

Approved: _____
Date

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE.

The meeting was called to order by Vice Chair Melvin Neufeld at 9:00 a.m. on March 15, 1999 in Room 514-S of the Capitol.

All members were present except: Rep. Barbara Ballard

Committee staff present: Legislative Research - Conroy, Little, Waller, Davis, Robinson
Revisor of Statutes - Wilson, Corrigan
Secretary - Ann McMorris

Conferees appearing before the committee:

Rep. Nancy Kirk
Terry Larson, NAMI-Kansas - Alliance Mental Illness
Bryce Miller, NAMI-Kansas - volunteer
Rep. Lynn Jenkins
Pete Doll, YMCA, Topeka
Kharon Hunter, Child Care Advocate/Trainer, Consultant
Candy Shively, Commissioner, SRS Economic & Employment Support Commission
Bill Wolff, Legislative Research
Sen. Karen Brownlee
Rep. Ted Powers
Rep. Bruce Larkin
Emily LaBarge, Marysville, KS.
John Garlinger, SRS Public Information Officer
Steve Kraushaar, lawyer, Marysville

Others attending: See attached list.

Vice Chair Neufeld opened hearing on:

HB 2355 - Memorial for persons in the Topeka state hospital cemetery, advisory committee, gift fund.

Proponents:

Rep. Nancy Kirk ([Attachment 1](#))
Terry Larson, NAMI-Kansas - The Alliance Mental Illness ([Attachment 2](#))
Bryce Miller, NAMI-Kansas-volunteer ([Attachment 3](#))

Chair closed hearing on **HB 2355**.

HB 2533 - Appropriations for FY2000, for department of health and environment, infant and toddler day care loan program.

Proponents:

Rep. Nancy Kirk ([Attachment 4](#))
Rep. Lynn Jenkins ([Attachment 5](#))
Rep. Jenkins noted an omission in the language of the bill and requested an amendment to include language on 3% interest rate on payback after two years with maximum of 5 year period for repayment.
Kharon Hunter, Child Care Advocate ([Attachment 6](#))
Pete Doll, President and CEO, YWCA, Topeka
Mr. Doll spoke in favor of appropriations to provide for a day care loan program.

Neutral:

Candy Shively, commissioner, SRS Economic & Employment Support Commissioner
([Attachment 7](#))

Written testimony from Reva Dywadis, TLC Child Care ([Attachment 8](#))

Chair closed hearing on **HB 2533**.

CONTINUATION SHEET

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE, Room 514-S Statehouse, at 9:00 a.m. on March 15, 1999.

Chair Kline opened hearing on:

SB 170 - Claims against the state.

Dr. Bill Wolff, Legislative Research, explained the various claims and funds to pay those claims set forth in **SB 170** as amended by Senate Committee. The Senate had amended the bill in two areas which Dr. Wolff elaborated on.

Proponents:

Senator Karen Brownlee

Rep. Ted Powers

Rep. Powers offered two balloon amendments to **SB 170**. Neither were acted on due to lack of time to complete the discussion.

Rep. Bruce Larkin

Rep. Larkin requested reinstatement of the LaBarge claim, which was deleted by Senate Committee action on **SB 170**. The LeBarges reside in his district.

Emily LeBarge, Marysville

Mrs. LeBarge recounted the details of their claim, the findings of a specialist on examination of the LeBarge twins, and the actions of SRS. She answered numerous questions from the committee.

Attorney Steve Kraushaar, Marysville who was the prosecutor who recommended dismissal of the child in need of care action concerning the LaBarge children, reviewed the dates of various occurrences in the custody of the twin girls by SRS.

Opponents

John Garlinger, SRS Public Information Officer

Mr. Garlinger reviewed actions taken by Social and Rehabilitation Services in the LeBarge case.

Chair requested further information on actual expenses. Senator Brownlee agreed to provide this data which had been presented to the Joint Committee at their hearing.

Written testimony by Secretary Karla Pierce of Department of Revenue on a claim to Thomas P. Browne, Jr. (Attachment 9)

Due to lack of time, this discussion was closed until the next meeting on March 16.

Adjournment.

