

Approved: 3/27/98 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 17, 1998 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Alan Conroy, Legislative Research Department  
Russell Mills, Legislative Research Department  
April Holman, Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Revisor of Statutes  
Judy Bromich, Administrative Assistant  
Ann Deitcher, Committee Secretary

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Conferees appearing before the committee:

Others attending: See attached list

Senator Salmans read from the Subcommittee Report on the Kansas Bureau of Investigation. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998. (Attachment 1).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the adjustments listed on pages 7 and 8. (Section 2).

Senator Ranson read from the Subcommittee Report on the Kansas Parole Board. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998. (Attachment 2).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the recommendations listed on pages 4 and 5. (Section 2).

Senator Downey read from the Subcommittee Report on the Sentencing Commission. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998 with the adjustments on page 3 and 4. (Attachment 3).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the recommendations listed on pages 4 and 5. (Section 2).

It was moved by Senator Lawrence and seconded by Senator Salmans to approve the Subcommittee Report on the Kansas Bureau of Investigation. The motion to adopt carried by a voice vote. Senator Salisbury's vote was nay.

It was moved by Senator Ranson and seconded by Senator Downey to approve the Subcommittee Reports on the Kansas Parole Board and the Sentencing Commission. The motion to adopt carried by a voice vote.

Senator Feleciano read from the Subcommittee Report on the Adjutant General. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998. (Attachment 4).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the adjustments listed on pages 6 and 7. (Section 2).

It was moved by Senator Feleciano and seconded by Senator Lawrence that additional state funding of \$150,000 requested for the STARBASE program in item 5 be flagged for consideration at Omnibus. The motion passed on a voice vote.

Senator Morris read from the Subcommittee Report on the State Fire Marshal. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998. (Attachment 5).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the adjustments listed on pages 5 and 6. (Section 2).

Senator Morris read from the Subcommittee Report on the Highway Patrol. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998. (Attachment 6).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the adjustments listed on pages 4, 5 and 6. (Section 2).

In regard to item 4, Senator Ranson asked that a post audit be done. Senator Kerr said that some guidance might be given so that the Patrol would know what types of things the Legislature was interested in looking at. Some suggestions were: pay, productivity, conformity, adequate staffing, turnover and work schedules.

It was moved by Senator Morris and seconded by Senator Lawrence that the Subcommittee Report on the Highway Patrol be amended by the recommendation of a post audit and the deletion of Item 4 on page 5 of Section 2. The motion to amend carried on a voice vote.

Senator Ranson read from the Subcommittee Report on the Ombudsman of Corrections. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998. (Attachment 7).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the adjustments listed on pages 3, 4, 5 and 6. (Section 2).

Senator Ranson read from the Subcommittee Report on the Emergency Medical Services Board. The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1998. (Attachment 8).

The Subcommittee concurs with the Governor's recommendation for Fiscal Year 1999 with the exceptions and comments listed on pages 3 and 4. (Section 2).

It was moved by Senator Feleciano and seconded by Senator Downey to adopt the Subcommittee Reports on the Adjutant General, the Kansas Highway Patrol, the Ombudsman of Corrections and the Emergency Medical Services Board. The motion to adopt carried on a voice vote.

It was moved by Senator Morris and seconded by Senator Feleciano to adopt the Subcommittee Report on the State Fire Marshal. The motion to adopt carried on a voice vote. Nay votes were recorded for Senators Salisbury, Ranson and Jordan.

The Chairman announced that the Subcommittee Reports on the Juvenile Correctional Facilities at Atchison, Beloit, Larned and Topeka and the Juvenile Justice Authority would be rescheduled for Thursday, March 19, 1998.

The meeting was adjourned at 12:25 p.m. The next meeting is scheduled for March 18, 1998.

# SENATE WAYS AND MEANS COMMITTEE GUEST LIST

DATE: 3/17/98

NAME	REPRESENTING
Ken Behr	Ks Governmental Consulting
Kevin A. Graham	Ks. Sent. Comm.
Albert Murray	Juvenile Justice Authority
Don Rutledge	ORS
Don Foreman	DOB
Scott Alisoglu	JJA
Patrick A. Turner	Ombudsman for Corrections
Don Jones	KSC
Gene Bond	Sentencing Commission
Jan Johnson	KDOC
Rogan Harden	KDOC
Beil Stinemelt	
Nancy Lynn Sammons	
Charles Prosser	
TERRI SAYA	R DOC
Marilyn Sate	KPB
Ann Durkes	DOB
Cindy Denton	Budget
Natalie Reed	Federico Consulting



**SUBCOMMITTEE REPORT**

Agency: Kansas Bureau of Investigation

Bill No. 2895

Bill Sec. 33

Analyst: West

Analysis Pg. No. 432

Budget Page No. 309

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 15,802,190	\$ 15,214,700	\$ —
Aid to Local Units	913,678	913,678	—
Other Assistance	0	0	—
Subtotal—Operating	\$ 16,715,868	\$ 16,128,378	\$ —
Capital Improvements	255,192	255,192	—
<b>TOTAL</b>	<b>\$ 16,971,060</b>	<b>\$ 16,383,570</b>	<b>\$ —</b>
<b>State General Fund:</b>			
State Operations	\$ 10,938,446	\$ 10,725,831	\$ —
Aid to Local Units	0	0	—
Other Assistance	0	0	—
Subtotal—Operating	\$ 10,938,446	\$ 10,725,831	\$ —
Capital Improvements	255,192	255,192	—
<b>TOTAL</b>	<b>\$ 11,193,638</b>	<b>\$ 10,981,023</b>	<b>\$ —</b>
FTE Positions	196.5	196.5	—
Unclass. Temp. Positions	37.0	10.0	—
<b>TOTAL</b>	<b>233.5</b>	<b>206.5</b>	<b>—</b>

**Agency Estimate/Governor's Recommendation**

**FY 1997 Supplemental Requests.** The current year estimate of State General Fund (SGF) financing reflects three supplemental appropriation requests totaling \$237,615 and a reduction of \$15,174 for funding which was scheduled to reappropriate but did not due to a posting error to the appropriation bill. The supplemental requests include:

- ▶ **Leaking Roof.** \$25,000 is requested to repair a flat portion of the roof on the headquarters building in Topeka which is currently leaking. This section of the roof was not replaced in the 1996 reroofing of the tiled portion of the building. **The Governor concurs.**
- ▶ **Other Operating Expenses.** \$61,140 is requested to finance increased DISC fees for maintaining the Automated Statewide Telecommunications and Record Access (ASTRA) System(\$37,107); postage to implement the 1997 Legislature's initiative to quarterly verify registered offenders via certified mail (\$8,033); and additional office

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*Attachment 1-1*

supplies to closer reflect historical expenditures (\$19,000). **The Governor does not recommend this item.**

- ▶ **Gaming Criminal Investigations.** The 1997 Legislature changed the method of financing for the KBI's Gaming Enforcement Unit from transfers from the state's gaming agencies to a fee for service basis. While this approach has been implemented in the area of background checks support for gaming related criminal investigations was left unfunded. The agency requests \$151,475 to support the Gaming Enforcement Unit's criminal investigation responsibilities. **The Governor does not recommend this item.**

**Special Revenue Funds.** The agency's current year estimate includes a net increase of \$4,486,974 from the approved budget. The majority of the increase (\$4.1 million) is attributable to federal grants. The agency has been designated as the lead agency in an effort to decrease drug manufacturing and distribution in the area. The **High Intensity Drug Trafficking Area (HIDTA)** project is anticipated to provide \$913,678 in grants to local law enforcement groups and \$1.6 million for increased KBI drug interdiction activity. The KBI has also received several grants totaling \$1.5 million from the U.S. Bureau of Justice for laboratory improvements, investigative equipment, and automating criminal history records. Matching funds for the Bureau of Justice grants are provided from the agency's Forensic Laboratory and Materials Fee Fund and Special Asset Forfeiture Fund (\$168,850).

**The Governor** recommends special revenue fund financing of \$5.4 million, an increase of \$3.9 million from the approved budget but a net decrease of \$374,875 from the agency's estimate. Recommended expenditures of \$932,697 from the General Fees Fund is an increase of \$88,401 from the agency's estimate, primarily for the Gaming Enforcement Unit. Federal funding of \$3.6 million is a reduction of \$463,276 from the agency's estimate, reflecting the elimination of all federally financed salaries.

**Unclassified Temporary Positions.** The agency's current year estimate includes 37.0 Unclassified Temporary (UT) positions, an increase of 27.0 UT positions from the approved budget. 16.0 UT positions are associated with a federal Bureau of Justice grant to automate criminal histories. 4.0 UT positions were added to support the HIDTA project, 3.0 UTs were added to the Gaming Unit to assist in reducing the backlog in background investigations, 2.0 UTs were added in the Laboratory Program to assist in reducing the backlog in evidence examinations, and 2.0 clerical positions were added in the Investigations Program. **The Governor's FY 1998 recommendation eliminates all UT positions which were not included in the approved budget, a reduction of 27.0 UT positions from the agency's estimate.**

### House Subcommittee Recommendation

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

1. As requested by the agency, authorize a "no limit" expenditure limitation on the General Fees Fund to allow flexibility in managing the over 10 sources revenue (including grants from the Sentencing Commission for the new CJIS system ) which are deposited to the Fund.

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### House Committee Recommendation

The House Committee concurs.

Agency: Kansas Bureau of Investigation

Bill No. 643

Bill Sec. 33

Expenditure Summary	Agency Estimate FY 98	Gov. Rec. FY 98	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 15,802,190	\$ 15,214,700	\$ —
Aid to Local Units	913,678	913,678	—
Other Assistance	0	0	—
Subtotal—Operating	\$ 16,715,868	\$ 16,128,378	\$ —
Capital Improvements	255,192	255,192	—
TOTAL	<u>\$ 16,971,060</u>	<u>\$ 16,383,570</u>	<u>\$ —</u>
State General Fund:			
State Operations	\$ 10,938,446	\$ 10,725,831	\$ —
Aid to Local Units	0	0	—
Other Assistance	0	0	—
Subtotal—Operating	\$ 10,938,446	\$ 10,725,831	\$ —
Capital Improvements	255,192	255,192	—
TOTAL	<u>\$ 11,193,638</u>	<u>\$ 10,981,023</u>	<u>\$ —</u>
FTE Positions	196.5	196.5	—
Unclass. Temp. Positions	37.0	10.0	—
TOTAL	<u>233.5</u>	<u>206.5</u>	<u>—</u>

### Senate Subcommittee Recommendation


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

1. As requested by the agency, authorize a "no limit" expenditure limitation on the General Fees Fund to allow flexibility in managing the over 10 sources revenue

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(including grants from the Sentencing Commission for the new CJIS system ) which are deposited to the Fund.

  
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Senator Barbara Lawrence, Chair

  
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Senator Larry Salmans

  
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Senator Marge Petty

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Attachment 1-4



**SUBCOMMITTEE REPORT**

Agency: Kansas Bureau of Investigation

Bill No. 2893

Bill Sec. 84

Analyst: West

Analysis Pg. No. 432

Budget Page No. 309

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 17,441,175	\$ 13,162,170	\$ 848,164
Aid to Local Units	779,048	779,048	—
Other Assistance	0	0	—
Subtotal—Operating	<u>\$ 18,220,223</u>	<u>\$ 13,941,218</u>	<u>\$ 848,164</u>
Capital Improvements	2,190,170	180,000	—
<b>TOTAL</b>	<u><u>\$ 20,410,393</u></u>	<u><u>\$ 14,121,218</u></u>	<u><u>\$ 848,164</u></u>
<b>State General Fund:</b>			
State Operations	\$ 14,184,608	\$ 11,067,057	\$ 848,164
Aid to Local Units	0	0	—
Other Assistance	0	0	—
Subtotal—Operating	<u>\$ 14,184,608</u>	<u>\$ 11,067,057</u>	<u>\$ 848,164</u>
Capital Improvements	2,190,170	180,000	—
<b>TOTAL</b>	<u><u>\$ 16,374,778</u></u>	<u><u>\$ 11,247,057</u></u>	<u><u>\$ 848,164</u></u>
FTE Positions	222.5	196.5	(3.0)
Unclass. Temp. Positions	21.0	10.0	—
<b>TOTAL</b>	<u><u>243.5</u></u>	<u><u>206.5</u></u>	<u><u>(3.0)</u></u>

**Agency Request/Governor's Recommendation**

The agency requests an FY 1999 operating budget of \$18.2 million, a net increase of \$1.5 million from the current year. The expiration of one-time federal grants is associated with reductions of \$1.5 million and 16.0 Unclassified Temporary (UT) positions. Funding of \$3.0 million (\$2.7 million SGF) is requested for 21 budget enhancement packages as summarized below. A more in-depth description of each of the requested items is presented in the budget detail section. **Absent the requested enhancements the agency's request would be a net decrease of \$1.5 million from all funding sources including an increase of \$586,444 from the State General Fund.**

The Governor recommends an FY 1999 operating budget of \$13.9 million, a net decrease of \$2.2 million from the current year recommendation and a decrease of \$4.3 million from the agency's request. The FY 1999 recommendation includes \$129,078 (including fringe benefits) for a 1.5 percent classified base salary adjustment and a 4.0 percent unclassified merit pool. **The Governor does not recommend any funding for the enhancements requested by the agency.** Total State General Fund financing of \$11.1 million is an increase of \$341,226 (3.2 percent) from the current year recommenda-

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tion. Total special revenue funding of \$3.7 million reflects the elimination of all special revenue financed salaries and a reduction of \$195,181 from the agency's current resources request for other operating expenditures. **The Governor recommends no funding for the Gaming Enforcement Unit in FY 1999**, although 11.5 FTE positions associated with the Unit remain in the budget.

### FY 1999 Program Enhancements

	Agency Request	Governor's Rec- ommendation
Arrest Project	\$ 359,250	\$ 0
KP&F Retirement for Scientists*	0	0
Southeast Kansas Regional Laboratory (2.0 FTE)	473,266	0
Offender Registration Program (2.0 FTE)	53,274	0
Data Entry Support for KBIRS Program (1.0FTE/4.0 UT)	109,029	0
Law Enforcement Telecommunications Staff (2.0 FTE)	48,713	0
Computer Support Technician (1.0 FTE)	28,823	0
Training Equipment	66,000	0
Special Investigator II —Backgrounds (1.0 FTE)	44,868	0
Increased Overtime	257,158	0
ASTRA Auditors (4.0 FTE)	155,800	0
NT Servers	28,000	0
Forensic Scientists and Office Asst. (7.0 FTE)	273,384	0
Investigations Equipment Replacement	70,538	0
Great Bend Clerical Support (1.0 FTE)	22,413	0
Investigations General Operations (2.0 FTE)	306,020	0
Federal Grant Match	434,660	0
Evidence Response Team	25,150	0
Major Case Investigation Enhancement	158,500	0
Anti-Crime/Training Assistance (1.0 FTE)	22,276	0
Special Agent II - Computer Crime (2.0 FTE)	98,006	0
<b>TOTAL**</b>	<b>\$ 2,985,576</b>	<b>\$ 0</b>
<b>Financing:</b>		
State General Fund	\$ 2,659,718	\$ 0
All Other Funds	325,858	0
<b>TOTAL**</b>	<b>\$ 2,985,576</b>	<b>\$ 0</b>

\* The fiscal note for this enhancement was still under development and was not included in the budget.

