

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson Representative Kenny Wilk at 9:00 a.m. on March 6, 2002, in Room 514-S of the Capitol.

All members were present except: Representative McCreary, Excused  
Representative Schultz, Excused  
Representative Peterson, Excused

Committee staff present: Amy Kramer, Legislative Research  
Becky Krahl, Legislative Research  
Mike Corrigan, Revisor of Statutes  
Nikki Feuerborn, Committee Secretary

Conferees appearing before the committee: Albert Murray, Juvenile Justice Authority Commissioner

Others attending: See Attached

Representative Klein, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Citizens Utility Ratepayer Board for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 1). Motion was seconded by Representative Schwartz. Motion carried.

Representative Klein, member of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Citizens Utility Ratepayer Board for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with an addition (Attachment 1). Motion was seconded by Representative Schwartz. Motion carried

The Committee discussed the possibility of duplication of effort by CURB and the KCC in its attempts to protect the public in utility matters. It was explained that some expert witnesses could be used for both agencies.

Representative Schwartz, Chairperson of the Agriculture and Natural Resources Budget Committee presented the Budget Committee report on the Governor's budget recommendations for the State Corporation Commission for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 1). Motion was seconded by Representative Weber. Motion carried.

Representative Schwartz, Chairperson of the Agriculture and Natural Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Corporation Commission for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with an adjustment and proviso (Attachment 1). Motion was seconded by Representative Klein. Motion carried.

Representative Campbell, Chairperson of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Juvenile Justice Authority for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with an adjustment (Attachment 2). Motion was seconded by Representative Minor. Motion carried.

Representative Campbell, Chairperson of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Juvenile Justice Authority for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with a notation (Attachment 2). Motion was seconded by Representative Minor. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Atchison Juvenile Correctional Facility 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 Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Atchison Juvenile Correctional Facility for FY 2003

and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 2). Motion was seconded by Representative Feuerborn. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Beloit Juvenile Correctional Facility for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 (Attachment 2). Motion was seconded by Representative Campbell. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Beloit Juvenile Correctional Facility for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with a notation (Attachment 2). Motion was seconded by Representative Campbell. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Larned Juvenile Correctional Facility for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with an adjustment (Attachment 2). Motion was seconded by Representative Feuerborn. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Larned Juvenile Correctional Facility for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 2). Motion was seconded by Representative Feuerborn. Motion carried.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Topeka Juvenile Correctional Facility for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with an adjustment (Attachment 2). Motion was seconded by Representative Feuerborn. Motion carried.

Albert Murray, Commissioner of the Juvenile Justice Authority, explained that construction of the \$37.8 million facility which is scheduled for completion in 2004, has begun. This will be a 225 maximum security bed unit with 60 classification beds.

Representative Minor, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Topeka Juvenile Correctional Facility for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with an adjustment (Attachment 2). Motion was seconded by Representative Campbell. Motion carried.

Representative Feuerborn, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Ombudsman of Corrections for FY 2002 and moved for the adoption of the Budget Committee recommendations for FY 2002 with exceptions (Attachment 2). Motion was seconded by Representative Campbell. Motion carried.

The role of the Ombudsman of Corrections was established more than 20 years ago and has been successful in its role of handling inmate complaints and grievances.

Representative Feuerborn, member of the Public Safety Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Ombudsman of Corrections for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with exceptions (Attachment 2). Motion was seconded by Representative Campbell. Motion carried.

Representative Feuerborn moved for the introduction of legislation which would authorize the Anderson County Commissioners to adopt a 1% sales tax increase for the purpose of building a new jail in the county. Motion was seconded by Representative Bethell. Motion carried.

**Hearing, Discussion, and Action on HB 2992—Smoking in public places; \$50 fine; entirely to the state general fund**

Sally Finney, Kansas Public Health Association, spoke on behalf of the bill and expressed disappointment that the current statutes were not being enforced by the Department of Health and Environment (Attachment 3). Miss Finney encouraged the banning of smoking in all public places and to oppose any legislative attempts by municipalities to enact local smoke-free ordinances.

As there were no opponents, Chairman Wilk closed the hearing on **HB 2992**.

Representative Feuerborn moved that the bill be reported favorably. Motion was seconded by Representative Stone. Motion carried on a 9 to 8 vote.

**Discussion and Action on HB 2681–Home Plus, increasing the number of individuals to eight**

Representative Neufeld, Chairperson of the Social Services Budget Committee, reported that their Committee had held a hearing and recommended an amendment by the Long Term Care Task Force which would disallow the conversion of a wing of an adult care home to an eight bed home plus facility. The amendment would allow for the conversion of a portion of one wing of the facility to a not less than a five-bed and not more than an eight-bed facility, to remain separate from the adult care home with the facilities remaining contiguous (Attachment 4).

Representative Neufeld moved for the adoption of the amendment as it appears in Attachment 4 and for the favorable passage of the bill as amended. Motion was seconded by Representative Bethell. Motion carried.

Representative Feuerborn moved for the adoption of the minutes of February 13, and 14, 2002, as presented. Motion was seconded by Representative Stone. Motion carried.

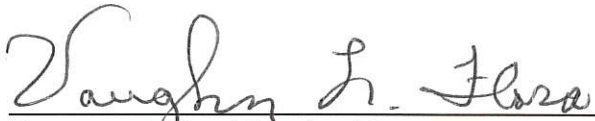
The meeting was adjourned at 10:10 a.m. The next meeting is scheduled for Thursday, March 7, 2002.



**2002 AGRICULTURE AND NATURAL  
RESOURCES BUDGET COMMITTEE**


Kansas Corporation Commission  
Citizens Utility Ratepayer Board

  
Representative Sharon Schwartz, Chairperson

  
Representative Vaughn Flora

  
Representative Alan Goering

  
Representative Carl Holmes

  
Representative Tom Klein

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Representative Bill McCreary

  
Representative Don Myers

HOUSE APPROPRIATIONS

DATE 3/06/02  
ATTACHMENT 1

## House Budget Committee Report

**Agency:** Citizens' Utility Ratepayer Board

**Bill No.**

**Bill Sec.**

**Analyst:** Chapman

**Analysis Pg. No.** Vol I-502

**Budget Page No.** 89

Expenditure Summary	Agency Request FY 02	Gov. Rec. FY 02	Budget Committee Adjustments
Special Revenue Funds			
State Operations	\$ 606,186	\$ 606,186	\$ 0
FTE Positions	4.0	4.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	4.0	4.0	0.0

### Agency Request/Governor's Recommendation

The agency's estimate for FY 2002 operating expenditures of \$606,186 is the same as the approved budget and is an increase of \$97,274, or 19.1 percent, over FY 2001. The increase is mainly comprised of an increase of 8.3 percent (\$20,043) in salaries and wages over the previous year, an increase of 33.1 percent (\$84,660) in contractual services for consulting fees associated with a number of major rate cases, and a decrease of 83.2 percent (\$7,431) in capital outlay expenditures.

The Governor concurs with the agency's estimate.