Respectfully submitted,

Ann McMorris, Secretary

Attachments - 9

STATE OF KANSAS

NANCY A. KIRK
REPRESENTATIVE, FIFTY-SIXTH DISTRICT
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TOPEKA
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INTERSTATE COOPERATION
JOINT COMMITTEE LONG TERM
CARE SERVICE

TESTIMONY
HB 2355

I wish to thank Chairman Kline for giving us a hearing on HB2355. This is a small bill with a small fiscal note (\$150,000), but it sends a strong, compassionate message to Kansans who suffer from a mental illness.

HB2355 places the cemetery now on the grounds of the former Topeka State Hospital under the management of the Department of Administration and directs the department to place a fence around the cemetery and to establish a suitable memorial. The Kansas Historical Society has the names of 1100 + persons who are buried there and it is our intention that the names will be incorporated into the memorial.

Topeka State Hospital served the mentally ill for more than 100 years. During most of those years, mental illness was an embarrassment to families and they wanted to hide the knowledge that anyone in their family was a patient. As a result there are only a few headstones scattered throughout the cemetery. It is my belief that we have a responsibility to appropriately remember those who are buried there by creating a lasting memorial. I urge your support of HB2355.

Attachment 1-1
House Appropriations Committee
March 15, 1999

Little known about people buried in TSH cemetery

By STEVE FRY
The Capital-Journal

Details are sparse about the people buried during a 75-year span in the cemetery at Topeka State Hospital.

Original records of the burials were handwritten chronologically in two large ledger books. Individual entries tell the patient's name, registration number, date of death, row number, grave number and date of burial, if available. The newer of the two books also notes the exact locations of the graves.

However, the ledgers don't tell a patient's date of birth, age at death, date of admission to the hospital, cause of death or occupation before entering the hospital.

The first person buried in the cemetery was Mary De Groat, who died Aug. 8, 1879, just two months after the hospital was established, according to a cemetery registry. De Groat bore registration Number 10.

"She was probably the 10th patient who was admitted there," said Barbara Hauschild, who has written a book detailing the history of Topeka State Hospital. Before the year ended, five more patients would join De Groat in the cemetery.

The number of burials a year varied widely. In the early years, there were six to 10 burials a year. In 1888, 11 women and 29 men were buried, according to cemetery records. The last patient buried there was Theodore B. Koonse, on July 23, 1954.

After 1954, bodies were returned to the family or the county from which the patient came, Hauschild said.

A total of 1,157 people are buried in the cemetery. No more will be added.

Snippets are known about a handful of the deceased, including Mariah Sheldon Walters.

Sarah McNeive, a Topeka historian and genealogist, first learned about the hospital cemetery about 10 years ago when Judy L. Haun, of Enid, Okla., wrote to her seeking help in finding her great-great grandmother, Mariah Sheldon Walters.

On a map, Haun saw there was a cemetery on the hospital grounds and wondered,

whether Walters, who died in 1891 at age 57, was buried there. At first, Haun and McNeive ran into a state law blocking the release of information about people treated at a mental health facility.

After consultation with the secretary of state's office and an attorney for the Department of Social and Rehabilitation Services, a hospital medical records administrator acknowledged to Haun in 1988 that Walters had been a patient there and was born in 1834.

According to a Walters family story, McNeive said, a relative had been instructed by the hospital to pick up Walters, but she was dead when the relative arrived and hospital officials didn't know where she was.

Haun was "excited" and "stunned" when she got the news about Walters.

"It was amazing that she was there all along," McNeive said.

Haun had a headstone saying Walters is "remembered" placed on her grave.

Through sources, McNeive confirmed two Civil War veterans, Charles E. Scott, a cavalryman from the 4th Ohio Regiment, and James Laird, a corporal from the 3rd Wisconsin Infantry regiment, were buried there, and headstones were set for the two.

McNeive doesn't know whether other military veterans are buried in unmarked graves.

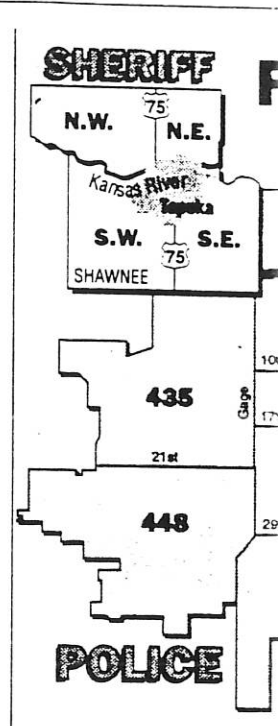
Others buried in the cemetery include Sarah Jane White, the mother of four girls and three boys, whose names are listed on the headstone; Frank Holm, a 47-year-old immigrant born near Stockholm, Sweden; and an elderly woman, Sarah Ann Warner, whose gravestone says she is "gone but not forgotten."