\*\* The detailed listing of enhancements totals \$3,035,128 but only \$2,985,576 is included in the budget.

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**Agency Staffing.** The agency's budget request includes salary financing of \$923,563 for 26.0 FTE and 4.0 Unclassified Temporary (UT) new positions in FY 1999. 16.0 federally financed UT positions in the current year budget are not funded in FY 1999 and an additional 4.0 UT positions are not funded in the FY 1999 request. Further information regarding the requested positions may be found in the budget detail sections which follow. **The Governor recommends staffing of 196.5 FTE and 10.0 UT positions, amounts unchanged from the current year.**

**Shrinkage Savings.** The agency's budget assumes salary shrinkage savings of 3.0 percent of gross salaries in both fiscal years. **The Governor's FY 1999 recommendation assumes shrinkage savings of 2.8 percent of salaries as compared to the current year recommendation of 1.0 percent of salaries.**

**Overtime Pay.** The agency requests \$481,969 (including benefits) for overtime pay for the agency's agents and scientists, an increase of \$296,228 from the current year estimate of \$185,741. 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. In lieu of additional personnel, the KBI is attempting to address case backlogs with additional overtime. **The Governor recommends \$161,700 (including benefits) for overtime pay in FY 1999, an increase of \$3,085 from the current year recommendation of \$158,615.**

### House Subcommittee Recommendation

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

1. The Subcommittee notes that the Governor's recommendation removed the funding for the Gaming Unit but left the 11.5 FTE associated with the Gaming Unit in the agency's position limitation. The Subcommittee interprets this action as allowing the Legislature to make the choice between reducing staff and making critically needed investments in public safety. For several years the focus of legislative attention for this agency has been on background checks. The Subcommittee believes the number one mission of this agency has been and should remain helping to solve rapes, murders and other crimes; not background investigations. The KBI has requested \$848,164 from the State General Fund to permit the agency to restructure the personnel from the Gaming Unit into a force focused on prevention and solving of crime. The Subcommittee concurs the requested funding but eliminates 3.0 FTE positions from the number recommended by the Governor. The Subcommittee directs that the resources freed up by eliminating the positions be used to reduce the agency's shrinkage rate. The recommendation will reduce the KBI's shrinkage rate to approximately 0.8 percent of gross salaries. The agency has indicated that it would target the remaining positions to the following areas:
  - ▶ **Information Technology Crimes.** The agency faces increasing requests from local law enforcement for assistance in addressing the use of information technology in crimes ranging from murder and child pornography to credit card fraud and embezzlement. Requests for assistance from local law enforcement in this area has increased by 840 percent since 1994 and the agency has been unable to keep up with the

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limited resources available. The KBI will increase the number of agents who are trained in information technology in order to provide direct assistance to local law enforcement in solving crime and to provide training to local law enforcement personnel in the basic issues surrounding the use of information technology and crime.

- ▶ **Unsolved Homicides.** Several jurisdictions across the country have formed "cold case" squads who specialize in re-investigating older unsolved homicides. As time passes the perpetrator may not be as cautious in discussing the crime, witnesses may be more willing to talk, or new techniques may be available which were not common when the crime was first committed. The KBI will assign special agents to evaluate and investigate the 109 unsolved murders over five years old which are currently on file.
- ▶ **White Collar Crimes.** Currently, the federal authorities generally do not become involved in "white collar" crimes unless there is a federal nexus and losses exceed \$50,000. On the other hand, most local law enforcement agencies lack the manpower and expertise in finding and identifying the evidence necessary to solve many financial crimes. A KBI team formed to focus on white collar crime will help fill the void that currently exists in this realm of criminal investigation.

The Subcommittee further directs that the KBI report to the Subcommittee next session as to how these additional resources were allocated and what results were produced.

2. The Subcommittee recommends that the agency continue working with Pittsburg State University (PSU) and with southeast Kansas law enforcement agencies on establishing a regional laboratory in Pittsburg. Currently southeast Kansas law enforcement personnel must spend considerable time in transporting evidence to the Topeka laboratory rather than working crimes at home. In the alternative, local law enforcement can chose to send their evidence out of state as happened 398 times in 1996, at a cost to local government of more than \$30,000. In addition, KBI scientists must spend an entire day in travel to and from southeast Kansas when responding to subpoenas, instead of working on the ever increasing backlog of cases found at the Topeka lab. The KBI and PSU have developed a proposal to establish a regional laboratory on the PSU campus at an estimated cost of \$468,197, including \$337,266 in one time start up costs. The Subcommittee has been informed that this initiative would reduce the average turnaround time on evidence examinations for the region from the current 50 days to 15 days. The Subcommittee recommends that the agency and local officials consider innovative financing schemes and that this issue be further reviewed for possible inclusion in the Omnibus bill.
3. The Subcommittee notes that the Governor's recommendation once again does not address the needs of the KBI's laboratory space. According to an inspector for the American Society for Crime Laboratory Directors "(s)pace limitations prevail throughout the laboratory. The lack of adequate bench and floor space prohibits the

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efficient examination of multi-item cases involving quantities of evidence, and increase the risk of cross contamination. Inadequate space at the KBI Laboratory represents a serious deficiency for current operations, a security concern, and a serious safety concern." An architectural firm which specializes in the design of forensic laboratories and who also inspected the KBI lab reported "(t)he laboratory staff at the existing crime lab located on SW Tyler in Topeka should be highly commended for the quality of work they appear to produce, despite some extremely deplorable laboratory conditions. This facility is in desperate need of replacement. There are a number of conditions in the laboratory which present some very serious efficiency and safety concerns."

The KBI has received a proposal to build a new laboratory adjacent to the existing headquarters at a one time cost of \$6.4 million. Renovation of the existing lab space for use by other agency functions is estimated to cost \$900,000. The agency has also had the KDFA perform a bond analysis on the addition portion of the project which indicated that annual debt service would be approximately \$700,000 if the project were to be bonded. The KBI presented several reasons why this latest proposal should be accepted, including:

- a. It meets the critical space requirements for the KBI's laboratory and provides the forensic scientists with an efficient and safe work environment.
- b. It allows the KBI to keep pace with modern forensic technology thus allowing the KBI to provide quality service to Kansas law enforcement.
- c. It provides an opportunity for much needed renovation the existing building, which was originally constructed in 1928 as a junior high school.
- d. It represents the best cost effective solution to the agency's space problems.
- e. It prevents a costly disruptive move to another facility across town which would interrupt services.
- f. The expansion project will help re-vitalize an area that presently has abandoned and boarded up buildings.

The Subcommittee recommends that funding for this project be considered for inclusion in the Omnibus bill after review by the Joint Committee on State Building Construction.

4. The agency has requested \$269,532 for increased DISC fees related to the operations of the Automated Statewide Telecommunications and Record Access System (ASTRA). The new message switch is scheduled to be on line by the fall of 1998. During the time required for local law enforcement agencies to install and become

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trained on the new equipment it will be necessary to operate both the new system and the old system at the same time, resulting in higher DISC fees. The agency has indicated that should it not get the requested funding it may be forced to prematurely disconnect the old switch, leaving those law enforcement agencies who have not yet converted to the new system without access to vital information. The Subcommittee directs the agency to request a Governor's Budget Amendment on this issue and that the topic be further reviewed at Omnibus. Should the required funding not be added to the FY 1999 budget, the Subcommittee recommends that the agency keep track of the additional costs required to operate two systems for consideration of supplemental funding.

5. As requested by the agency, authorize a "no limit" expenditure limitation on the General Fees Fund to allow flexibility in managing the over 10 sources revenue which are deposited to the Fund.

### House Committee Recommendation

The House Committee concurs, with the following adjustment:

1. The House Committee recommends that funding for a regional laboratory in the Kansas City area also be considered at Omnibus.

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Agency: Kansas Bureau of Investigation

Bill No. 642

Bill Sec. 84

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>Senate Subcommittee Adjustments*</u>
All Funds:			
State Operations	\$ 17,441,175	\$ 13,162,170	\$ 138,640
Aid to Local Units	779,048	779,048	—
Other Assistance	0	0	—
Subtotal—Operating	\$ 18,220,223	\$ 13,941,218	\$ 138,640
Capital Improvements	2,190,170	180,000	—
<b>TOTAL</b>	<b>\$ 20,410,393</b>	<b>\$ 14,121,218</b>	<b>\$ 138,640</b>
State General Fund:			
State Operations	\$ 14,184,608	\$ 11,067,057	\$ 138,640
Aid to Local Units	0	0	—
Other Assistance	0	0	—
Subtotal—Operating	\$ 14,184,608	\$ 11,067,057	\$ 138,640
Capital Improvements	2,190,170	180,000	—
<b>TOTAL</b>	<b>\$ 16,374,778</b>	<b>\$ 11,247,057</b>	<b>\$ 138,640</b>
FTE Positions	222.5	196.5	—
Unclass. Temp. Positions	21.0	10.0	—
<b>TOTAL</b>	<b>243.5</b>	<b>206.5</b>	<b>—</b>

\* Includes a reduction of \$364,422 from the State General Fund to reflect removal of the Governor's pay plan recommendation.

### Senate Subcommittee Recommendation

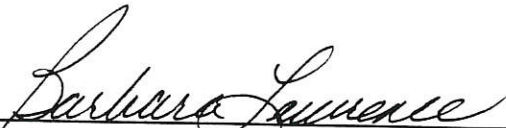
The Subcommittee concurs with the Governor's recommendations, with the following adjustments:

1. Reduce salaries by \$364,422 from the State General Fund to remove the Governor's recommended employee salary adjustments.
2. The Governor's recommendations transfer the responsibility for gaming background checks from the KBI to the Lottery and Racing and Gaming Commission. While no funding is retained in the FY 1999 budget for the KBI's former Gaming Unit, the Governor's recommendation does retain 11.5 unfunded FTE positions. The agency has requested \$858,164 from the State General Fund to restructure the former Gaming Unit to address information technology crimes, unsolved homicides and white collar crimes. The Subcommittee recommends the addition of \$503,062 to finance 8.5 of the 11.5 FTE positions retained in the Governor's budget recommen-

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ation. The remaining 3.0 FTE would be unfunded as recommended by the Governor.

3. The Subcommittee notes that the agency is requesting \$468,197 from the State General Fund to provide laboratory support for criminal investigations in Southeast Kansas. Of the amount requested, \$337,266 would be for one time costs of remodeling Shirk Hall at Pittsburg State University (PSU) (\$180,000) and acquisition of laboratory equipment (\$157,266). The agency reports that it may be able to get a federal grant to support 75 percent of the cost of the equipment. The Subcommittee recommends that the agency explore innovative financing options and that this issue be reexamined at Omnibus. The Subcommittee would also encourage the agency to consider the use of PSU faculty and students in support of the facility should it become a reality.
4. As requested by the agency, authorize a "no limit" expenditure limitation on the General Fees Fund to allow flexibility in managing the over 10 sources revenue which are deposited to the Fund.

  
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Senator Barbara Lawrence, Chair

  
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Senator Larry Salmans

  
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Senator Marge Petty

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Attachment 1-12



**SUBCOMMITTEE REPORT**

**Agency:** Kansas Parole Board

**Bill No.** 2895

**Bill Sec.** 32

**Analyst:** Mills

**Analysis Pg. No.** 465

**Budget Page No.** 367

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 489,310	\$ 489,310	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 489,310	\$ 489,310	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 489,310</b>	<b>\$ 489,310</b>	<b>\$ 0</b>
State General Fund:			
State Operations	\$ 489,310	\$ 489,310	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 489,310	\$ 489,310	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 489,310</b>	<b>\$ 489,310</b>	<b>\$ 0</b>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
<b>TOTAL</b>	<b>4.0</b>	<b>4.0</b>	<b>0.0</b>

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1998 estimate of operating expenditures totals \$489,310, including \$16,498 in FY 1997 State General Fund savings reappropriated to FY 1998. The agency indicates that it is requesting a State General Fund supplemental appropriation of \$2,931 in FY 1998. The request of \$2,931 is the result of an apparent underfunding of fringe benefits, largely health insurance and FICA. The agency's estimate for FY 1998 funds 4 .0 FTE positions, which is the number authorized.

**The Governor recommends** current year expenditures of \$489,310, the same as the agency's estimate. The Governor's recommendation for salaries and wages is \$388,220, the same as the agency's estimate. The Governor's recommendation for other operating expenditures in FY 1998 totals \$101,090, the same as the agency's estimate.

The Governor recommends a State General Fund supplemental appropriation of \$2,931 to finance the FY 1998 budget including the requested fringe benefits.

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Attachment 2-1*

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee.

### House Committee of the Whole Recommendation

The full House has not taken action on this budget.

Agency: Kansas Parole Board

Bill No. 643

Bill Sec. 32

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 489,310	\$ 489,310	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 489,310</u>	<u>\$ 489,310</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 489,310</u></u>	<u><u>\$ 489,310</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 489,310	\$ 489,310	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 489,310</u>	<u>\$ 489,310</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 489,310</u></u>	<u><u>\$ 489,310</u></u>	<u><u>\$ 0</u></u>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>4.0</u></u>	<u><u>4.0</u></u>	<u><u>0.0</u></u>

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*Attachment 2-2*

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor's recommendation.

*Pat Ranson*

\_\_\_\_\_  
Senator Pat Ranson, Chair

*Paul Feleciano, Jr.*

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Senator Paul Feleciano, Jr.

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Attachment 2-3

**SUBCOMMITTEE REPORT**

**Agency:** Kansas Parole Board

**Bill No.** 2893

**Bill Sec.** 82

**Analyst:** Mills

**Analysis Pg. No.** 465

**Budget Page No.** 367

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 518,902	\$ 488,795	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 518,902	\$ 488,795	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 518,902</b>	<b>\$ 488,795</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 518,902	\$ 488,795	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 518,902	\$ 488,795	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 518,902</b>	<b>\$ 488,795</b>	<b>\$ 0</b>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
<b>TOTAL</b>	<b>4.0</b>	<b>4.0</b>	<b>0.0</b>

**Agency Request/Governor's Recommendation**

The agency's FY 1999 requested operating expenditures total \$518,902 an increase of \$29,592 (6.0 percent) over the revised FY 1998 estimate. Requested increases of \$11,619 in salaries and wages, and \$19,223 in contractual services are partially offset by a reduction of \$1,250 in capital outlay.

Major Requested Increases. The majority of the agency's requested increases in FY 1999 are for salaries (\$11,619) and contractual services (\$19,223). The budget request includes a reduction of \$1,250 in capital outlay, reflecting the purchase of three personal computer systems in the prior year. The agency's travel request for FY 1999 reflects a reduction from prior years, and the communication request reflects an increase of \$16,000, which is the result of the Board's plan to increase the use of video conferencing and reduce travel expenses. The agency estimates parole hearings will decrease by 5 percent, from 2,627 in FY 1998 to 2,496 in FY 1999. The capital outlay request of \$2,500 is for the purchase of undesignated equipment items.

