

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson Representative Kenny Wilk at 9:00 a.m. on February 22, 2002, in Room 514-S of the Capitol.

All members were present except: Representative Peterson, Excused
Representative Spangler, Excused
Representative McCreary, Excused
Representative Newton, Excused
Representative Light, Excused

Committee staff present: Amy Kramer, Legislative Research
Becky Krahl, Legislative Research
Alan Conroy, Legislative Research
Julian Efrid, Legislative Research
Deb Hollon, Legislative Research
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee: Joe Fritton, Division of Facilities Management,
Department of Administration

Others attending: See Attached

Representative Stone, member of the General Government and Human Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Public Employees Retirement System for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with additional adjustments (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Stone, member of the General Government and Human Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for Kansas Public Employees Retirement System for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with additional adjustments (Attachment 1). Motion was seconded by Representative Pottorff. Motion carried.

Representative Nichols, member of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Behavioral Sciences Regulatory Board for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 2). Motion was seconded by Representative Feuerborn. Motion carried.

Representative Nichols, member of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Behavioral Sciences Regulatory Board for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 2). Motion was seconded by Representative Shultz. Motion carried.

Representative Nichols, member of the Education Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Board of Healing Arts for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 2). Motion was seconded by Representative Hermes. Motion carried.

Discussion and Action on HB 2829--Regulation of parking on certain state property

Joe Fritton, Division of Facilities Management, Department of Administration, presented an amendment regarding the disposition of fines collected by the Department of Administration in the proposed legislation (Attachment 3).

Representative Stone moved to adopt the proposed amendment (Attachment 3) as presented. Motion was seconded by Representative Pottorff. Motion carried.

The Committee discussed that the proposed fine schedule of a \$15 minimum would be reviewed by the Joint Committee on Administrative Rules and Regulations. Minimum fines currently are \$5 for the first offense.

Representative Minor moved to report the bill favorably as amended. Motion was seconded by Representative Pottorff. Motion carried.

Hearing on HB 2764–Kansas senior care act, amendments relating to allocations for area agencies on aging

Representative Neufeld, Chairperson of the Social Services Budget Committee, reported that the Budget Committee had held a hearing on the bill and it had received the approval of the state Area Agencies on Aging Association. There were no conferees appearing on the bill and Chairman Wilk closed the hearing on **HB 2764**.

Representative Neufeld moved for the adoption of an amendment to the bill regarding mill levies for services for the aging as designated by the local units of government (Attachment 4). Motion was seconded by Representative Henry. Motion carried.

Representative Neufeld moved that the bill be reported favorably as amended. Motion was seconded by Representative Stone. Motion carried.

The meeting was adjourned at 9:45 a.m. The next meeting is scheduled for Monday, February 25, 2002.

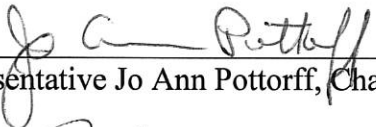
APPROPRIATIONS COMMITTEE GUEST LIST

DATE: 2/22/02

NAME	REPRESENTING
Jeff Apin	Division of the Budget
D. KEITH MEYERS	DEPT OF ADMINISTRATION
ANDY SANCHEZ	KAPE
Dan Etzel	D of A / DFM
Joe Fritton	D of A / DFM
Dan Balch	D of A / DFM
Liz Post	D of A / DFM
Gary Paine	Visitor
Glenn Deck	KPERS
Jack Hawn	KPERS
JOHN OLIVER	KPERS
Mike Huttles	Ks. Govt Consulting

