

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson David Adkins at 9:45 a.m. on April 27, 2000, in Room 514-S of the Capitol.

All members were present except: All present

Committee staff present: Alan Conroy, Kansas Legislative Research Department
Stuart Little, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Paul West, Kansas Legislative Research Department
Tom Severn, Kansas Legislative Research Department
Deb Hollon, Kansas Legislative Research Department
Kathie Sparks, Kansas Legislative Research Department
Jim Wilson, Revisor of Statutes Office
Dave Stallings, Assistant to the Chairman
Mary Shaw, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

Chairman Adkins explained that he is working with Revisor and Research Staff to provide a draft of the bill that was conceptually talked about regarding the prevention leadership center concept. It is the Chair's intent to convene as quickly as possible today. The Chairman also asked the Committee members to visit with him informally regarding their thoughts about the tobacco securitization effort.

A copy of the draft of the Kansas Prevention Initiative Act was presented to the Committee for consideration (Attachment 1). Chairman Adkins asked that the Committee review the draft. The meeting was recessed at 9:55 a.m. The meeting reconvened at 2:00 p.m.

Chairman Adkins explained that the Revisor has distributed an updated copy of the bill draft (dated 1:30 p.m., 27 April 00) regarding the prevention leadership center concept incorporating changes requested by the Chairman (Attachment 2).

The Chairman explained the differences as follows:

- Submit a provision that says that the members of the Prevention Policy Council would not receive a salary but would receive legislative per diem for meetings attended (travel assistance) found on page 5, which would be true of the Research Council as well.
- Addition to the items that the Prevention Policy Council would do, beginning at the bottom of page 5 and carry over onto page 6, is add to that the council shall develop as a component of its annual comprehensive prevention plan a research agenda which list and prioritize research projects necessary to support the center in fulfillment of its duties and to advance prevention programs and services in Kansas.
- Add the Secretary of the Department of Health and Environment to those who would serve or have a designee on the intergovernmental agency and a designate the Adjutant General on pages 14 and 15.
- At the bottom of page 16, line 8, to add one more duty to the interagency coordinating committee and that would be to develop strategies to enhance the utilization of state resources and access to state-based systems and services by local government and not-for-profit entities involved in prevention.

CONTINUATION SHEET

- On page 17, add to the Research Council that they are to receive the subsistence allowance as well.
- On page 19, the expansion of the 4th duty of the Research Council, would be to create an interface with higher educational institutions and programs to make recommendations on prevention needs assessment and evaluation to identify promising programs and practices from research literature and create opportunities for applied research and clinical studies and to make recommendations on curriculum and training opportunities necessary to provide Kansas with qualified professionals to deliver and administer prevention services, which is covered by paragraph 5.
- In paragraph 7, indicates that the Research Council would provide assistance to the Kansas Children's Cabinet.

The Chairman noted that these were changes from the first draft and the second draft. He mentioned that this to provide a framework, a direction and some idea of the functions without detailing every aspect of it that cannot be dealt with. Committee questions and discussion followed.

Representative Nichols made a motion, second by Representative McKechnie, to provide language that says that officially research council officials and their spouses shall not vote on an issue if they have any vested interest in an entity or organization that receives Children's Initiatives Fund dollars or any other state dollars in relation to research conducted or contracted out by the research council. Committee questions and discussion followed. Motion carried.

Representative McKechnie made a motion, seconded by Representative Feuerborn, amend regarding page 1, line 13 to delete the wording "enact a governmental reform designed to", on line 13 delete the wording "a new base of", on line 16 delete the wording "It is intended to", on line 17 delete the wording "The framework of the" and add "The", on line 24 delete the wording "designed around outcomes that define success and" and add "to" and modify line 20 as Revisor suggests. Motion carried.

Representative McKechnie made a motion, seconded by Representative Reardon, to amend on page 2, line 11, delete the wording "It is intended that the". Motion carried.

Representative Reardon made a motion, seconded by Representative Nichols, that the Children's Cabinet shall develop a research agenda regarding those items in its purview and shall submit same to the Prevention Policy Council for incorporation into the research agenda to be issued by them. Motion carried. Continued Committee questions and discussion followed.

Representative Nichols made a motion, seconded by Representative Shriver, to amend the bill as drafted that the Office of the Governor should administer the substance abuse block program and make recommendations on the expenditures and to transfer administration of allocation of treatment and prevention dollars to KCPL. Committee questions and discussion followed. A vote was taken and division was requested. Motion failed.

Representative McKechnie stated that he wanted to make a two-part motion for the Chairman to write a letter to the Legislative Coordinating Council to request a summer interim study and to table the bill draft regarding the proposed prevention leadership center concept. The Chairman ruled that the motion is divisible and will take up tabling the bill first. The first part of Representative McKechnie's motion was seconded by Representative Landwehr to table the bill draft regarding the proposed prevention leadership center concept. Motion carried.

The second part of the McKechnie motion was seconded by Representative Reardon for the Chairman to write a letter to the Legislative Coordinating Council to request a summer interim study regarding the bill draft regarding the proposed prevention leadership center concept. Discussion followed. Motion carried.

The meeting was adjourned at 3:10 p.m. This was the last meeting held by the House Appropriations Committee for the 2000 Legislative Session.

HOUSE APPROPRIATIONS COMMITTEE

GUEST LIST

DATE April ~~26~~, 2000
27

NAME	REPRESENTING
Greg West	KHT
Craig Kaler	KCDD
Kevin Barone	Hem/weir Chert
Kathy Ponter	OSA
Jerry Sloan	OSA
Nancy Lindberg	AG
Bill Brady	Ks ODF Consulting
Ralph Otmeyer	Candidate - 110 th Dist.
Alex Kobayantz	1 st Territorial Capital
Judith Han	TOB
Gary Bond	HAC
Dorinda Debeard Johnson	Ks Action for Children
Patrick Shusley	KAFB
JOYCE A CUSSIMANIO	Ks CHILDREN'S CABINET
J KENNETH HALE	JJA
Albert Murray	JJA
Curtis Sloan	Rep Ballard
Laura Howard	SRS
Marjorie Bradshaw	Friends of Free State Cap.
Constance Sawyer	Friends of Free State Capitol
Kevin Barone	Hem/weir Chert

DRAFT BILL NO. _____

For Consideration by Committee on Appropriations

1 AN ACT enacting the Kansas prevention initiative act; creating the Kansas center for prevention
2 leadership in the office of the governor; transferring the office of prevention of the
3 department of social and rehabilitation services and the Kansas children's cabinet to the
4 Kansas center for prevention leadership; creating the prevention policy council, Kansas
5 prevention interagency coordinating committee and the prevention research council;
6 prescribing certain powers, duties and functions; amending K.S.A 1999 Supp. 38-1901, 38-
7 2101 and 38-2103 and repealing the existing sections.
8

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

10
11 New Section 1. This act shall be known and may be cited as the Kansas prevention initiative
12 act.

13 New Sec. 2. (a) The purpose of the Kansas prevention initiative act is to enact a
14 governmental reform designed to establish a new base of prevention leadership at the highest level
15 of state government and to enhance the outcomes achieved through the distribution and use of public
16 resources allocated for prevention. It is intended to provide a long-term and comprehensive
17 framework for prevention services and programs for children, youth and families. The framework
18 of the Kansas prevention initiative act is intended to address prevention research and identification
19 of promising approaches and strategies, accountability, community-based decision-making and
20 community capacity building. It is to integrate the pieces into a comprehensive system that will allow
21 state and local government policymakers and program planners to make informed decisions, analyze
22 progress, set future directions, allocate resources and design services in ways that are most likely to
23 improve results.