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Attachment 2-4

Absent requested FY 1999 enhancements, the agency's request would represent a decrease of \$5,608, or 1.2 percent, from the current year estimate.

Enhancement	FY 1999 Enhancements					
	Agency Request			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Computer Programming Fees	\$ 35,200	\$ 35,200	0.0	\$ 0	0	0.0
<b>TOTAL - FY 1999 Enhancement Request</b>	<b>\$ 35,200</b>	<b>\$ 35,200</b>	<b>0.0</b>	<b>\$ 0</b>	<b>0</b>	<b>0.0</b>

### FY 1999 Enhancements

- The Board requests an enhancement package of \$35,200 in professional fees to provide for the services of a computer programming contractor to automate the current hearing and decision-making processes; the funding would provide for 320 hours of service at \$110 per hour. The Board states that the enhancement will allow the agency to automate and streamline the current filing system and provide information to the Department of Corrections and the parole staff in a more efficient manner.

The Governor's FY 1999 recommendation for the agency totals \$488,795, a reduction of \$30,107 from the amount requested by the agency. The Governor's recommendation for salaries and wages of \$404,932 is an increase of \$5,093 over the agency's request; that amount is included to finance a 4.0 percent unclassified merit pool. The Governor does not recommend the requested enhancement package. The Governor concurs with the agency request of \$83,863 for other operating expenditures.

**Downsizing of Board.** The FY 1998 Governor's Budget Report noted 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 continue to decline. The Governor recommended 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. The 1997 Legislature approved the reduction of the Board to four members (1997 H.B. 2211).

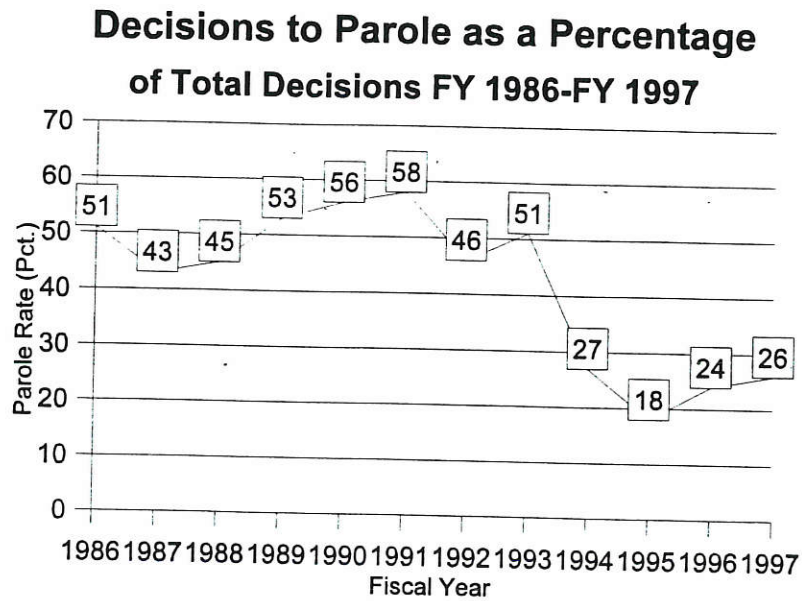
### House Subcommittee Recommendation

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

1. The House Subcommittee received information which indicates that the parole rate has been increasing over the last three years, from 18 percent in FY 1995 to 26 percent in FY 1997. Still, this is a much lower rate than was experienced prior to FY 1993 and the implementation of sentencing guidelines; the highest rate in recent years was 58 percent in FY 1991.

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Attachment 2-5*

The following graph reflects the actual parole rate for the Board for the period between FY 1986 and FY 1997. The parole rate is defined as the proportion of regular hearing decisions that are grants of parole.



#### House Committee Recommendation

The House Committee concurs with the House Subcommittee recommendation.

#### House Committee of the Whole Recommendation

The full House has not taken action on this budget.

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Attachment 2-6

Agency: Kansas Parole Board

Bill No. 642

Bill Sec. 82

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 518,902	\$ 488,795	\$ (15,070) *
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 518,902</u>	<u>\$ 488,795</u>	<u>\$ (15,070)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 518,902</u></u>	<u><u>\$ 488,795</u></u>	<u><u>\$ (15,070)</u></u>
State General Fund:			
State Operations	\$ 518,902	\$ 488,795	\$ (15,070)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 518,902</u>	<u>\$ 488,795</u>	<u>\$ (15,070)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 518,902</u></u>	<u><u>\$ 488,795</u></u>	<u><u>\$ (15,070)</u></u>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>4.0</u></u>	<u><u>4.0</u></u>	<u><u>0.0</u></u>

\* Includes a reduction of \$15,070 from the State General Fund for the Governor's employees salary adjustments.

**Senate Subcommittee Recommendation**

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

1. Delete \$15,070 from the State General Fund based on the recommendation to delete funding for the 4.0 percent unclassified merit pool (\$15,070) from individual agency budgets.
2. The Senate Subcommittee reviewed statistical data concerning parole rates in recent years, the number of inmates sentenced under the old law who are still in the system,

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Attachment 2-7

Attachment 1

**Inmates Under Old Law as of June 30<sup>th</sup>, 1997**  
**(End of FY 1997)\***

6/30/95 (actual)	6/30/96 (actual)	6/30/97 (actual)	6/30/98 (projected)	6/30/99 (projected)	6/30/2000 (projected)
4802	4424	3929	3611	2940	2420

8%      19%      25%      39%      50%  
 \*Numbers provided by the Sentencing Commission.

**Hearing Numbers**

	6/30/95	6/30/96	6/30/97	Projected 98	Projected 99
Parole Eligible	3601	3235	2765	2627	2496
Violation	1998	1701	1884	1931	1931
Total	5599	4936	4649	4558	4427
		12% reduction from FY 95	17% reduction from FY 95*	18% reduction from FY 95	21% reduction from FY 95

\*Amount of reduction did not equal that of the reduction of staff/board members. However, it is felt that video-conferencing will help compensate. The change in statute which allows for the KPB to pass offenders for a longer time should result in a minor reduction in workload.

**File Reviews**

	FY 1996	FY 1997	Projected 98	Projected 99
File Reviews	2587	4676	4790	4885

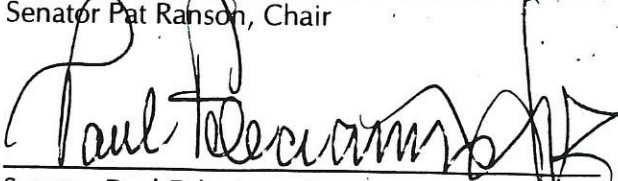
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 2-7  
 Attachment 2-8



and the projections of numbers of hearings in future years. A table is attached to this report relative to this data.

3. The Senate Subcommittee is aware that legislation (S.B. 587) is currently under consideration which would reduce the size of the Parole Board from four members to three members. Should S.B. 587 be enacted, the budget of the Parole Board will require adjustment during Omnibus.

  
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Senator Pat Ranson, Chair

  
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Senator Paul Feleciano, Jr.

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Attachment 2-8

**SUBCOMMITTEE REPORT**

**Agency:** Sentencing Commission

**Bill No.** 2895

**Bill Sec.** 34

**Analyst:** Mills

**Analysis Pg. No.** 474

**Budget Page No.** 413

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 1,175,645	\$ 1,158,319	\$ 27,926
Aid to Local Units	4,974,691	4,974,691	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 6,150,336	\$ 6,133,010	\$ 27,926
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 6,150,336</b>	<b>\$ 6,133,010</b>	<b>\$ 27,926</b>
<b>State General Fund:</b>			
State Operations	\$ 386,516	\$ 369,190	\$ 27,926
Aid to Local Units	812,169	812,169	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 1,198,685	\$ 1,181,359	\$ 27,926
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 1,198,685</b>	<b>\$ 1,181,359</b>	<b>\$ 27,926</b>
FTE Positions	7.0	7.0	0.0
Unclassified Temp. Positions	6.0	6.0	0.0
<b>TOTAL</b>	<b>13.0</b>	<b>13.0</b>	<b>0.0</b>

**Agency Estimate/Governor's Recommendation**

The agency's revised estimate for FY 1998 is \$6,150,336, an increase of \$1,088,658 (composed of \$106,693 from the State General Fund and \$981,965 in other federal funds) from the amount approved by the 1997 Legislature. The agency is requesting a State General Fund supplemental appropriation of \$106,693 in FY 1998; of this amount, \$89,367 would be used as state matching funds to obtain federal grant monies for the Criminal Justice Information System (CJIS), and the remaining \$17,326 would be used for other operating expenditures (rent, printing, computer supplies). **(Staff Note:** the 1997 Legislature approved 2.0 new Research Analyst positions, one of which is an FTE position and one is an unclassified temporary position, for the Sentencing Commission in FY 1998.) **The Governor recommends** a State General Fund supplemental appropriation of \$89,367 to be used as state match monies to access federal funding for CJIS. This funding will access \$268,101 in federal monies.

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Attachment 3-1*

### House Subcommittee Recommendation

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

1. Add \$17,326 (State General Fund) as a supplemental appropriation for other operating expenditures (primarily rent, printing, and supplies), as requested by the agency. The Sentencing Commission had requested a supplemental appropriation of \$106,693 in the current year, which was composed of \$89,367 to be used as state matching funds to obtain federal grant moneys for the Criminal Justice Information System (CJIS), and the remaining \$17,326 was for other operating expenditures. The Governor's recommendation included the \$89,367 for state matching funds, but did not include the amount requested for other operating expenditures. The House Subcommittee believes that this additional funding is justified, given the increased workload of this agency and the addition of 2.0 new positions by the 1997 Legislature.
2. Add \$10,600 (State General Fund) to upgrade the current PROPHET prison population projection model to produce projections by institutional custody classification level, such as maximum, medium, and minimum. In January, 1998, the National Council on Crime and Delinquency (NCCD) released a new version of the PROPHET model software and has agreed to allow the Sentencing Commission to serve as a pilot test site for the new software. The total cost of the software is \$35,500; however, by agreeing to serve as a test site, the Commission can obtain the software for \$10,600. The cost includes training, technical assistance, and data analysis to implement the upgraded PROPHET software.
3. The House Subcommittee notes that the agency also requested \$6,912 (State General Fund) to replace three computers which were assessed to have Year 2000 problems. The Governor did not recommend this funding. The House Subcommittee recommends that the full Committee adopt a policy with regard to funding requested by agencies for Year 2000 problems to guide the Subcommittees in their budget reviews.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee.

### House Committee of the Whole Recommendation

The full House has not taken action of this budget.

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Attachment 3-2

Agency: Sentencing Commission

Bill No. 643

Bill Sec. 34

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 1,175,645	\$ 1,158,319	\$ 17,326
Aid to Local Units	4,974,691	4,974,691	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 6,150,336	\$ 6,133,010	\$ 17,326
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 6,150,336</u></u>	<u><u>\$ 6,133,010</u></u>	<u><u>\$ 17,326</u></u>
State General Fund:			
State Operations	\$ 386,516	\$ 369,190	\$ 17,326
Aid to Local Units	812,169	812,169	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 1,198,685	\$ 1,181,359	\$ 17,326
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 1,198,685</u></u>	<u><u>\$ 1,181,359</u></u>	<u><u>\$ 17,326</u></u>
FTE Positions	7.0	7.0	0.0
Unclassified Temp. Positions	<u>6.0</u>	<u>6.0</u>	<u>0.0</u>
TOTAL	<u><u>13.0</u></u>	<u><u>13.0</u></u>	<u><u>0.0</u></u>

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor, with the following adjustments:

1. Add \$17,326 (State General Fund) as a supplemental appropriation for other operating expenditures, as requested by the agency. The agency indicated that it has experienced higher costs in several operating expenditures than were anticipated, chiefly in communication (\$6,264), printing (\$5,394), a mid-year increase in rent for office space (\$2,150), and several other items (\$3,518). The Sentencing Commission had requested a supplemental appropriation of \$106,693 in the current year, which was composed of \$89,367 to be used as a state match to obtain additional federal grant monies of \$268,101 for the Criminal Justice Information System (CJIS), and the remaining \$17,326 was for other operating expenditures. The Governor's recommendation included the \$89,367 for state matching funds, but did not include the amount requested for other operating expenditures. The Subcommittee believes that the additional funding is justified, given the increased workload of the agency,

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Attachment 3-3*

the addition of 2.0 new positions by the 1997 Legislature, and the additional printing costs which result from increased demand for the agency's publications. A more detailed discussion of the issue of printing costs for the Sentencing Commission is made in our Subcommittee Report for FY 1999.

2. The Subcommittee notes that the Sentencing Commission submitted a revised request to the Subcommittee for an additional \$10,600 from the State General Fund to upgrade the current PROPHET prison population model to produce population projections by institutional custody classification level, such as maximum, medium, and minimum. The current model is not capable of making projections by classification level. The Subcommittee does not recommend the additional funding. However, the Subcommittee is aware that K.S.A. 74-9101 specifically directs the Sentencing Commission to produce official inmate population projections annually after receipt of the data from the Department of Corrections. The Subcommittee understands that the Department of Corrections analyzes the projections developed by the Sentencing Commission and then allocates these projections on the basis of inmate custody classification levels, which information is then presented to the Legislature. The Subcommittee understands that the requested PROPHET upgrade would allow the Sentencing Commission to make the projections by classification level which are now being made by the Department of Corrections.

The Subcommittee recommends that the Sentencing Commission and the Department of Corrections prepare a report for the Subcommittee, to be reviewed during Omnibus, describing the current procedures used by the two agencies to develop inmate population projections, and the division of tasks between the two agencies. The report should include a recommendation regarding the future role of the PROPHET model in making projections by classification level, and the need for the requested software upgrade. It may be that the current statutes regarding the development of inmate population projections should be reviewed during the interim. The Subcommittee wishes to flag this item of possible expenditure (\$10,600) for Omnibus review.

  
\_\_\_\_\_  
Senator Pat Ranson, Chair

  
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Senator Christine Downey

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3/17/98  
Attachment 3-4

**SUBCOMMITTEE REPORT**

**Agency:** Sentencing Commission

**Bill No.** 2893

**Bill Sec.** 87

**Analyst:** Mills

**Analysis Pg. No.** 474

**Budget Page No.** 413

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 1,861,462	\$ 1,829,758	\$ 3,138
Aid to Local Units	4,780,439	4,230,687	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 6,641,901	\$ 6,060,445	\$ 3,138
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 6,641,901</b>	<b>\$ 6,060,445</b>	<b>\$ 3,138</b>
<b>State General Fund:</b>			
State Operations	\$ 1,517,970	\$ 312,835	\$ 1,569
Aid to Local Units	675,000	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 2,192,970	\$ 312,835	\$ 1,569
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 2,192,970</b>	<b>\$ 312,835</b>	<b>\$ 1,569</b>
FTE Positions	7.0	7.0	0.0
Unclassified Temp. Positions	7.0	6.0	0.0
<b>TOTAL</b>	<b>14.0</b>	<b>13.0</b>	<b>0.0</b>

**Agency Request/Governor's Recommendation**

The agency's FY 1999 request of \$6,641,901 is an increase of \$491,565 over the current year estimate. The requested increase of \$994,285 from the State General Fund is offset by a reduction of \$502,720 in spending from federal funds. The agency requests enhanced spending of \$1,882,170, which is discussed below. The agency requests 1.0 new unclassified temporary Data Entry position for FY 1999. Aid to Local Units is projected to decrease by \$194,252, or 3.9 percent, from the current year.