**HOUSE GENERAL GOVERNMENT AND HUMAN RESOURCES
BUDGET COMMITTEE**

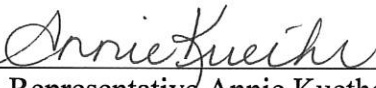
KPERS Budget Report



Representative Jo Ann Pottorff, Chairperson




Representative Marti Crow



Representative Annie Kuether



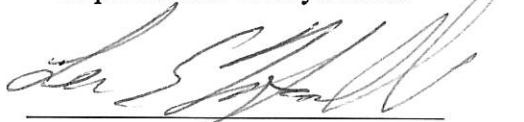
Representative Ralph Ostmeyer



Representative Joe Shriver



Representative Lloyd Stone



Representative Lee Tafanelli

HOUSE APPROPRIATIONS

DATE 2/22/02
ATTACHMENT 1

Budget Report

Agency: KPERS

Bill No. 2743

Bill Sec. --

Analyst: Efird

Analysis Pg. No. Vol. I - 359

Budget Page No. 307

Expenditure Summary	Agency Est. FY 02	Governor's Recommendation FY 02	Budget Adjustments
State Operations	\$ 30,244,196	\$ 30,244,196	\$ (2,702,422)
Other Assistance	627,996,216	627,996,216	0
Total-All Funds	<u>\$ 658,240,412</u>	<u>\$ 658,240,412</u>	<u>\$ (2,702,422)</u>
FTE Positions	85.0	84.0	1.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>85.0</u>	<u>84.0</u>	<u>1.0</u>

Agency Est./Governor's Recommendation

Agency Estimate. The approved reportable budget (that excludes nonreportable benefits in the category of other assistance) at the end of the 2001 Legislature totaled \$33,657,429 in state operations expenditures. The revised estimate in FY 2002 is \$30,244,196, with reductions primarily attributed to lower investment manager costs. State operations expenditures are treated as reportable and those costs include both agency operations and investment related fees which are paid to investment managers and consultants who assist the KPERS Board of Trustees with managing the System's investment portfolio and performing related tasks. In FY 2002, the Legislature approved expenditure limitations to differentiate KPERS and non-KPERS agency operations. Expenditure limitations were established in FY 2002 at \$6,327,726 for KPERS agency operations and \$255,000 for non-KPERS agency operations. No limitations were established in FY 2002 for investment-related fees or for a technology project. Unexpended financing in FY 2001 was allowed to carry over without limit for a technology project. No FTE limitation was set for the agency in order to allow flexibility in hiring and adding personnel as needed. The agency requests 1.0 additional position in FY 2002. A base six-month salary of \$19,978 is included for a State Auditor II. The reductions in state operations are attributed to lower fees for investment managers that results from reduced earnings on investments. Absent from the agency's revised budget request is \$133,758 in KSIP funding. That money may be spend for statutorily prescribed purposes, and is not subject to any expenditure limitation or other restrictions.

Governor's Recommendations. The Governor concurs with the revised FY 2002 budget request, and adds back \$32,000 from the SGF for paying the first-year cost of the KSRS legislation, with an off-setting reduction in KPERS Fund estimated spending for benefits, making the amount non-reportable as other benefits are treated. The Governor's recommendations do not include in FY 2002 spending of \$133,758 from KSIP funding. No adjustment in the KPERS limited agency operations accounts is recommended in FY 2002, and any money in the KSIP account may be spent in addition to the expenditure limitation imposed in FY 2002. The Governor's recommendations do

not include an additional 1.0 FTE position, but six months of funding for the new position is part of the Governor's recommended salaries and wages budget in FY 2002.

House Budget Committee Recommendation

The Committee concurs with the Governor's recommendations and makes the following additional adjustments:

1. Based on KPERS staff reports, make the following adjustments in FY 2003: reduce \$800,000 in financing for the technology project due to delays and carryover money to FY 2003; reduce \$1,974,350 in fees paid to investment managers due to a decline in financial markets; reduce \$50,000 in non-KPERS funded administrative costs; and reduce \$11,830 in non-KPERS funded investment-related expenses.
2. Add \$133,758 in KSIP money that the agency may legally expend, but for which the Governor's recommendations for expenditures do not account in the recommended FY 2002 spending.
3. Add 1.0 FTE position for an Auditor II that the agency requests and for which the Governor concurs with adding half-year financing but fails to add the FTE.