24 (b) The Kansas prevention initiative act is designed around outcomes that define success and

House Appropriations
4-27-00
Attachment 1

1 provide a unifying force for planning and accountability across state agencies so that:

2 (1) Families, youth and other persons are part of their community's planning, decision-
3 making and evaluation processes;

4 (2) families and individuals live in safe and supportive communities;

5 (3) pregnant women and newborns thrive;

6 (4) infants and children thrive;

7 (5) children live in stable and supported families;

8 (6) children succeed in school;

9 (7) youth choose healthy behaviors; and

10 (8) youth successfully transition to adulthood.

11 (c) It is intended that the outcomes shall be measured by uniform data that are benchmarks
12 to chart and monitor conditions at the state and county levels. By designing reform strategies to
13 address specific benchmarks, programs can be funded that target the most prevalent problems and
14 desired outcomes.

15 New Sec. 3. (a) There is hereby created within the office of the governor the Kansas center
16 for prevention leadership. On the effective date of this act, all of the powers, duties and functions
17 of the existing office of prevention administration of the department of social and rehabilitation
18 services are hereby transferred to, conferred and imposed upon the Kansas center for prevention
19 leadership established by this act. The office of prevention administration of the department of social
20 and rehabilitation services is hereby abolished.

21 (b) The Kansas center for prevention leadership established by this act shall be the successor
22 in every way to the powers, duties and functions of the office of prevention administration of the

1 department of social and rehabilitation services in which the same were vested prior to the effective
2 date of this act. Every act performed in the exercise of such powers, duties and functions by or under
3 the authority of the Kansas center for prevention leadership established by this act shall be deemed
4 to have the same force and effect as if performed by the office of prevention administration of the
5 department of social and rehabilitation services in which such powers, duties and functions were
6 vested prior to the effective date of this act.

7 (c) Whenever the office of prevention administration of the department of social and
8 rehabilitation services is referred to or designated by a statute, contract or other document, such
9 reference or designation shall be deemed to apply to the Kansas center for prevention leadership
10 established by this act.

11 (d) On the effective date of this act, officers and employees who, immediately prior to such
12 date, were engaged in the performance of powers, duties or functions of the office of prevention
13 administration of the department of social and rehabilitation services, and who, in the opinion of the
14 Kansas center for prevention leadership, are necessary to perform the powers, duties and functions
15 of the Kansas center for prevention leadership, shall be transferred to, and shall become officers and
16 employees of the Kansas center for prevention leadership. Any such officer or employee shall retain
17 all retirement benefits and all rights of civil service which had accrued to or vested in such officer
18 or employee prior to the effective date of this act. The service of each such officer and employee so
19 transferred shall be deemed to have been continuous. All transfers and any abolition of personnel
20 positions in the classified service under the Kansas civil service act shall be in accordance with civil
21 service laws and any rules and regulations adopted thereunder.

22 (e) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or

1 which could have been commenced, by or against the office of prevention administration of the
2 department of social and rehabilitation services, or by or against any officer of the state in such
3 officer's official capacity or in relation to the discharge of such officer's official duties, shall abate
4 by reason of the reorganization effected under the provisions of this section. The court may allow
5 any such suit, action or other proceeding to be maintained by or against the successor of any such
6 state agency or any officer affected.

7 (f) No criminal action commenced or which could have been commenced by the state shall
8 abate by the taking effect of this section.

9 (g) When any conflict arises as to the disposition of any power, function or duty or the
10 unexpended balance of any appropriation as a result of any abolition, transfer, attachment or change
11 made by or under authority of this section, such conflict shall be resolved by the governor, whose
12 decision shall be final.

13 (h) The Kansas center for prevention leadership shall succeed to all property and records
14 which were used for or pertain to the performance of the powers, duties and functions transferred
15 to the Kansas center for prevention leadership. Any conflict as to the proper disposition of property
16 or records arising under this section, and resulting from the transfer under this section, or all or part
17 of the powers, duties and functions thereof, shall be determined by the governor, whose decision
18 shall be final.

19 (i) On the effective date of this act, the balance of all funds appropriated and reappropriated
20 to the office of prevention administration of the department of social and rehabilitation services
21 abolished by this act is hereby transferred to the Kansas center for prevention leadership and shall
22 be used only for the purpose for which the appropriation was originally made.

1 (j) On the effective date of this act, the liability for all accrued compensation or salaries of
2 officers and employees who, immediately prior to such date, were engaged in the performance of
3 powers, duties or functions of the office of prevention administration of the department of social and
4 rehabilitation services abolished by this act, or which becomes a part of the Kansas center for
5 prevention leadership established by this act, or the powers, duties and functions of which are
6 transferred to the Kansas center for prevention leadership provided for by this act, shall be assumed
7 and paid by the Kansas center for prevention leadership established by this act.

8 New Sec. 4. (a) There is hereby created a prevention policy council which is hereby attached
9 to the office of the governor. All budgeting, purchasing and related management functions of the
10 prevention research council shall be administered by the officers and employees of the Kansas center
11 for prevention leadership within the office of the governor. The prevention policy council shall be
12 composed of seven Kansas residents who are appointed by the governor. The officers and employees
13 of the Kansas center for prevention leadership shall provide staff support and assistance for the
14 prevention policy council. The Kansas prevention interagency coordinating committee shall assist
15 the prevention policy council in the performance of the council's powers, duties and functions.

16 (b) The prevention policy council is responsible for accountability for children, youth and
17 families by increasing community-based decision-making, strengthening families and preventing
18 problems, streamlining government and redirecting resources. The prevention policy council has the
19 following powers, duties and functions:

20 (1) The council shall assist in developing an annual comprehensive prevention plan that is
21 based on prevention research, promising programs and practices and on measurable benchmarks and
22 outcomes for children, youth and families in Kansas.

1 (2) The council shall oversee an annual assessment of federal and state funding streams and
2 special fee funds for prevention programs and shall monitor whether the services are documenting
3 positive outcomes for children, youth and families.

4 (3) The council shall encourage and facilitate joint planning, funding and coordination
5 among the public and private sectors to better serve the needs of children, youth and families.

6 (4) The council shall issue an annual Kansas Prevention Report Card on the status of
7 children, youth and families in Kansas.

8 Sec. 5. K.S.A. 1999 Supp. 38-1901 is hereby amended to read as follows: 38-1901. ~~On and~~
9 ~~after the effective date of this act:~~

10 (a) ~~The advisory committee on children and families is hereby redesignated and shall be~~
11 ~~known and referred to as the Kansas children's cabinet~~ is hereby attached to the office of the
12 governor. All budgeting, purchasing and related management functions of the Kansas children's
13 cabinet shall be administered by the officers and employees of the Kansas center for prevention
14 leadership within the office of the governor.

15 (b) The Kansas children's cabinet shall consist of 15 members as follows: (1) The secretary
16 of health and environment, or the secretary's designee; (2) the secretary of social and rehabilitation
17 services, or the secretary's designee; (3) a member of the state board of regents selected by the state
18 board of regents, or such member's designee; (4) the commissioner of education, or the
19 commissioner's designee; (5) the commissioner of juvenile justice, or the commissioner's designee;
20 (6) a member of the Kansas supreme court selected by the Kansas supreme court, or such member's
21 designee; (7) five members of the public who are interested in and knowledgeable about the needs
22 of children and families shall be appointed by the governor, which, subject to the provisions of

1 subsection (e), may include persons who are children's advocates, members of organizations with
2 experience in programs that benefit children or other individuals who have experience with children's
3 programs and services; (8) one person appointed by the speaker of the house of representatives; (9)
4 one person appointed by the minority leader of the house of representatives; (10) one person
5 appointed by the president of the senate; and (11) one person appointed by the minority leader of the
6 senate. The members designated by clauses (1), (2), (3), (4), (5) and (6) of this subsection shall be
7 nonvoting members of the Kansas children's cabinet. All other members shall be voting members.

