

Approved: 4-30-99
Date

MINUTES OF THE HOUSE APPROPRIATIONS.

The meeting was called to order by Chairperson Phill Kline at 9:00 a.m. on March 22, 1999 in Room 514-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee: none

Others attending: See attached list.

Budget Committee report on:

Department of Health and Environment

Chair Neufeld reported the Social Services Budget Committee concurred with the Governor's recommendations for Kansas Department of Health and Environment budget for FY1999 with adjustments and for FY2000 with adjustments. (Attachment 1)

Moved by Representative Neufeld, seconded by Representative Ballard, adoption of the Social Services Budget Committee report for FY1999 and FY2000 budgets for the Kansas Department of Health and Environment.

Moved by Representative Pottorff, seconded by Representative Neufeld, amend **HB 2519** to change SIDS funding from only the maternal and child health services block grant fund to any available special revenue funds. Motion carried.

Moved by Representative Neufeld, seconded by Representative Ballard, adoption of the Social Services Budget Committee report for FY1999 and FY2000 budgets for the Kansas Department of Health and Environment as amended. Motion carried.

Chair opened for committee action on:

HB 2410 - Cemeteries; no-fund warrants for land acquisition.

Moved by Representative Neufeld, seconded by Representative Ballard, to amend **HB 2410** by adopting the proposed amendments. (Attachment 2) Motion carried.

Moved by Representative Neufeld, seconded by Representative Ballard, to pass out **HB 2410** as amended.

Considerable discussion on the inappropriateness of authorizing a cemetery board to issue no-fund warrants with no opportunity for a protest petition. It was felt this would be setting a precedent for other boards to come forth for no-fund warrants for other projects. Revisor of statutes staff were requested to study this matter and suggest possible amendments.

Moved by Representative Phill Kline, seconded by Representative Spangler, to table **HB 2410** to review the no-fund warrant issue. Motion carried.

Next meeting will be held on March 23.

Adjournment.

Respectfully submitted,
Ann McMorris, Secretary

Attachments - 2

**HOUSE APPROPRIATIONS COMMITTEE
GUEST LIST**

DATE: March 22, 1999

NAME	REPRESENTING
TK Shively	Ks Legal Services
David Dallan	DOB
Carolyn Maddison	KSSW's ASSN
Ed GARREN	KALHD
Jim Murphy	KDHE
Stephanie Buchanan	DOB
Stacey Soldan	Hein & Wair Child.
Sally Finney	Ks. Public Health Association
John Kethober	Ks Health Care Assn.

Social Services Budget Committee

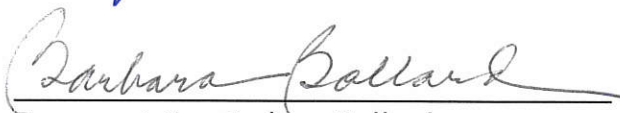
Report On

Kansas Department of Health and Environment

FY 1999 and FY 2000 Appropriations



Representative Melvin Neufeld, Chair



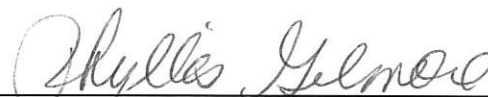
Representative Barbara Ballard



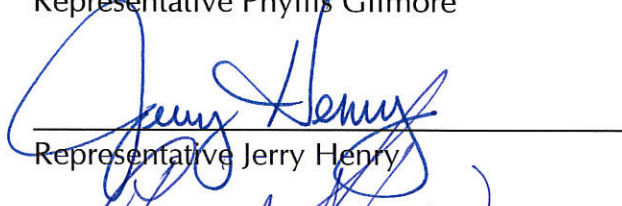
Representative John Ballou



Representative Bob Bethel



Representative Phyllis Gilmore



Representative Jerry Henry



Representative Phill Kline



Representative Brenda Landwehr



Representative Doug Spangler

Senate Subcommittee Report

Agency: Kansas Department of Health
and Environment

Bill No. 323

Bill Sec. 19

Analyst: Davis

Analysis Pg. No. 515

Budget Page No. 183

Expenditure Summary	Agency Est. FY 99	Gov. Rec. FY 99	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 105,920,002	\$ 105,438,863	\$ 0
Aid to Local Units	34,634,231	32,634,231	2,000,000
Other Assistance	30,235,000	32,485,000	(2,000,000)
TOTAL	<u>\$ 170,789,233</u>	<u>\$ 170,558,094</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 23,027,237	\$ 22,730,722	\$ 0
Aid to Local Units	9,180,928	9,180,928	0
Other Assistance	235,000	485,000	0
TOTAL	<u>\$ 32,443,165</u>	<u>\$ 32,396,650</u>	<u>\$ 0</u>
FTE Positions	835.6	836.5	0.0
Unclassified Temp. Positions	153.1	153.2	0.0
TOTAL	<u>988.7</u>	<u>989.7</u>	<u>0.0</u>