Summary of Adjustments:

<u>FY 02 Reportable Expenditures</u>	<u>Governor's Recommendations</u>	<u>Budget Adjustments</u>	<u>Budget Recommendations</u>
KPERS Funded			
Administration	\$ 6,327,726	\$ 0	\$ 6,327,726
KSIP-Admin.	0	133,758	133,758
Audit	32,500	0	32,500
Technology Project	1,202,000	(800,000)	402,000
Investments	22,311,412	(1,974,350)	20,337,062
Subtotal	<u>\$ 29,873,638</u>	<u>\$ (2,640,592)</u>	<u>\$ 27,233,046</u>
Non-KPERS Funded			
Administration	\$ 237,590	\$ (50,000)	\$ 187,590
Investments	132,968	(11,830)	121,138
Subtotal	<u>\$ 370,558</u>	<u>\$ (61,830)</u>	<u>\$ 308,728</u>
TOTAL-All Funds	\$ 30,244,196	\$ (2,702,422)	\$ 27,541,774
FTE Positions	84.0	1.0	85.0

Budget Report

Agency: KPERS

Bill No.

Bill Sec.

Analyst: Efird

Analysis Pg. No. Vol. I - 359

Budget Page No. 307

Expenditure Summary	Agency Req. FY 03	Governor's Recommendation FY 03	Budget Adjustments
State Operations	\$ 31,464,457	\$ 31,326,761	\$ (1,634,069)
Other Assistance	658,902,429	658,902,429	0
Total-All Funds	<u>\$ 690,366,886</u>	<u>\$ 690,229,190</u>	<u>\$ (1,634,069)</u>
FTE Positions	86.0	84.0	1.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>86.0</u>	<u>84.0</u>	<u>1.0</u>

Agency Req./Governor's Recommendation

KPERS requests an increase of 4.0 percent in state operations expenditures. In addition to 1.0 FTE audit position added in FY 2002, the agency requests a second new audit position in FY 2003 for reviewing employer reporting and contributions. Replacing the current computer system is anticipated to take place over a three-year period, with initial funding of \$122,500 requested in FY 2003. The remaining amount of increased expenditures is attributed to paying higher fees to investment managers and other professionals with contracts to provide services for KPERS.

The Governor's FY 2003 recommendations do not include additional money for requested enhancements, nor do the recommendations include additional FTE positions for two new auditors. However, the Governor recommends \$128,030 in salaries and wages that would be in addition to the agency base FY 2003 budget request, including \$19,787 to annualize the salary of 1.0 FTE position identified as an Auditor II in the budget detail for salaries and wages. No funding is provided for the second new auditor position. The remaining amount for salaries and wages would fund the Governor's recommended adjustments in FY 2003. Increased expenditures as requested by the agency also are recommended for investment managers and other professionals with contracts to provide services for KPERS.

House Budget Committee Recommendation

The Committee concurs with the Governor's recommendations and makes the following additional adjustments:

1. Add first-year financing of \$122,500 for replacing the computer system over three years at an estimated total cost of \$367,500. In addition, based on KPERS staff reports, make the following adjustments in FY 2003:

- a. add \$800,000 in carryover financing for the technology project; reduce \$2,497,627 in fees paid to investment managers due to a decline in financial markets; reduce \$50,000 in non-KPERS funded administrative costs; and reduce \$8,942 in non-KPERS funded investment-related expenses.
2. Note that the Special 2003 Death and Disability Plan Employer Contribution Fund had non-SGF money that originally was appropriated from special revenue funds in FY 2002 for the employer contribution to the KPERS Group Life Insurance and Long-Term Disability Benefits Program. The 2001 Legislature suspended two quarters of payments in FY 2002, and recaptured the non-SGF money that was not required for payments by transferring the money to this fund. As of December 18, 2001, the balance in the fund totaled \$1,065,538 in money that was reduced from state agency non-SGF accounts. A \$0 expenditure limitation was placed on this fund in FY 2002.