8 (c) (1) Except as provided in paragraph (2) of this subsection, the members of the Kansas
9 children's cabinet appointed by the governor, speaker, president and minority leaders shall serve for
10 terms of four years and until their successors are appointed and qualified. The governor shall appoint
11 a chairperson of the committee from among the members appointed by the governor. The
12 chairperson shall serve in such office throughout such member's current term of office and until a
13 successor is appointed and qualified. The members of the Kansas children's cabinet may elect any
14 additional officers from among its members necessary to carry out the duties and functions of the
15 Kansas children's cabinet.

16 (2) Of the members first appointed by the governor, two shall be appointed for terms of two
17 years, two shall be appointed for terms of three years and the member selected by the governor to
18 be the chairperson shall be appointed for a term of four years. The member first appointed by the
19 speaker of the house of representatives shall be appointed for a term of one year, the member first
20 appointed by the minority leader of the house of representatives shall be appointed for a term of two
21 years, the member first appointed by the president of the senate shall be appointed for a term of three
22 years and the member first appointed by the minority leader of the senate shall be appointed for a

1 term of four years. The governor shall designate the term for which each of the members first
2 appointed by the governor shall serve.

3 (3) All members appointed to fill vacancies in the membership of the Kansas children's
4 cabinet and all members appointed to succeed members appointed to membership on the Kansas
5 children's cabinet shall be appointed in like manner as that provided for the original appointment of
6 the member succeeded. All members appointed to fill vacancies of a member of the Kansas
7 children's cabinet appointed by the governor, the speaker of the house of representatives, the minority
8 leader of the house of representatives, the president of the senate or the minority leader of the senate
9 shall be appointed to fill the unexpired term of such member.

10 (d) Not more than three members of the Kansas children's cabinet appointed by the governor
11 under subsection (b)(7) shall be members of the same political party.

12 (e) (1) No person shall serve on the Kansas children's cabinet if such person has knowingly
13 acquired a substantial interest in any business. Any such person who knowingly acquires such an
14 interest shall vacate such member's position on the Kansas children's cabinet.

15 (2) For purposes of this subsection, "substantial interest" means any of the following:

16 (A) If an individual or an individual's spouse, either individually or collectively, has owned
17 within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business,
18 whichever is less, the individual has a substantial interest in that business.

19 (B) If an individual or an individual's spouse, either individually or collectively, has received
20 during the preceding calendar year compensation which is or will be required to be included as
21 taxable income on federal income tax returns of the individual and spouse in an aggregate amount
22 of \$2,000 from any business or combination of businesses, the individual has a substantial interest

1 in that business or combination of businesses.

2 (C) If an individual or an individual's spouse holds the position of officer, director, associate,
3 partner or proprietor of any business, the individual has a substantial interest in that business,
4 irrespective of that amount of compensation received by the individual or the individual's spouse.

5 (D) If an individual or an individual's spouse receives compensation which is a portion or
6 percentage of each separate fee or commission paid to a business or combination of businesses, the
7 individual has a substantial interest in any client or customer who pays fees or commissions to the
8 business or combination of businesses from which fees or commissions the individual or the
9 individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in
10 the preceding calendar year.

11 (3) As used in this subsection, "client or customer" means a business or combination of
12 businesses.

13 (4) As used in this subsection, "business" means any entity which is eligible to receive funds
14 from the children's initiatives fund, as provided in K.S.A. 1999 Supp. 38-2102 and amendments
15 thereto, from the children's initiatives accountability fund, established by K.S.A. 1999 Supp. 38-2103
16 and amendments thereto, or from the family and children trust account of the family and children
17 investment fund, as provided in K.S.A. 38-1808 and amendments thereto.

18 (f) The Kansas children's cabinet shall meet upon the call of the chairperson as necessary to
19 carry out the duties and functions of the Kansas children's cabinet. A quorum of the Kansas
20 children's cabinet shall be five voting members.

21 (g) The Kansas children's cabinet shall have and perform the following functions:

22 (1) Assist the governor in developing and implementing a coordinated, comprehensive

1 service delivery system to serve the children and families of Kansas;

2 (2) identify barriers to service and gaps in service due to strict definitions of boundaries
3 between departments and agencies;

4 (3) facilitate interagency and interdepartmental cooperation toward the common goal of
5 serving children and families;

6 (4) investigate and identify methodologies for the combining of funds across departmental
7 boundaries to better serve children and families;

8 (5) propose actions needed to achieve coordination of funding and services across
9 departmental lines;

10 (6) encourage and facilitate joint planning and coordination between the public and private
11 sectors to better serve the needs of children and families; and

12 (7) perform the duties and functions prescribed by K.S.A. 1999 Supp. 38-2103, and
13 amendments thereto.

14 (h) Members of the Kansas children's cabinet shall not be paid compensation, but shall
15 receive subsistence allowances, mileage and other expenses as provided by K.S.A. 75-3223, and
16 amendments thereto. The subsistence allowances, mileage and other expenses as provided in K.S.A.
17 75-3223 and amendments thereto shall be paid from available appropriations of the governor's
18 ~~department of social and rehabilitation services,~~ except that expenses of members who are employed
19 by a state agency shall be reimbursed by that state agency.

20 (i) On the effective date of this act, the advisory committee on children and families is
21 hereby abolished and all powers, duties, functions, records and other property of the advisory
22 committee on children and families are hereby transferred to the Kansas children's cabinet created

1 by this section. Except as otherwise specifically provided by this act, the Kansas children's cabinet
2 shall be a continuation of the advisory committee on children and families as it existed prior to the
3 effective date of this act.

4 Sec. 6. K.S.A. 1999 Supp. 38-2101 is hereby amended to read as follows: 38-2101. (a)
5 There is hereby established in the state treasury the Kansas endowment for youth fund which shall
6 constitute a trust fund and shall be invested, managed and administered in accordance with the
7 provisions of this act by the board of trustees of the Kansas public employees retirement system
8 established by K.S.A. 74-4905 and amendments thereto.

9 (b) All of the moneys received by the state pursuant to the tobacco litigation settlement
10 agreements entered into by the attorney general on behalf of the state of Kansas, or pursuant to any
11 judgment rendered, regarding the litigation against tobacco industry companies and related entities,
12 shall be deposited in the state treasury and credited to the Kansas endowment for youth fund. All
13 such moneys shall constitute an endowment which shall remain credited to the Kansas endowment
14 for youth fund except as provided in this section or in K.S.A. 1999 Supp. 38-2102 and amendments
15 thereto for transfers to the children's initiatives fund. Expenditures may be made from the Kansas
16 endowment for youth fund for the payment of the operating expenses of ~~the Kansas children's~~
17 ~~cabinet~~ and the board of trustees, including the expenses of investing and managing the moneys,
18 which are attributable to the Kansas endowment for youth fund. All moneys credited to the Kansas
19 endowment for youth fund shall be invested to provide an ongoing source of investment earnings
20 available for periodic transfer to the children's initiatives fund in accordance with this act. All
21 expenditures from the Kansas endowment for youth fund shall be made in accordance with
22 appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers

1 approved by the chairperson of the board of trustees of the Kansas public employees retirement
2 system or by the chairperson's designee.