Records of people buried in the cemetery are open to the public at the Kansas Department of Administration or through the Topeka Genealogical Society.

After the state hospital closed in May 1997 and the cemetery was assigned to the Kansas Department of Administration, Art Griggs asked for and got the original "Topeka State Hospital Cemetery Registry." Griggs is chief attorney for the department.

months before a play opens. Productions feature elaborate stage settings — Daddy Warbucks' mansion in "Annie" featured towering doors and a crystal chandelier, for instance, and cast members in "Meet Me in St. Louis" traveled from stage right to stage left on a mobile trolley.

There are no flimsy cardboard sets toppling in the middle of scenes: no tennis shoes poking out from Victorian dresses. At Wetmore High, students wore authentic nuns' habits for "The Sound of Music" and worked



Source: Topeka police and sheriff

The following incidents were reported:

Dist.	Address	Crime
430	N.W. US-75 highway	Police reported they seized and arrested two men who failed to stop at a red light on S.E. Lake, and Mario Benaber with felony theft and misdemeanor.
	841 N.W. Tyler	The victim of the burglary was...
	1114 N.W. Topeka Blvd.	A Kwik Shop reported Friday...
	2100 blk N.W. Linn, Silver Lake Rd.	Reported stolen was a red over...
435	1501 S.W. Wanamaker Rd.	Hypermart USA reported Friday...
	4200 blk S.W. 17th	A woman reported a known person...
440	600 blk S.E. Branner	
	3100 blk S.E. 6th	
441	1000 S. Kansas Ave.	A green 1985 Oldsmobile Cutlass...
443	600 blk S.W. Roosevelt	David L. Craig, 19, 1327 S.W. College
	1000 blk S.W. College	Tools were reported stolen from...
	1300 blk S.W. Buchanan	A screen was torn, but nothing was...
	2516 S.W. Huntoon	Peter and Paul Antiochian Church trash can and a microwave...
445	2500 blk S.W. Gage Blvd.	
446	3100 blk S.W. Randolph	

Wetmore

Continued from page 1-A

want to get back up there and play that part again."

Alumni performers will sing selections from their plays and speak about their parts during the gathering. A tribute is scheduled for six alumni who have died.

Bridging the generations of alumni will be the Armstrongs, who married two years after

L-2
ARLINGTON
Six Flags' water park r
melee — An end-of-school turned into a melee at water park smashing windows and shop.



NAMI KANSAS

THE ALLIANCE ON MENTAL ILLNESS

112 SW 6th Ave., Suite 505, P.O. Box 675, Topeka, KS 66601-0675
Topeka - 785-233-0755 or Toll-Free - 1-800-539-2660 fax 785-233-4804

Kansas' Voice on Mental Illness

Testimony

TO: House Appropriations Committee
FROM: Terry Larson, NAMI Kansas
RE: House Bill 2355
DATE: March 15, 1999

I am speaking to you today in support of HB 2355, relating to the Topeka State Hospital cemetery. The bill would not only preserve the cemetery in its present location but also would create a memorial at the cemetery. There are compelling reasons to support this bill.

First, there are 1,157 individuals buried there; yet, only 15 have headstones. The persons buried there were those whom nobody wanted. The stigma of mental illness in the family often resulted in total abandonment by the family, who wouldn't so much as even buy a headstone. The forgotten people remained forgotten, even in death.

Topeka State Hospital, since its 1997 closure, is gradually losing in our own collective memories, slowly edging toward being forgotten, too. But for 1,157 individuals with serious brain disorders, the cemetery on the hospital grounds continues to be their final resting place. With so little dignity in their lives, it seems that we ought to at least give them a measure of dignity in death. The persons buried at the cemetery were human beings, who deserve to stay where they are, just as we would wish for ourselves and our loved ones.

HB 2355 would also provide for a memorial at the cemetery - something to remind the rest of us that people once lived and died at Topeka State Hospital. A memorial would honor those who suffered from a no-fault mental illness and from the stigma associated with brain disorders.