### House Budget Committee Recommendation

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

## House Budget Committee Report

**Agency:** Citizens' Utility Ratepayer Board

**Bill No.**

**Bill Sec.**

**Analyst:** Chapman

**Analysis Pg. No.** Vol I - 502

**Budget Page No.** 89

Expenditure Summary	Agency Request FY 03	Gov. Rec. FY 03	House Budget Committee Adjustments
Special Revenue Funds			
State Operations	\$ 651,587	\$ 581,205	\$ 32,415
FTE Positions	5.0	4.0	1.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	<u>5.0</u>	<u>4.0</u>	<u>1.0</u>

### Agency Request/Governor's Recommendation

The agency's request for FY 2003 operating expenditures of \$651,587 is an increase of \$45,401 above the FY 2002 estimate. The agency requests \$309,048 in salaries and wages for 5.0 FTE positions, or 47.4 percent of the operating budget, and \$342,539, or 52.6 percent of the operating budget, for other operating expenses.

The Governor recommends for FY 2003 operating expenditures totaling \$581,205, a decrease of \$24,981 (4.1 percent) below the FY 2002 estimate, and \$70,382 below the agency's request.

### House Budget Committee Recommendation

The House Budget Committee concurs with the Governor's recommendation with the following addition:

1. Add \$32,415 from the Utility Regulatory Fee Fund for 1.0 FTE secretary position that includes \$29,583 in salaries and wages and \$2,830 in capital outlay purchases. The Budget Committee believes the addition is warranted based on the agency's staffing needs, the minimal impact the new position would have on the agency's expenditures, and the fact that the Governor's recommendation for FY 2003 is \$24,981 (4.1 percent) less than his FY 2002 recommendation.

### Fee Fund Analysis

The following table reflects the status of the agency's fee fund under the Budget Committee recommendation.

<u>Resource Estimate</u>	<u>Actual FY 2001</u>	<u>Agency Estimate FY 2002</u>	<u>Gov. Rec. FY 2002</u>	<u>Agency Request FY 2003</u>	<u>Gov. Rec. FY 2003</u>	<u>Budget Comm. Rec. FY 2003</u>
Beginning Balance	\$ 174,067	\$ 194,362	\$ 194,362	\$ 173,176	\$ 173,176	\$ 173,176
Net Receipts	529,206	585,000	585,000	636,635	590,497	590,497
Total Available	\$ 703,273	\$ 779,362	\$ 779,362	\$ 809,811	\$ 763,673	\$ 763,673
Less: Expenditures	494,856	606,186	606,186	651,587	581,205	613,620
Ending Balance	\$ 194,362	\$ 173,176	\$ 173,176	\$ 158,224	\$ 182,468	\$ 150,053
Ending Balance as Percent of Expenditure	39.3%	28.6%	28.6%	24.3%	31.4%	24.5%



## House Budget Committee Report

**Agency:** State Corporation Commission      **Bill No.**      **Bill Sec.**

**Analyst:** Chapman      **Analysis Pg. No.** Vol I-486      **Budget Page No.** 111

Expenditure Summary	Agency Request FY 02	Gov. Rec. FY 02	Budget Committee Adjustments
<b>Special Revenue Funds</b>			
State Operations	\$ 16,521,072	\$ 16,362,187	\$ 0
Aid to Local Units	1,684,820	1,684,820	0
Other Assistance	0	0	0
<b>TOTAL</b>	<b>\$ 18,205,892</b>	<b>\$ 18,047,007</b>	<b>\$ 0</b>
<b>FTE Positions</b>			
FTE Positions	210.0	210.0	0.0
Non FTE Uncl. Perm. Pos.	3.0	3.0	0.0
<b>TOTAL</b>	<b>213.0</b>	<b>213.0</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

The State Corporation Commission's estimated expenditures for the current fiscal year of \$18,205,892 are \$912,736 (5.3 percent) over the approved budget. The increase is mainly comprised of \$185,304 in federal funds from energy funds awarded before the end of the federal fiscal year in September, \$538,609 from four federal grants awarded to the Natural Gas Pipeline Safety section of the Utilities Program to improve damage prevention practices within the state, \$300,000 more than was originally approved from the Abandoned Oil and Gas Fund to plug more abandoned oil and gas wells, \$8,603 in KSIP funds (a carryover from FY 2001 expenditures) to fund technology related items, and adjustments of smaller fee funds items.

The Governor concurs, but recommends that shrinkage be increased from 2.5 percent to 3.9 percent, a decrease of \$158,885 to the agency's FY 2002 request.

### House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

# House Budget Committee Report

**Agency:** State Corporation Commission      **Bill No.**      **Bill Sec.**

**Analyst:** Chapman      **Analysis Pg. No.** Vol I-486      **Budget Page No.** 111

Expenditure Summary	Agency Request FY 03	Gov. Rec. FY 03	Budget Committee Adjustments
<b>Special Revenue Funds</b>			
State Operations	\$ 16,890,256	\$ 16,800,167	\$ 0
Aid to Local Units	959,790	959,790	0
Other Assistance	0	0	0
<b>TOTAL</b>	<b>\$ 17,850,046</b>	<b>\$ 17,759,957</b>	<b>\$ 0</b>
<b>FTE Positions</b>			
FTE Positions	212.0	210.0	0.0
Non FTE Uncl. Perm. Pos.	3.0	3.0	0.0
<b>TOTAL</b>	<b>215.0</b>	<b>213.0</b>	<b>0.0</b>

## Agency Request/Governor's Recommendation

The State Corporation Commission's request for FY 2003 operating expenditures funding is \$17,850,046, which is a decrease of \$355,846 (2.0 percent) from the FY 2002 estimate. The agency requests \$10,761,755 for salaries and wages for 212.0 FTE positions, or 60.3 percent of the total requested for state operations expenditures, \$6,128,501 for other operating expenditures, and \$959,790 for aid to local units.

The Governor recommends operating expenditures of \$17,759,957 for FY 2003, a decrease of \$287,050 (1.6 percent) from the FY 2002 estimate. The Governor recommends \$10,822,826 for salaries and wages for 212.0 FTE positions, and \$5,977,341 for other operating expenditures.

## House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation with the following adjustment:

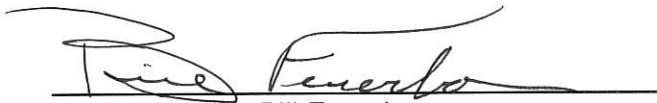
1. Add a proviso, if the Governor has not already done so, to authorize expenditures in FY 2003 from the Conservation Fee Fund for purposes authorized for the Natural Gas Underground Storage Fee Fund. Such expenditures are to be reimbursed by the Natural Gas Storage Fee Fund in FY 2003, or, if funds are unavailable, then in FY 2004.