3 (c) On the effective date of this act, the director of accounts and reports shall transfer all
4 moneys credited to the children's health care programs fund to the Kansas endowment for youth fund
5 and the children's health care programs fund is hereby abolished. On and after July 1, 1999,
6 whenever the children's health care programs fund, or words of like effect, is referred to or
7 designated by statute, contract or other document, such reference or designation shall be deemed to
8 apply to the Kansas endowment for youth fund.

9 Sec. 7. K.S.A. 1999 Supp. 38-2103 is hereby amended to read as follows: 38-2103. (a) The
10 Kansas children's cabinet established by K.S.A. 1999 Supp. 38-1901 and amendments thereto shall
11 advise the governor and the legislature regarding the uses of the moneys credited to the children's
12 initiatives fund.

13 (b) The Kansas children's cabinet shall review, assess and evaluate all uses of the moneys
14 in the children's initiatives fund. The Kansas children's cabinet shall study and shall initiate studies,
15 assessments and evaluations, by contract or otherwise, through institutions of higher education and
16 other appropriate research entities to identify best practices and to measure and otherwise determine
17 the efficiency and efficacy of practices that are utilized in programs, projects, improvements, services
18 and other purposes for which moneys are allocated or appropriated from the children's initiatives
19 fund. The costs of such reviews, assessments and evaluations shall be paid from the children's
20 initiatives accountability fund.

21 (c) There shall be conducted performance audits and other audit work by the legislative post
22 auditor upon request by the Kansas children's cabinet and as directed by the legislative post audit

1 committee in accordance with the provisions of the legislative post audit act. The purpose of such
2 performance audits and other audit work shall be to provide interested parties with the program
3 evaluation and research needed to make informed decisions for the uses of moneys credited to the
4 children's initiatives fund. The auditor to conduct such performance audit or other audit work shall
5 be specified in accordance with K.S.A. 46-1122 and amendments thereto and if the legislative post
6 audit committee specifies under such statute that a firm, as defined by K.S.A. 46-1112 and
7 amendments thereto, is to perform all or part of the audit work of such audit, such firm shall be
8 selected and shall perform such audit work as provided in K.S.A. 46-1123 and amendments thereto
9 and K.S.A. 46-1125 through 46-1127 and amendments thereto. The audit work required pursuant
10 to this subsection shall be conducted in accordance with generally accepted governmental auditing
11 standards. The post auditor shall compute the reasonably anticipated cost of the audit work
12 performed by a firm for such performance audit or other audit work pursuant to this subsection,
13 subject to review and approval by the contract audit committee established by K.S.A. 46-1120 and
14 amendments thereto, and the Kansas ~~children's cabinet~~ center for prevention leadership shall pay
15 such cost from the children's initiatives accountability fund. If all or part of the audit work for such
16 performance audit or other audit work is performed by the division of post audit and the division of
17 post audit incurs costs in addition to those attributable to the operations of the division of post audit
18 in the performance of other duties and responsibilities, the post auditor shall charge the Kansas
19 ~~children's cabinet~~ center for prevention leadership for such additional costs and the Kansas ~~children's~~
20 ~~cabinet~~ center for prevention leadership shall pay such charges from the children's initiatives
21 accountability fund. The payment of any such costs and any such charges shall be a transaction
22 between the division of post audit and the Kansas ~~children's cabinet~~ center for prevention leadership

1 and such transaction shall be settled in accordance with the provisions of K.S.A. 75-5516 and
2 amendments thereto. All moneys received by the division of post audit for such costs and charges
3 shall be credited to the audit services fund.

4 (d) There is hereby established in the state treasury the children's initiatives accountability
5 fund which shall be administered in accordance with this section and the provisions of appropriation
6 acts. The governor shall recommend and the legislature shall provide for moneys to be credited
7 annually to the children's initiatives accountability fund by transfers or other provisions of
8 appropriation acts.

9 (e) All moneys credited to the children's initiatives accountability fund shall be used for the
10 purposes of providing funding for assessment and evaluation of programs, projects, improvements,
11 services and other purposes for which moneys are allocated or appropriated from the children's
12 initiatives fund. All expenditures from the children's initiatives accountability fund shall be made
13 in accordance with appropriation acts upon warrants of the director of accounts and reports issued
14 pursuant to vouchers approved in the manner prescribed by law.

15 (f) On or before the 10th day of each month, the director of accounts and reports shall transfer
16 from the state general fund to the Kansas endowment for youth fund interest earnings based on (1)
17 the average daily balance of moneys in the children's initiatives accountability fund for the preceding
18 month and (2) the net earnings rate of the pooled money investment portfolio for the preceding
19 month.

20 New Sec. 8. (a) There is hereby created the prevention interagency coordinating committee
21 to be composed of the following members:

22 (1) The commissioner of the juvenile justice authority or a designee of the commissioner;

1 (2) the commissioner of the state board of education or a designee of the commissioner;

2 (3) the secretary of social and rehabilitation services or a designee of the secretary;

3 (4) the secretary of corrections or a designee of the secretary;

4 (5) the secretary of transportation or a designee of the secretary;

5 (6) the secretary of revenue or a designee of the secretary;

6 (7) a designee of the state board of regents; and

7 (8) the attorney general or a designee of the attorney general.

8 (b) Any vacancy occurring in the membership of the committee shall be filled in the same
9 manner as the original appointment. The chairperson and vice-chairperson shall be designated by the
10 governor.

11 (c) The prevention interagency coordinating committee shall meet at least quarterly to:

12 (1) Facilitate interagency and interdepartmental cooperation toward the common goal of
13 achieving outcomes for children, youth and families.

14 (2) Identify barriers to service and gaps in service due to strict definitions of boundaries
15 between departments and agencies.

16 (3) Propose actions needed to achieve coordination of funding and services across
17 departmental lines.

18 (4) Provide information for the annual funding and program assessment and make
19 recommendations to the Kansas prevention council on the development of the comprehensive
20 prevention plan.

21 (d) The prevention interagency coordinating committee shall be staffed by personnel of the
22 center for prevention leadership.

1 New Sec. 9. (a) The officers and employees of the Kansas center for prevention leadership
2 shall provide day-to-day direction and accountability for the Kansas prevention initiative.

3 (b) The Kansas center for prevention leadership shall:

4 (1) Serve as a state clearinghouse and central point of contact for prevention information,
5 research and evaluation, and technical assistance.

6 (2) Develop consistent protocol to guide state grant making entities and processes to ease
7 the burden on grant seekers, simplify the application process, centralize access to state prevention
8 grants, improve the ability to track results, and establish a strategy to fund for success. Long term,
9 sustainable funding will be encouraged when such a commitment is necessary to achieve success.
10 Strategies to fully leverage federal and local dollars will be developed and clearly articulated.
11 Strategies to leverage private foundation dollars will also be developed and pursued on behalf of
12 state and local prevention efforts. Assistance will be provided to state agencies to assist them in
13 conforming their grant making criteria to the outcomes. The center shall also interpret prevention
14 research for other agencies to assist them in applying best practices in prevention programs.

15 (3) Develop consistent protocol to guide the monitoring of state grant making entities and
16 processes to ensure the effective use of resources.

17 (4) Develop consistent protocol for assessing federal and state funding streams and special
18 fee funds. All state agencies that make grants for prevention activities, services or programs shall
19 submit an annual report to the center documenting grantees and programs funded, and the results
20 achieved on the outcomes.

21 (5) Develop expertise in all funding streams available to fund prevention activities and
22 through technical assistance and education programs share that knowledge with appropriate

1 audiences.

2 (6) Fund regional prevention centers and technical assistance teams to facilitate county
3 prevention partnership plans that are based on research, target measurable outcomes.