The Subcommittee understands that the Governor's FY 2003 appropriations bill will transfer the balance in this fund to the State General Fund on July 1, 2002, to enhance the SGF balance by \$1,065,538.
3. Note that funding for six months of employer payments to the KPERS Group Life Insurance and Long-Term Disability Benefits Program under the Governor's recommended expenditures was reduced from agency FY 2003 budgets, and that substantive legislation must be introduced to authorize a six month moratorium proposed by the Governor. Failure to enact legislation will result in agencies having to pay the contribution out of existing FY 2003 resources.
4. Add 1.0 FTE position for an Auditor II that the agency requests and for which the Governor concurs with adding financing but fails to add the FTE.

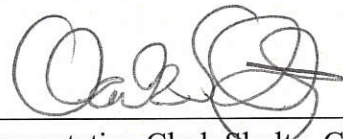
Summary of Adjustments:

<u>FY 03 Reportable Expenditures</u>	<u>Governor's Recommendations</u>	<u>Budget Adjustments</u>	<u>Budget Recommendations</u>
KPERS Funded			
Administration	\$ 6,452,053	\$ 122,500	\$ 6,574,553
Audit	32,500	0	32,500
Technology Project	502,000	800,000	1,302,000
Investments	23,984,707	(2,497,627)	21,487,080
Subtotal	<u>\$ 30,971,260</u>	<u>\$ (1,575,127)</u>	<u>\$ 29,396,133</u>
Non-KPERS Funded			
Administration	\$ 242,228	\$ (50,000)	\$ 192,228
Investments	113,273	(8,942)	104,331
Subtotal	<u>\$ 355,501</u>	<u>\$ (58,942)</u>	<u>\$ 296,559</u>
TOTAL--All Funds	\$ 31,326,761	\$ (1,634,069)	\$ 29,692,692
FTE Positions	84.0	1.0	85.0

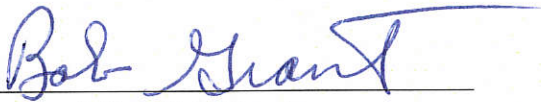
2002 EDUCATION BUDGET COMMITTEE

Board of Healing Arts

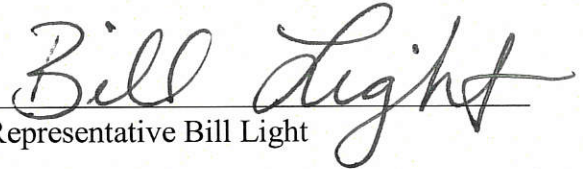
Behavioral Sciences Regulatory Board



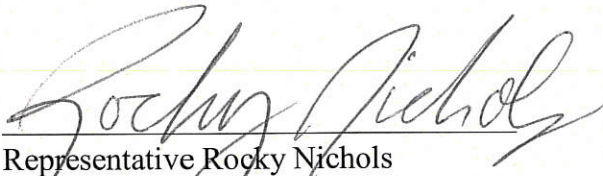
Representative Clark Shultz, Chairperson



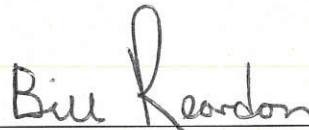
Representative Bob Grant



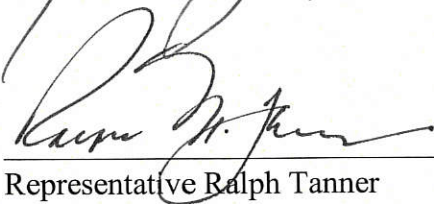
Representative Bill Light



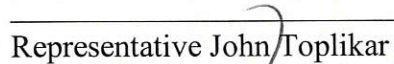
Representative Rocky Nichols



Representative Bill Reardon



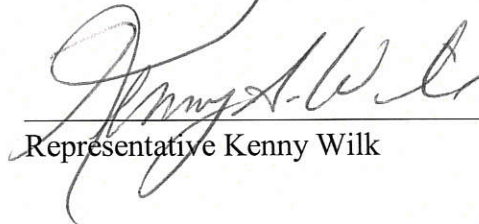
Representative Ralph Tanner



Representative John Toplikar



Representative Thomas C. Owens



Representative Kenny Wilk

HOUSE APPROPRIATIONS

DATE 2/22/02

ATTACHMENT 2

SUBCOMMITTEE REPORT

Agency: Biennial Budget Agencies

Bill No.