# 2002 PUBLIC SAFETY BUDGET COMMITTEE

Juvenile Justice Authority  
Topeka Juvenile Correctional Facility  
Beloit Juvenile Correctional Facility  
Atchison Juvenile Correctional Facility  
Larned Juvenile Correctional Facility  
Ombudsman for Corrections



Representative Larry Campbell, Chairperson

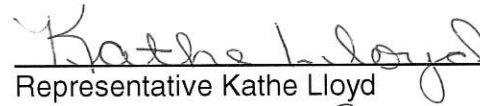


Representative Bill Feuerborn



Representative Doug Gatewood

Representative Steve Huebert



Representative Kathe Lloyd



Representative Melvin Minor



Representative Dean Newton

HOUSE APPROPRIATIONS

DATE 3/6/02  
ATTACHMENT 2

## Senate Subcommittee Report

**Agency:** Juvenile Justice Authority

**Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No.** Vol. I - 819

**Budget Page No.** 281

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 5,923,764	\$ 5,923,764	\$ (1,750)
Aid to Local Units	43,012,183	42,212,183	0
Other Assistance	7,024,041	7,024,041	0
Subtotal - Operating	\$ 55,959,988	\$ 55,159,988	\$ (1,750)
Capital Improvements	11,859,063	11,859,063	0
TOTAL	<u>\$ 67,819,051</u>	<u>\$ 67,019,051</u>	<u>\$ (1,750)</u>
State General Fund:			
State Operations	\$ 4,075,840	\$ 4,175,840	\$ (1,750)
Aid to Local Units	24,994,665	23,784,922	0
Other Assistance	6,880,041	6,880,041	0
Subtotal - Operating	\$ 35,950,546	\$ 34,840,803	\$ (1,750)
Capital Improvements	0	0	0
TOTAL	<u>\$ 35,950,546</u>	<u>\$ 34,840,803</u>	<u>\$ (1,750)</u>
FTE Positions	38.0	38.0	0.0
Non FTE Uncl. Perm. Pos.	9.0	9.0	0.0
TOTAL	<u>47.0</u>	<u>47.0</u>	<u>0.0</u>

### Agency Estimate/Governor's Recommendation

**The Juvenile Justice Authority estimates** \$55,959,988 for FY 2002 operating expenditures which is an increase of \$839,238 (1.5 percent) from the amount approved by the 2001 Legislature. The estimate includes \$2,406,602 for salaries and wages to fund 38.0 FTE positions, \$43,012,183 for aid to local units, and \$7,024,041 for other assistance.

**The Governor recommends** \$55,159,988 for FY 2002 operating expenditures which is an increase of \$39,238 (0.1 percent) from the amount approved by the 2001 Legislature. The recommendation includes \$2,406,602 for salaries and wages to fund 38.0 FTE positions, \$42,212,183 for aid to local units, and \$7,024,041 for other assistance. The recommendation is a net decrease of \$800,000 in purchase of service funding from the agency estimate, which results from a decrease of \$1,109,743 from the State General Fund, and an increase of \$128,743 from the Juvenile Justice Fee Fund and \$181,000 from the Title XIX Fund.

## **Senate Subcommittee Recommendation**

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

1. Transfer \$1,750 from the KSIP Facilities Operations account to the Larned Juvenile Correctional Facility KSIP Facilitation Operations account.

## **Senate Committee Recommendation**

The Senate Committee concurs with the Senate Subcommittee's recommendation.

## **Senate Recommendation**

The Senate has not yet considered this budget.

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House Budget Committee Report

Agency: Juvenile Justice Authority      Bill No. --      Bill Sec. --

Analyst: Kramer      Analysis Pg. No. Vol. II - 819      Budget Page No. 281

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 5,923,764	\$ 5,923,764	\$ (1,750)
Aid to Local Units	43,012,183	42,212,183	0
Other Assistance	7,024,041	7,024,041	0
Subtotal - Operating	\$ 55,959,988	\$ 55,159,988	\$ (1,750)
Capital Improvements	11,859,063	11,859,063	0
<b>TOTAL</b>	<b>\$ 67,819,051</b>	<b>\$ 67,019,051</b>	<b>\$ (1,750)</b>
State General Fund:			
State Operations	\$ 4,075,840	\$ 4,175,840	\$ 0
Aid to Local Units	24,994,665	23,784,922	0
Other Assistance	6,880,041	6,880,041	0
Subtotal - Operating	\$ 35,950,546	\$ 34,840,803	0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 35,950,546</b>	<b>\$ 34,840,803</b>	<b>\$ 0</b>
FTE Positions	38.0	38.0	0.0
Non FTE Uncl. Perm. Positions	9.0	9.0	0.0
<b>TOTAL</b>	<b>47.0</b>	<b>47.0</b>	<b>0.0</b>

**Agency Estimate/Governor's Recommendation**

**The Juvenile Justice Authority estimates** \$55,959,988 for FY 2002 operating expenditures which is an increase of \$839,238 (1.5 percent) from the amount approved by the 2001 Legislature. The estimate includes \$2,406,602 for salaries and wages to fund 38.0 FTE positions, \$43,012,183 for aid to local units, and \$7,024,041 for other assistance.

**The Governor recommends** \$55,159,988 for FY 2002 operating expenditures which is an increase of \$39,238 (0.1 percent) from the amount approved by the 2001 Legislature. The recommendation includes \$2,406,602 for salaries and wages to fund 38.0 FTE positions, \$42,212,183 for aid to local units, and \$7,024,041 for other assistance. The recommendation is a net decrease of \$800,000 in purchase of service funding from the agency estimate, which results

from a decrease of \$1,109,743 from the State General Fund, and an increase of \$128,743 from the Juvenile Justice Fee Fund and \$181,000 from the Title XIX Fund.

### **House Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendation with the following adjustment.

1. Transfer \$1,750 from the KSIP Facilities Operations account to the Larned Juvenile Correctional Facility KSIP Facilitation Operations account.

## Senate Subcommittee Report

**Agency:** Juvenile Justice Authority

**Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No.** Vol. I - 819

**Budget Page No.** 281

Expenditure Summary	Agency Request FY 2003	Governor's Recommendation FY 2003	Senate Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 6,081,611	\$ 5,844,619	\$ 0
Aid to Local Units	46,616,391	40,764,829	0
Other Assistance	7,926,241	7,926,241	0
Subtotal - Operating	\$ 60,624,243	\$ 54,535,689	\$ 0
Capital Improvements	4,175,887	2,523,356	0
<b>TOTAL</b>	<b>\$ 64,800,130</b>	<b>\$ 57,059,045</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 3,606,274	\$ 3,365,998	\$ 0
Aid to Local Units	27,537,484	20,681,481	0
Other Assistance	7,782,241	7,882,241	0
Subtotal - Operating	\$ 38,925,999	\$ 31,929,720	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 38,925,999</b>	<b>\$ 31,929,720</b>	<b>\$ 0</b>
FTE Positions	42.0	38.0	0.0
Non FTE Uncl. Perm. Positions	9.0	9.0	0.0
<b>TOTAL</b>	<b>51.0</b>	<b>47.0</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

**The Juvenile Justice Authority requests** \$60,624,243 for FY 2003 operating expenditures which is an increase of \$4,664,255 (8.3 percent) from the FY 2002 estimate. The request includes \$2,620,155 in salaries and wages for 38.0 FTE positions, \$46,616,391 in aid to local units, and \$7,926,241 in other assistance. The request includes an enhancement package totaling \$4,456,487 (\$4,261,104 SGF).

**The Governor recommends** \$54,535,689 for FY 2003 operating expenditures which is a decrease of \$624,299 (1.1 percent) from the FY 2002 estimate. The recommendation includes \$2,483,163 in salaries and wages to fund 38.0 FTE positions, \$40,764,829 in aid to local units and \$7,926,241 in other assistance. The Governor does not recommend the enhancement package requested by the agency. The recommendation includes a reduction package totaling \$2,165,940 (\$2,264,832 SGF) which includes the reduction of local purchase of service grants.