4 (7) Convene prevention development work teams to make policy and program
5 recommendations on research and evaluation, on-line technology, results-based planning, capacity
6 building, resource and partnership development, on categorical issues such as substance abuse and
7 delinquency and social marketing.

8 (8) Provide leadership on the design, implementation and administration of statewide
9 prevention initiatives.

10 New Sec. 10. (a) There is hereby created the prevention research council which is hereby
11 attached to the office of the governor. All budgeting, purchasing and related management functions
12 of the prevention research council shall be administered by the officers and employees of the Kansas
13 center for prevention leadership within the office of the governor. The prevention research council
14 shall be composed of persons appointed by the governor who are recognized researchers in the field
15 of prevention, but shall not include any person who is a prevention program advocate or service
16 provider.

17 (b) The officers and employees of the Kansas center for prevention leadership shall provide
18 staff support and assistance for the prevention research council. The operating expenses and other
19 activities of the prevention research council shall be paid from moneys credited to the children's
20 initiatives accountability fund.

21 (c) The prevention research council shall:

22 (1) Build a systematic methodology for conducting prevention needs assessment that guides
23 prevention policy, program planning and resource allocation decisions and shall update the state and
24 county benchmarks annually and determine measures that are more predictive of risk or protection;

1 (2) support an on-line system that documents changes, such as new programs, policies and
2 practices, resulting from county prevention partnership plans and provides more immediate feedback
3 on the rates of change, the factors that affect change and whether the changes have the potential to
4 change the benchmarks and outcomes;

5 (3) develop a multi-level evaluation program to measure state level changes, intermediate
6 and long-term outcomes and program impacts;

7 (4) create an interface with higher education institutions and programs to make
8 recommendations on prevention needs assessment and evaluation, identify promising programs and
9 practices from research literature and create opportunities for applied research and clinical studies;
10 and

11 (5) provide assistance in the evaluation and assessment of programs funded and require when
12 necessary that evaluation and assessment are built into the design of prevention initiatives.

13 Sec. 11. K.S.A. 1999 Supp. 38-1901, 38-2101 and 38-2103 are hereby repealed.

14 Sec. 12. This act shall take effect and be in force from and after its publication in the statute
15 book.

1:30 pm
27 April 00

9rs2578.wpd

DRAFT BILL NO. _____

For Consideration by Committee on Appropriations

1 AN ACT enacting the Kansas prevention initiative act; creating the Kansas center for prevention
2 leadership in the office of the governor; transferring the office of prevention of the
3 department of social and rehabilitation services and the Kansas children's cabinet to the
4 Kansas center for prevention leadership; creating the prevention policy council, Kansas
5 prevention interagency coordinating committee and the prevention research council;
6 prescribing certain powers, duties and functions; amending K.S.A 1999 Supp. 38-1901, 38-
7 2101 and 38-2103 and repealing the existing sections.
8

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

10
11 New Section 1. This act shall be known and may be cited as the Kansas prevention initiative
12 act.

13 New Sec. 2. (a) The purpose of the Kansas prevention initiative act is to enact a
14 governmental reform designed to establish a new base of prevention leadership at the highest level
15 of state government and to enhance the outcomes achieved through the distribution and use of public
16 resources allocated for prevention. It is intended to provide a long-term and comprehensive
17 framework for prevention services and programs for children, youth and families. The framework
18 of the Kansas prevention initiative act is intended to address the need for practical prevention
19 research and identification of promising approaches and strategies, accountability, community-based
20 decision-making and community capacity building. It is to integrate the pieces into a comprehensive
21 system that will allow state and local government policymakers and program planners to make
22 informed decisions, analyze progress, set future directions, allocate resources and design services
23 in ways that are most likely to achieve and improve results.

24 (b) The Kansas prevention initiative act is designed around outcomes that define success and

House Appropriations
4-27-00
Attachment 2

1 provide a unifying force for planning and accountability across state agencies so that:

- 2 (1) Families, youth and other persons are part of their community's planning, decision-
3 making and evaluation processes;
- 4 (2) families and individuals live in safe and supportive communities;
- 5 (3) pregnant women and newborns thrive;
- 6 (4) infants and children thrive;
- 7 (5) children live in stable and supported families;
- 8 (6) children succeed in school;
- 9 (7) youth choose healthy behaviors; and
- 10 (8) youth successfully transition to adulthood.

11 (c) It is intended that the outcomes shall be measured by uniform data that are benchmarks
12 to chart and monitor conditions at the state and county levels. By designing reform strategies to
13 address specific benchmarks, programs can be funded that target the most prevalent problems and
14 desired outcomes.

15 New Sec. 3. (a) There is hereby created within the office of the governor the Kansas center
16 for prevention leadership. On the effective date of this act, all of the powers, duties and functions
17 of the existing office of prevention administration of the department of social and rehabilitation
18 services are hereby transferred to, conferred and imposed upon the Kansas center for prevention
19 leadership established by this act. The office of prevention administration of the department of social
20 and rehabilitation services is hereby abolished.

21 (b) The Kansas center for prevention leadership established by this act shall be the successor
22 in every way to the powers, duties and functions of the office of prevention administration of the

1 department of social and rehabilitation services in which the same were vested prior to the effective
2 date of this act. Every act performed in the exercise of such powers, duties and functions by or under
3 the authority of the Kansas center for prevention leadership established by this act shall be deemed
4 to have the same force and effect as if performed by the office of prevention administration of the
5 department of social and rehabilitation services in which such powers, duties and functions were
6 vested prior to the effective date of this act.

7 (c) Whenever the office of prevention administration of the department of social and
8 rehabilitation services is referred to or designated by a statute, contract or other document, such
9 reference or designation shall be deemed to apply to the Kansas center for prevention leadership
10 established by this act.

11 (d) On the effective date of this act, officers and employees who, immediately prior to such
12 date, were engaged in the performance of powers, duties or functions of the office of prevention
13 administration of the department of social and rehabilitation services, and who, in the opinion of the
14 Kansas center for prevention leadership, are necessary to perform the powers, duties and functions
15 of the Kansas center for prevention leadership, shall be transferred to, and shall become officers and
16 employees of the Kansas center for prevention leadership. Any such officer or employee shall retain
17 all retirement benefits and all rights of civil service which had accrued to or vested in such officer
18 or employee prior to the effective date of this act. The service of each such officer and employee so
19 transferred shall be deemed to have been continuous. All transfers and any abolition of personnel
20 positions in the classified service under the Kansas civil service act shall be in accordance with civil
21 service laws and any rules and regulations adopted thereunder.

22 (e) No suit, action or other proceeding, judicial or administrative, lawfully commenced, or

1 which could have been commenced, by or against the office of prevention administration of the
2 department of social and rehabilitation services, or by or against any officer of the state in such
3 officer's official capacity or in relation to the discharge of such officer's official duties, shall abate
4 by reason of the reorganization effected under the provisions of this section. The court may allow
5 any such suit, action or other proceeding to be maintained by or against the successor of any such
6 state agency or any officer affected.

7 (f) No criminal action commenced or which could have been commenced by the state shall
8 abate by the taking effect of this section.

9 (g) When any conflict arises as to the disposition of any power, function or duty or the
10 unexpended balance of any appropriation as a result of any abolition, transfer, attachment or change
11 made by or under authority of this section, such conflict shall be resolved by the governor, whose
12 decision shall be final.

13 (h) The Kansas center for prevention leadership shall succeed to all property and records
14 which were used for or pertain to the performance of the powers, duties and functions transferred
15 to the Kansas center for prevention leadership. Any conflict as to the proper disposition of property
16 or records arising under this section, and resulting from the transfer under this section, or all or part
17 of the powers, duties and functions thereof, shall be determined by the governor, whose decision
18 shall be final.