Agency Est./Governor's Recommendation

The Department's estimate for FY 1999 operating expenditures is \$170,789,233. This is a decrease of \$3,361,571 from the approved budget. This results from estimated expenditures below approved amounts in several funds, offset by increases in others. Notable decreased estimates include a decrease of \$10.6 million in the federal Women, Infants and Children's Health Program Fund and \$9.9 million in the Maternal and Child Health Services Block Grant. These decreases are due to lower than anticipated grant receipts.

Additionally, the Department requests authority to make expenditures in the Bureau of Environmental Field Services from two new federal funds in FY 1999.

- \$57,800 requested from the **Basin Model Calibration Utilization Fund** for:
 - developing total maximum daily loads for Grasshopper Creek and Vermillion River; and
 - contracting for Kansas River BASINS Modeling staff training with the developers of the BASINS model
- \$22,300 requested from the **Multimedia Equipment Fund** for:

- purchase of high quality multimedia equipment
-to allow for visual display when soliciting public input on water issues.

The Department's FY 1999 estimate includes approved expenditures for:

- **AIDS Drug Purchases**
 - \$235,000 from the SGF reappropriated from FY 1998
- Estimated **Aid and Assistance** expenditures of \$64,869,231
 - including \$9,415,928 from the **SGF**

The Governor recommends \$170,558,094 in FY 1999 for operating expenditures, a decrease of \$231,139 (0.1 percent) from the agency request. The Governor recommends the following changes from the agency's revised request:

- **AIDS Medication Supplemental**
 - \$250,000 from the SGF in the Bureau of Disease Prevention and Health Promotion
 - this is in addition to the amount carried forward from FY 1998
 - making total recommended expenditures \$485,000 in FY 1999
- **Salaries and Wages**
 - \$40,854,804 (including \$15,448,842 from the SGF)
 - decrease of \$481,139 (1.2 percent) from the revised request
 - decrease results from adjusted shrinkage rates in:
 - Administration
 - Director of Health
 - Bureau of Disease Prevention and Health Promotion
 - retirement reductions in:
 - Administration
 - Bureau of Disease Prevention and Health Promotion

Senate Subcommittee Recommendation

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

1. The Subcommittee notes that the Governor recommends an additional \$250,000 (SGF) in FY 1999 for an AIDS medication shortfall in the AIDS Drug Assistance Program (ADAP). The Subcommittee notes that the Department is fairly confident, at this point in the fiscal year, that it will be able to stay within the federal money granted for AIDS medication purchases. The federal fiscal year for this program runs from April 1 to March 31, so the funding for the next fiscal year will be available in less than one month. The Subcommittee further notes that if state funding is provided for any two years, not necessarily two consecutive years, the state would be obligated to a maintenance of effort in subsequent years. However, the

Department's current projections do not take into account an ongoing freeze on new clients in the Kansas City area which presently pays for many Kansas citizens' AIDS drugs out of a separate federal grant. A continued freeze could add as many as 20 to 30 new clients to the Kansas ADAP. The Subcommittee was also informed that the increasing prices of drugs are negatively affecting the ADAP. Consequently, the Subcommittee recommends that this supplemental appropriation be reviewed at Omnibus for a better determination of whether it will be necessary.

2. The Subcommittee reviewed the recommendations of the Legislative Division of Post Audit regarding regulation of child care facilities and family day care homes and wishes to inform the Committee of the following:
 - a. The Department reports having addressed the problems cited by the Legislative Division of Post Audit regarding regulation of child care facilities and family day care homes by:
 - i. Adding six additional district office staff, two of which have presently been hired.
 - ii. Reorganizing the Central Office to assist with the enforcement streamlining process.
 - iii. Computerization of the Child Care Licensing and Registration (CCLR) project.
 - iv. The Department is working with the Department of Social and Rehabilitation Services to re-engineer the CCLR program. This includes new policies for enforcement and improved timeliness of inspections. The intended implementation date for the re-engineered program is in FY 2000.
 - v. A statewide orientation curriculum for local health departments is being developed to assure consistency of information.
 - b. In its review, the Subcommittee noted the length of the waiting period to obtain licenses for foster care homes. The Subcommittee notes that the average case load is 110-115 per staff person. The following is being done to specifically address foster care issues in the Department of Health and Environment:
 - i. The problem of delays in approving foster care homes is being addressed by the addition of a clerical staff position on loan from the Department of Social and Rehabilitation Services to process foster care home applications more quickly. The Subcommittee is pleased with the cooperative efforts between the two agencies.