**The Governor recommends** a total of \$6,060,445 FY 1999 (of which \$312,835 is from the State General Fund); this amount is a reduction of \$72,565 from the current year estimate. The Governor recommends increased spending from other funds of \$795,595, which is offset by a reduction in State General Fund financing of \$868,524. The Governor's recommendation for Aid to Local Units of \$4.23 million is a reduction of \$744,004 from the current year.

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Attachment 3-5*

**Absent the requested enhancements**, the FY 1999 request reflects a decrease of \$1,390,605, or 22.6 percent, from the current year estimate.

Enhancement	Agency Request			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
	Criminal Justice Information System (CJIS) Project	\$ 1,850,000	\$ 1,850,000	0.0	\$ 0	\$ 1,300,248
1.0 New Data Entry Position (Unclass. Temp.)	30,601	32,170	0.0	0	0	0.0
<b>TOTAL</b>	<b>\$ 1,880,601</b>	<b>\$ 1,882,170</b>	<b>0.0</b>	<b>\$ 0</b>	<b>\$ 1,300,248</b>	<b>0.0</b>
<b>TOTAL - FY 1999 Enhancement Request</b>	<b>\$ 1,880,601</b>	<b>\$ 1,882,170</b>	<b>0.0</b>	<b>\$ 0</b>	<b>\$ 1,300,248</b>	<b>0.0</b>

### FY 1999 Enhancements

- CJIS Project.** The agency requests \$1,850,000 from the State General Fund in FY 1999 to continue implementation of the CJIS project. Of the total request, \$675,000 would be used at the local level to implement the system. The remaining \$1,175,000 would be used to allow the Commission on-line access to CJIS and to fund the following projects: Records Training, Compliance Monitoring, Central Repository, Hive-Scan Computers, and Hot Files. The \$1,175,000 will be interagency transferred to the KBI and the Department of Corrections to complete these projects.

**The Governor** recommends \$1,300,248 from the State Budget Stabilization Fund in FY 1999 to continue implementation of the Criminal Justice Information System (CJIS). According to the *Governor's Budget Report*, the Governor's recommendation also will allow the sentencing Commission to administer implementation of the CJIS, which is a multi-agency effort to bring the latest technology online in Kansas' criminal justice system. CJIS will provide a real time link between local law enforcement, the KBI, the FBI, the Kansas Department of Corrections, and the Judiciary. This link will greatly increase the public safety of Kansas by providing crime and outstanding warrant information on a real-time basis. This will significantly reduce current time lags that are experienced by many nonmetropolitan counties that need crime information.

- Data Entry Position.** The agency requests one new unclassified temporary Data Entry position (\$32,170, of which \$27,484 is for salaries and wages and \$4,686 is for the operating expenses). Of the requested funding, \$30,601 is from the State General Fund and \$1,569 is from federal funds. The position would be used to input journal entry into the computer database. **The Governor** does not recommend funding for the new position.

### House Subcommittee Recommendation

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

- Add \$3,138 (of which \$1,569 is from the State General Fund) for the addition of 300-square feet of office space for the Sentencing Commission. The Commission states

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Attachment 3-6

that the additional space is needed for the staff positions added by the 1997 Legislature and for a conference area. The space is currently being leased by the Ombudsman of Corrections, which wishes to decrease their office space. The House Subcommittee anticipates a reduction in rents for the Ombudsman, with an offsetting increase in rents for the Sentencing Commission.

2. The House Subcommittee notes that the Sentencing Commission had originally requested \$1,850,000 (State General Fund) for the completion of the Criminal Justice Information System (CJIS) project. The Governor's recommendation includes \$1,300,248 (State Budget Stabilization Fund) in FY 1999 for the CJIS project. The agency has now submitted a revised request of \$1,959,248 for completion of the CJIS project, which would require an additional \$784,248 above the Governor's recommendation. This additional \$784,248 will be used to complete CJIS projects at the local level, including the county attorney system, local law enforcement system, and local agency interfaces. The House Subcommittee is supportive of completion of the CJIS project and recommends that the Governor consider issuing a Governor's Budget Amendment to provide the remaining funding for the CJIS project.
3. The House Subcommittee notes that the agency requested \$32,170 to create a new Data Entry position, which would be used to insert journal entries into the agency's database. The database includes both adult entries under sentencing guidelines, as well as juvenile data under the new juvenile legislation. The House Subcommittee recommends that the agency pursue the possible use of inmate labor from the Topeka Correctional Facility, which has been successful for this and other state agencies.

### **House Committee Recommendation**

The House Committee concurs with the House Subcommittee.

### **House Committee of the Whole Recommendation**

The full House has not taken action on this budget.

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Agency: Sentencing Commission

Bill No. 642

Bill Sec. 87

Expenditure Summary	Agency Request FY 99	Gov. Rec. FY 99	Senate Subcommittee Adjustments*
<b>All Funds:</b>			
State Operations	\$ 1,861,462	\$ 1,829,758	\$ (16,085)
Aid to Local Units	4,780,439	4,230,687	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 6,641,901	\$ 6,060,445	\$ (16,085)
Capital Improvements	0	0	0
TOTAL	<u>\$ 6,641,901</u>	<u>\$ 6,060,445</u>	<u>\$ (16,085)</u>
<b>State General Fund:</b>			
State Operations	\$ 1,517,970	\$ 312,835	\$ (7,831)
Aid to Local Units	675,000	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 2,192,970	\$ 312,835	\$ (7,831)
Capital Improvements	0	0	0
TOTAL	<u>\$ 2,192,970</u>	<u>\$ 312,835</u>	<u>\$ (7,831)</u>
FTE Positions	7.0	7.0	2.0
Unclassified Temp. Positions	7.0	6.0	(2.0)
TOTAL	<u>14.0</u>	<u>13.0</u>	<u>0.0</u>

\* Includes a reduction of \$19,223 (of which \$9,400 is from the State General Fund) for the Governor's employee salary adjustments.

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor, with the following adjustments and additional recommendations:

1. Delete \$19,223 (of which \$9,400 is from the State General Fund) based on the decision to delete funding for the 4.0 percent unclassified merit pool from individual agency budgets.
2. Add \$3,138 (of which \$1,569 is from the State General Fund and \$1,569 is from federal funds) for the addition of 300-square feet of office space for the Sentencing Commission. The agency states that the additional space is needed for the two staff

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positions which were added by the 1997 Legislature. The space is currently being leased by the Ombudsman of Corrections, which wishes to decrease their office space. The Subcommittee recommends a reduction in rents for the Ombudsman and this increase in rents for the Sentencing Commission.

3. Convert 2.0 of the agency's unclassified temporary positions (Budget Analyst and Office Specialist) to FTE status. The Subcommittee notes that the agency currently has an approved staffing level of 13.0 positions, of which 7.0 are FTE positions and 6.0 are unclassified temporary positions. The 6.0 unclassified temporary positions include the Budget Analyst and Office Specialist positions noted above, as well as 4.0 temporary positions associated with the agency's federal grant-related activities: a Management System Analyst, Research Analyst, CJIS Project Manager, CJIS Administrative Assistant. The Subcommittee believes that those positions associated with federal grants activities should be unclassified temporary positions which will be eliminated if the federal grants are reduced or stopped. However, the Budget Analyst and Office Specialist positions are on-going staff functions which are not dependent on federal grants. To properly reflect the FTE status of the Sentencing Commission, these 2.0 positions should be shifted to FTE status.
4. The Subcommittee was made aware of a problem area for the Sentencing Commission which relates to the printing and distribution of various documents which are mandated on the Commission by statute. As noted in our Subcommittee Report for FY 1998, the Sentencing Commission has experienced increased customer demand for a number of its publications, which result in increased costs in the areas of printing and communication. Some of the publications published and distributed include the *Desk Reference Manual*, *Sentencing Commission Annual Report*, *Bureau of Justice Assistance Annual Report* (a federal requirement), and a *Resource Directory* (K.S.A.74-9501(e)(3)). As sentencing guidelines have been implemented across the state, demand for these publications, particularly the *Desk Reference Manual*, has grown markedly. For example, K.S.A. 74-9101(b)(4) requires that the agency construct an implementation manual (the *Desk Reference Manual*) to assist in the training of judges, county and district attorneys, court services officers, state parole officers, correctional officers, law enforcement officials, and other criminal justice groups. The agency stated that the publication of the *Resource Directory* in FY 1998 resulted in additional printing costs of over \$7,200.

The Subcommittee notes that the current statutes do not allow the Sentencing Commission to charge fees for any of its publications or to restrict the distribution of such documents when they are requested by various groups or individuals. (The agency does not provide its documents directly to inmates who request them, but rather provides one copy for the inmate library at the institutions.) The Subcommittee recommends that the Sentencing Commission review this problem area and develop recommendations for statutory changes to present to the 1999 Legislature. The recommendations should consider the possibility of charging fees for the publications, limiting the distribution of the publications, or any other avenues to reduce the budgetary pressure placed on the agency by the publication mandates.

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Attachment 3-9

*Pat Ranson*

Senator Pat Ranson, Chair

*Christine Downey*

Senator Christine Downey

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*Attachment 3-10*

**SUBCOMMITTEE REPORT**

Agency: Adjutant General

Bill No. 2895

Bill Sec. 40

Analyst: Mills

Analysis Pg. No. 413

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 15,683,267	\$ 15,545,632	\$ 0
Aid to Local Units	7,970,299	7,970,299	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	\$ 23,658,085	\$ 23,520,450	\$ 0
Capital Improvements	553,376	553,376	0
<b>TOTAL</b>	<b>\$ 24,211,461</b>	<b>\$ 24,073,826</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 3,883,131	\$ 3,819,156	\$ 0
Aid to Local Units	24,204	24,204	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	\$ 3,911,854	\$ 3,847,879	\$ 0
Capital Improvements	276,688	276,688	0
<b>TOTAL</b>	<b>\$ 4,188,542</b>	<b>\$ 4,124,567</b>	<b>\$ 0</b>
FTE Positions	222.0	219.0	0.0
Unclass. Temp. Positions	35.0	35.0	0.0
<b>TOTAL</b>	<b>257.0</b>	<b>254.0</b>	<b>0.0</b>

**Agency Estimate/Governor's Recommendation**

The revised FY 1998 estimate is composed of \$15,683,267 for state operations, \$7,970,299 for aid to local units, \$4,519 for other assistance, and \$553,376 for capital improvements. The revised agency estimate for FY 1998 is an increase of \$7,967,422 over the approved budget. This increase is the result of additional spending from other (largely federal) funds of \$7,000,000 which is associated with the federal floodplain buyout program.

The requested increase in State General Fund spending of \$76,775 includes a supplemental request of \$76,518 and a reappropriation of \$257. The supplemental is composed of utilities funding at Forbes (\$19,600); initiation of a radioactive waste transport program (\$38,711); and salaries funding for a requested new position of Mitigation Officer (\$18,207). The agency requests 3.0 new FTE positions in the current year. The new positions are an Attorney IV for the Division of Emergency Management

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(DEM)—Operations (\$18,207); and 1.0 Chemist and 1.0 Planner for the DEM-Technological Hazards program (\$38,711).

**The Governor's operating expenditures recommendation** for FY 1998 totals \$23,520,450, of which \$3,847,879 is from the State General Fund. The recommendation is a reduction of \$137,635 from the revised estimate: the reductions are found in salaries and wages (\$64,738) and other operating expenditures (\$202,373). The Governor's recommendation will support 219.0 FTE positions. The Governor's recommendation for all other funds reflects the estimated receipt of \$7,000,000 in federal funds associated with the federal flood aid program.

The Governor recommends a State General Fund supplemental appropriation of \$12,800 for the increased utilities funding at Forbes.

### **House Subcommittee Recommendation**

The House Subcommittee concurs with the Governor.

### **House Committee Recommendation**

The House Committee concurs with the House Subcommittee.

### **House Committee of the Whole Recommendation**

The full House has not taken action on this budget.

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Agency: Adjutant General

Bill No. 643

Bill Sec. 40

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 15,683,267	\$ 15,545,632	\$ 0
Aid to Local Units	7,970,299	7,970,299	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	\$ 23,658,085	\$ 23,520,450	\$ 0
Capital Improvements	553,376	553,376	0
<b>TOTAL</b>	<b>\$ 24,211,461</b>	<b>\$ 24,073,826</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 3,883,131	\$ 3,819,156	\$ 0
Aid to Local Units	24,204	24,204	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	\$ 3,911,854	\$ 3,847,879	\$ 0
Capital Improvements	276,688	276,688	0
<b>TOTAL</b>	<b>\$ 4,188,542</b>	<b>\$ 4,124,567</b>	<b>\$ 0</b>
FTE Positions	222.0	219.0	0.0
Unclass. Temp. Positions	35.0	35.0	0.0
<b>TOTAL</b>	<b>257.0</b>	<b>254.0</b>	<b>0.0</b>

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor.

*Pat Ranson*  
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 Senator Pat Ranson, Subcommittee Chair

*Paul Feleciano, Jr.*  
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 Senator Paul Feleciano, Jr.

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**SUBCOMMITTEE REPORT**

Agency: Adjutant General

Bill No. 2893

Bill Sec. 80

Analyst: Mills

Analysis Pg. No. 413

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 15,488,720	\$ 14,483,025	\$ 33,000
Aid to Local Units	917,748	917,748	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	\$ 16,410,987	\$ 15,405,292	\$ 33,000
Capital Improvements	3,586,456	2,492,881	0
<b>TOTAL</b>	<b>\$ 19,997,443</b>	<b>\$ 17,898,173</b>	<b>\$ 33,000</b>
<b>State General Fund:</b>			
State Operations	\$ 4,718,718	\$ 3,898,246	\$ 33,000
Aid to Local Units	24,204	24,204	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	\$ 4,747,441	\$ 3,926,969	\$ 33,000
Capital Improvements	2,017,213	589,790	0
<b>TOTAL</b>	<b>\$ 6,764,654</b>	<b>\$ 4,516,759</b>	<b>\$ 33,000</b>
FTE Positions	229.0	219.0	0.0
Unclassified Temp. Positions	34.0	29.0	0.0
<b>TOTAL</b>	<b>263.0</b>	<b>248.0</b>	<b>0.0</b>

**Agency Request/Governor's Recommendation**

The agency request for operating expenditures in FY 1999 totals \$16,410,987 (All Funds), which is a decrease of \$7,247,098 from the revised estimate for FY 1998. The bulk of the decrease is attributed to a reduction of \$8,082,685 in spending from other funds, largely federal aid payments associated with the flood damage of the Summer Flood of 1993. Of the total request for operating expenditures, \$4,747,441 is from the State General Fund and \$11,663,546 is from other funds, largely federal funds. The total request is composed of \$16,410,987 for state operations, \$917,748 for aid to local units, and \$4,519 for other assistance. The agency requests 10.0 FTE new positions, including the 3.0 new requested for FY 1998, and associated salaries and wages funding of \$551,063.