## **Senate Subcommittee Recommendation**

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

1. The Subcommittee compliments the agency on pursuing alternatives to keep prescription drug costs at a lower level. It was reported to the Subcommittee that Kansas is a member of a consortium of states that has made significant gains in reducing the cost of medications for its members. The Subcommittee instructs the agency to review its current prescription drug contracts and to coordinate with the Department of Social and Rehabilitation Services to investigate methods to keep these costs at a minimum. The agencies are instructed to report their findings during the omnibus session.
2. The Subcommittee notes that with currently budgetary constraints, it is essential that the funding received by local communities be utilized to its maximum potential. The Subcommittee is concerned that due to statutory constraints, expenditure authority for the existing funds for community programs may not have the flexibility to encourage the maximum efficient use of these monies. The Subcommittee is particularly concerned about limitations on the use of the \$6.5 million allocated from the Children's Initiatives Fund for prevention programs. With additional flexibility, local providers may be able to divert some of these funds to other needed services not specifically defined as prevention programs. The Subcommittee instructs the agency to work with the local providers to develop possible solutions to this situation and to report during the omnibus session.
3. The Subcommittee is concerned about the reimbursement rate for level V facilities. The reimbursement rate for level V facilities and emergency shelters is \$72.32, which was set in 1994. It was reported to the Subcommittee that the actual cost the facility's incur for housing an offender is between \$115 and \$160 per day. It was also reported that three of the 16 emergency shelters in the state and at least two level V facilities have closed in the past year, possibly attributed to financial issues. This has resulted in a loss of beds in the system. An increase in the level V reimbursement rate may also increase the amount of medicaid monies the facilities are able to receive. The Subcommittee instructs the agency to coordinate with the Department of Social and Rehabilitation Services to develop possible solutions to this issue and to report during the omnibus session.
4. The Subcommittee notes that the Governor is reporting a FY 2003 ending balance of \$602,506 in the Juvenile Detention Facilities Fund. The Subcommittee instructs the agency to report during the omnibus session future needs and cash flow issues affecting this fund.

## **Senate Committee Recommendation**

The Senate Committee concurs with the Senate Subcommittee's recommendation.

## **Senate Recommendation**

The Senate has not yet considered this budget.

## House Budget Committee Report

**Agency:** Juvenile Justice Authority

**Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No.** Vol. II - 819

**Budget Page No.** 281

Expenditure Summary	Agency Request FY 2003	Governor's Recommendation FY 2003	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 6,081,611	\$ 5,844,619	\$ 0
Aid to Local Units	46,616,391	40,764,829	0
Other Assistance	7,926,241	7,926,241	0
Subtotal - Operating	\$ 60,624,243	\$ 54,535,689	\$ 0
Capital Improvements	4,175,887	2,523,356	0
<b>TOTAL</b>	<b>\$ 64,800,130</b>	<b>\$ 57,059,045</b>	<b>\$ 0</b>
State General Fund:			
State Operations	\$ 3,606,274	\$ 3,365,998	\$ 0
Aid to Local Units	27,537,484	20,681,481	0
Other Assistance	7,782,241	7,882,241	0
Subtotal - Operating	\$ 38,925,999	\$ 31,929,720	\$ 0
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Non FTE Uncl. Perm. Positions	9.0	9.0	0.0
<b>TOTAL</b>	<b>51.0</b>	<b>47.0</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

**The Juvenile Justice Authority requests** \$60,624,243 for FY 2003 operating expenditures which is an increase of \$4,664,255 (8.3 percent) from the FY 2002 estimate. The request includes \$2,620,155 in salaries and wages for 38.0 FTE positions, \$46,616,391 in aid to local units, and \$7,926,241 in other assistance. The request includes an enhancement package totaling \$4,456,487 (\$4,261,104 SGF).

**The Governor recommends** \$54,535,689 for FY 2003 operating expenditures which is a decrease of \$624,299 (1.1 percent) from the FY 2002 estimate. The recommendation includes \$2,483,163 in salaries and wages to fund 38.0 FTE positions, \$40,764,829 in aid to local units and \$7,926,241 in other assistance. The Governor does not recommend the enhancement package requested by the agency. The recommendation includes a reduction package totaling \$2,165,940 (\$2,264,832 SGF) which includes the reduction of local purchase of service grants.

## House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation with the following notations.

1. The Budget Committee notes that the reimbursement rate for Level V juvenile facilities is currently \$72.32, which was set in 1994. It was reported to the Committee that the daily cost at a Level V facility is between \$115 and \$160. It was also reported that at least two Level V facilities have closed in the past year and one is projected to close in June 2002, resulted in a total loss of 74 beds. The facilities are reported to be closed due to financial constraints. In response to 2001 SCR 1610 the agency was directed to conduct a study of the current rates to service providers and develop a proposed rate increase request. The proposed Level V increase is \$34.64 for a reimbursement rate of \$106.96. The Budget Committee recommends further review of this issue during the omnibus session.
2. The Budget Committee notes that the Governor's recommendation includes a reduction of \$1.9 million SGF for community vendor payments. These monies are used by local communities to fund services such as day reporting and transportation of offenders. The Budget Committee recommends further review of this item during the omnibus session.
3. The Budget Committee notes that the Governor's recommendation includes the elimination of the purchase of service payment to the Crossroads Program in Johnson County in the amount of \$200,000 from the State General Fund. The program provides counseling services for non-custody juvenile offenders and their families. The Budget Committee recommends further review of this item during the omnibus session.

## Senate Subcommittee Report

**Agency:** Atchison Juvenile Correctional Facility

**Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No. Vol. II - 842 Budget Page No. 65**

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 6,518,059	\$ 6,518,059	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 6,518,059</u>	<u>\$ 6,518,059</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 6,315,466	\$ 6,315,466	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 6,315,466</u>	<u>\$ 6,315,466</u>	<u>\$ 0</u>
FTE Positions	119.0	119.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	<u>119.0</u>	<u>119.0</u>	<u>0.0</u>

### Agency Estimate/Governor's Recommendation

**Atchison Juvenile Correctional Facility estimates** \$6,518,059 for FY 2002 operating expenditures which is an increase of \$7,669 (0.1 percent) from the amount approved by the 2001 Legislature. The request includes \$4,210,352 in salaries and wages to fund 119.0 FTE positions.

**The Governor recommends** \$6,518,059 for FY 2002 operating expenditures which is consistent with the agency's estimate.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

### Senate Committee Recommendation

The Senate Committee concurs with the Senate Subcommittee's recommendation.

## Senate Recommendation

The Senate has not yet considered this budget.

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### House Budget Committee Report

**Agency:** Atchison Juvenile Correctional Facility

**Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No.** Vol. II - 842 **Budget Page No.** 65

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2002</u>	<u>Governor's Recommendation FY 2002</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 6,518,059	\$ 6,518,059	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 6,518,059</u>	<u>\$ 6,518,059</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 6,315,466	\$ 6,315,466	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 6,315,466</u>	<u>\$ 6,315,466</u>	<u>\$ 0</u>
FTE Positions	119.0	119.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	<u>119.0</u>	<u>119.0</u>	<u>0.0</u>

### Agency Estimate/Governor's Recommendation

**Atchison Juvenile Correctional Facility estimates** \$6,518,059 for FY 2002 operating expenditures which is an increase of \$7,669 (0.1 percent) from the amount approved by the 2001 Legislature. The request includes \$4,210,352 in salaries and wages to fund 119.0 FTE positions.

**The Governor recommends** \$6,518,059 for FY 2002 operating expenditures which is consistent with the agency's estimate.