- ii. The Department informed the Subcommittee that it is looking for ways to increase efficiencies on the front end of the licensure process. The Department has a temporary permit for foster care homes which can be issued after a walk through by the placement agency during the training period. The temporary permits generally require a three week wait for approval, the time required to do the background check. The Subcommittee encourages the Department to begin the licensing process during the foster care training period to decrease the waiting period.
3. The Subcommittee notes that it reviewed the findings of the Legislative Division of Post Audit on the Department's efforts to protect water from pollution caused by confined livestock feeding operations. The Department has added 11.5 positions in FY 1999 at various offices across the state (see Attachment) and has developed an integrated data base system and training manual to help with follow up, inspections and inspection based on complaints. The Department informed the Subcommittee that at the current time, it is not requesting additional resources.
4. Shift the \$2.0 million of State Water Plan expenditures for the Local Environmental Protection Program from other assistance to aid to local units. As this money is granted to local health departments, it is more accurately categorized as aid to local units. This action does not change the total expenditures.

Senate Committee Recommendation

The Committee concurs with the Subcommittee.

House Budget Committee Report

Agency: Kansas Department of Health and Environment

Bill No. 2521

Bill Sec. 19

Analyst: Davis

Analysis Pg. No. 515

Budget Page No. 183

Expenditure Summary	Agency Est. FY 99	Gov. Rec. FY 99	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 105,920,002	\$ 105,438,863	\$ 0
Aid to Local Units	34,634,231	32,634,231	2,000,000
Other Assistance	30,235,000	32,485,000	(2,000,000)
TOTAL	<u>\$ 170,789,233</u>	<u>\$ 170,558,094</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 23,027,237	\$ 22,730,722	\$ 0
Aid to Local Units	9,180,928	9,180,928	0
Other Assistance	235,000	485,000	0
TOTAL	<u>\$ 32,443,165</u>	<u>\$ 32,396,650</u>	<u>\$ 0</u>
FTE Positions	835.6	836.5	0.0
Unclassified Temp. Positions	153.1	153.2	0.0
TOTAL	<u>988.7</u>	<u>989.7</u>	<u>0.0</u>

House Budget Committee Recommendation

The Budget Committee concurs with the Governor with the following adjustments:

1. The Budget Committee notes that the Governor recommends an additional \$250,000 (SGF) in FY 1999 for an AIDS medication shortfall in the AIDS Drug Assistance Program (ADAP) and that the Department is fairly confident, at this point in the fiscal year, that it will be able to stay within the federal money granted for AIDS medication purchases. The Budget Committee further notes that if state funding is provided for any two years, not necessarily two consecutive years, the state would be obligated to a maintenance of effort in subsequent years. The Budget Committee recommends that this supplemental appropriation be reviewed at Omnibus for a better determination of whether it will be necessary.
2. Shift the \$1.8 million of State Water Plan expenditures for the local Environmental Protection Program from other assistance to aid to local units. As this money is

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granted to local health departments, it is more accurately categorized as aid to local units. This action does not change the total expenditures.

3. The Budget Committee notes that it intends to take a tour of the Sunflower Ammunition Plant in Johnson County prior to Omnibus. The Committee believes that by touring the facility, it will gain a better understanding of what might be necessary to undertake an environmental remediation.

