0	0	0	0
Fed. Education Funds	0	0	0	0
Total - Operating	<u>\$ 9,942,019</u>	<u>\$ 9,942,019</u>	<u>\$ 9,942,019</u>	<u>\$ 0</u>
FTE Positions	218.0	218.0	218.0	0.0



Senator Alicia Salisbury
Subcommittee Chair



Senator Nick Jordan



Senator Mark Gilstrap

SUBCOMMITTEE REPORT

Agency: Youth Center at Topeka

Bill No. 2160

Bill Sec. 88

Analyst: Pierron

Analysis Pg. No. 666

Budget Page No. 521

<u>Expenditure Summary</u>	<u>Agency Request FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 10,216,342	\$ 10,479,215	\$ 0
YCAT Fee Fund	0	0	0
Fed. Education Fund	0	0	0
Total – Operating	<u>\$ 10,216,342</u>	<u>\$ 10,479,215</u>	<u>\$ 0</u>
Capital Improvements:			
State Institutions Building Fund	0	0	0
TOTAL	<u><u>\$ 10,216,342</u></u>	<u><u>\$ 10,479,215</u></u>	<u><u>\$ 0</u></u>
FTE Positions	205.0	205.0	0.0
Unclassified Temp. Positions	10.0	10.0	0.0
TOTAL	<u><u>215.0</u></u>	<u><u>215.0</u></u>	<u><u>0.0</u></u>
Rated Bed Capacity	219	219	0
Average Daily Census	219	219	0

Agency Request/Governor's Recommendation

The agency requests \$10,216,342 for state operations, an increase of \$211,026 (2.2 percent) over the revised current year estimate. The requested increase is proportioned as follows:

<u>Item</u>	<u>FY 1998 Change</u>
Salaries and Wages	\$ (210,763)
Contractual Services	757,732
Commodities	(317,401)
Capital Outlay	<u>(18,542)</u>
TOTAL	<u><u>\$ 211,026</u></u>

The Governor recommends FY 1998 operating expenditures of \$10,479,215, an increase of \$262,873 from the agency request and 5.4 percent (\$537,196) above the Governor's FY 1997 recommendation. The recommendation increases salaries and wages (\$224,979) contractual services (\$37,121), commodities (\$773), and does not change the capital outlay request (\$72,575).

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation and adds the following notations:

1. The Subcommittee requests that the Superintendent provide the Legislature with goals for meeting the Youth Center's public policy mission. The Subcommittee notes the difficulties experienced by the Youth Center administration during this period of transition from SRS to the Juvenile Justice Authority. The Subcommittee expresses its concern as to the problems the agency faces in planning programming and in formulating budget requests as the control of operations switch from the purview of SRS to the Juvenile Justice Authority. The Subcommittee commends the Superintendent for his administrative oversight performed during these months of transition.
2. The Subcommittee notes that no funds have been provided in the agency's budget for rehabilitation and repair projects. The Subcommittee would request the new Commissioner of Juvenile Justice address this issue and provide information indicating how rehabilitation and repair projects will be funded so it may be considered during the Omnibus session.

House Committee Recommendation

The House Committee concurs with the House Subcommittee and makes the following amendment:

1. Delete 1.2 FTE positions and \$36,348 from the State General Fund based on the recommendation to delete a total of 5.0 percent of the total FTE positions (from the level approved by the 1995 Legislature for FY 1996) from each agency budget in FY 1998.

House Recommendation

The full House has not taken action on this agency's budget.

Agency: Youth Center at Topeka

Bill No. 178

Bill Sec.

<u>Expenditure Summary</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:		
State General Fund	\$ 10,479,215	\$ (289,000) *
YCAT Fee Fund	0	0
Fed. Education Fund	0	0
TOTAL	<u><u>\$ 10,479,215</u></u>	<u><u>\$ (289,000)</u></u>
FTE Positions	205.0	205.0
Unclassified Temp. Positions	10.0	10.0
TOTAL	<u><u>215.0</u></u>	<u><u>215.0</u></u>

* The entire reduction relates to the removal of the Governor's recommended pay plan.