I strongly urge that you pass this bill as a gesture of compassion for those who never meant to be sick, who never meant to be abandoned by their families and who never meant to die a pauper's death at a state institution. It's the least we can do to begin atoning for past injustices.

Attachment 2-1
House Appropriations Committee
March 15, 1999

NAMI Topeka

P.O. Box 4335
TOPEKA, KANSAS 66604-0335
785-272-1360 OR 785-272-1048

Testimony for House Appropriations Committee Re: HB No. 2355

By Bryce Miller: Member, NAMI Topeka, Steering Committee;
President, Mental Health Assoc. in Kansas, 1985-1986;
Member, Governor's Mental Health Services Planning
Council, 1990-1997;
Member, NAMI Board, Arlington, VA, 1994-1998;
Member, NAMI Kansas Board, 1990-1996;
Member, Mental Health and Older Americans National
CMHS Committee, present

About 15 years ago, I went over to the Topeka State Hospital's greenhouse to check on a Mental Health Center project in the greenhouse. As I parked northwest of the greenhouse, I was shocked to see what appeared to be a cemetery, yet with very few headstones. Like most of its graves, the cemetery itself is unmarked. No signs of stonework are visible, no paths or roads to show it is a cemetery.

The most noticeable things are the concrete pylons at the east and west ends. Labeled "R 0" to "R 14," the pylons mark the east-west where the dead are buried.

Of the 1,157 graves, only 15 headstones were provided. This is less than 2%. This likely means the majority of individuals were not loved enough to have a marked grave.

The cemetery was in operation from 1879 to 1954. Records of people buried in the cemetery are open to the public at the Kansas Dept. of Administrations or through the Topeka Genealogical Society.

Since the hospital closed in May, 1997, local historians and mental health advocates worry about what will happen to the cemetery once the hospital grounds are sold, perhaps to a developer. Will the cemetery be paved over or erased?

"You just don't abandon a cemetery," said Don O'Toole, a retired Army Colonel who does volunteer work for the Topeka Genealogical Society. "People are buried there: it's hallowed."

We are here today to strongly encourage you to pass House Bill No. 2355. This will help correct the situation where we just have an unmarked cemetery hidden by a greenhouse and located on the Topeka State Hospital grounds.

STATE OF KANSAS

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TOPEKA

HOUSE OF
REPRESENTATIVES

TESTIMONY
HB 2533

COMMITTEE ASSIGNMENTS
AGENDA CHAIRPERSON
TAXATION
INSURANCE
KANSAS 2000 SELECT
INTERSTATE COOPERATION
JOINT COMMITTEE LONG TERM
CARE SERVICE

I wish to thank Chairman Kline for allowing us to have a hearing on HB2533. This bill establishes a micro loan program for home day care providers and day care facilities. Preference is to be given to those providers who provide infant and toddler care. The loan is forgiven for two years and the repayment has an interest of 3%.

During a public hearing on the child care crisis we are experiencing in Shawnee County, we learned that one of the barriers to the provision of infant and toddler care is the cost. Included in the cost barrier is the cost for start-up equipment and changes to meet licensing rules and regulations. One of the requirements is a fenced yard. This would require a significant outlay even before children are accepted. Providers cannot get loans for these smaller amounts and often a home day care service is not considered a business. There are grants available as well as business tax credits, but neither of these are available when the provider needs the quick infusion of money. The micro loan program is seen as a mechanism to put money into the day care system quickly to encourage and support the development or expansion of programs serving infant and toddlers.

I would strongly urge your support of this program.

Attachment 4-1
House Appropriations Committee
March 15, 1999

LYNN JENKINS

REPRESENTATIVE, FIFTY-SECOND DISTRICT

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TOPEKA, KANSAS 66610
(785) 271-6585

STATE CAPITOL, ROOM 182-W
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TOPEKA

**HOUSE OF
REPRESENTATIVES**

COMMITTEE ASSIGNMENTS

GOVERNMENTAL ORGANIZATION
AND ELECTIONS
INSURANCE
KANSAS 2000 SELECT
LEGISLATIVE POST AUDIT
TAXATION

Thank you Mr. Chairman and committee members. I stand before you today in support of HB 2533