Senate Subcommittee Report

Agency: Kansas Department of Health and Environment

Bill No. 326

Bill Sec. 53

Analyst: Davis

Analysis Pg. No. 515

Budget Page No. 183

<u>Expenditure Summary</u>	<u>Agency Req. FY 2000</u>	<u>Gov. Rec. FY 2000</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 108,133,314	\$ 107,038,622	\$ (1,581,991) *
Aid to Local Units	37,912,542	33,772,544	2,350,000
Other Assistance	30,000,000	31,800,000	(1,800,000)
TOTAL	<u><u>\$ 176,045,856</u></u>	<u><u>\$ 172,611,166</u></u>	<u><u>\$ (1,031,991)</u></u>
State General Fund:			
State Operations	\$ 22,699,537	\$ 21,350,374	\$ (573,273)
Aid to Local Units	11,797,600	9,125,976	550,000
Other Assistance	0	0	0
TOTAL	<u><u>\$ 34,497,137</u></u>	<u><u>\$ 30,476,350</u></u>	<u><u>\$ (23,273)</u></u>
FTE Positions	850.1	837.0	2.0
Unclassified Temp. Positions	157.0	152.2	0.0
TOTAL	<u><u>1,007.1</u></u>	<u><u>989.2</u></u>	<u><u>2.0</u></u>

* Includes a reduction of \$1,604,315 (including \$595,597 from the State General Fund) for the Governor's recommended pay plan adjustments. Absent the pay plan reduction, the Subcommittee's recommendation is an increase of \$572,324 from the Governor's recommendation.

Agency Request/Governor's Recommendation

The Department's FY 2000 request is \$176,045,856. The request is an increase of \$5,256,623, or 3.1 percent over the FY 1999 estimate. The Department requests:

State General Fund

- \$34,497,137, or 19.6 percent of the total request
- including \$2.6 million requested enhancement for the General Health Program
- including \$196,875 for relocation from the Mills building

Special Revenue Funds

- \$141,548,719, or 80.4 percent of the total request

Salaries and Wages

- \$42,826,023 for 850.1 FTE positions and 157.0 unclassified temporary positions
- an increase of \$1,490,080 or 3.6 percent over the FY 1999 estimate

The Governor recommends operating expenditures of \$172,611,166 for FY 2000, a decrease of \$3.4 million (2.0 percent) from the agency request. The Governor recommends:

- \$30,476,350 from the State General Fund
- \$142,134,816 from other funds
 - including \$3,216,626 in Children's Health Care Programs Fund (tobacco settlement) expenditures

The following table summarizes the request and recommendation for FY 2000 enhancements:

FY 2000 Enhancements By Division						
Enhancement	Agency Request			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Center for Health and Environmental Statistics						
Equipment Replacement - Vital Statistics	\$ 0	\$ 128,413	0.0	\$ 0	0	0.0
Re-engineering Database System - Vital Statistics	0	85,268	1.0	0	0	0.0
Replacement of Temporary Positions with Unclassified Temporary Positions - Vital Statistics	0	17,019	0.0	17,019	17,019	0.0
Electronic Birth Registration/Electronic Amendment Modifications - Vital Statistics	0	20,000	0.0	0	0	0.0
Research Analyst III - Kansas Health Insurance Information System Operations	0	57,898	1.0	0	0	0.0
Division of Health						
TB Control Program - Director of Health	27,520	27,520	0.0	0	0	0.0
General Health Program - Director of Health	2,616,672	2,616,672	0.0	0	0	0.0
Outsourcing Health Occupations Credentialing - Bureau of Adult and Child Care Licensing	0	13,584	0.0	0	0	0.0
Food Inspections - Bureau of Environmental Health Services	0	301,419	6.0	0	194,635	6.0
HIV Named Reporting - Bureau of Disease Prevention and Health Promotion	42,900	42,900	1.0	0	0	0.0
External Cause of Injury Coding - Bureau of Disease Prevention and Health Promotion	95,000	95,000	0.0	0	0	0.0
TUPP - FDA Enforcement Contracts - Bureau of Disease Prevention and Health Promotion	0	689,590	0.0	0	0	0.0
Division of Environment						
State Water Plan, continuation of water programs - Bureau of Environmental Field Services	0	900,000	2.0	0	900,000	2.0
Solid Waste Tipping Fee Changes and Grants - Bureau of Waste Management	0	1,050,000	0.0	0	0	0.0
Creation of Hazardous Waste Fee Fund and Program Expansion- Bureau of Waste Management	0	150,500	3.0	0	0	0.0
Radioactive Waste Disposal - Bureau of Air and Radiation	150,000	150,000	0.0	0	0	0.0
Radioactive Material Program Improvement - Bureau of Air and Radiation	275,595	275,595	5.0	0	0	0.0
Kansas Water Plan (Non-Point Source Water Pollution Control) - Bureau of Water	0	300,000	3.3	0	150,000	3.3
Kansas Water Plan (Local Environmental Protection Program) - Bureau of Water	0	2,000,000	0.0	0	1,800,000	0.0
Public Water Supply State Revolving Loan Fund Positions - Bureau of Water	0	0	4.0	0	0	0.0
Kansas Water Plan (Contamination Remediation, continuation) - Bureau of Environmental Remediation	0	1,600,000	4.0	0	1,390,000	4.0
Sunflower Army Ammunition Plant Remediation - Bureau of Environmental Remediation	0	106,323	2.0	0	0	0.0
Division of Health and Environment Laboratories						
Analytical Support of Statewide Bioterrorism Plan	0	47,000	0.0	0	0	0.0
TOTAL - FY 2000 Enhancement Request	\$ 3,207,687	\$ 10,674,701	32.3	\$ 17,019	\$4,451,654	15.3