Bill Sec.

Analyst: Various

Analysis Pg. No. Vol. I - 513

	Actual FY 01	Approved FY 02	Agency Est. FY 02	Gov. Rec. FY 02	Approved FY 03	Agency Req. FY 03	Gov. Rec. FY 03
Financial Institutions Regulatory Agencies							
Bank Commissioner, State	\$ 4,289,995	\$ 5,299,375	\$ 5,556,407	\$ 5,400,669	\$ 5,500,236	\$ 5,838,913	\$ 5,721,964
Credit Unions, State Dept. of	765,832	859,789	859,789	859,789	870,801	888,217	896,620
Securities Commissioner	1,880,687	2,042,207	2,042,207	2,042,207	2,092,598	2,092,598	2,113,020
TOTAL	\$ 6,936,514	\$ 8,201,371	\$ 8,458,403	\$ 8,302,665	\$ 8,463,635	\$ 8,819,728	\$ 8,731,604
Occupational and Professional Licensing Boards							
Abstracters Board of Examiners	\$ 18,164	\$ 20,168	\$ 20,168	\$ 20,168	\$ 20,045	\$ 20,285	\$ 20,285
Accountancy, Board of	166,145	179,432	179,432	179,432	187,915	187,915	189,663
Barbering, Board of	119,005	126,914	129,914	129,914	131,177	131,177	132,390
Behavioral Sciences Regulatory	431,322	484,954	486,815	486,815	512,945	512,945	517,271
Cosmetology, Board of	583,754	722,187	722,187	722,187	752,980	752,980	761,970
Dental, Kansas Board	287,762	321,902	321,902	321,902	327,208	327,208	328,839
Healing Arts, Board of	1,916,016	1,990,963	1,990,963	1,990,963	2,066,884	2,066,884	2,084,630
Hearing Aid Examiners, Board	14,733	21,243	21,243	21,243	21,937	21,937	21,937
Mortuary Arts, Board of	199,269	205,929	213,541	213,541	214,222	214,222	216,514
Nursing, Board of	1,192,574	1,424,287	1,430,221	1,430,221	1,383,705	1,383,705	1,397,017
Optometry Examiners, Board of	59,980	83,770	83,770	83,770	84,631	84,631	85,305
Pharmacy, State Board of	509,316	553,254	553,254	553,254	566,462	566,462	571,321
Real Estate Appraisal Board	222,640	245,753	245,753	245,753	254,104	254,104	256,455
Real Estate Commission	644,381	647,312	690,942	670,112	668,570	752,266	714,473
Technical Professions, Board of	463,357	535,155	535,155	535,155	550,711	550,711	555,193
Veterinary Examiners, Board of	234,580	282,854	282,854	282,854	290,967	268,889	270,992
TOTAL	\$ 7,062,998	\$ 7,846,077	\$ 7,908,114	\$ 7,887,284	\$ 8,034,463	\$ 8,096,321	\$ 8,124,255
Total Expenditures	\$ 13,999,512	\$ 16,047,448	\$ 16,366,517	\$ 16,189,949	\$ 16,498,098	\$ 16,916,049	\$ 16,855,859
Percentage Change from Previous Fiscal Year	5.0%	14.6%	15.8%	15.6%	2.8%	3.4%	4.1%
Other Biennial Agencies							
Governmental Ethics Commission							
State General Fund	\$ 400,528	\$ 407,766	\$ 407,766	\$ 407,766	\$ 458,165	\$ 458,165	\$ 464,056
All Funds	\$ 536,486	\$ 570,303	\$ 570,303	\$ 570,303	\$ 574,491	\$ 574,491	\$ 581,182
Percent Change:							
State General Fund	7.3%	1.8%	1.8%	1.8%	12.4%	12.4%	13.8%
All Funds	6.5%	6.3%	6.3%	6.3%	0.7%	0.7%	1.9%
FTE Positions	238.5	248.2	248.2	248.2	248.2	249.2	248.2