### House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.

## Senate Subcommittee Report

**Agency:** Atchison Juvenile Correctional Facility **Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No. Vol. II - 842 Budget Page No. 65**

Expenditure Summary	Agency Request FY 2003	Governor's Recommendation FY 2003	Senate Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 6,793,529	\$ 6,478,584	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
<b>TOTAL</b>	<b>\$ 6,793,529</b>	<b>\$ 6,478,584</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 6,589,704	\$ 6,274,759	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
<b>TOTAL</b>	<b>\$ 6,589,704</b>	<b>\$ 6,274,759</b>	<b>\$ 0</b>
FTE Positions	129.0	119.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>129.0</b>	<b>119.0</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

**Atchison Juvenile Correctional Facility requests** \$6,793,529 for FY 2003 operating expenditures which is an increase of \$275,470 (4.2 percent) from the FY 2002 estimate. The request includes \$4,452,813 in salaries and wages for 129.0 FTE positions, and includes an enhancement package totaling \$394,675.

**The Governor recommends** \$6,274,759 for FY 2003 operating expenditures which is a decrease of \$39,475 (0.6 percent) from the FY 2002 estimate. The recommendation includes \$4,184,868 in salaries and wages for 119.0 FTE positions. The Governor does not recommend the enhancement package.

### Senate Subcommittee Recommendation

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

1. The Subcommittee notes that the Juvenile Justice Authority held the Juvenile Correctional Facilities harmless when applying the Governor's recommended four percent reduction and applied the entire percentage to the central office.

**Senate Committee Recommendation**

The Senate Committee concurs with the Senate Subcommittee's recommendation.

**Senate Recommendation**

The Senate has not yet considered this budget.

**House Budget Committee Report**

**Agency:** Atchison Juvenile Correctional Facility **Bill No. --** **Bill Sec. --**

**Analyst:** Kramer **Analysis Pg. No. Vol. II - 842** **Budget Page No. 65**

<u>Expenditure Summary</u>	<u>Agency Request FY 2003</u>	<u>Governor's Recommendation FY 2003</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 6,793,529	\$ 6,478,584	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 6,793,529</u>	<u>\$ 6,478,584</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 6,589,704	\$ 6,274,759	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 6,589,704</u>	<u>\$ 6,274,759</u>	<u>\$ 0</u>
FTE Positions	129.0	119.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>129.0</u>	<u>119.0</u>	<u>0.0</u>

**Agency Request/Governor's Recommendation**

**Atchison Juvenile Correctional Facility requests** \$6,793,529 for FY 2003 operating expenditures which is an increase of \$275,470 (4.2 percent) from the FY 2002 estimate. The request includes \$4,452,813 in salaries and wages for 129.0 FTE positions, and includes an enhancement package totaling \$394,675.

**The Governor recommends** \$6,274,759 for FY 2003 operating expenditures which is a decrease of \$39,475 (0.6 percent) from the FY 2002 estimate. The recommendation includes

\$4,184,868 in salaries and wages for 119.0 FTE positions. The Governor does not recommend the enhancement package.

### **House Budget Committee recommendation**

The Budget Committee concurs with the Governor's recommendation.

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## Senate Subcommittee Report

**Agency:** Beloit Juvenile Correctional Facility **Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No.** Vol. II - 860 **Budget Page No.** 85

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 5,312,520	\$ 5,312,520	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 5,312,520	\$ 5,312,520	\$ 0
State General Fund:			
State Operations	\$ 5,079,295	\$ 5,079,295	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 5,079,295	\$ 5,079,295	\$ 0
FTE Positions	104.0	104.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	104.0	104.0	0.0

### Agency Estimate/Governor's Recommendation

**Beloit Juvenile Correctional Facility estimates** \$5,312,520 for FY 2003 operating expenditures which is a decrease of \$83,038 (1.5 percent) from the amount approved by the 2001 Legislature. The request includes \$3,385,779 in salaries and wages to fund 104.0 FTE positions.

**The Governor recommends** \$5,312,520 for FY 2003 operating expenditures which is consistent with the agency's estimate.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

### Senate Committee Recommendation

The Senate Committee concurs with the Senate Subcommittee's recommendation.

**Senate Recommendation**

The Senate has not yet considered this budget.

**House Budget Committee Report**

**Agency:** Beloit Juvenile Correctional Facility **Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No. 860**

**Budget Page No. 85**

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 5,312,520	\$ 5,312,520	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 5,312,520	\$ 5,312,520	\$ 0
State General Fund:			
State Operations	\$ 5,079,295	\$ 5,079,295	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 5,079,295	\$ 5,079,295	\$ 0
FTE Positions	104.0	104.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	104.0	104.0	0.0

**Agency Estimate/Governor's Recommendation**

**Beloit Juvenile Correctional Facility estimates** \$5,312,520 for FY 2003 operating expenditures which is a decrease of \$83,038 (1.5 percent) from the amount approved by the 2001 Legislature. The request includes \$3,385,779 in salaries and wages to fund 104.0 FTE positions.

**The Governor recommends** \$5,312,520 for FY 2003 operating expenditures which is consistent with the agency's estimate.

**House Budget Committee Recommendation**

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

## Senate Subcommittee Report

**Agency:** Beloit Juvenile Correctional Facility **Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No. Vol. II - 860 Budget Page No. 85**

Expenditure Summary	Agency Request FY 2003	Governor's Recommendation FY 2003	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 5,477,568	\$ 5,455,342	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 5,477,568	\$ 5,455,342	\$ 0
State General Fund:			
State Operations	\$ 5,238,093	\$ 5,216,831	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 5,238,093	\$ 5,216,831	\$ 0
FTE Positions	104.0	104.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	104.0	104.0	0.0

### Agency Request/Governor's Recommendation

**Beloit Juvenile Correctional Facility requests** \$5,477,568 for FY 2003 operating expenditures which is an increase of \$165,048 (3.1 percent) from the FY 2002 estimate. The request includes \$3,514,550 in salaries and wages to fund 104.0 FTE positions, and includes \$70,992 in enhancements.

**The Governor recommends** \$5,455,342 for FY 2003 operating expenditures which is an increase of \$142,822 (2.7 percent) from the FY 2002 estimate. The request includes \$3,510,024 in salaries and wages to fund 104.0 FTE positions. The Governor does not recommend the enhancement package.

### Senate Subcommittee Recommendation

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

1. The Subcommittee notes that the Juvenile Justice Authority held the Juvenile Correctional Facilities harmless when applying the Governor's recommended four percent reduction and applied the entire percentage to the central office.

## Senate Committee Recommendation

The Senate Committee concurs with the Senate Subcommittee's recommendation.

## Senate Recommendation

The Senate has not yet considered this budget.

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## House Budget Committee Report

**Agency:** Beloit Juvenile Correctional Facility **Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No. Vol. II - 860 Budget Page No. 85**

<u>Expenditure Summary</u>	<u>Agency Request FY 2003</u>	<u>Governor's Recommendation FY 2003</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 5,477,568	\$ 5,455,342	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 5,477,568</u>	<u>\$ 5,455,342</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 5,238,093	\$ 5,216,831	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 5,238,093</u>	<u>\$ 5,216,831</u>	<u>\$ 0</u>
FTE Positions	104.0	104.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	<u>104.0</u>	<u>104.0</u>	<u>0.0</u>

### Agency Request/Governor's Recommendation

**Beloit Juvenile Correctional Facility requests** \$5,477,568 for FY 2003 operating expenditures which is an increase of \$165,048 (3.1 percent) from the FY 2002 estimate. The request includes \$3,514,550 in salaries and wages to fund 104.0 FTE positions, and includes \$70,992 in enhancements.