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor with the following exceptions:

1. Delete \$1,604,315 (including \$593,597 from the State General Fund) for the Governor's recommended pay plan adjustments for a 2.5 percent classified step movement (\$714,142), longevity bonus payments (\$325,741), a 1.0 percent classified base salary adjustment (\$362,287), and a 3.5 percent unclassified merit pool (\$202,145).
2. Shift \$50,000 from State General Fund operating expenditures to aid to local units for primary health projects. This returns funding for primary health projects to \$1,520,820, the FY 1999 level, and increases the program by \$50,000 from the Governor's recommendation.
3. Add 2.0 FTE for the Health Care Data Base Governing Board. The Subcommittee recommends that the Board be allowed to utilize the new positions if it is able to fund them outside existing resources. The Subcommittee notes that the Performance Audit Report from December 1998 recommended that "[i]f there is a need and intent to maintain a current inventory of health care resources in the State, then sufficient resources need to be committed to this program." The report noted that the level of staffing for the Health Care Data Base Governing Board does not allow for the inventories to be kept current and "the usefulness of the data may be compromised due to incomplete and untimely information."
4. Add \$72,324 (SGF) to correct an error in the Governor's budget. The Department reported that the money was inadvertently left out of the Governor's recommendation. The money is used to fund temporary positions in the Office of Vital Statistics.
5. The Subcommittee concurs with the Governor's recommendation that the proviso that no individual currently receiving ADAP funding will be cut off from medication be continued in FY 2000. However, the Subcommittee believes that the Secretary should consider changes in policy to control or eliminate SGF expenditures for the ADAP.
6. The Subcommittee notes that the Governor recommends \$1,800,000 from the State Water Plan for the Local Environmental Protection Program (LEPP). This is a decrease of \$200,000 from previous fiscal years. This program provides grants to local health departments or other local entities across the state for the purpose of developing and implementing environmental protection plans and programs. While the Subcommittee recognizes the value of this program to the recipient counties, it also recognizes that the Governor's recommendations for expenditures from the State Water Plan Fund in FY 2000 do not leave sufficient balances to fund this program at previous levels. The Subcommittee notes that the recommendation of the Water Authority was to fund the program at \$1,900,000 and the Department appealed to the Governor to fund the program at that recommended level. The Subcommittee recommends that the issue be reviewed at Omnibus to determine if this program should receive a higher priority in expenditures from the State Water Plan Fund.