FTE Positions

	Actual FY 01	Approved FY 02	Agency Est. FY 02	Gov. Rec. FY 02	Approved FY 03	Agency Req. FY 03	Gov. Rec. FY 03
Financial Institutions Regulatory Agencies							
Bank Commissioner, State	77.0	85.0	85.0	85.0	85.0	85.0	85.0
Credit Unions, State Dept. of	12.0	13.0	13.0	13.0	13.0	13.0	13.0
Securities Commissioner	27.8	27.8	27.8	27.8	27.8	27.8	27.8
TOTAL	116.8	125.8	125.8	125.8	125.8	125.8	125.8
Occupational and Professional Licensing Boards							
Abstracters Board of Examiners	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Accountancy, Board of	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Barbering, Board of	1.5	1.5	1.5	1.5	1.5	1.5	1.5
Behavioral Sciences Regulatory	7.8	8.0	8.0	8.0	8.0	8.0	8.0
Cosmetology, Board of	12.0	12.0	12.0	12.0	12.0	12.0	12.0
Dental, Kansas Board	2.0	2.5	2.5	2.5	2.5	2.5	2.5
Healing Arts, Board of	29.0	29.0	29.0	29.0	29.0	29.0	29.0
Hearing Aid Examiners, Board	0.4	0.4	0.4	0.4	0.4	0.4	0.4
Mortuary Arts, Board of	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Nursing, Board of	22.0	22.0	22.0	22.0	22.0	22.0	22.0
Optometry Examiners, Board of	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Pharmacy, State Board of	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Real Estate Appraisal Board	3.0	3.0	3.0	3.0	3.0	3.0	3.0
Real Estate Commission	13.0	13.0	13.0	13.0	13.0	14.0	13.0
Technical Professions, Board of	6.0	6.0	6.0	6.0	6.0	6.0	6.0
Veterinary Examiners, Board of	3.0	3.0	3.0	3.0	3.0	3.0	3.0
TOTAL	112.7	113.4	113.4	113.4	113.4	114.4	113.4
Other Biennial Agencies							
Governmental Ethics Commission	9.0	9.0	9.0	9.0	9.0	9.0	9.0
TOTAL	238.5	248.2	248.2	248.2	248.2	249.2	248.2

BEHAVIORAL SCIENCES REGULATORY BOARD

FY 2002. The agency requests \$486,815, which is \$1,861 or 0.4 percent above the approved amount. The increase is due to a \$1,861 KSIP reappropriation.

The Governor concurs with the FY 2002 agency request.

House Budget Committee Recommendation

The House Budget Committee concurs with the Governor's recommendation.

FY 2003. The agency made no additional request.

The Governor recommends for FY 2003 the addition of \$4,326 to account for increased health insurance and the death and disability moratorium adjustment.

House Budget Committee Recommendation

The House Budget Committee concurs with the Governor's recommendation.

HEALING ARTS, BOARD OF

FY 2003. The agency makes no additional requests.

The Governor recommends an FY 2003 salaries and wages increase of \$17,746 for health insurance and death and disability moratorium adjustments.

House Budget Committee Recommendation

The House Budget Committee concurs with the Governor's recommendation.

HOUSE BILL No. 2829

By Committee on Appropriations

2-11

9 AN ACT concerning parking on certain state property; amending K.S.A.
10 75-4506 and 75-4508 and repealing the existing sections.