- ◆ **New Positions.** The agency requests 10.0 FTE new positions (3.0 of the new FTE positions were also requested in FY 1998), as part of the requested enhancement packages. The requested

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positions and associated funding, including fringe benefits, are summarized in the table below.

Program	Position	New FTE Positions		Funding	
		FTE	Funding Req.	Federal	State
Operational Mgt.	Emerg. Info. System Admin.	1.0	\$ 40,398	35%	65%
	User Consultant	2.0	80,796	35%	65%
	EIS Data Specialist	1.0	24,120	35%	65%
DEM-Operations	Attorney IV*	1.0	71,603	50%	50%
DEM-Tech. Hazards	Chemist II*	1.0	33,541	0%	100%
	Planner II*	2.0	80,483	0%	100%
DEM-Planning	Planner II	2.0	79,225	0%	100%
TOTAL		10.0	\$ 410,166	\$ 86,661	\$ 323,505

\* These 3.0 new positions are also requested in the current year (only 1.0 Planner position).

The Governor does not recommend any new positions.

Enhancement	FY 1999 Enhancements					
	Agency Request			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Additional Utilities Funds-Forbes	\$ 16,794	\$ 67,176	0.0	\$ 17,067	\$ 68,268	0.0
Radioactive Waste Transportation Program	144,024	144,024	3.0	0	0	0.0
Storm Sewer Drain-Olathe Armory	33,000	33,000	0.0	0	0	0.0
Industry Emergency Planners-2.0 FTE	102,225	102,225	2.0	0	0	0.0
Information Technology (IT) Section	359,754	410,614	4.0	0	0	0.0
1.0 Mitigation Officer (Attorney IV)	53,570	107,140	1.0	0	0	0.0
4.0 Unclassified Temp. Repairmen-McConnell	28,843	115,373	0.0	0	0	0.0
Lawn mowers for Armories	46,000	50,500	0.0	0	0	0.0
Microfilm Machine	15,000	15,000	0.0	0	0	0.0
Mowing Equipment-McConnell	10,000	40,000	0.0	0	0	0.0
1.0 Unclass. Temp. Security Officer-Forbes	0	25,524	0.0	0	0	0.0
<b>TOTAL - FY 1999 Enhancement Request</b>	<b>\$ 809,210</b>	<b>\$ 1,110,576</b>	<b>10.0</b>	<b>\$ 17,067</b>	<b>\$ 68,268</b>	<b>0.0</b>

The Governor recommends an FY 1999 operating budget of \$15,405,292, which is a decrease of \$8.1 million from the current year estimate. This large decrease is the result of reduced federal flood relief funds related to the Flood of 1993. The Governor's recommendation of \$15.4 million is composed of \$3.9 million from the State General Fund and \$11.5 million from other, largely federal, funds. The

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Governor does not recommend any new positions in FY 1999. The Governor's recommendation of \$3.9 million from the State General Fund is an increase of 2.1 percent over the current year.

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor, with the following adjustments and observations:

1. Add \$33,000 (State General Fund) for a maintenance project to install on storm sewer drain at the Olathe Armory, as requested by the agency. The Subcommittee received testimony that the building is being damaged by water because of the lack of a storm sewer drain to divert the water away from the armory. The foundation drain was included in the original plans for the building, but the federal National Guard Bureau found the drain to be "nonessential" and would not authorize federal support for this item. The Subcommittee recommends that this project be funded to protect the state's investment in the Olathe Armory.
2. The House Subcommittee wishes to commend the Adjutant General and staff for their development of a long-range capital improvement plan for the state's armories, which was requested by this Subcommittee during the 1997 Session. The agency plan, "Armory Rehabilitation: Ten Year Plan 1999-2008 (July 1997)," was developed in-house by this agency and is a well reasoned blueprint for protecting and rehabilitating the state's armories. The estimated cost of the 10-year plan is \$19.9 million, or roughly \$2.0 million dollars per year. In his FY 1999 budget, the Governor has recommended capital improvement funding of \$2.5 million, which includes several components of items recommended in the 10-year long-range plan. The House Subcommittee expresses its strong support for implementation of the 10-year plan and recommends that the Governor and the Legislature actively cooperate to provide adequate funding to make the "Armory Rehabilitation " plan a reality.

The Subcommittee urges the Adjutant General to utilize his engineering battalions, as well as inmate labor, to the maximum extent possible in completing the rehabilitation and repair projects. The agency has been successful in using some inmate labor, particularly in the Norton area and in some other areas of the state.

3. The House Subcommittee notes that the Adjutant General has no dedicated funding source for the rehabilitation and repair of the various properties owned by the agency. The Regents institutions, the SRS facilities, and the correctional institutions all benefit because of the existence of a dedicated funding source for rehabilitation and repair projects. Such is not the case with the Adjutant General's properties. The House Subcommittee recommends that the Governor consider the issue of developing some type of dedicated funding source to be earmarked for rehabilitation and repair projects for the Adjutant General's Department.
4. The Committee received testimony concerning the possible reduction of federal funding for the STARBASE program. This program, which is 100-percent federally funded, is an effort to improve the mathematics, science, and technology skills of fourth, fifth, and sixth grade Kansas school children. The two sites are located at

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Forbes Field in Topeka and McConnell Air Force Base in Wichita. The agency stated that federal funding has been declining and the program will have to seek alternative funding sources. While the Subcommittee is generally supportive of this educational program, the Subcommittee is not willing to recommend that state resources be expended to offset the loss of federal funds. The Subcommittee plans to monitor the funding situation for the STARBASE program.

5. The House Subcommittee notes that the FY 1998 budget of the Adjutant General includes federal funds of over \$7.0 million which are associated with flood relief efforts as a result of the 1993 flood in Kansas. This level of federal aid will be reduced as the flood repair efforts are completed.
6. The House Subcommittee recommends that an interim study be approved to review the issue of hazardous and nuclear incident response programs in the state. The House Subcommittee notes that currently, several state agencies have duties regarding hazardous and nuclear materials, including the Adjutant General, Highway Patrol, Kansas Department of Transportation, State Fire Marshal, and the Department of Health and Environment. In his FY 1999 budget request, the State Fire Marshal asked for 4.0 new FTE positions and \$161,242 to create a new Hazardous Materials Incident Response Program, which would assume total responsibility for hazardous materials incident response coordination in Kansas. The House Subcommittee is also aware that the Adjutant General, in his FY 1999 budget request, asked for 3.0 new FTE positions and \$144,024 for a "Radioactive Waste Transportation Program," related to the disposal of high level radioactive waste and the transportation of spent nuclear fuel through Kansas. As a final example, the FY 1998 budget request of the Highway Patrol sought funding of \$1.1 million and 34.0 new FTE positions to establish a "Coordinated Hazardous Materials Emergency Response Team," which would coordinate the emergency response efforts of the Patrol, the Adjutant General, and the Department of Health and Environment. None of the above requests received approval.

It is clear to the House Subcommittee that there is no coordinated policy in Kansas relative to hazardous and nuclear incident response programs. The House Subcommittee feels that one state agency should be designated as the lead agency, which would be responsible for developing a well-trained and well-equipped response capacity in Kansas. The Subcommittee recommends that an interim study be approved to review this issue. The House Subcommittee believes that the Adjutant General's Department is probably best suited to serve as the lead agency in this area and recommends that the interim study consider granting overall coordinating responsibility to the Adjutant General.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee, with the following additional recommendations:

1. The House Committee recommends that the following two items be flagged for Omnibus review:

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- a. the possible loss of federal funding for the STARBASE program; and
- b. the operation and funding level of the National Guard Educational Assistance Program which was created by 1996 S.B. 670.

**House Committee of the Whole Recommendation**

The full House has not taken action on this budget.

Agency: Adjutant General

Bill No. 642

Bill Sec. 80

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 15,488,720	\$ 14,483,025	\$ (64,884)*
Aid to Local Units	917,748	917,748	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	<u>\$ 16,410,987</u>	<u>\$ 15,405,292</u>	<u>\$ (64,884)</u>
Capital Improvements	3,586,456	2,492,881	0
TOTAL	<u><u>\$ 19,997,443</u></u>	<u><u>\$ 17,898,173</u></u>	<u><u>\$ (64,884)</u></u>
State General Fund:			
State Operations	\$ 4,718,718	\$ 3,898,246	\$ 67,484
Aid to Local Units	24,204	24,204	0
Other Assistance	4,519	4,519	0
Subtotal - Operating	<u>\$ 4,747,441</u>	<u>\$ 3,926,969</u>	<u>\$ 67,484</u>
Capital Improvements	2,017,213	589,790	0
TOTAL	<u><u>\$ 6,764,654</u></u>	<u><u>\$ 4,516,759</u></u>	<u><u>\$ 67,484</u></u>
FTE Positions	229.0	219.0	0.0
Unclassified Temp. Positions	34.0	29.0	5.0
TOTAL	<u><u>263.0</u></u>	<u><u>248.0</u></u>	<u><u>5.0</u></u>

\* Includes a reduction of \$304,386 (of which \$59,964 is from the State General Fund) for the Governor's employee salary adjustments.

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## Senate Subcommittee Recommendation


The Senate Subcommittee concurs with the Governor, with the following adjustments:

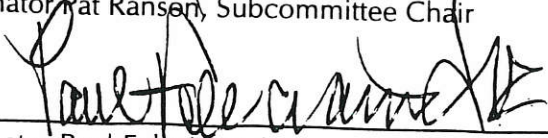
1. Delete \$304,386 (of which \$59,964 is from the State General Fund) based on the recommendation to delete funding for the 4.0 percent unclassified merit pool (\$226,151); classified step movement (\$36,447); longevity bond payments (\$17,366); and the 1.5 percent classified base salary adjustment (\$24,422) from individual agency budgets.
2. Add \$98,605 (SGF) for the National Guard Educational Assistance Program in FY 1999. The Governor has recommended \$101,395 (SGF) for this program in FY 1999; the Subcommittee recommendation would provide a total of \$200,000 for this program in FY 1999. The 1996 Legislature enacted S.B. 670 which created the Kansas National Guard Educational Assistance Program for the purpose of providing state payment of tuition and fees for eligible members of the Kansas Army and Air National Guard at Kansas educational institutions. The first funding for the program was approved by the 1997 Legislature, which appropriated \$100,000 (SGF) for FY 1998. The agency reports that, during the fall 1997 semester, 235 scholarships were awarded to Army and Air Guard soldiers at an average of \$425 per student; this resulted in an expenditure of \$99,925 which left no funding available for the spring 1998 semester. The Subcommittee notes that the agency requested and the Governor funded the program at \$101,395 for FY 1999, essentially at the same level as the current year. The Subcommittee recommendation of \$200,000 would provide full-year funding for about 225 students. The Subcommittee believes that this educational assistance program is an excellent recruiting tool and the Subcommittee recommends the enhanced funding to encourage a strong and active National Guard in Kansas.
3. Add \$25,524 (federal funds) for 1.0 unclassified temporary security officer position at Forbes Air Force Base in Topeka. There are currently 8.0 such positions at Forbes. The new position is 100 percent federally funded.
4. Add \$115,373 (of which \$28,843 is from the SGF) and 4.0 new unclassified temporary facility maintenance repairman positions at McConnell Air Force Base in Wichita. There are currently 7.0 such positions at McConnell. The new positions are funded 25 percent state/75 percent federal. The mission changeover to the B-1 bomber at McConnell has greatly increased the workload of the repair technicians at the base.
5. Lastly, the Subcommittee notes that additional state funding of \$150,000 was requested for the STARBASE program, which is anticipating a loss of federal funding in the future. It was stated that pledges have been made to raise \$86,000 in private funds to continue this educational program for fourth through sixth grade Kansas students. The programs are located at Forbes in Topeka and McConnell in Wichita. Testimony indicated that there are plans to expand the program to the middle school and high school level. While the Subcommittee is somewhat supportive of the program, it does not believe that state resources should be committed to the Adjutant

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for this purpose. The Subcommittee believes that this is an education function and should be funded in the education budget.

  
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Senator Pat Ranson, Subcommittee Chair

  
\_\_\_\_\_  
Senator Paul Feleciano, Jr.

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**SUBCOMMITTEE REPORT**

**Agency:** State Fire Marshal

**Bill No.** 2895

**Bill Sec.** 30

**Analyst:** Mills

**Analysis Pg. No.** 491

**Budget Page No.** 185

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 2,402,754	\$ 2,382,247	\$ 0
Aid to Local Units	25,000	0	0
Other Assistance	<u>0</u>	<u>25,000</u>	<u>0</u>
Subtotal - Operating	\$ 2,427,754	\$ 2,427,754	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL</b>	<b><u><u>\$ 2,427,754</u></u></b>	<b><u><u>\$ 2,427,754</u></u></b>	<b><u><u>\$ 0</u></u></b>
<b>State General Fund:</b>			
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>
<b>TOTAL</b>	<b><u><u>\$ 0</u></u></b>	<b><u><u>\$ 0</u></u></b>	<b><u><u>\$ 0</u></u></b>
FTE Positions	40.0	40.0	0.0
Unclassified Temp. Positions	<u>2.0</u>	<u>2.0</u>	<u>0.0</u>
<b>TOTAL</b>	<b><u><u>42.0</u></u></b>	<b><u><u>42.0</u></u></b>	<b><u><u>0.0</u></u></b>

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1998 estimate is \$2,427,754, (of which \$2,274,093, is from the Fire Marshal Fee Fund and \$153,661 is from federal funds). The revised estimate is an increase of \$182,756 over the amount approved by the 1997 Legislature. This increase is largely attributed to the receipt of federal funds which were not originally budgeted (\$153,661) and expenditures from KQM savings (\$16,852).

**The Governor recommends** FY 1998 expenditures of \$2,407,247 (of which \$2,253,586 is from the Fire Marshal Fee Fund and \$153,661 is from federal funds), a reduction of \$20,507 (0.8 percent) from the agency estimate. The Governor's recommendation makes the reduction in salaries and wages of \$20,507.

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Attachment 5-1*

### House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee.

### House Committee of the Whole Recommendation

The full House has not taken action of this budget.

Agency: State Fire Marshal

Bill No. 643

Bill Sec. 30

<u>Expenditure Summary</u>	<u>Agency Estimate FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,402,754	\$ 2,382,247	\$ 0
Aid to Local Units	25,000	0	0
Other Assistance	0	25,000	0
Subtotal - Operating	<u>\$ 2,427,754</u>	<u>\$ 2,427,754</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 2,427,754</u></u>	<u><u>\$ 2,427,754</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
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	2.0	2.0	0.0
TOTAL	<u><u>42.0</u></u>	<u><u>42.0</u></u>	<u><u>0.0</u></u>

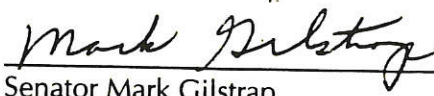
### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor.