**The Governor recommends** \$5,455,342 for FY 2003 operating expenditures which is an increase of \$142,822 (2.7 percent) from the FY 2002 estimate. The request includes \$3,510,024 in salaries and wages to fund 104.0 FTE positions. The Governor does not recommend the enhancement package.

## House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation with the following notation.

1. The Budget Committee commends Denis J. Shumate, Superintendent, for being selected to receive the E. R. Cass Correctional Achievement Award from the American Correctional Association. Mr. Shumate has completed 40 years of uninterrupted public service to the State of Kansas including 35 years as Superintendent of the Beloit Juvenile Correctional Facility. Mr. Shumate is believed to be the first Kansan to receive this prestigious award. The award will be presented at the American Correctional Association's Congress of Corrections in August, 2002.

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## Senate Subcommittee Report

**Agency:** Larned Juvenile Correctional Facility **Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No.** Vol. II - 878

**Budget Page No.** 327

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 4,772,438	\$ 4,918,830	\$ 1,750
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 4,772,438</u>	<u>\$ 4,918,830</u>	<u>\$ 1,750</u>
State General Fund:			
State Operations	\$ 4,515,551	\$ 4,661,943	\$ 1,750
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 4,515,551</u>	<u>\$ 4,661,943</u>	<u>\$ 1,750</u>
FTE Positions	129.0	129.0	0.0
Non FTE Uncl. Perm. Positions	8.0	8.0	0.0
TOTAL	<u>137.0</u>	<u>137.0</u>	<u>0.0</u>

### Agency Estimate/Governor's Recommendation

**Larned Juvenile Correctional Facility estimates** \$4,772,438 for FY 2002 operating expenditures which is an increase of \$8,948 (0.2 percent) from the amount approved by the 2001 Legislature. The estimate includes \$4,675,210 in salaries and wages to fund 129.0 FTE positions.

**The Governor recommends** \$4,918,830 for FY 2002 operating expenditures which is an increase of \$155,340 (3.3 percent) from the amount approved by the 2001 Legislature. The recommendation includes \$4,692,859 in salaries and wages to fund 129.0 FTE positions.

### Senate Subcommittee Recommendation

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

1. Transfer \$1,750 from the Juvenile Justice Authority KSIP Facilities Operations account to the Larned Juvenile Correctional Facility Operations account.

## Senate Committee Recommendation

The Senate Committee concurs with the Senate Subcommittee's recommendation.

## Senate Recommendation

The Senate has not yet considered this budget.

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## House Budget Committee Report

**Agency:** Larned Juvenile Correctional Facility **Bill No. --** **Bill Sec. --**

**Analyst:** Kramer **Analysis Pg. No.** Vol. II - 878 **Budget Page No.** 327

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2002</u>	<u>Governor's Recommendation FY 2002</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 4,772,438	\$ 4,918,830	\$ 1,750
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 4,772,438</u>	<u>\$ 4,918,830</u>	<u>\$ 1,750</u>
State General Fund:			
State Operations	\$ 4,515,551	\$ 4,661,943	\$ 1,750
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 4,515,551</u>	<u>\$ 4,661,943</u>	<u>\$ 1,750</u>
FTE Positions	129.0	129.0	0.0
Non FTE Uncl. Perm. Positions	8.0	8.0	0.0
TOTAL	<u>137.0</u>	<u>137.0</u>	<u>0.0</u>

## Agency Estimate/Governor's Recommendation

Larned Juvenile Correctional Facility estimates \$4,772,438 for FY 2002 operating expenditures which is an increase of \$8,948 (0.2 percent) from the amount approved by the 2001 Legislature. The estimate includes \$4,675,210 in salaries and wages to fund 129.0 FTE positions.

**The Governor recommends** \$4,918,830 for FY 2002 operating expenditures which is an increase of \$155,340 (3.3 percent) from the amount approved by the 2001 Legislature. The recommendation includes \$4,692,859 in salaries and wages to fund 129.0 FTE positions.

### **House Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendation with the following adjustment.

1. Transfer \$1,750 from the Juvenile Justice Authority KSIP Facilities Operations account to the Larned Juvenile Correctional Facility KSIP Facility Operations account.



## Senate Subcommittee Report

Agency: Larned Juvenile Correctional Facility Bill No. --

Bill Sec. --

Analyst: Kramer

Analysis Pg. No. Vol. II - 878

Budget Page No. 327

Expenditure Summary	Agency Request FY 2003	Governor's Recommendation FY 2003	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 7,113,835	\$ 6,794,423	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 7,113,835	\$ 6,794,423	\$ 0
State General Fund:			
State Operations	\$ 6,739,846	\$ 6,419,187	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 6,739,846	\$ 6,419,187	\$ 0
FTE Positions	163.0	148.0	0.0
Non FTE Uncl. Perm. Positions	12.0	12.0	0.0
TOTAL	175.0	160.0	0.0

### Agency Request/Governor's Recommendation

**Larned Juvenile Correctional Facility requests** \$7,113,835 for FY 2003 operating expenditures which is an increase of \$2,341,397 (49.1 percent) from the FY 2002 estimate. The request includes one-half year funding for the new facility which is scheduled to become operational in December 2002. The request also includes an enhancement package of \$468,013.

**The Governor recommends** \$6,794,423 for FY 2003 operating expenditures which is an increase of \$1,875,593 (38.1 percent) from the FY 2002 estimate. The recommendation includes one-half year funding for the new facility which is scheduled to become operational in December 2002. The Governor does not recommend the enhancement package.

### Senate Subcommittee Recommendation

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

1. The Subcommittee notes that the Juvenile Justice Authority held the Juvenile Correctional Facilities harmless when applying the Governor's recommended four percent reduction and applied the entire percentage to the central office.

2. The Subcommittee notes that the new facility at Larned is anticipated to open in December, 2002. The new structure is anticipated to increase the efficiency of the agency due to it's modern design.

### Senate Committee Recommendation

The Senate Committee concurs with the Senate Subcommittee's recommendation.

### Senate Recommendation

The Senate has not yet considered this budget.

## House Budget Committee Report

**Agency:** Larned Juvenile Correctional Facility **Bill No. --** **Bill Sec. --**

**Analyst:** Kramer **Analysis Pg. No. Vol. II - 878 Budget Page No. 327**

<u>Expenditure Summary</u>	<u>Agency Request FY 2003</u>	<u>Governor's Recommendation FY 2003</u>	<u>House Budget Committee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 7,113,835	\$ 6,794,423	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 7,113,835</u>	<u>\$ 6,794,423</u>	<u>\$ 0</u>
<b>State General Fund:</b>			
State Operations	\$ 6,739,846	\$ 6,419,187	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 6,739,846</u>	<u>\$ 6,419,187</u>	<u>\$ 0</u>
FTE Positions	163.0	148.0	0.0
Non FTE Uncl. Perm. Positions	12.0	12.0	0.0
TOTAL	<u>175.0</u>	<u>160.0</u>	<u>0.0</u>

### Agency Request/Governor's Recommendation

**Larned Juvenile Correctional Facility requests \$7,113,835 for FY 2003 operating expenditures which is an increase of \$2,341,397 (49.1 percent) from the FY 2002 estimate. The**

request includes one-half year funding for the new facility which is scheduled to become operational in December 2002. The request also includes an enhancement package of \$468,013.