7. Shift the \$1.8 million of State Water Plan expenditures for the LEPP from other assistance to aid to local units. As this money is granted to local health departments, it is more accurately categorized as aid to local units. This action does not change the total expenditures.
8. The Subcommittee notes that the Department expressed its intention that the \$250,000 (Children's Health Care Programs Fund - tobacco settlement proceeds) included in the Governor's recommendation for immunizations be used for Hepatitis B vaccinations for 11 year old children.
9. Add \$500,000 SGF for aid to local health departments for replacement of federal Immunization Action Plan (IAP) funds. The Subcommittee notes that the IAP funds are required to be used for expansion of immunization programs, and the replacement state funding is recommended to carry the same requirements. The IAP program funds will be available to only three Kansas counties in FY 2000 (Sedgwick, Wyandotte and Finney). The Subcommittee further notes that the local health departments requested \$688,000 to maintain the same funding levels in FY 2000 as are available in FY 1999 through the federal grant. The Subcommittee encourages the Department to investigate whether it can shift the remaining funds requested by the local health departments out of the portion of the federal grant it uses for internal administration. Further, the Subcommittee requests the Department review all of its federal grants to see if additional dollars could be passed on to local health departments, rather than spent for internal administration.
10. Include language to allow for reappropriation of State General Fund aid to local units dollars from FY 1999 to FY 2000. Local health departments were unable to use approximately \$63,000 of the State General Fund appropriations in FY 1998 because the amount was lapsed. This underspending occurs when local health departments are unable to spend all of the grant in the last quarter of the fiscal year. The Subcommittee notes that the Department's FY 2000 budget request included \$2,616,672 (SGF) for an enhancement of the general health program which was not included in the Governor's recommendation. The general health program provides funding to local health departments for basic public health measures. The Subcommittee notes that funding for the program has increased by approximately \$300,000 only over the past 18 years. While local health departments receive additional state dollars in the form of categorical grants, those dollars are restricted to use in the specific programs for which they are granted. They may not be used to supplement basic health services. By allowing the Department to reappropriate aid to local units funding, some increases can be afforded the local departments without increases in appropriations. Additionally, those dollars intended by the Legislature to go to local health departments for basic health and other programs, will be used for that purpose. However, the Subcommittee encourages the Committee to look for ways to improve state funding for the general health program in the coming years.
11. The Governor's FY 2000 recommendation includes many federal funds and fee funds with no expenditure limitation. In the past, questions have been raised about whether the Department has used fees and receipts for their intended purposes and the Legislature placed expenditure limitations on most funds. The Subcommittee believes that the Department has made tremendous strides in improving fiscal accountability and concurs with the Governor's recommendation

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to include no limit funds in the Department's budget. In addition to the Governor's proposal, the Subcommittee recommends that the Health Care Database Fee Fund and the Food Inspection Fee Fund be no limit funds to allow the Department increased flexibility.

- 12. The Subcommittee notes that \$3.8 million for nursing home inspections performed by the Department of Health and Environment pursuant to a contract with the Department on Aging is currently being counted as an expenditure in both agencies. It is the Subcommittee's recommendation that this issue should be addressed by the full Committee to determine the best place to account for these expenditures.

Senate Committee Recommendation

The Committee concurs with the Subcommittee with the following exception:

- 1. Delete expenditures of \$3,895,768 (AF). These expenditures for nursing home inspections should be non-reportable in the Department of Health and Environment.

House Budget Committee Report

Agency: Kansas Department of Health and Environment

Bill No. 2519

Bill Sec. 53

Analyst: Davis

Analysis Pg. No. 515

Budget Page No. 183

<u>Expenditure Summary</u>	<u>Agency Req. FY 2000</u>	<u>Gov. Rec. FY 2000</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 108,133,314	\$ 107,038,622	\$ (387,676)
Aid to Local Units	37,912,542	33,772,544	(456,626)
Other Assistance	30,000,000	31,800,000	(1,800,000)
TOTAL	<u>\$ 176,045,856</u>	<u>\$ 172,611,166</u>	<u>\$ (2,644,302)</u>
State General Fund:			
State Operations	\$ 22,699,537	\$ 21,350,374	\$ 1,072,324
Aid to Local Units	11,797,600	9,125,976	450,000
Other Assistance	0	0	0
TOTAL	<u>\$ 34,497,137</u>	<u>\$ 30,476,350</u>	<u>\$ 1,522,324</u>
FTE Positions	850.1	837.0	0.0
Unclassified Temp. Positions	157.0	152.2	0.0
TOTAL	<u>1,007.1</u>	<u>989.2</u>	<u>0.0</u>

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House Budget Committee Recommendation

The Budget Committee concurs with the recommendations of the Governor with the following adjustments:

1. Delete \$3,216,626 million from the Children's Health Care Programs Fund (tobacco money) allocated by the Governor to the following programs:
 - a. \$1.0 million for smoking prevention grants to be targeted for tobacco use prevention programs;
 - b. \$456,626 for innovative child health programs to provide grants to not-for-profit health agencies to enhance basic health care services for children;
 - c. \$250,000 for additional vaccine purchases;
 - d. \$1.0 million for the Healthy Start/Home Visitor Program to increase the number of families receiving prenatal care and follow up visits;
 - e. \$250,000 for the Infants and Toddlers Program to enhance program funding to identify infants and toddlers with developmental delay and to provide early intervention services; and
 - f. \$260,000 for newborn screening for purchase of equipment to allow for more thorough and rapid newborn screening to promote early identification of developmental delay or disorder.
2. Include language to allow for reappropriation of State General Fund aid to local units dollars from FY 1999 to FY 2000. Local health departments were unable to use approximately \$63,000 of the State General Fund appropriations in FY 1998 because the amount was lapsed. This underspending occurs when local health departments are unable to spend all of the grant in the last quarter of the fiscal year. The Budget Committee further recommends a proviso that will allow the Department flexibility to use the reappropriated funds for aid to local units as the Secretary sees fit.
3. Add \$250,000 (SGF) for aid to local health departments for immunization programs to replace federal Immunization Action Plan (IAP) funds. The IAP program funds will be available to only three Kansas counties in FY 2000 (Sedgwick, Wyandotte and Finney). The Budget Committee notes that the local health departments requested \$688,000 to maintain the same funding levels in FY 2000 as are available in FY 1999 through the federal grant. The Budget Committee encourages the Department to investigate to determine if it can shift additional funds to local health departments out of the portion of the federal grant it uses for internal administration. Further, the Subcommittee recommends the Department place the highest priority for expenditures of any reappropriated aid to local money from FY 1999 for immunization programs in FY 2000.

4. Add \$100,000 (SGF) for purchase of Hepatitis B vaccines for immunization of 11 year old children.
5. Add \$150,000 (SGF) for a Rural Stroke Prevention Project. The Budget Committee recommends that the Department work in conjunction with Kansas State University Extension to develop and implement this program.
6. Shift \$50,000 from State General Fund operating expenditures to aid to local units for primary health projects. This returns funding for primary health projects to \$1,520,820, the FY 1999 level, and increases the program by \$50,000 from the Governor's recommendation.
7. Reduce the transfer from the Health Care Stabilization Fund to the Health Care Facilities Review Fund from \$201,348 to \$131,715. This brings the transfer within statutory limits and, due to carry forward balances from FY 1999, does not affect total expenditures.
8. Add \$950,000 (SGF) to match federal Title XIX funds for nursing home inspections and delete the same amount from the federal Title XIX fund. This action is recommended to avoid counting the funds as expenditures in both the Department of Health and Environment (KDHE) and the Department on Aging (Aging). The money in KDHE's federal Title XIX fund is paid to KDHE from Aging. The full amount of \$3.8 million is recommended by the Governor as a contractual service expenditure in Aging's budget. That amount includes a State General Fund appropriation of \$950,000 to match federal Title XIX funds. The Governor's recommendation also includes expenditure of the same \$3.8 million by KDHE as a special revenue fund expenditure. Previous action of the House Appropriations Committee deleted the \$950,000 State General Fund appropriation to Aging and recommended that the Title XIX expenditures in Aging be reflected as non-reportable.
9. The Budget Committee recommends that funding for the Infant Toddler program be reviewed at Omnibus. The Budget Committee requests that the Department of Health and Environment, the Department of Social and Rehabilitation Services and any other agencies currently receiving federal Temporary Aid to Needy Families (TANF) dollars, review all such expenditures by Omnibus to assist the Legislature in determining the best use of those funds. The Budget Committee intends that TANF dollars should be appropriated as separate line items in all budgets with the understanding that if TANF dollars from the federal government decrease, then funding for those programs will decrease.
10. Remove the expenditure limitations on the various State Water Plan programs (assessment of sediment/Cheney and Perry, contamination remediation, local environmental aid and non-point source pollution). While this does not change the Department's overall expenditure limitation for the State Water Plan, it will allow more flexibility for the Department to shift available funding between programs. The Budget Committee recommends that the Department place a priority on shifting funds to local agencies for local environmental aid through the Local Environmental Protection Program.