19 (i) On the effective date of this act, the balance of all funds appropriated and reappropriated
20 to the office of prevention administration of the department of social and rehabilitation services
21 abolished by this act is hereby transferred to the Kansas center for prevention leadership and shall
22 be used only for the purpose for which the appropriation was originally made.

1 (j) On the effective date of this act, the liability for all accrued compensation or salaries of
2 officers and employees who, immediately prior to such date, were engaged in the performance of
3 powers, duties or functions of the office of prevention administration of the department of social and
4 rehabilitation services abolished by this act, or which becomes a part of the Kansas center for
5 prevention leadership established by this act, or the powers, duties and functions of which are
6 transferred to the Kansas center for prevention leadership provided for by this act, shall be assumed
7 and paid by the Kansas center for prevention leadership established by this act.

8 New Sec. 4. (a) There is hereby created a prevention policy council which is hereby attached
9 to the office of the governor. All budgeting, purchasing and related management functions of the
10 prevention research council shall be administered by the officers and employees of the Kansas center
11 for prevention leadership within the office of the governor. The prevention policy council shall be
12 composed of seven Kansas residents who are appointed by the governor and who are knowledgeable
13 as a result of experience or education in prevention. The officers and employees of the Kansas center
14 for prevention leadership shall provide staff support and assistance for the prevention policy council.
15 The Kansas prevention interagency coordinating committee shall assist the prevention policy council
16 in the performance of the council's powers, duties and functions. Members of the prevention policy
17 council, other than members who are state officers and employees, shall be paid travel expenses and
18 subsistence expenses or allowances for attendance at meetings of the council as authorized by K.S.A.
19 75-3212 and amendments thereto, but shall receive no compensation.

20 (b) The prevention policy council has the following powers, duties and functions:

21 (1) The council shall assist in developing an annual comprehensive prevention plan that is
22 based on prevention research, promising programs and practices and on measurable benchmarks and

1 outcomes for children, youth and families in Kansas.

2 (2) The council shall develop, as a component of its annual comprehensive prevention plan,
3 a research agenda which shall list and prioritize research projects necessary to support the center in
4 the fulfillment of its duties and to advance prevention programs and services in Kansas.

5 (3) The council shall oversee an annual assessment of federal and state funding streams and
6 special fee funds for prevention programs and shall monitor whether the services are documenting
7 positive outcomes for children, youth and families.

8 (4) The council shall encourage and facilitate joint planning, funding and coordination
9 among the public and private sectors to better serve the needs of children, youth and families.

10 (5) The council shall issue an annual Kansas Prevention Report Card on the status of
11 children, youth and families in Kansas.

12 (6) The council shall advise the Kansas center for prevention leadership on such other
13 matters as required by the center.

14 Sec. 5. K.S.A. 1999 Supp. 38-1901 is hereby amended to read as follows: 38-1901. ~~On and~~
15 ~~after the effective date of this act:~~

16 (a) ~~The advisory committee on children and families is hereby redesignated and shall be~~
17 ~~known and referred to as the Kansas children's cabinet~~ is hereby attached to the office of the
18 governor. All budgeting, purchasing and related management functions of the Kansas children's
19 cabinet shall be administered by the officers and employees of the Kansas center for prevention
20 leadership within the office of the governor.

21 (b) The Kansas children's cabinet shall consist of 15 members as follows: (1) The secretary
22 of health and environment, or the secretary's designee; (2) the secretary of social and rehabilitation

1 services, or the secretary's designee; (3) a member of the state board of regents selected by the state
2 board of regents, or such member's designee; (4) the commissioner of education, or the
3 commissioner's designee; (5) the commissioner of juvenile justice, or the commissioner's designee;
4 (6) a member of the Kansas supreme court selected by the Kansas supreme court, or such member's
5 designee; (7) five members of the public who are interested in and knowledgeable about the needs
6 of children and families shall be appointed by the governor, which, subject to the provisions of
7 subsection (e), may include persons who are children's advocates, members of organizations with
8 experience in programs that benefit children or other individuals who have experience with children's
9 programs and services; (8) one person appointed by the speaker of the house of representatives; (9)
10 one person appointed by the minority leader of the house of representatives; (10) one person
11 appointed by the president of the senate; and (11) one person appointed by the minority leader of the
12 senate. The members designated by clauses (1), (2), (3), (4), (5) and (6) of this subsection shall be
13 nonvoting members of the Kansas children's cabinet. All other members shall be voting members.

14 (c) (1) Except as provided in paragraph (2) of this subsection, the members of the Kansas
15 children's cabinet appointed by the governor, speaker, president and minority leaders shall serve for
16 terms of four years and until their successors are appointed and qualified. The governor shall appoint
17 a chairperson of the committee from among the members appointed by the governor. The
18 chairperson shall serve in such office throughout such member's current term of office and until a
19 successor is appointed and qualified. The members of the Kansas children's cabinet may elect any
20 additional officers from among its members necessary to carry out the duties and functions of the
21 Kansas children's cabinet.

22 (2) Of the members first appointed by the governor, two shall be appointed for terms of two

1 years, two shall be appointed for terms of three years and the member selected by the governor to
2 be the chairperson shall be appointed for a term of four years. The member first appointed by the
3 speaker of the house of representatives shall be appointed for a term of one year, the member first
4 appointed by the minority leader of the house of representatives shall be appointed for a term of two
5 years, the member first appointed by the president of the senate shall be appointed for a term of three
6 years and the member first appointed by the minority leader of the senate shall be appointed for a
7 term of four years. The governor shall designate the term for which each of the members first
8 appointed by the governor shall serve.

9 (3) All members appointed to fill vacancies in the membership of the Kansas children's
10 cabinet and all members appointed to succeed members appointed to membership on the Kansas
11 children's cabinet shall be appointed in like manner as that provided for the original appointment of
12 the member succeeded. All members appointed to fill vacancies of a member of the Kansas
13 children's cabinet appointed by the governor, the speaker of the house of representatives, the minority
14 leader of the house of representatives, the president of the senate or the minority leader of the senate
15 shall be appointed to fill the unexpired term of such member.

16 (d) Not more than three members of the Kansas children's cabinet appointed by the governor
17 under subsection (b)(7) shall be members of the same political party.

18 (e) (1) No person shall serve on the Kansas children's cabinet if such person has knowingly
19 acquired a substantial interest in any business. Any such person who knowingly acquires such an
20 interest shall vacate such member's position on the Kansas children's cabinet.

21 (2) For purposes of this subsection, "substantial interest" means any of the following:

22 (A) If an individual or an individual's spouse, either individually or collectively, has owned

1 within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business,
2 whichever is less, the individual has a substantial interest in that business.

3 (B) If an individual or an individual's spouse, either individually or collectively, has received
4 during the preceding calendar year compensation which is or will be required to be included as
5 taxable income on federal income tax returns of the individual and spouse in an aggregate amount
6 of \$2,000 from any business or combination of businesses, the individual has a substantial interest
7 in that business or combination of businesses.

8 (C) If an individual or an individual's spouse holds the position of officer, director, associate,
9 partner or proprietor of any business, the individual has a substantial interest in that business,
10 irrespective of that amount of compensation received by the individual or the individual's spouse.

11 (D) If an individual or an individual's spouse receives compensation which is a portion or
12 percentage of each separate fee or commission paid to a business or combination of businesses, the
13 individual has a substantial interest in any client or customer who pays fees or commissions to the
14 business or combination of businesses from which fees or commissions the individual or the
15 individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in
16 the preceding calendar year.