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Attachment 5-2*



Senator Stephen Morris  
Subcommittee Chairperson



Senator Mark Gilstrap

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Attachment 5-3



**SUBCOMMITTEE REPORT**

Agency: State Fire Marshal

Bill No. 2893

Bill Sec. 81

Analyst: Mills

Analysis Pg. No. 491

Budget Page No. 185

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,618,499	\$ 2,391,275	\$ 71,319
Aid to Local Units	0	0	0
Other Assistance	25,000	25,000	0
Subtotal - Operating	\$ 2,643,499	\$ 2,416,275	\$ 71,319
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 2,643,499</b>	<b>\$ 2,416,275</b>	<b>\$ 71,319</b>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	0	0	0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
FTE Positions	45.0	40.0	1.0
Unclassified Temp. Positions	2.0	2.0	0.0
<b>TOTAL</b>	<b>47.0</b>	<b>42.0</b>	<b>1.0</b>

**Agency Request/Governor's Recommendation**

The agency requests funding for FY 1999 operating expenditures of \$2,643,499, of which \$2,575,323 is from the Fire Marshal Fee Fund and \$68,176 is from federal funds.

**Absent requested FY 1999 enhancements**, the agency request for FY 1999 represents a decrease of \$16,816 (or 0.7 percent) from the current year estimate.

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*Attachment 5-4*

## FY 1999 Enhancements

Enhancement	Agency Request			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Hazardous Materials Incident Response Program	\$ 0	\$ 161,242	4.0	\$ 0	0	0.0
Fire Investigation Division—Public Service Executive II Position	0	71,319	1.0	0	0	0.0
<b>TOTAL - FY 1999 Enhancement Request</b>	<b>\$ 0</b>	<b>\$ 232,561</b>	<b>5.0</b>	<b>\$ 0</b>	<b>0</b>	<b>0.0</b>

### FY 1999 Enhancements

- ◆ **Hazardous Materials Incident Response Program.** The agency requests funding of \$161,242 (Fire Marshal Fee Fund) and 4.0 FTE new positions to create a new program in the Administration Division: a Hazardous Materials Incident Response Program. Salaries and wages funding of \$139,616 would allow for the creation of 4.0 new positions: a Coordinator, a Training Coordinator, an Office Specialist, and an Office Assistant. Other requested funding includes \$13,386 for other operating expenditures and \$8,240 for capital outlay (two workstations and laptop computers). The new program would be responsible for responding to and stabilizing hazardous materials incidents in Kansas. Under the proposal, the agency states that the State Fire Marshal's Office would assume total responsibility for hazardous materials incident response coordination. **(Staff Note:** Currently, several state agencies have duties regarding hazardous materials, including the Adjutant General, Highway Patrol, KDOT, and the Department of Health and Environment.)
  
- ◆ **Public Service Executive II Position.** The agency requests funding of \$71,319 (Fire Marshal Fee Fund) for the creation of 1.0 new Public Service Executive II position in the Fire Investigation Division. The agency states that the new position would manage the Fire Investigation Division. The agency is restructuring this division and has eliminated the Chief position. Funding includes \$51,230 for salary expenses, \$13,289 for other operating expenditures, and \$6,800 for capital outlay (a laptop computer and mobile radio).

The Governor recommends no funding for the requested enhancements.

The Governor recommends FY 1999 operating expenditures of \$2,416,275, an increase of \$9,028 (0.4 percent) over the current year recommendation. The FY 1999 recommendation is a reduction of \$227,224 from the agency request, which reflects reductions for the 5.0 new FTE positions which were not recommended (\$190,846), and other expenditures associated with the requested enhancements which were not funded (\$36,378). The funding is composed of \$2,348,099 from the Fire Marshal Fee Fund and \$68,176 from federal funds.

**Fire Marshal Fee Fund.** The Consensus Revenue Estimating Group assumes discretionary transfers of \$1.0 million in FY 1998 and \$600,000 in FY 1999 to the State General Fund.

The Governor recommends estimated insurance premium receipts of \$2,900,000 in FY 1998 and \$2,450,000 in FY 1999 for the Fire Marshal Fee Fund. The Governor also recommends discretionary transfers of \$1.0 million in FY 1998 and \$600,000 in FY 1999 to the State General Fund.

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Attachment 5-5

In addition, the *Governor's Budget Report* indicates that the Governor has directed the Fire Marshal to reduce fire insurance premium levies in order to eliminate excess monies beyond those needed for operation of the Fire Marshal's Office. This will eliminate the need for a discretionary transfer to the State General Fund in future years.

### House Subcommittee Recommendation

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

1. Add \$71,319 (Fire Marshal Fee Fund) for the creation of 1.0 new FTE Public Service Executive II position in the Fire Investigation Division, as requested by the State Fire Marshal. The agency states that the new position would manage the Fire Investigation Division. The agency is restructuring this Division and has eliminated the former Chief position. The recommended funding is composed of \$51,230 for salary expenses, \$13,289 for other operating expenditures, and \$6,800 for capital outlay (a laptop computer and mobile radio).

The State Fire Marshal provided the following performance measures which would be improved if the new FTE position is approved.

Performance Indicators	FY 1998	FY 1999
Increase the number of arson fires the State Fire Marshal investigated by better educating local jurisdictions on cause and origin determination	179	> 179
Provide local jurisdictions, law enforcement, and fire officials, with training on fire cause and determination, how and when to call in a State Fire Marshal investigator, and scene preservation.	0	6
Establish response time protocols to incidents, first contact, and initial assessment over the phone.	0	Within 4 hours.
Establish response time protocols for on-scene arrival.	0	Within 24 hours.
Provide written procedures to local fire departments on how to contact a State Fire Marshal investigator or to secure an investigation.	0	672
Provide written procedures to county sheriffs departments on how to contact a State Fire Marshal investigator or to secure an investigation.	0	105
Increase the number of fires the State Fire Marshal is able to respond to with investigation staff through better resource management.	379	450

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Attachment 5-6

2. The House Subcommittee recommends that an interim study be approved to review the issue of hazardous and nuclear incident response programs in the state. The House Subcommittee notes that currently, several state agencies have duties regarding hazardous and nuclear materials, including the Adjutant General, Highway Patrol, Kansas Department of Transportation, State Fire Marshal, and the Department of Health and Environment. In his FY 1999 budget request, the State Fire Marshal asked for 4.0 new FTE positions and \$161,242 to create a new Hazardous Materials incident Response Program, which would assume total responsibility for hazardous materials incident response coordination in Kansas. The House Subcommittee is also aware that the Adjutant General, in his FY 1999 budget request, asked for 3.0 new FTE positions and \$144,024 for a "Radioactive Waste Transportation Program," related to the disposal of high level radioactive waste and the transportation of spent nuclear fuel through Kansas. As a final example, the FY 1998 budget request of the Highway Patrol sought funding of \$1.1 million and 34.0 new FTE positions to establish a "Coordinated Hazardous Materials Emergency Response Team," which would coordinate the emergency response efforts of the Patrol, the Adjutant General, and the Department of Health and Environment. None of the above requests received approval.

It is clear to the House Subcommittee that there is no coordinated policy in Kansas relative to hazardous and nuclear incident response programs. The House Subcommittee feels that one state agency should be designated as the lead agency, which would be responsible for developing a well-trained and well-equipped response capacity in Kansas. The Subcommittee recommends that an interim study be approved to review this issue. The House Subcommittee believes that the Adjutant General's Department is probably best suited to serve as the lead agency in this area and recommends that the interim study consider granting overall coordinating responsibility to the Adjutant General.

### **House Committee Recommendation**

The House Committee concurs with the House Subcommittee.

### **House Committee of the Whole Recommendation**

The full House has not taken action on this bill.

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Attachment 5-7

Agency: State Fire Marshal

Bill No. 642

Bill Sec. 81

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,618,499	\$ 2,391,275	\$ (10,033)*
Aid to Local Units	0	0	0
Other Assistance	25,000	25,000	0
Subtotal - Operating	<u>\$ 2,643,499</u>	<u>\$ 2,416,275</u>	<u>\$ (10,033)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 2,643,499</u></u>	<u><u>\$ 2,416,275</u></u>	<u><u>\$ (10,033)</u></u>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>0</u>	<u>0</u>	<u>0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	45.0	40.0	1.0
Unclassified Temp. Positions	2.0	2.0	0.0
TOTAL	<u><u>47.0</u></u>	<u><u>42.0</u></u>	<u><u>1.0</u></u>

\* Includes a reduction of \$81,352 (Fire Marshal Fee Fund) for the Governor's employee salary adjustments.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor, with the following adjustment:

1. Delete \$81,352 (Fire Marshal Fee Fund) based on the recommendation to delete funding for the 4.0 percent unclassified merit pool (\$7,118); classified step movement (\$40,043); longevity bonus payments (\$12,562); and the 1.5 percent classified base salary adjustment (\$21,629) from individual agency budgets.
2. Add \$71,319 (Fire Marshal Fee Fund) for the creation of 1.0 new FTE Public Service Executive II position in the Fire Investigation Division, as requested by the State Fire Marshal. The agency states that the new position would manage the Fire Investigation Division. The agency is restructuring this Division and has eliminated the

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Attachment 5-8*

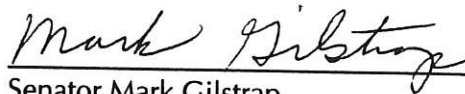
former Chief position. The recommended funding is composed of \$51,230 for salary expenses, \$13,289 for other operating expenditures, and \$6,800 for capital outlay (a laptop computer and mobile radio).

The State Fire Marshal provided the following performance measures which would be improved if the new FTE position is approved.

<u>Performance Indicators</u>	<u>FY 1998</u>	<u>FY 1999</u>
Increase the number of arson fires the State Fire Marshal investigated by better educating local jurisdictions on cause and origin determination	179	> 179
Provide local jurisdictions, law enforcement, and fire officials, with training on fire cause and determination, how and when to call in a State Fire Marshal investigator, and scene preservation.	0	6
Establish response time protocols to incidents, first contact, and initial assessment over the phone.	0	Within 4 hours.
Establish response time protocols for on-scene arrival.	0	Within 24 hours.
Provide written procedures to local fire departments on how to contact a State Fire Marshal investigator or to secure an investigation.	0	672
Provide written procedures to county sheriffs departments on how to contact a State Fire Marshal investigator or to secure an investigation.	0	105
Increase the number of fires the State Fire Marshal is able to respond to with investigation staff through better resource management.	379	450



Senator Stephen Morris  
Subcommittee Chair



Senator Mark Gilstrap

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Attachment 5-9

**SUBCOMMITTEE REPORT**

Agency: Highway Patrol

Bill No. --

Bill Sec. --

Analyst: Mills

Analysis Pg. No. 501

Budget Page No. 235

<u>Expenditure Summary</u>	<u>Agency Est. FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 41,919,562	\$ 41,919,563	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 41,919,562	\$ 41,919,563	\$ 0
Capital Improvements	595,176	595,176	0
<b>TOTAL</b>	<b>\$ 42,514,738</b>	<b>\$ 42,514,739</b>	<b>\$ 0</b>
State General Fund:			
State Operations	\$ 23,602,191	\$ 23,602,191	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 23,602,191	\$ 23,602,191	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 23,602,191</b>	<b>\$ 23,602,191</b>	<b>\$ 0</b>
FTE Positions	780.8	780.8	0.0
Unclassified Temp. Positions	14.0	14.0	0.0
<b>TOTAL</b>	<b>794.8</b>	<b>794.8</b>	<b>0.0</b>

**Agency Est./Governor's Recommendation**

The agency's revised current year estimate for operating expenditures is \$41,919,562, which is a reduction of \$28,605 from the State General Fund and \$805,094 from other funds from the approved budget. The underspending is found in the other funds category, principally in the KHP Motor Vehicle Fund and the Motor Carrier Safety Assistance Program, which is offset by increased expenditures in federal funds and the Capitol Area Security Fund (as noted below).

At its meeting on June 18, 1997, the State Finance Council authorized 6.0 FTE new positions in the current year. The positions are 5.0 Police Officer positions and 1.0 Sergeant position to provide security at the West Complex (the former Topeka State Hospital). Requested funding for the new positions totals \$253,616 (Capitol Area Security Fund) and is composed of \$197,835 in salaries and wages and \$55,781 for other operating expenditures.

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Attachment 6-1*

The Governor basically concurs with the agency request for FY 1998, making one minor change.

### House Subcommittee Recommendations

The House Subcommittee concurs with the Governor, with the following comment:

1. The House Subcommittee notes that the 1997 Legislature approved both funding and positions associated with the closing of Topeka State Hospital. The State Finance Council on June 18, 1997 authorized 6.0 FTE of these positions for the Highway Patrol to provide security at the West Complex (the former Topeka State Hospital). The 1997 Legislature also deleted 24.7 FTE positions from the Patrol's budget in FY 1998 to reflect the Governor's 5 percent workforce reduction. The House Subcommittee concurs with the Governor in placing these 6.0 FTE positions in the Capitol Area Security Patrol program.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee.

### House Committee of the Whole Recommendation

The full House has not taken action on this budget.

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Attachment 6-2



Agency: Highway Patrol

Bill No. -

Bill Sec. -

<u>Expenditure Summary</u>	<u>Agency Est. FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 41,919,562	\$ 41,919,563	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 41,919,562	\$ 41,919,563	\$ 0
Capital Improvements	595,176	595,176	0
<b>TOTAL</b>	<b>\$ 42,514,738</b>	<b>\$ 42,514,739</b>	<b>\$ 0</b>
State General Fund:			
State Operations	\$ 23,602,191	\$ 23,602,191	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 23,602,191	\$ 23,602,191	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 23,602,191</b>	<b>\$ 23,602,191</b>	<b>\$ 0</b>
FTE Positions	780.8	780.8	0.0
Unclassified Temp. Positions	14.0	14.0	0.0
<b>TOTAL</b>	<b>794.8</b>	<b>794.8</b>	<b>0.0</b>

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor.

  
 Senator Stephen Morris, Subcommittee Chairman

  
 Senator Mark Gilstrap

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 Attachment 6-3

**SUBCOMMITTEE REPORT**

**Agency:** Highway Patrol

**Bill No.** 2893

**Bill Sec.** 83

**Analyst:** Mills

**Analysis Pg. No.** 501

**Budget Page No.** 235

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 44,994,956	\$ 43,811,013	\$ 791,620
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 44,994,956	\$ 43,811,013	\$ 791,620
Capital Improvements	1,027,138	476,138	0
<b>TOTAL</b>	<b>\$ 46,022,094</b>	<b>\$ 44,287,151</b>	<b>\$ 791,620</b>
State General Fund:			
State Operations	\$ 25,603,638	\$ 24,278,270	\$ 791,620
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 25,603,638	\$ 24,278,270	\$ 791,620
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 25,603,638</b>	<b>\$ 24,278,270</b>	<b>\$ 791,620</b>
FTE Positions	820.8	780.8	10.0
Unclassified Temp. Positions	14.0	14.0	0.0
<b>TOTAL</b>	<b>834.8</b>	<b>794.8</b>	<b>10.0</b>

**Agency Request/Governor's Recommendation**

The agency requests funding of \$44,994,956 in FY 1999 for operating expenditures. This requested funding is composed of \$25,603,638 from the State General Fund and \$19,391,318 from special revenue funds. The requested funding would support 780.8 positions (which includes the 6.0 new positions authorized by the Finance Council in FY 1998), and also allow for the creation of 40.0 new FTE Trooper positions. These 40.0 FTE positions were eliminated over the past two years under the Governor's policy to reduce the number of state employees by 5 percent.