11. Shift the \$1.8 million of State Water Plan expenditures for the local Environmental Protection Program from other assistance to aid to local units. As this money is granted to local health departments, it is more accurately categorized as aid to local units. This action does not change the total expenditures.
12. The Budget Committee concurs with the Governor's recommendation to remove the expenditure limitations on the majority of the Department's federal and special revenue funds and recommends that the expenditure limitations on the following funds be removed as well: Laboratory Medicaid Cost Recovery Fund; Health Care Database Fee Fund; Food Inspection Fee Fund; Medicare - Federal Fund; and Venereal Disease Control Project Fund - Federal.
13. The Budget Committee recommends review of the Gifts, Grants and Donations Fund receipts and expenditures prior to Omnibus to determine if the expenditure limitation on that fund should be removed as well.
14. Add additional language to the proviso on the Health and Environment Training Fee Fund to allow the Department flexibility to use that fund for training for local aid recipient agencies and for industry representatives regarding agency activities including but not limited to compliance matters, rules and regulations and grant writing.
15. The Budget Committee encourages the Department to continue working with the Department of Social and Rehabilitation Services to pursue a solution to the problem of the delay in licensing of foster care homes. The Budget Committee understands that the two agencies are exploring the use of an exchange of clerical staff to expedite processing of applications and the use of temporary licenses. The Budget Committee also encourages the Department to begin the licensing process during the foster care training period to decrease the waiting period.
16. Add a proviso requiring the Department to review all of its grants to determine if additional dollars can be passed on to local agencies rather than spent for internal administration.
17. The Budget Committee notes that the Governor's recommendation includes \$500,000 (SGF) to upgrade the vital statistics data system. The Budget Committee recommends that the Department provide a report to the 2000 House Appropriations Committee on the progress of the system upgrade and the use of the money recommended by the Governor.
18. The Budget Committee recommends that the Department be required to provide a report to the 2000 Legislature regarding the status and operation of the criminal background checks system. The Budget Committee also requests that the Department provide it with more information on the current operation of that system, the Department's interaction with the Kansas Bureau of Investigation, and the delay in notifying employers of prohibited employees for consideration at Omnibus.
19. Add \$72,324 (SGF) to correct an error in the Governor's budget. The Department reported that the money was inadvertently left out of the Governor's recommendation. The money is used to fund temporary positions in the office of vital statistics.

20. The Budget Committee recommends that the Department provide a report to the 2000 House Appropriations Committee on receipts and expenditures (state operations vs. aid to local agencies) of all federal and private grants.
21. Add a proviso requiring the Department to use unclassified temporary positions to support programs funded through grants and to report to the 2000 Legislature on all of those positions.

HOUSE BILL No. 2410

By Representative Freeborn

2-10

Attachment 2-1
House Appropriations Committee
March 22, 1999

9 AN ACT concerning cemeteries; relating to the acquisition of land and
10 the financing of costs thereof.
11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. (a) Whenever the board of trustees of any cemetery or-
14 ganized pursuant to K.S.A. 17-1342, and amendments thereto, deter-
15 mines it is necessary to acquire land to enlarge the cemetery and revenues
16 are insufficient to finance the cost of acquisition of such land, the board
17 may make application to the board of tax appeals for authority to issue
18 no-fund warrants to pay for the cost of such land. The application shall
19 be approved by a majority of the board of trustees. The application shall
20 state the following: (1) A copy of the budget adopted for the current
21 budget year; (2) the tax rate currently imposed; (3) the statutory tax levy
22 authority of the district; (4) the proposed cost of acquisition of such land;
23 and (5) a detailed explanation for the need of such land and why there
24 are insufficient revenues to finance the cost of acquisition of such land.

and to have such land surveyed, platted into
burial lots and otherwise prepared for burial
purposes

25 (b) If the board of tax appeals finds that the evidence submitted in
26 support of the application shows:

27 (1) The need for the acquisition of such land; (2) that there are in-
28 sufficient revenues to pay for the cost of such acquisition; and (3) the tax
29 levying authority is insufficient to generate the revenues necessary to pay
30 for the cost of acquisition, the board may authorize the issuance of no
31 fund warrants for the payment of the cost of acquisition of such land. The
32 amount of such warrants shall not exceed \$35,000.

and preparation of such land for burial
purposes

33 (c) No order for the issuance of such no-fund warrants shall be made
34 without a public hearing before the board of tax appeals conducted in
35 accordance with the provisions of the Kansas administrative procedure
36 act. Notice of such hearing shall be published at least twice in a newspaper
37 of general circulation within the cemetery district applying for such au-
38 thority at least 10 days prior to such hearing. The notice shall be in a form
39 prescribed by the board of tax appeals. The cost of such publication shall
40 be paid by the cemetery district. Any taxpayer of the cemetery district
41 may file a written protest against such application. Any member of the
42 board of trustees of the cemetery district may appear and be heard in
43 person at such hearing in support of the application. All records and

1 findings of such hearings shall be subject to public inspection. Warrants
2 issued pursuant to this section shall be paid no later than 15 years after
3 issuance. The board of trustees may levy a tax sufficient to pay such war-
4 rants. Such tax levies may be levied outside of the aggregate tax levy limit
5 prescribed by law.
6 Sec. 2. This act shall take effect and be in force from and after its
7 publication in the statute book.

2-2