**The Governor recommends** \$6,794,423 for FY 2003 operating expenditures which is an increase of \$1,875,593 (38.1 percent) from the FY 2002 estimate. The recommendation includes one-half year funding for the new facility which is scheduled to become operational in December 2002. The Governor does not recommend the enhancement package.

### **House Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendation.

## Senate Subcommittee Report

Agency: Topeka Juvenile Correctional Facility Bill No. --

Bill Sec. --

Analyst: Kramer

Analysis Pg. No. Vol. II - 896

Budget Page No. 431

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	Senate Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 12,677,060	\$ 12,677,060	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 12,677,060	\$ 12,677,060	\$ 0
Capital Improvements	184,827	184,827	0
<b>TOTAL</b>	<b>\$ 12,861,887</b>	<b>\$ 12,861,887</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 11,960,324	\$ 11,960,324	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 11,960,324	\$ 11,960,324	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 11,960,324</b>	<b>\$ 11,960,324</b>	<b>\$ 0</b>
FTE Positions	226.0	226.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
<b>TOTAL</b>	<b>226.0</b>	<b>226.0</b>	<b>0.0</b>

### Agency Estimate/Governor's Recommendation

**Topeka Juvenile Correctional Facility estimates** \$12,677,060 for FY 2002 operating expenditures which is an increase of \$171,822 (1.4 percent) from the amount approved by the 2001 Legislature. The estimate includes \$8,083,851 in salaries and wages to fund 226.0 FTE positions.

**The Governor recommends** \$12,677,060 for FY 2002 operating expenditures which is consistent with the agency's estimate.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

## Senate Committee Recommendation

The Senate Committee concurs with the Senate Subcommittee's recommendation.

## Senate Recommendation

The Senate has not yet considered this budget.

## House Budget Committee Report

**Agency:** Topeka Juvenile Correctional Facility **Bill No. --**

**Bill Sec. --**

**Analyst:** Kramer

**Analysis Pg. No.** Vol. II - 896

**Budget Page No.** 431

Expenditure Summary	Agency Estimate FY 2002	Governor's Recommendation FY 2002	House Budget Committee Adjustments
<b>All Funds:</b>			
State Operations	\$ 12,677,060	\$ 12,677,060	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	12,677,060	12,677,060	0
Capital Improvements	184,827	184,827	0
<b>TOTAL</b>	<b>\$ 12,861,887</b>	<b>\$ 12,861,887</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 11,960,324	\$ 11,960,324	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 11,960,324	\$ 11,960,324	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 11,960,324</b>	<b>\$ 11,960,324</b>	<b>\$ 0</b>
FTE Positions	226.0	226.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
<b>TOTAL</b>	<b>226.0</b>	<b>226.0</b>	<b>0.0</b>

## Agency Estimate/Governor's Recommendation

**Topeka Juvenile Correctional Facility estimates** \$12,677,060 for FY 2002 operating expenditures which is an increase of \$171,822 (1.4 percent) from the amount approved by the 2001 Legislature. The estimate includes \$8,083,851 in salaries and wages to fund 226.0 FTE positions.

**The Governor recommends** \$12,677,060 for FY 2002 operating expenditures which is consistent with the agency's estimate.

### **House Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendation.

## Senate Subcommittee Report

Agency: Topeka Juvenile Correctional Facility Bill No. --

Bill Sec. --

Analyst: Kramer

Analysis Pg. No. Vol. II - 896

Budget Page No. 431

Expenditure Summary	Agency Request FY 2003	Governor's Recommendation FY 2003	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 13,411,979	\$ 12,981,079	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 13,411,979	\$ 12,981,079	\$ 0
State General Fund:			
State Operations	\$ 12,911,935	\$ 12,481,035	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	\$ 12,911,935	\$ 12,481,035	\$ 0
FTE Positions	226.0	226.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	226.0	226.0	0.0

### Agency Request/Governor's Recommendation

**Topeka Juvenile Correctional Facility requests** \$12,411,979 for FY 2003 operating expenditures which is an increase of \$734,919 (5.8 percent) from the FY 2002 estimate. The request includes \$8,798,611 in salaries and wages to fund 226.0 FTE positions, and includes \$587,294 in enhancements.

**The Governor recommends** \$12,981,079 for FY 2003 operating expenditures which is an increase of \$304,019 (2.4 percent) from the FY 2002 estimate. The recommendation includes \$8,440,261 in salaries and wages to fund 226.0 FTE positions. The Governor does not recommend the enhancement package.

### Senate Subcommittee Recommendation

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

1. The Subcommittee notes that the Juvenile Justice Authority held the Juvenile Correctional Facilities harmless when applying the Governor's recommended four percent reduction and applied the entire percentage to the central office.

### Senate Committee Recommendation

The Senate Committee concurs with the Senate Subcommittee's recommendation.

### Senate Recommendation

The Senate has not yet considered this budget.

### House Budget Committee Report

Agency: Topeka Juvenile Correctional Facility Bill No. --

Bill Sec. --

Analyst: Kramer

Analysis Pg. No. Vol. II - 896

Budget Page No. 431

Expenditure Summary	Agency Request FY 2003	Governor's Recommendation FY 2003	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 13,411,979	\$ 12,981,079	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 13,411,979</u>	<u>\$ 12,981,079</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 12,911,935	\$ 12,481,035	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
TOTAL	<u>\$ 12,911,935</u>	<u>\$ 12,481,035</u>	<u>\$ 0</u>
FTE Positions	226.0	226.0	0.0
Non FTE Uncl. Perm. Positions	0.0	0.0	0.0
TOTAL	<u>226.0</u>	<u>226.0</u>	<u>0.0</u>

### Agency Request/Governor's Recommendation

**Topeka Juvenile Correctional Facility requests** \$12,411,979 for FY 2003 operating expenditures which is an increase of \$734,919 (5.8 percent) from the FY 2002 estimate. The request includes \$8,798,611 in salaries and wages to fund 226.0 FTE positions, and includes \$587,294 in enhancements.

**The Governor recommends** \$12,981,079 for FY 2003 operating expenditures which is an increase of \$304,019 (2.4 percent) from the FY 2002 estimate. The recommendation includes \$8,440,261 in salaries and wages to fund 226.0 FTE positions. The Governor does not recommend the enhancement package.

### House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation.



## Senate Subcommittee Report

**Agency:** Ombudsman for Corrections

**Bill No.** --

**Bill Sec.** --

**Analyst:** Dorsey

**Analysis Pg. No.** Vol. II-1222

**Budget Page No.** 138

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 194,807	\$ 196,229	\$ (7,444)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 194,807	\$ 196,229	\$ (7,444)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 194,807</b>	<b>\$ 196,229</b>	<b>\$ (7,444)</b>
<b>State General Fund:</b>			
State Operations	\$ 177,713	\$ 177,571	\$ (7,444)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 177,713	\$ 177,571	\$ (7,444)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 177,713</b>	<b>\$ 177,571</b>	<b>\$ (7,444)</b>
FTE Positions	3.5	3.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>3.5</b>	<b>3.5</b>	<b>0.0</b>

### Agency Estimate/Governor's Recommendation

**Change From 2001 Session Approved Budget.** The revised FY 2002 estimate of operating expenditures totals \$194,807 (\$177,713 SGF), an increase of \$4,180, or 2.2 percent over that approved by the 2001 Legislature.