Senate Subcommittee Recommendation

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

1. Delete \$289,000 based on the recommendation to delete funding for the 3.5 percent unclassified merit pool (\$9,361); classified step movement (\$132,525); longevity bonus payments (\$90,540); and the 1.0 percent classified base salary adjustment (\$56,574).
2. The rated bed capacity at Topeka is 219 and the estimated admissions for FY 1997 and FY 1998 is 328. The average daily census for FY 1997 and FY 1998 is estimated at 219. Direct court admissions have continued to rise and the average length of stay has decreased as a result of limited bed space at the Youth Center. The Subcommittee notes that the acceptable stay reported by the Department of Social and Rehabilitation Services (SRS) juvenile offender at a Youth Center is 12 to 14 months. Presently, the average stay is six to eight months which does not allow the residents to complete the programs designed for their rehabilitation.
3. The Subcommittee notes that the admission age for juvenile offenders into the Youth Centers has decreased from 13 to ten years of age pursuant to the Juvenile Justice Reform Act. This decrease in age requirement may exacerbate the space problems already being experienced at the Youth Center.
4. The Youth Center reports that the contract for drugs has experienced increases averaging 3.5 percent higher in the first few months of FY 1997. The agency cites two reasons for the increases. First, the University of Kansas had been a participant in the contract that the state had for purchasing medication. With the University's

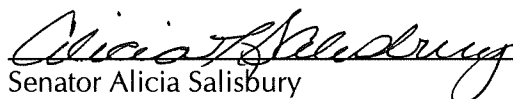
withdrawal from the contract, the reduced price that was achieved with greater quantities of medications being purchased due to its participation was lost. Second, the psychiatrist at the Youth Center, as most of his colleagues in the country, are using an alternative medication to Ritalin that is very expensive, according to the agency administration.

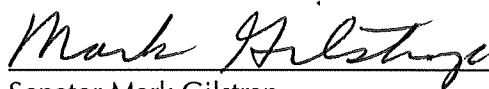
5. The Subcommittee notes an increase in the agency's natural gas prices that were unexpected when it compiled its budget and will monitor the expenses to determine if additional monies will be required.
6. The Youth Center has experienced a decrease in its juvenile-to-staff battery incidents and credits this reduction to the success of its Aggression Replacement Training (ART) curriculum.
7. The Subcommittee notes that a consistent definition for "returnees," "readmissions," and "recidivism" needs to be created to give meaning to the agency's performance measures which monitor the rates of returns, readmissions, etc.
8. The agency reports an increase in their conditionally released offenders that successfully complete discharge. The agency credits the Aggressive Replacement Training curriculum for this increased success.
9. The Subcommittee notes that the demographics at the youth centers in general are changing. More felons are composing the population and there are more serious offenders at a younger age than in the past few years.
10. The Subcommittee notes a marked turnover in direct care staff at the Youth Center. The turnover is partially attributed to the low pay assigned to these positions and to the disparity of pay between the personnel at the youth centers and the personnel at the Department of Corrections.
11. The Subcommittee notes the Youth Center will be experiencing increased space constraints due to two renovation projects being undertaken by the agency (installation of audio surveillance and fire safety additions). Two units will be closed. In anticipation of these projects, the agency has requested to lower its admission rate accordingly. The Subcommittee notes the decrease in admissions will lower the agency's fee fund receipts. The fee fund is partially supported by the sale of meals served at the Youth Center. The number of meals served will decline with the decrease in admissions.

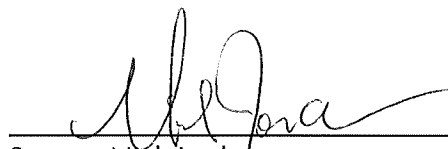
Current Status Comparison

Expenditure	Gov. Rec. FY 1998	House Committee Action FY 1998	Senate Subcommittee Action FY 1998	Senate Subcommittee Change from House Comm. FY 1998
All Funds:				
State Operations	\$ 10,479,215	\$ 10,442,867	\$ 10,190,215	\$ (252,652)*
Aid to Local Units	0	0	0	0
Other Assistance	0	0	0	0
Subtotal - Operating	<u>\$ 10,479,215</u>	<u>\$ 10,442,867</u>	<u>\$ 10,190,215</u>	<u>\$ (252,652)</u>
Capital Improvements	0	0	0	0
TOTAL	<u><u>\$ 10,479,215</u></u>	<u><u>\$ 10,442,867</u></u>	<u><u>\$ 10,190,215</u></u>	<u><u>\$ (252,652)</u></u>
FTE Positions	205.0	203.8	205.0	1.2
Unclass. Temp. Positions	<u>10.0</u>	<u>10.0</u>	<u>10.0</u>	<u>0.0</u>
TOTAL	<u><u>215.0</u></u>	<u><u>213.8</u></u>	<u><u>215.0</u></u>	<u><u>1.2</u></u>

* Of this amount, \$289,000 relates to removal of the Governor's pay plan.


 Senator Alicia Salisbury
 Subcommittee Chair


 Senator Mark Gilstrap


 Senator Nick Jordan