As you may know, there is a child care shortage here in the city of Topeka and across the state of Kansas. The need is especially critical for infants and toddlers. As a member of a task force on child care, I have attended forums dealing with this issue and the first priority seems to be finding ways to increase the availability of infant and toddler care. One of the ideas that came about at a recent forum was the concept of "micro-loans", to encourage the immediate investment in this area

Under this proposal, the state would appropriate \$500,000 to set up a micro-loan fund. These funds would be used to make loans up to \$3,000 to people interested in setting up a child care facility or to make improvements or expansions to their current facility. Because most infants and toddlers are cared for by "in home family day cares", first priority would be given to them. There would be a 2 year grace period, and then the loans would be repaid at 3% interest for not more than 5 years.

We believe that a few thousand dollars is the only thing standing in the way of some individuals from setting up child care service. There are so many hoops to jump through these days in order to get into this business. These requirements are there for important reasons, but some are cost prohibitive. After talking to many day care providers, it is obvious that you do not go into this business for the money. The people in this business do it because they want to be close to their own kids and they thoroughly love children. We believe this bill provides the help necessary to increase the availability of quality child care in Kansas. Thank you.

Attachment 5-1
House Appropriations Committee
March 15, 1999

Kharon Hunter
Child Care Advocate/Trainer/Consultant
1230 S.W. Cornwall St.
Topeka KS 66611-2422
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E-mail: khunter708@aol.com

Legislators:

3/15/99

Re: HB 2533B

I am a retired Family Child Care Provider, after thirty years of service. Now I offer in-service training for parents and caregivers of young children. I also work specifically with family child care providers through the child care food program and offer other workshops through children's programming of public television.

I want to commend any effort that promotes and supports the profession of family child care. Providers have asked for many years if any start-up funds were available. It's only been in the last few years that limited funding has been available through KACCRRRA, Kansas Association of Child Care Resource and Referral Agencies, who has administered a program for the Kansas Department of Social and Rehabilitation (SRS) to make quality improvement grants available to family child care providers. Funding for this program is through SRS using Child Care Development Funds. Five hundred dollars has been given for start-up funds to providers who complete 30 clock hours of in-service training. Providers who have at least one year of experience and complete 20 clock hours of in-service training can be awarded up to fifteen hundred dollars. The past few years there have been more applications than money.

I suggest that new providers receiving any start-up funds should be required to spend a portion of those funds on more in-service training, in addition to the fifteen hours required for an initial license. Providers who initially prepare themselves to operate a child care business, are better equipped to understand the profession and therefore hopefully will stay in the child care business for a while longer. It's easy to start family day care, but many quit the first year because they did not realize the depth of operating a successful business. Funds also could be suggested for the cost of becoming an accredited provider.

Giving a provider five hundred dollars start-up funds may be sufficient for many new providers, without having the administrative details of loaning funds. Loaning a large dollar amount could be very difficult for a non-established provider to repay. I feel that providers need to individually invest in their business and make a commitment to upgrade their daycare space and knowledge as they grow professionally.

The current program with KACCRRRA is already in place but could serve more providers if there was additional funding. The success has been recorded and providers are thrilled to have this support and boost to their profession and facilities.

Sincerely,



Kharon Hunter
Child Care Advocate

Attachment 6-1
House Appropriations Committee
March 15, 1999

**State of Kansas
Department of Social
& Rehabilitation Services**

Rochelle Chronister, Secretary
Janet Schalansky, Deputy
Secretary



For additional information, contact:

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☎785.296.6218 / Fax 785.296.4685

For fiscal information, contact:

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Diane Duffy, CFO
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**Appropriations Committee
March 15, 1999**

Testimony: House Bill 2533

**Economic and Employment Support Commission
Candy Shively, Commissioner
785-296-6750**

Attachment 7-1
House Appropriations Committee
March 15, 1999

Contents

Testimony

House Bill 2533

**Kansas Department of Social and Rehabilitation Service
Rochelle Chronister, Secretary**

**Appropriations Committee
House Bill 2533**

Thank you for allowing me to present testimony on House Bill 2533. This bill proposes that a \$500,000 fund be placed in the Department of Health and Environment's FY2000 budget. This fund would allow licensed day care facilities to borrow up to \$3,000 to cover start-up assistance for new or existing day care facilities if they agree to expand their infant and toddler slots.