**The Governor recommends** operating expenditures of \$43,811,013 for FY 1999, which is an increase of \$1.9 million (4.5 percent) over the current year. The Governor's recommendation is composed of \$24,278,270 from the State General Fund and \$19,532,743 from other funds. The Governor continues the existing 780.8 FTE positions.

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Attachment 6-4*

Absent requested FY 1999 enhancements, the agency's request would represent an increase of \$1,522,186 or 3.6 percent.

FY 1999 Enhancements						
Enhancement	Agency Request			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
New Trooper Positions	\$ 1,433,208	\$ 1,433,208	40.0	\$ 0	0	0.0
Data Processing – Dedicated Lines	120,000	120,000	0.0	0	0	0.0
<b>TOTAL - FY 1999 Enhancement Request</b>	<b>\$ 1,553,208</b>	<b>\$ 1,553,208</b>	<b>40.0</b>	<b>\$ 0</b>	<b>0</b>	<b>0.0</b>

### FY 1999 Enhancements

- **40.0 New FTE Trooper Positions.** This funding would allow the Highway Patrol Operations Program to implement an enhancement package to create 40.0 FTE new Trooper positions. Funding associated with this enhancement totals \$1,433,208 (all of which is from the State General Fund). The funding for the enhancement is composed of \$330,428 for salaries and wages for the positions (three-months' funding), \$168,580 for contractual services and commodities, and \$934,200 for capital outlay, principally patrol vehicles and weapons.
- **Data Processing–Dedicated Communications Lines.** This funding would allow the Data Processing Program to implement an enhancement package to provide dedicated communication lines for the new central dispatch facility in Salina. The estimated cost for the dedicated lines totals \$120,000 (State General Fund) annually.

The Governor does not recommend funding for the requested enhancements.

### House Subcommittee Recommendation

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

1. Add \$671,620 (State General Fund) and 10.0 new FTE Trooper I positions in FY 1999: this recommendation is to address the need for new Trooper positions in the Highway Patrol. This recommendation is based on first year start-up costs for each Trooper of \$67,162 (which includes \$27,365 for nine-months of salary costs; \$30,456 for a patrol vehicle, weapons and equipment; and \$9,341 for testing, recruiting, and training expenses). The annual cost for each Trooper in subsequent years is estimated to be \$38,799.

The Patrol presented a "Manpower Study" which listed three options for increasing the number of Trooper positions based on varying levels of patrol intervals and the percentage of calls to which an officer could immediately respond. The 10.0 new

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Attachment 6-5*

officers would place additional personnel in the rural areas, increase coverage in the metropolitan areas (Johnson, Shawnee, Sedgwick, and Wyandotte counties), and add needed staff to patrol the Interstate corridors. The new positions would also enhance the Patrol's drug interdiction efforts. The Subcommittee was advised that there are 430.0 FTE law enforcement positions currently approved, including 352.0 road Troopers. The Subcommittee is aware that, over the last two fiscal years, the Highway Patrol has eliminated 40.0 FTE positions under the Governor's policy to reduce the state workforce by 5 percent. The Subcommittee is also aware that the Superintendent has reclassified administrative and management positions in order to place more Troopers on the road. The Subcommittee recommends that the 10.0 new positions be hired in FY 1999. The new positions would begin training in September of 1998.

It is the intent of the Subcommittee that the Highway Patrol coverage in the Kansas City metropolitan area will be restored to the level provided before the recent decision to reduce that coverage.

2. Add \$120,000 (State General Fund) to allow the Data Processing Program to implement an enhancement package to provide dedicated communication lines for the new central dispatch facility in Salina, as requested by the agency. These dedicated communication lines are a necessary part of the new facility and the Subcommittee recommends the requested funding.
3. The House Subcommittee is aware that the Highway Patrol and the Department of Administration are examining various ways to enhance security in the Statehouse and the Capitol Complex, but that the plans have not yet been finalized. The Subcommittee will continue to monitor these efforts to increase security in these state properties.
4. The Subcommittee reviewed agency salary comparisons which compared the salary of Trooper positions to other law enforcement agencies both in Kansas and in surrounding states. However, negotiations are currently ongoing with the troopers' association and the Subcommittee chooses not to comment on the salary issue at this time.
5. The Subcommittee is aware that the agency has requested \$551,000 (Motor Carrier Inspection Fund) in FY 1999 for the purchase of a building in northern Shawnee County to be used as a storage facility for new patrol vehicles and confiscated vehicles. The agency is currently leasing the building at an annual rate of \$18,000. The Subcommittee supports the importance of secure storage for the Patrol's new cars and also to protect confiscated property until it is disposed of. The Subcommittee recommends that the Joint Committee on State Building Construction again review this project and attempt to find alternative funding sources for the purchase of the building.

### House Committee Recommendation

The House Committee concurs with the House Subcommittee.

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Attachment 6-6

### House Committee of the Whole Recommendation

The full House has not taken action on this budget.

Agency: Highway Patrol

Bill No. 642

Bill Sec. 83

<u>Expenditure Summary</u>	<u>Agency Request FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 44,994,956	\$ 43,811,013	\$ (1,207,737) *
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 44,994,956	\$ 43,811,013	\$ (1,207,737)
Capital Improvements	1,027,138	476,138	0
TOTAL	<u>\$ 46,022,094</u>	<u>\$ 44,287,151</u>	<u>\$ (1,207,737)</u>
State General Fund:			
State Operations	\$ 25,603,638	\$ 24,278,270	\$ (765,348)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 25,603,638	\$ 24,278,270	\$ (765,348)
Capital Improvements	0	0	0
TOTAL	<u>\$ 25,603,638</u>	<u>\$ 24,278,270</u>	<u>\$ (765,348)</u>
FTE Positions	820.8	780.8	0.0
Unclassified Temp. Positions	14.0	14.0	0.0
TOTAL	<u>834.8</u>	<u>794.8</u>	<u>0.0</u>

\* Includes a reduction of \$1,327,737 (of which \$885,348 is from the State General Fund) for the Governor's employee salary adjustments.

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor, with the following adjustments:

1. Delete \$1,327,737 (of which \$885,348 is from the State General Fund) based on the recommendation to delete funding for the 4.0 percent unclassified merit pool (\$21,985); classified step movement (\$471,050); longevity bonus payments (\$410,721); and the 1.5 percent classified base salary adjustment (\$423,981) from individual agency budgets.

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Attachment 6-7*

2. The Subcommittee wishes to flag for Omnibus review of the issue of adding new Trooper positions in FY 1999. The agency had requested 40.0 FTE new Trooper positions as an enhancement but the Governor recommended no funding for the new positions. Review of this item at Omnibus would allow the Committee the benefit of the April consensus revenue estimates. If additional funding becomes available, the Subcommittee recommends that the full Committee consider adding 10.0 new FTE Trooper positions in FY 1999. The Subcommittee received estimates of first year start-up costs for each Trooper of \$67,162 (which includes \$27,365 for nine-months of salary costs; \$30,456 for a patrol vehicle, weapons and equipment; and \$9,341 for testing, recruiting, and training expenses). The annual cost for each Trooper in subsequent years is estimated to be \$38,799.

The Patrol presented a "Manpower Study" which listed three options for increasing the number of Trooper positions based on varying levels of patrol intervals and the percentage of calls to which an officer could immediately respond. The 10.0 new officers would place additional personnel in the rural areas, increase coverage in the metropolitan areas (Johnson, Shawnee, Sedgwick, and Wyandotte counties), and add needed staff to patrol the Interstate corridors. The new positions would also enhance the Patrol's drug interdiction efforts. The Subcommittee was advised that there are 430.0 FTE law enforcement positions currently approved, including 352.0 road Troopers. The Subcommittee is aware that, over the last two fiscal years, the Highway Patrol has eliminated 40.0 FTE positions under the Governor's policy to reduce the state workforce by 5 percent. The Subcommittee is also aware that the Superintendent has reclassified administrative and management positions in order to place more Troopers on the road.

3. Add \$120,000 (State General Fund) to allow the Data Processing Program to implement an enhancement package to provide dedicated communication lines for the new central dispatch facility in Salina, as requested by the agency. These dedicated communication lines are a necessary part of the new facility and the Subcommittee recommends the requested funding.
4. The Subcommittee recommends that \$75,000 (State General Fund) be appropriated to the Legislative Coordinating Council to commission a consultant's study of the Patrol's staffing level and management practices. Such a study would be a useful tool in assisting the Legislature to determine the proper and adequate staffing level for the Highway Patrol.
5. The Subcommittee is aware that the agency has requested \$551,000 (Motor Carrier Inspection Fund) in FY 1999 for the purchase of a building in northern Shawnee County to be used as a storage facility for new patrol vehicles and confiscated vehicles. The agency is currently leasing the building at an annual rate of \$18,000. The Subcommittee supports the importance of secure storage for the Patrol's new cars and also to protect confiscated property until it is disposed of. The Subcommittee recommends that the Senate Subcommittee on Capital Improvements and the Joint Committee on State Building Construction again review this project and attempt to find alternative funding sources for the purchase of the building. The Subcommittee has asked the agency to determine whether funds generated through asset forfeitures in drug confiscations could be used for a portion of the purchase price.

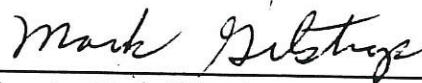
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3/17/98

Attachment 6-8

6. The Subcommittee wishes to commend the Highway Patrol for continued efforts to improve the Kansas Highway Patrol Training Center in Salina. The Subcommittee notes that the Patrol has moved its supply warehouse to the Center and has also moved some troop operations to the Center, as well as the clerical support staff for the Motor Carrier Inspection program. The Subcommittee is aware that the auditorium is not ADA accessible, although the rest of the facility is ADA compliant. The classrooms and dorms at the Center are also used by other agencies for training purposes, and the Patrol is reimbursed for these expenses.
7. The Subcommittee again discussed the issue of the 800 MHZ radio system, which is still in the expansion stage. Testimony indicated that the system has the capability for data communications and computer data lines. It was noted that all of the Troopers in the eastern one-third of the state use the 800 MHZ system to some degree; and that some Troopers have purchased their own cellular phones. The Subcommittee is aware that the full Committee will hold an informational meeting on the 800 MHZ system.
8. The Subcommittee supports the proposed central dispatch facility in Salina which should be an efficient operation, utilizing fewer staff.
9. The Subcommittee reviewed the Post Audit Report on the operation of the Kansas Highway Patrol Motor Vehicle Program (No. 98-43, January 1998). That report concluded that, "in general, the Kansas Highway Patrol appears to be operating its fleet in an efficient and effective manner."



Senator Stephen Morris, Subcommittee Chairman



Senator Mark Gilstrap

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3/17/98

Attachment 6-9

**SUBCOMMITTEE REPORT**

**Agency:** Ombudsman of Corrections

**Bill No.** 2895

**Bill Sec.** 31

**Analyst:** Little

**Analysis Pg. No.** 458

**Budget Page No.** 151

<u>Expenditure Summary</u>	<u>Agency Est. FY 98</u>	<u>Gov. Rec. FY 98*</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 181,749	\$ 184,105	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 181,749</u>	<u>\$ 184,105</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 181,749</u></u>	<u><u>\$ 184,105</u></u>	<u><u>\$ 0</u></u>
<b>State General Fund:</b>			
State Operations	\$ 166,565	\$ 168,921	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 166,565</u>	<u>\$ 168,921</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 166,565</u></u>	<u><u>\$ 168,921</u></u>	<u><u>\$ 0</u></u>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>4.0</u></u>	<u><u>4.0</u></u>	<u><u>0.0</u></u>

\* Includes \$2,356 SGF as supplemental appropriation recommended by the Governor

**Agency Estimate/Governor's Recommendation**

The agency's revised FY 1998 estimate is an increase of \$749 over the amount approved by the 1997 Legislature. The agency was allowed to reappropriate from FY 1997 any savings in its SGF account and the off-budget Department of Corrections' Inmate Benefits Fund account also reappropriated. The total reappropriated amount from FY 1997 is \$749.

**The Governor recommends** funding of \$184,105 (\$168,921 SGF) for FY 1998. The Governor recommends a supplemental SGF appropriation of \$2,356 for operating expenditures.

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Attachment 7-1*



**House Subcommittee Recommendation**

The Subcommittee concurs with the Governor's recommendation, including \$2,356 SGF as a supplemental appropriation.

**House Committee Recommendation**

The House Committee concurs with the Subcommittee.

Agency: Ombudsman of Corrections

Bill No. -

Bill Sec. -

Expenditure Summary	Agency Est. FY 98	Gov. Rec. FY 98	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 181,749	\$ 184,105	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 181,749	\$ 184,105	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 181,749</u>	<u>\$ 184,105</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 166,565	\$ 168,921	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 166,565	\$ 168,921	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 166,565</u>	<u>\$ 168,921</u>	<u>\$ 0</u>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>4.0</u>	<u>4.0</u>	<u>0.0</u>

**Senate Subcommittee Recommendation**

The Subcommittee concurs with the Governor's recommendation with the following comment.

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3/17/98*

*Attachment 7-2*

1. The Ombudsman reported that he may have insufficient funds to continue operating, particularly related to travel expenditures, in the current year. The Ombudsman has been attempting to satisfy a legislative Subcommittee directive last session to visit each correctional facility once every six months. The Subcommittee will review the agency's situation at Omnibus to determine if additional funding may be necessary.

*Pat Ranson*

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Senator Pat Ranson  
Subcommittee Chairperson

*Paul Feleciano, Jr.*

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Senator Paul Feleciano, Jr.

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3/17/98*

*Attachment 7-3*

**SUBCOMMITTEE REPORT**

Agency: Ombudsman of Corrections

Bill No. 2893

Bill Sec. 88

Analyst: Little

Analysis Pg. No. 458

Budget Page No. 151

<u>Expenditure Summary</u>	<u>Agency Req. FY 99</u>	<u>Gov. Rec. FY 99*</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 184,065	\$ 191,131	\$ (1,569)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 184,065	\$ 191,131	\$ (1,569)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 184,065</b>	<b>\$ 191,131</b>	<b>\$ (1,569)</b>
<b>State General Fund:</b>			
State Operations	\$ 169,065	\$ 176,131	\$ (1,569)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 169,065	\$ 176,131	\$ (1,569)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 169,065</b>	<b>\$ 176,131</b>	<b>\$ (1,569)</b>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
<b>TOTAL</b>	<b>4.0</b>	<b>4.0</b>	<b>0.0</b>

\* Includes GBA No. 2, item 13, reducing \$757 SGF.

**Agency Request/Governor's Recommendation**

The agency's FY 1999 request of \$184,065 is an increase of \$2,316, or 1.3 percent, over the FY 1998 estimate. The agency's request includes \$15,000 funding from the Department of Corrections' Inmate Benefit Fund. The agency reports a 35 percent decline in service delivery reflected in the performance measures due to budgetary constraints in FY 1999. The agency reports increased demands on the budget due to an Legislative Subcommittee recommendation to conduct visits to each correctional facility twice yearly.