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

12 Section 1. K.S.A. 75-4506 is hereby amended to read as follows: 75-
13 4506. No motor vehicle, whether privately or publicly owned, may be
14 parked upon parking lots, facilities or drives of any state owned or op-
15 erated property or building in Shawnee county, Kansas, ~~except on prop-~~
16 ~~erties listed as exceptions in K.S.A. 75-4503, or except as authorized under~~
17 rules and regulations adopted by the secretary of administration as pro-
18 vided in K.S.A. 75-3706 *and amendments thereto* or, in the case of the
19 statehouse grounds, in accordance with signs posted by the capitol area
20 security patrol. Such rules and regulations may fix and provide for col-
21 lection of rents, charges or fees *and administrative fines and procedures*
22 *for violation of such rules and regulations* to be imposed in connection
23 with and for the use of the parking facilities so owned and operated, and
24 the secretary of administration may enter into any contract or contracts
25 therefor with any state officer or employee or with any board, commis-
26 sion, agency or instrumentality of the state of Kansas. The secretary of
27 administration may design and issue parking permits *or other forms of*
28 *authorization* to facilitate the best use of any such parking lots, facilities
29 or drives. Parking permits to park on the statehouse grounds shall be
30 designed and issued in accordance with rules or instructions of the leg-
31 islative coordinating council. Notwithstanding the foregoing provisions of
32 this section, the secretary of administration shall provide not less than
33 ~~one hundred forty (140)~~ 140 parking spaces to meet the needs of the
34 legislative branch and whenever the legislative coordinating council shall
35 determine that additional parking spaces are necessary the secretary of
36 administration shall provide such number of additional parking spaces as
37 may be specified by the legislative coordinating council.

38 Sec. 2. K.S.A. 75-4508 is hereby amended to read as follows: 75-
39 4508. ~~Any~~ (a) *Except as provided in subsection (b), any* person who shall
40 violate any of the provisions of K.S.A. 75-4505, 75-4506 or 75-4507 and
41 amendments thereto, or any rule or regulation made thereunder shall be
42 guilty of a misdemeanor and, upon conviction, shall be punished by a fine
43

HOUSE APPROPRIATIONS
DATE 2/22/02
ATTACHMENT 3

3-2

of not more than ~~twenty-five dollars (\$25)~~ \$25 or by imprisonment in the county jail for not more than ~~thirty (30)~~ 30 days or by both such fine and imprisonment.

(b) ~~The secretary of administration is authorized to adopt rules and regulations establishing administrative fines for parking violations in areas where a fee for parking is assessed, except that this subsection shall not apply to parking on the statehouse grounds. Persons paying any such fine shall not be subject to prosecution pursuant to subsection (a) relating to such offense. The secretary of administration shall assign responsibility for enforcement of parking violations under this subsection to the capitol area security patrol, the department of administration or other personnel designated by the secretary.~~

Sec. 3. K.S.A. 75-4506 and 75-4508 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the Kansas register.

(1)

(2) Any administrative fines received under this subsection (b) shall be remitted by the secretary of administration to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the building and grounds fund created by K.S.A. 75-3765, and amendments thereto.

HOUSE BILL No. 2764

By Committee on Appropriations

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Proposed Amendment by
the Social Services Budget Committee
for Consideration by
House Appropriations Committee

HOUSE APPROPRIATIONS
DATE 8/22/02
ATTACHMENT 4

9 AN ACT concerning the Kansas senior care act; relating to allocations
10 for area agencies on aging; amending K.S.A. 75-5929, 75-5930, 75-
11 5931, 75-5932 and 75-5933 and K.S.A. 2001 Supp. 75-5928 and re-
12 pealing the existing sections.

13
14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2001 Supp. 75-5928 is hereby amended to read as
16 follows: 75-5928. (a) Within the limitations of appropriations therefor, the
17 secretary of aging is hereby authorized to establish a program of in-home
18 services for residents of Kansas 60 years of age or older who have func-
19 tional limitations which restrict their ability to carry out activities of daily
20 living and impede their ability to live independently.