I support the development of incentives to increase licensed day care capacity for all children especially infants and toddlers. However, the Department of Health and Environment is the regulatory agency that licenses day care facilities; therefore, administering a program to loan funds to the facilities they regulate represents a potential conflict of interest.

The Childhood Services Division of Social and Rehabilitation Services currently funds a day care home grant program administered by the Kansas Association of Child Care Resource and Referral Agencies (KACCRA). This grant program awards up to \$1,500 to providers who must obtain additional training and agree to continue to provide child care services for at least 24 months. The total amount of funding currently available on an annual basis is \$500,000 and over the past two years a total of 719 providers have received grant funding.

Because of our prior experience with child care provider loan programs, we recommend changing this proposed initiative to one that makes grants which are forgivable if the individual gets the required training and stays in business for at least two years. When the Child Care and Development Block Grant first came to the state in 1990, a child care provider loan program was developed to help interested KanWork clients start up a child care business. Providers were required to pay back the loan in small increments with no interest. Often they purchased equipment, but then decided they were not mentally or educationally prepared to care for children all day. Several made a decision to seek other employment, and defaulted on their loans. The Department was then saddled with the onerous task of collecting small amounts of money over a long period of time. After that experience, the Department, with assistance from the Child Care Resource and Referral Network, made a decision to change the program. Funds were granted to providers who were required to get training before the grant funds were awarded.

We suggest that you consider simply melding these proposed new funds into the existing SRS program which is administered via a contract with KACCRA. This would solve the KDHE conflict of interest issue and limit the administrative costs involved. The KACCRA Program is already in place, has the administrative apparatus to support this venture, and could alter its operational procedures to allow year long application cycles. With the additional funding available through this bill, we could increase the amount of grant awards to \$2,000 per applicant and make the funding available throughout the entire year for providers who want to care for infants and toddlers.

We also propose that a part of the funding be used to provide financial incentives for providers who agree to provide quality, loving care for infants and toddlers. We are increasingly aware of new research which indicates 90 percent of brain development occurs during the first three years of life and that an individual's capacity to learn and thrive is affected by the quality of care and nurture received. We propose to reward providers who choose to care for infants and toddlers by paying them a lump sum amount for meeting the low child-care giver ratios required to be able to provide the nurture and stimulation needed for proper development.

The bill proposes using a combination of state general funds and other federal funds such as temporary assistance to needy families block grant (TANF) or other block grant funds. Since the TANF block grant has a limit of 30% which can be transferred to use for child care activities and the Department is already using the full 30% transfer, the Department feels there are no additional federal dollars available to fund this initiative. If approved, it would be necessary to fund the initiative from state general funds.



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Licensed thru the
State of Kansas
Since 1987

March 15, 1999

Dear Legislators:

I am writing in regards to HB 2533B regarding a loan program for child care providers.

I am thrilled that the legislature recognizes the need for quality child care for working parents in the state of Kansas, and realizes that a variety of support is needed for people who offer these valuable services. Nation wide, child care workers are struggling to stay in the field, with an average median wage of only \$6.12 per hour according to the 1998 Kids Count Data Book, published by the Annie E. Casey Foundation. This figure is supported by statistics compiled by the Bureau of Labor Statistics, which compiled the median wage information for 764 occupations and reflected that only 15 occupations had a lower median wage than the child care workers. Family child care providers often make even less, with the national average at around \$3.50 per hour after expenses. The fact that you are looking at ways to support child care in our state is to be commended.

However, I have some concerns about the proposed loan program which I feel should be addressed:

- 1) The proposal states that this program should be administered by the Kansas Department of Health and Environment. I believe this to be a conflict of interest, as KDHE licenses all child care providers. I also do not believe that KDHE has the staff to administer this program.
- 2) I think that the cost of administering this program would be astronomical. If the entire program could be handed over to a financial institution with the "know how" to properly accept credit information, secure the loans, and be sure that the payments are made, to me that would be the way to proceed. If this is not feasible, then an interest rate high enough to cover the administration of the loan must be considered.
- 3) Perhaps a better solution, rather than to create this new loan program, would be to allocate these funds to the already existing grant program. The existing grant program utilizes funding from the federal Child Care Development Funds, and is administered through KACCRRRA, Kansas Association for Child Care Resource & Referral Agencies. This program allows child care providers to apply for funding for start-up costs or quality improvements. (A new provider qualifies for \$500 start-up money, and a provider that has been in business for at least one year qualifies for \$1500.) This process requires providers to attain a certain number of hours of training in order to qualify for a grant, plus they must complete a self-assessment of their facility, listing equipment they already have in order to help them identify materials and equipment that they may need. Providers also sign an assurance statement that they will remain in business for at least two years. Although this program just completed it's third year of funding, it has already made a significant difference in the quality of care being provided in many facilities. However, due to limited funds not all qualifying providers are actually able to access funding.