17 (3) As used in this subsection, "client or customer" means a business or combination of
18 businesses.

19 (4) As used in this subsection, "business" means any entity which is eligible to receive funds
20 from the children's initiatives fund, as provided in K.S.A. 1999 Supp. 38-2102 and amendments
21 thereto, from the children's initiatives accountability fund, established by K.S.A. 1999 Supp. 38-2103
22 and amendments thereto, or from the family and children trust account of the family and children

1 investment fund, as provided in K.S.A. 38-1808 and amendments thereto.

2 (f) The Kansas children's cabinet shall meet upon the call of the chairperson as necessary to
3 carry out the duties and functions of the Kansas children's cabinet. A quorum of the Kansas
4 children's cabinet shall be five voting members.

5 (g) The Kansas children's cabinet shall have and perform the following functions:

6 (1) Assist the governor in developing and implementing a coordinated, comprehensive
7 service delivery system to serve the children and families of Kansas;

8 (2) identify barriers to service and gaps in service due to strict definitions of boundaries
9 between departments and agencies;

10 (3) facilitate interagency and interdepartmental cooperation toward the common goal of
11 serving children and families;

12 (4) investigate and identify methodologies for the combining of funds across departmental
13 boundaries to better serve children and families;

14 (5) propose actions needed to achieve coordination of funding and services across
15 departmental lines;

16 (6) encourage and facilitate joint planning and coordination between the public and private
17 sectors to better serve the needs of children and families; and

18 (7) perform the duties and functions prescribed by K.S.A. 1999 Supp. 38-2103, and
19 amendments thereto.

20 (h) Members of the Kansas children's cabinet shall not be paid compensation, but shall
21 receive subsistence allowances, mileage and other expenses as provided by K.S.A. 75-3223, and
22 amendments thereto. The subsistence allowances, mileage and other expenses as provided in K.S.A.

1 75-3223 and amendments thereto shall be paid from ~~available appropriations of the department of~~
2 ~~social and rehabilitation services~~ the children's initiatives accountability fund, except that expenses
3 of members who are employed by a state agency shall be reimbursed by that state agency.

4 (i) On the effective date of this act, the advisory committee on children and families is
5 hereby abolished and all powers, duties, functions, records and other property of the advisory
6 committee on children and families are hereby transferred to the Kansas children's cabinet created
7 by this section. Except as otherwise specifically provided by this act, the Kansas children's cabinet
8 shall be a continuation of the advisory committee on children and families as it existed prior to the
9 effective date of this act.

10 Sec. 6. K.S.A. 1999 Supp. 38-2101 is hereby amended to read as follows: 38-2101. (a)
11 There is hereby established in the state treasury the Kansas endowment for youth fund which shall
12 constitute a trust fund and shall be invested, managed and administered in accordance with the
13 provisions of this act by the board of trustees of the Kansas public employees retirement system
14 established by K.S.A. 74-4905 and amendments thereto.

15 (b) All of the moneys received by the state pursuant to the tobacco litigation settlement
16 agreements entered into by the attorney general on behalf of the state of Kansas, or pursuant to any
17 judgment rendered, regarding the litigation against tobacco industry companies and related entities,
18 shall be deposited in the state treasury and credited to the Kansas endowment for youth fund. All
19 such moneys shall constitute an endowment which shall remain credited to the Kansas endowment
20 for youth fund except as provided in this section or in K.S.A. 1999 Supp. 38-2102 and amendments
21 thereto for transfers to the children's initiatives fund. Expenditures may be made from the Kansas
22 endowment for youth fund for the payment of the operating expenses of ~~the Kansas children's~~

1 ~~cabinet~~ and the board of trustees, including the expenses of investing and managing the moneys,
2 which are attributable to the Kansas endowment for youth fund. All moneys credited to the Kansas
3 endowment for youth fund shall be invested to provide an ongoing source of investment earnings
4 available for periodic transfer to the children's initiatives fund in accordance with this act. All
5 expenditures from the Kansas endowment for youth fund shall be made in accordance with
6 appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers
7 approved by the chairperson of the board of trustees of the Kansas public employees retirement
8 system or by the chairperson's designee.

9 (c) On the effective date of this act, the director of accounts and reports shall transfer all
10 moneys credited to the children's health care programs fund to the Kansas endowment for youth fund
11 and the children's health care programs fund is hereby abolished. On and after July 1, 1999,
12 whenever the children's health care programs fund, or words of like effect, is referred to or
13 designated by statute, contract or other document, such reference or designation shall be deemed to
14 apply to the Kansas endowment for youth fund.

15 Sec. 7. K.S.A. 1999 Supp. 38-2103 is hereby amended to read as follows: 38-2103. (a) The
16 Kansas children's cabinet established by K.S.A. 1999 Supp. 38-1901 and amendments thereto shall
17 advise the governor and the legislature regarding the uses of the moneys credited to the children's
18 initiatives fund.

19 (b) The Kansas children's cabinet shall review, assess and evaluate all uses of the moneys
20 in the children's initiatives fund. The Kansas children's cabinet shall study and shall initiate studies,
21 assessments and evaluations, by contract or otherwise, through institutions of higher education and
22 other appropriate research entities to identify best practices and to measure and otherwise determine

1 the efficiency and efficacy of practices that are utilized in programs, projects, improvements, services
2 and other purposes for which moneys are allocated or appropriated from the children's initiatives
3 fund. The costs of such reviews, assessments and evaluations shall be paid from the children's
4 initiatives accountability fund. The Kansas children's cabinet shall be assisted in this function by the
5 prevention research council created by section 10 and amendments thereto.

6 (c) There shall be conducted performance audits and other audit work by the legislative post
7 auditor upon request by the Kansas children's cabinet and as directed by the legislative post audit
8 committee in accordance with the provisions of the legislative post audit act. The purpose of such
9 performance audits and other audit work shall be to provide interested parties with the program
10 evaluation and research needed to make informed decisions for the uses of moneys credited to the
11 children's initiatives fund. The auditor to conduct such performance audit or other audit work shall
12 be specified in accordance with K.S.A. 46-1122 and amendments thereto and if the legislative post
13 audit committee specifies under such statute that a firm, as defined by K.S.A. 46-1112 and
14 amendments thereto, is to perform all or part of the audit work of such audit, such firm shall be
15 selected and shall perform such audit work as provided in K.S.A. 46-1123 and amendments thereto
16 and K.S.A. 46-1125 through 46-1127 and amendments thereto. The audit work required pursuant
17 to this subsection shall be conducted in accordance with generally accepted governmental auditing
18 standards. The post auditor shall compute the reasonably anticipated cost of the audit work
19 performed by a firm for such performance audit or other audit work pursuant to this subsection,
20 subject to review and approval by the contract audit committee established by K.S.A. 46-1120 and
21 amendments thereto, and the ~~Kansas children's cabinet~~ center for prevention leadership shall pay
22 such cost from the children's initiatives accountability fund. If all or part of the audit work for such

1 performance audit or other audit work is performed by the division of post audit and the division of
2 post audit incurs costs in addition to those attributable to the operations of the division of post audit
3 in the performance of other duties and responsibilities, the post auditor shall charge the Kansas
4 ~~children's cabinet~~ center for prevention leadership for such additional costs and the Kansas ~~children's~~
5 ~~cabinet~~ center for prevention leadership shall pay such charges from the children's initiatives
6 accountability fund. The payment of any such costs and any such charges shall be a transaction
7 between the division of post audit and the Kansas ~~children's cabinet~~ center for prevention leadership
8 and such transaction shall be settled in accordance with the provisions of K.S.A. 75-5516 and
9 amendments thereto. All moneys received by the division of post audit for such costs and charges
10 shall be credited to the audit services fund.