21 (b) The secretary of aging shall establish and administer, pursuant to
22 the provisions of ~~this the~~ *Kansas senior care* act, a program of in-home
23 services as authorized under subsection (a). The secretary shall designate
24 area agencies on aging to administer the program in their respective plan-
25 ning and service areas. The secretary shall ~~designate~~ *allocate funds to* an
26 area agency on aging ~~to receive funds~~ only after the area agency on aging
27 has ~~submitted an acceptable program plan~~ *executed a contract with the*
28 *secretary under the Kansas senior care act.* ~~The program plan must be~~
29 ~~renewed annually by the area agency on aging older Americans act ad-~~
30 ~~visory council and representatives of senior organizations, home health~~
31 ~~agencies, health departments and the department of social and rehabili-~~
32 ~~tation services.~~

33 (c) The program of in-home services authorized under subsection (a)
34 shall serve such planning and service areas and provide such services as
35 may be specified by the secretary and as are consistent with ~~this the~~
36 *Kansas senior care* act and with appropriation acts relating thereto. ~~The~~
37 ~~secretary shall establish by rules and regulations the priority of services~~
38 ~~to be offered under this program. Such services shall include, but not be~~
39 ~~limited to, homemaker services, attendant care services, transportation~~
40 ~~for care services, chore services and care management services. The see-~~
41 ~~retary shall follow the priorities established in specifying services under~~
42 ~~this act, but any such service or services, or combination of services, to~~
43 ~~be provided under this act shall be consistent with appropriations for such~~

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program:

2 ~~(d) In establishing a program of in-home services authorized under~~
3 ~~subsection (a) and the provisions of this act, the secretary of aging may:~~

4 ~~(1) Make grants to area agencies on aging;~~

5 ~~(2) fix, charge and collect fees for services provided as part of such~~
6 ~~program, such fees to be fixed on a sliding scale based on the recipient's~~
7 ~~ability to pay for the services and the schedule of fees shall be published~~
8 ~~annually in the Kansas register;~~

9 ~~(3) adopt rules and regulations necessary to establish the program~~
10 ~~under this act and to administer the provisions of such program and shall~~
11 ~~adopt rules and regulations as provided under K.S.A. 75-5031;~~

12 ~~(4) enter into contracts as necessary to carry out the provisions of this~~
13 ~~act; and~~

14 ~~(5) take such other action as may be necessary to carry out the pro-~~
15 ~~visions of this act.~~

16 Sec. 2. K.S.A. 75-5929 is hereby amended to read as follows: 75-
17 5929. (a) ~~On and after July 1, 1993, all funds granted to an area agency~~
18 ~~on aging under this act shall be matched with funds or in-kind resources~~
19 ~~from other than the federal or state government on the basis of not less~~
20 ~~than \$1 of matching funds or in-kind resources for every \$2 of state funds.~~
21 ~~Client fees may be used to meet this requirement. Funds shall only be~~
22 ~~granted to area agencies on aging based on plans approved by the sec-~~
23 ~~retary. Funds appropriated for allocation under the Kansas senior care~~
24 ~~act shall be allocated to the area agencies on aging as follows:~~

25 (1) *A portion of the funds shall be allocated to the area agencies on*
26 *aging based on a funding formula established by the secretary;*

27 (2) *a portion of the funds, as determined by the secretary, shall be*
28 *allocated to area agencies on aging that continue to receive matching*
29 *funds directly as required by subsection (c) in accordance with the ratio*
30 *for match established for this purpose by the secretary in rules and reg-*
31 *ulations adopted by the secretary; and*

32 (3) *a portion of the funds, as determined by the secretary, may be*
33 *allocated to area agencies on aging that receive amounts of matching funds*
34 *directly from local units of government, in excess of the amounts required*
35 *by subsection (c), and any such allocation shall be in accordance with the*
36 *ratio for match established for this purpose by the secretary in rules and*
37 *regulations adopted by the secretary.*

38 (b) *Funds for purchase of service provided under this the Kansas*
39 *senior care act shall be spent expended only when other sources of support*
40 *for service provision are not available. The funds shall not replace med-*
41 *icaid, older Americans act, community services block grant, medicare and*
42 *other state or federal funding sources that may be used to pay for needed*
43 *services.*

mill levy

or the single entity responsible for mill levies for services for the aging, as designated by the local units of government