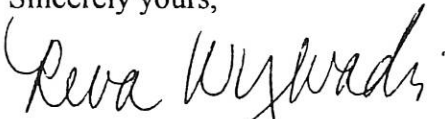
Attachment 8-1
House Appropriations Committee
March 15, 1999

4) Another possibility would be to make these funds available as scholarships for providers seeking national Accreditation. For a family child care provider, Accreditation costs \$495.00. For a center, the cost is around \$1500.00. This would be a definite investment in the **quality** of child care available.

5) Lastly, perhaps consider giving this money to the Child Care Resource and Referral statewide network (KACCRRA). It could be used to enhance services they are offering providers throughout the state, including purchasing of additional resources, helping to establish mentoring networks for provider support, and offering quality training.

As you can see, there are many wonderful ways that you can support quality child care in our state. The economic stability of our work force depends on quality child care options for working parents. **THANK YOU** for considering ways that you can support this much needed service, and for caring about Kansas children and families!

Sincerely yours,



Reva Wywadis
Owner/ Operator, TLC Daycare
Region 7 Representative, National Association for Family Child Care
Board Member, Child Care Providers Coalition of Kansas, Inc.
Board Member, Capital Area Providers

STATE OF KANSAS

Bill Graves, Governor

DEPARTMENT OF REVENUE

Karla Pierce, Secretary

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Office of the Secretary

March 12, 1999

Representative Phil Kline
Chair, House Appropriations Committee
Capital Building, Room 514S

Re: Appropriation Sec. 7 (c) of Senate Bill 170a

Dear Representative Kline:

I strongly oppose the appropriation set forth at Sec. 7 (c) of Senate Bill 170a, which will be considered by the House Appropriations Committee on March 15, 1999. This appropriation, recommended by the Joint Committee on Special Claims for payment, provides for a \$5,000 cash award to Thomas P. Browne, Jr., an employee of the Department of Revenue, for a "suggestion" Mr. Browne submitted to the Employee Suggestion Award Program in 1994.

The Department wholeheartedly supports the Employee Suggestion Award Program, which has saved taxpayers significant dollars through awards to innovative State employees. However, we also believe that in this instance, making a cash award to Mr. Browne goes against the purpose of this Program. In addition, this cash award will violate the spirit, if not the letter, of the Taxpayer Bill of Rights, K.S.A. 79-3268 (c), which makes it "unlawful to base a performance evaluation for any [Department employee] on . . . the total amount of assessments issued by such employee or on the total amount or percentage of taxes collected from a taxpayer through settlements or other means made by such employee prior to final judgment."

Mr. Browne's "suggestion" was based on discrepancies he noticed in 1988 while auditing certain privilege tax returns during his temporary assignment as a privilege tax auditor. This resulted in the assessment and collection of additional taxes from certain taxpayers. Mr. Browne did what an auditor is supposed to do as part of his job. Both my predecessor, John LaFaver, and I opposed this award and concluded that Mr. Browne's "suggestion" was part of his assigned job duties.

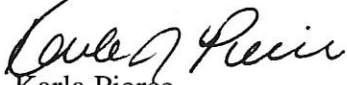
Attachment 9-1
House Appropriations Committee
March 15, 1999

The definition of an "acceptable suggestion" in K.A.R. 18-2-2 does not include the assessment and collection of additional taxes from taxpayers after audits. K.A.R. 18-2-3 (4) provides that "suggestions which are developed as part of the duties of an employee's position" shall not be accepted for consideration.

To make a cash award to a tax auditor for actions resulting in the assessment of additional taxes creates an unhealthy precedent. For all of the above reasons, I respectfully request that this appropriation not be funded.

Thank you for your consideration.

Very truly yours,


Karla Pierce
Secretary of Revenue