**The Governor recommends** funding of \$191,888 (\$176,888 SGF) for operating expenditures, an increase of 4.2 percent, including \$170,394 for salaries and wages, \$354 for the 1.5 percent classified

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Attachment 7-4*

base salary adjustment, and \$4,352 (excluding fringe benefits) for the 4.0 percent unclassified merit pool, \$20,557 for contractual services, and \$937 in commodities. The Governor also recommends funding the agency at \$15,000 from the off-budget Department of Corrections' Inmate Benefits Fund.

### House Subcommittee Recommendation

1. The Subcommittee commends the Ombudsman's ability to visit each correctional facility twice per year. During the 1997 Session, the Subcommittee directed the agency to visit each correctional facility every six months. The Ombudsman reports he has fulfilled the Subcommittee's recommendation and is hearing more inmate complaints.
2. The Subcommittee concurs with \$757 SGF reduction is GBA No. 2, item 13 as a technical adjustment to the appropriations bill.
3. Delete \$1,569 SGF to reduce rent due to agency cost savings plans to reduce office space. The Kansas Sentencing Commission is located next to Ombudsman and will take over space in the Ombudsman's offices.
4. The Subcommittee recommends the Legislature explore the creation of an agency, comparable to the Ombudsman, for the purpose of receiving and addressing grievances in the juvenile correctional system. Privacy rights and parental issue for juvenile offenders only serve to increase the potential need for such a program.

### House Committee Recommendation

The House Committee concurs with the Subcommittee recommendation.

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<u>Expenditure Summary</u>	<u>Agency Req. FY 99</u>	<u>Gov. Rec. FY 99*</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 184,065	\$ 191,131	\$ (7,591) **
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 184,065</u>	<u>\$ 191,131</u>	<u>\$ (7,591)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 184,065</u></u>	<u><u>\$ 191,131</u></u>	<u><u>\$ (7,591)</u></u>
State General Fund:			
State Operations	\$ 169,065	\$ 176,131	\$ (7,591)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 169,065</u>	<u>\$ 176,131</u>	<u>\$ (7,591)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 169,065</u></u>	<u><u>\$ 176,131</u></u>	<u><u>\$ (7,591)</u></u>
FTE Positions	4.0	4.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u><u>4.0</u></u>	<u><u>4.0</u></u>	<u><u>0.0</u></u>

\* Includes GBA No. 2, item 13, reducing \$757 SGF.

\*\* Includes reduction of \$6,022 SGF for the Governor's employee salary adjustment.

### Senate Subcommittee Recommendation

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

1. Delete \$6,022 SGF based on the recommendation to delete funding for the 4.0 unclassified merit pool (\$4,958), classified step movement (\$661), and the 1.5 percent classified base salary adjustment (\$403).

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Attachment 7-6

2. Delete \$1,569 SGF to reduce rent due to agency cost savings plans to reduce office space. The Kansas Sentencing Commission is located next to the Ombudsman and will take over space in the Ombudsman's office.
3. The Subcommittee notes that the agency provides a valuable services by addressing inmate complaints and sometimes saves the state money. For example, the Ombudsman has provided information related to problems with the Chemical Dependency Recovery Program at Larned State Hospital and inmate medical situations through contacts with the medical contract monitor. The Ombudsman also reported on alleged problems related to the new education provider, and the inability of some inmates to obtain educational slots.
4. The Subcommittee heard testimony that the Department of Corrections' program to require inmates to pay for personal postage and stationery (except for indigent inmates), may adversely affect inmates' ability to contact the Ombudsman. The agency has requested an exception in the new program to continue public funding for letters to the Ombudsman.
5. The Subcommittee includes the following tables to show the current caseload of the Ombudsman, inmate complaints by facility, and the number of on-site visits.

	<u>Open Cases</u>	<u>Closed Cases</u>
July	112	95
August	67	88
September	99	96
October	98	99
November	94	101
December	135	124
January	95	96
February	94	87
Projected as of March 1, 1998	1,191	1,179

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*3/17/98*  
*Attachment 7-7*

**Number of Complaints by Facility**

Lansing	175
Lansing East	19
Hutchinson	106
Hutchinson East	9
Ellsworth	42
El Dorado	136
El Dorado East	6
El Dorado North	0
Norton	74
Stockton Norton East	4
Osawatomie	4
Topeka South Unit	0
Topeka Central	52
Winfield	78
Wichita Work Release	5
Larned	31
Complaints from Other than Facilities	61
<b>TOTAL</b>	<u><u>802</u></u>

**Caseload Originated From**

Governor's Office	9
Inmates	612
Family of Inmate	110
Legislative	42
State Agencies	29

**Three Most Frequent Complaint Categories**

Sentence Administration	110
Property/Claims	83
Medical/Dental	79

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Attachment 7-8

OMBUDSMAN FOR CORRECTIONS ON-SITE  
VISITS TO CORRECTIONAL FACILITIES

	<u>FY 1997</u>	<u>FY 1998</u>	<u>FY 1999</u>	<u>FY 1998 To Date</u>
Lansing	24	24	24	11
El Dorado	24	24	24	7
Hutchinson	12	12	12	5
Norton	1	2	2	1
Larned Mental Health Facility	4	4	4	2
Wichita Work Release	2	2	2	1
Winfield	2	2	2	1
Topeka CF, RDU	30	30	30	13
Ellsworth	2	2	2	1

*Pat Ranson*

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Senator Pat Ranson  
Subcommittee Chairperson

*Paul Feleciano, Jr.*

\_\_\_\_\_  
Senator Paul Feleciano, Jr.

*S. W. M.  
3/17/98*

*Attachment 7-9*



**SUBCOMMITTEE REPORT**

**Agency:** Emergency Medical Services Board

**Bill No. –**

**Bill Sec. –**

**Analyst:** Holman

**Analysis Pg. No. 482**

**Budget Page No. 179**

<u>Expenditure Summary</u>	<u>Agency Est. FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 1,001,352	\$ 1,001,352	\$ 0
Aid to Local Units	68,094	68,094	0
<b>TOTAL</b>	<b><u>\$ 1,069,446</u></b>	<b><u>\$ 1,069,446</u></b>	<b><u>\$ 0</u></b>
State General Fund			
State Operations	\$ 726,382	\$ 724,250	\$ 0
Aid to Local Units	68,094	68,094	0
<b>TOTAL</b>	<b><u>\$ 794,476</u></b>	<b><u>\$ 792,344</u></b>	<b><u>\$ 0</u></b>
FTE Positions	13.0	13.0	0.0
Unclassified Temp. Positions	2.0	2.0	0.0
<b>TOTAL</b>	<b><u>15.0</u></b>	<b><u>15.0</u></b>	<b><u>0.0</u></b>

**Agency Estimate/Governor's Recommendation**

The current year estimate of \$1,069,446 is \$246,570 more than the amount approved by the 1997 Legislature. The State General Fund request of \$794,476 remains the same, while the change in expenditure requested by the agency results from acceptance of a \$250,000 federal grant for Emergency Medical Services for children. Current year funding continues the agency's staff of 13.0 FTE positions while adding two Unclassified Temporary positions, a Registered Nurse IV and a Secretary II, who will work with the emergency Medical Services for Children Program at a cost of \$41,596. It also provides a total of \$68,094 in assistance to the four regional emergency medical service councils. FY 1998 is the first year since most of the funding of the Board has shifted to the State General Fund and the only revenues to the Emergency Medical Services Operating Fund are receipts collected from charges for educational and mailing label materials. This is a result of legislation enacted by the 1996 Legislature which eliminated docket fees as a source to the Emergency Medical Services Operating Fund.

The Governor recommends expenditures of \$1,069,446 from all funding sources in FY 1998, of which \$792,344 is from the State General Fund. The Governor's recommendation for the State General Fund is \$2,132 less than the agency's estimate, while the recommendation for all other funds is \$2,132 above the agency's estimate.

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Attachment 5-1*

**House Subcommittee Recommendation**

The House Subcommittee concurs with the Governor's recommendations.

**House Committee Recommendation**

The House Committee concurs with the House Subcommittee.

Agency: Emergency Medical Services Board

Bill No. -

Bill Sec. -

<u>Expenditure Summary</u>	<u>Agency Est. FY 98</u>	<u>Gov. Rec. FY 98</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 1,001,352	\$ 1,001,352	\$ 0
Aid to Local Units	68,094	68,094	0
<b>TOTAL</b>	<b>\$ 1,069,446</b>	<b>\$ 1,069,446</b>	<b>\$ 0</b>
State General Fund			
State Operations	\$ 726,382	\$ 724,250	\$ 0
Aid to Local Units	68,094	68,094	0
<b>TOTAL</b>	<b>\$ 794,476</b>	<b>\$ 792,344</b>	<b>\$ 0</b>
FTE Positions	13.0	13.0	0.0
Unclassified Temp. Positions	2.0	2.0	0.0
<b>TOTAL</b>	<b>15.0</b>	<b>15.0</b>	<b>0.0</b>

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor's recommendation

*Pat Ranson*  
 \_\_\_\_\_  
 Senator Pat Ranson  
 Subcommittee Chair

*Christine Downey*  
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 Senator Christine Downey

*S W + M*  
*3/17/98*  
*Attachment 8-2*

**SUBCOMMITTEE REPORT**

**Agency:** Emergency Medical Services Board

**Bill No.** 2893

**Bill Sec.** 95

**Analyst:** Holman

**Analysis Pg. No.** 482

**Budget Page No.** 179

<u>Expenditure Summary</u>	<u>Agency Req. FY 99</u>	<u>Gov. Rec. FY 99</u>	<u>House Subcommittee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 929,748	\$ 762,907	\$ 0
Aid to Local Units	100,000	68,094	0
<b>TOTAL</b>	<b><u>\$ 1,029,748</u></b>	<b><u>\$ 831,001</u></b>	<b><u>\$ 0</u></b>
<b>State General Fund:</b>			
State Operations	\$ 927,248	\$ 760,407	\$ 0
Aid to Local Units	100,000	68,094	0
<b>TOTAL</b>	<b><u>\$ 1,029,748</u></b>	<b><u>\$ 828,501</u></b>	<b><u>\$ 0</u></b>
FTE Positions	15.0	13.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
<b>TOTAL</b>	<b><u>15.0</u></b>	<b><u>13.0</u></b>	<b><u>0.0</u></b>

**Agency Request/Governor's Recommendation**

The total requested for FY 1999 is \$1,029,748, a decrease of \$39,698 from the current year. The decrease is due to the absence of a \$250,000 federal grant for Emergency Services for Children which the agency received in FY 1998 as well as the reduction of the Emergency Services Operating fund. there is actually a \$232,772 or 29.3 percent increase in the amount requested from the State General Fund. A noticeable change in the estimated FY 1999 budget is the decrease in revenue to the Emergency Medical Services Operating Fund. As previously stated, this is the result of legislation enacted by the 1996 Legislature that eliminated docket fees as a source of revenue for the Board. The agency only expects to receive \$2,500 in revenue to the EMS Operating Fund in FY 1999.

The Governor recommends expenditures of \$831,001, which is a decrease of \$238,445 or 22.3 percent from the current year and a reduction of \$198,747 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 Governor with the following comments and concerns:

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3/17/98  
Attachment 8-3*

1. The Subcommittee is supportive of the agency's vision for the new regional EMS/trauma councils and notes that this represents good initiative on the part of the agency. However, the Subcommittee expresses concern about the absence of performance measures for the new regional EMS/trauma councils and directs the agency to report back to the Subcommittee with performance measures and quality assurance standards for the new councils.
2. The Subcommittee reaffirms the need for the Legislature to consider consolidation of the Emergency Medical Services Board, the State Highway Patrol, the Kansas Bureau of Investigation and the State Fire Marshal into one agency.

**House Committee Recommendation**

The House Committee concurs with the House Subcommittee.

Agency: Emergency Medical Services Board

Bill No. 642

Bill Sec. 86

Expenditure Summary	Agency Req. FY 99	Gov. Rec. FY 99	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 929,748	\$ 762,907	\$ (22,075)*
Aid to Local Units	100,000	68,094	31,906
TOTAL	<u>\$ 1,029,748</u>	<u>\$ 831,001</u>	<u>\$ 9,831</u>
State General Fund:			
State Operations	\$ 927,248	\$ 760,407	\$ (22,075)*
Aid to Local Units	100,000	68,094	31,906
TOTAL	<u>\$ 1,029,748</u>	<u>\$ 828,501</u>	<u>\$ 9,831</u>
FTE Positions	15.0	13.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>15.0</u>	<u>13.0</u>	<u>0.0</u>

\* Includes a reduction of \$22,075 (all State General Fund) for the Governor's employee salary adjustments:

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3/17/98

Attachment 8-4

## Senate Subcommittee Recommendation

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

1. Delete \$22,075 (all State General Fund) for the Governor's employee salary adjustments including funding for the 4.0 percent unclassified merit pool (\$ 2,754); classified step movement (\$ 8,496); longevity bonus payments (\$ 4,690); and the 1.5 percent classified base salary adjustment (\$ 6,135).
2. Add \$31,906 in Aid to Local Units for additional funding for the four regional Emergency Medical Services Councils.
3. The Subcommittee notes the different functions of the Board of Emergency Medical Services (BEMS) and the four regional Emergency Medical Services Councils. Whereas the Board is a regulatory agency responsible for policy development, regulatory oversight, testing, and licensing, the regional councils are localized agencies which provide assistance and training and are primarily volunteer agencies assisting volunteer EMTs.
4. The Subcommittee notes that the agency has proposed a shift in regional funding from the current four regional Emergency Medical Services Councils to the six regional entities proposed by the EMS/Trauma Policy Project. The creators of the EMS/Trauma Policy Project have requested that the issue be assigned to an Interim Committee. The Subcommittee notes that it would be premature to shift funding to new entities at this time and directs the Board to continue funding the four regional Emergency Medical Services Councils. The Subcommittee further directs the Board to distribute the funds for each council in full at the beginning of the fiscal year. According to the regional councils, the Board's current system of disbursing half of the funds at the beginning of the fiscal year and the remaining half based on grant applications results in uncertainty for the regional councils.
5. The Subcommittee directs the four regional councils to prepare and submit a detailed annual report describing how state aid was used and a proposal for future spending to the Subcommittee during the 1999 Appropriations process.
6. The Subcommittee requests that representatives of the four regional councils be present at the Subcommittee meeting next year and notes that the following representatives of the four regional councils were present and offered testimony to the Subcommittee meeting this year:

Region I: Kerry G. McCue, Hays, Kansas  
Jerry Cunningham, Phillipsburg, Kansas

Region II: Jerry Jo Deckert, Liberal, Kansas

Region III: Jerree Forbes, Hutchinson, Kansas  
Terry David, Lyons, Kansas

Region IV: Carman Flott, Council Grove, Kansas

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7. The Subcommittee notes the vital importance of communications within the Emergency Medical Services population throughout the state. Each community has its own system of emergency services communication ranging from the old 400 megahertz system to cellular phones to the new 800 megahertz system. Each regional representative indicated satisfaction with their current system. It is the Subcommittee's position that neither the state nor the BEMS should mandate the use of any one specific system of communication.

*Pat Ranson*

Senator Pat Ranson  
Subcommittee Chair

*Christine Downey*

Senator Christine Downey

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Attachment 8-6