11 (d) There is hereby established in the state treasury the children's initiatives accountability
12 fund which shall be administered in accordance with this section and the provisions of appropriation
13 acts. The governor shall recommend and the legislature shall provide for moneys to be credited
14 annually to the children's initiatives accountability fund by transfers or other provisions of
15 appropriation acts.

16 (e) All moneys credited to the children's initiatives accountability fund shall be used for the
17 purposes of providing funding for assessment and evaluation of programs, projects, improvements,
18 services and other purposes for which moneys are allocated or appropriated from the children's
19 initiatives fund. All expenditures from the children's initiatives accountability fund shall be made
20 in accordance with appropriation acts upon warrants of the director of accounts and reports issued
21 pursuant to vouchers approved in the manner prescribed by law.

22 (f) On or before the 10th day of each month, the director of accounts and reports shall transfer

1 from the state general fund to the Kansas endowment for youth fund interest earnings based on (1)
2 the average daily balance of moneys in the children's initiatives accountability fund for the preceding
3 month and (2) the net earnings rate of the pooled money investment portfolio for the preceding
4 month.

5 New Sec. 8. (a) There is hereby created the prevention interagency coordinating committee
6 to be composed of the following members:

- 7 (1) The commissioner of the juvenile justice authority or a designee of the commissioner;
- 8 (2) the secretary of health and environment or a designee of the secretary;
- 9 (3) the commissioner of the state board of education or a designee of the commissioner;
- 10 (4) the secretary of social and rehabilitation services or a designee of the secretary;
- 11 (5) the secretary of corrections or a designee of the secretary;
- 12 (6) the secretary of transportation or a designee of the secretary;
- 13 (7) the secretary of revenue or a designee of the secretary;
- 14 (8) a designee of the state board of regents;
- 15 (9) the attorney general or a designee of the attorney general; and
- 16 (10) the adjutant general or a designee of the adjutant general.

17 (b) Any vacancy occurring in the membership of the committee shall be filled in the same
18 manner as the original appointment. The chairperson and vice-chairperson shall be designated by the
19 governor.

20 (c) The prevention interagency coordinating committee shall meet at least quarterly to:

- 21 (1) Facilitate interagency and interdepartmental cooperation toward the common goal of
22 achieving prevention outcomes for children, youth and families;

1 (2) identify barriers to service and gaps in service due to strict definitions of boundaries
2 between departments and agencies;

3 (3) propose actions needed to achieve coordination of funding and services across
4 departmental lines;

5 (4) provide information for the annual funding and program assessment of prevention
6 services and programs and make recommendations to the Kansas prevention council on the
7 development of the comprehensive prevention plan; and

8 (5) develop strategies to enhance the utilization of state resources and access to state-based
9 assistance and services by local government and not-for-profit entities involved in prevention.

10 (d) The prevention interagency coordinating committee shall be staffed by personnel of the
11 Kansas center for prevention leadership.

12 New Sec. 9. (a) The officers and employees of the Kansas center for prevention leadership
13 shall provide day-to-day direction and accountability for the Kansas prevention initiative.

14 (b) The Kansas center for prevention leadership shall:

15 (1) Serve as a state clearinghouse and central point of contact for prevention information,
16 research and evaluation, and technical assistance;

17 (2) develop consistent protocol to guide state grant making entities and processes to ease the
18 burden on grant seekers, simplify the application process, centralize access to state prevention grants,
19 improve the ability to track results, and establish a strategy to fund prevention programs and services
20 for success;

21 (3) encourage long term, sustainable funding and grant-making when such a commitment
22 is necessary to achieve success or enhance outcomes;

1 (4) develop and clearly articulate strategies to fully leverage state funds with federal and
2 local funds;

3 (5) develop and pursue strategies to leverage state funds with private funds, such as
4 corporate, not-for-profit and philanthropic resources on behalf of state and local prevention efforts;

5 (6) providing assistance to state agencies to assist them in conforming their grant-making
6 criteria to the outcomes;

7 (7) shall interpret prevention research for other agencies to assist them in applying best
8 practices in prevention programs;

9 (8) develop consistent protocol to guide the monitoring of state grant making entities and
10 processes to ensure the effective use of resources;

11 (9) develop consistent protocol for assessing federal and state funding streams and special
12 fee funds.

13 (10) develop expertise in all funding streams available to fund prevention activities and
14 through technical assistance and education programs share that knowledge with appropriate
15 audiences.

16 (11) fund regional prevention centers and technical assistance teams to facilitate county
17 prevention partnership plans that are based on research, target measurable outcomes;

18 (12) convene prevention development work teams to make policy and program
19 recommendations on research and evaluation, on-line technology, results-based planning, capacity
20 building, resource and partnership development, on categorical issues such as substance abuse and
21 delinquency and social marketing; and

22 (13) provide leadership on the design, implementation and administration of statewide
23 prevention initiatives.

24 (c) All state agencies that make grants for prevention activities, services or programs shall

1 submit an annual report to the center documenting grantees and programs funded, and the results
2 achieved on the outcomes.

3 New Sec. 10. (a) There is hereby created the prevention research council which is hereby
4 attached to the office of the governor. All budgeting, purchasing and related management functions
5 of the prevention research council shall be administered by the officers and employees of the Kansas
6 center for prevention leadership within the office of the governor. The prevention research council
7 shall be composed of at least three residents of Kansas appointed by the governor who are
8 recognized researchers in the field of prevention, but shall not include any person who is a paid
9 employee of a prevention service provider.

10 (b) The officers and employees of the Kansas center for prevention leadership shall provide
11 staff support and assistance for the prevention research council. The operating expenses and other
12 activities of the prevention research council shall be paid from moneys credited to the children's
13 initiatives accountability fund. Members of the prevention research council, other than members who
14 are state officers and employees, shall be paid travel expenses and subsistence expenses or
15 allowances for attendance at meetings of the council as authorized by K.S.A. 75-3212 and
16 amendments thereto, but shall receive no compensation.

17 (c) The prevention research council shall:

18 (1) Build a systematic methodology for conducting prevention needs assessment that guides
19 prevention policy, program planning and resource allocation decisions and shall update the state and
20 county benchmarks annually and determine measures that are more predictive of risk or protection;

21 (2) support an on-line system that documents changes, such as new programs, policies and
22 practices, resulting from county prevention partnership plans and provides more immediate feedback
23 on the rates of change, the factors that affect change and whether the changes have the potential to
24 change the benchmarks and outcomes;

1 (3) develop a multi-level evaluation program to measure state level changes, intermediate
2 and long-term outcomes and program impacts;

3 (4) create an interface with higher education institutions and programs to make
4 recommendations on prevention needs assessment and evaluation, identify promising programs and
5 practices from research literature and create opportunities for applied research and clinical studies;

6 (5) make recommendations on curriculum and training opportunities necessary to provide
7 Kansas with qualified professionals to deliver and administer prevention services;

8 (6) provide assistance in the evaluation and assessment of programs funded and require when
9 necessary that evaluation and assessment are built into the design of prevention initiatives; and

10 (7) provide assistance to the Kansas children's cabinet.

11 (d) The prevention research council is hereby authorized to contract with providers of
12 research services in accordance with competitive bidding procedures prescribed by K.S.A. 75-3739
13 and amendments thereto.

14 Sec. 11. K.S.A. 1999 Supp. 38-1901, 38-2101 and 38-2103 are hereby repealed.

15 Sec. 12. This act shall take effect and be in force from and after its publication in the statute
16 book.