#### Salaries and Wages

- Request for salaries and wages totals \$160,301 for 3.5 FTE.

**The Governor recommends** FY 2002 expenditures of \$196,229 (\$177,571 SGF), an increase of \$5,602, or 2.9 percent over that approved by the 2001 Legislature.

**Staff Note:** The agency FY 2002 request contained a supplemental request for one-time moving expenses, as the plan at that time was to move from the Jayhawk Towers into the Landon State Office Building. The total additional amount requested for the move was \$7,586, of which \$4,901 was attributed to four months' additional rent costs over and above the amount the agency pays in

rent at Jayhawk. The Governor did not recommend the supplemental request, because additional funding of \$7,444 approved for the agency in FY 2002 was not reflected in the agency's revised request.

After the Governor's budget recommendation was made, however, the move was cancelled. This leaves the \$7,444 in the agency's budget for a move that will not take place.

### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor's recommendation for FY 2002, with the following exception:

1. Reduce the agency's operating expenditures by \$7,444 from the State General Fund, the amount that was left in the budget for moving expenses. The move has since been cancelled.

### **Senate Committee of the Whole Recommendation**

The full Senate has not yet considered this budget.

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## House Budget Committee Report

**Agency:** Ombudsman for Corrections      **Bill No. --**      **Bill Sec. --**

**Analyst:** Dorsey      **Analysis Pg. No.** Vol. II - 1222      **Budget Page No.** 138

Expenditure Summary	Agency Estimate FY 02	Governor's Recommendation FY 02	Budget Committee Adjustments
<b>All Funds:</b>			
State Operations	\$ 194,807	\$ 196,229	\$ (7,444)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 194,807	\$ 196,229	\$ (7,444)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 194,807</b>	<b>\$ 196,229</b>	<b>\$ (7,444)</b>
<b>State General Fund:</b>			
State Operations	\$ 177,713	\$ 177,571	\$ (7,444)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 177,713	\$ 177,571	\$ (7,444)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 177,713</b>	<b>\$ 177,571</b>	<b>\$ (7,444)</b>
FTE Positions	3.5	3.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>3.5</b>	<b>3.5</b>	<b>0.0</b>

### Agency Estimate/Governor's Recommendation

**Change From 2001 Session Approved Budget.** The revised FY 2002 estimate of operating expenditures totals \$194,807 (\$177,713 SGF), an increase of \$4,180, or 2.2 percent over that approved by the 2001 Legislature.

#### Salaries and Wages

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**The Governor recommends** FY 2002 expenditures of \$196,229 (\$177,571 SGF), an increase of \$5,602, or 2.9 percent over that approved by the 2001 Legislature.

**Staff Note:** The agency FY 2002 request contained a supplemental request for one-time moving expenses, as the plan at that time was to move from the Jayhawk Towers into the Landon State Office Building. The total additional amount requested for the move was \$7,586, of which \$4,901 was attributed to four months' additional rent costs over and above the amount the agency pays in rent at Jayhawk. The Governor did not recommend the supplemental request, because additional funding of \$7,444 approved for the agency in FY 2002 was not reflected in the agency's revised request.

After the Governor's budget recommendation was made, however, the move was cancelled. This leaves the \$7,444 in the agency's budget for a move that will not take place.

### **Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendation for FY 2002, with the following exception:

1. Reduce the agency's operating expenditures by \$7,444 from the State General Fund, the amount that was left in the budget for moving expenses. The move has since been cancelled.

## Senate Subcommittee Report

**Agency:** Ombudsman for Corrections

**Bill No.** --

**Bill Sec.** --

**Analyst:** Dorsey

**Analysis Pg. No.** Vol. II - 1222

**Budget Page No.** 138

Expenditure Summary	Agency Request FY 03	Governor's Recommendation FY 03	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 199,613	\$ 198,524	\$ (7,738)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 199,613	\$ 198,524	\$ (7,738)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 199,613</b>	<b>\$ 198,524</b>	<b>\$ (7,738)</b>
<b>State General Fund:</b>			
State Operations	\$ 184,613	\$ 183,524	\$ (7,738)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 184,613	\$ 183,524	\$ (7,738)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 184,613</b>	<b>\$ 183,524</b>	<b>\$ (7,738)</b>
FTE Positions	3.5	3.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>3.5</b>	<b>3.5</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

**Agency FY 2003 operating expenditures request** totals \$199,613, an increase of \$4,806, or 2.5 percent more than the FY 2002 request.

- Includes \$164,452 for salaries and wages.
- Funding request includes \$15,000 from the Department of Corrections' Inmate Benefit Fund.
- Includes an enhancement request of \$7,738 in increased rental costs for its originally planned move to the Landon State Office Building. However, the move has been cancelled.

**The Governor recommends** funding of \$198,524 for operating expenditures, an increase of 1.2 percent.

- \$164,452 for salaries and wages
- \$1,425 for capital outlay
- \$15,000 from the Department of Corrections' Inmate Benefit Fund

- \$7,738 enhancement approved for increased rental costs for the agency's originally planned move to the Landon State Office Building.

(**Staff Note:** The agency has since decided not to move from its current location.)

### **Senate Subcommittee Recommendation**

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

1. Reduce the agency's operating expenditures by \$7,738 from the State General Fund, since the agency has cancelled its move to another location. This is the enhancement amount approved by the Governor for the proposed move.

### **Senate Committee of the Whole Recommendation**

The full Senate has not yet considered this budget.

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## House Budget Committee Report

**Agency:** Ombudsman for Corrections

**Bill No.** --

**Bill Sec.** --

**Analyst:** Dorsey

**Analysis Pg. No.** Vol. II - 1222

**Budget Page No.** 138

Expenditure Summary	Agency Request FY 03	Governor's Recommendation FY 03	Budget Committee Adjustments
<b>All Funds:</b>			
State Operations	\$ 199,613	\$ 198,524	\$ (7,738)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 199,613	\$ 198,524	\$ (7,738)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 199,613</b>	<b>\$ 198,524</b>	<b>\$ (7,738)</b>
<b>State General Fund:</b>			
State Operations	\$ 184,613	\$ 183,524	\$ (7,738)
Aid to Local Units	0	0	0
Claims	0	0	0
Subtotal - Operating	\$ 184,613	\$ 183,524	\$ (7,738)
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 184,613</b>	<b>\$ 183,524</b>	<b>\$ (7,738)</b>
FTE Positions	3.5	3.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>3.5</b>	<b>3.5</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

**Agency FY 2003 operating expenditures request** totals \$199,613, an increase of \$4,806, or 2.5 percent more than the FY 2002 request.

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**The Governor recommends** funding of \$198,524 for operating expenditures, an increase of 1.2 percent.

- \$164,452 for salaries and wages
- \$1,425 for capital outlay
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- \$7,738 enhancement approved for increased rental costs for the agency's originally planned move to the Landon State Office Building.

(**Staff Note:** The agency has since decided not to move from its current location.)

### **Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendation, with the following exception:

1. Reduce the agency's operating expenditures by \$7,738 from the State General Fund, since the agency has cancelled its move to another location. This is the enhancement amount approved by the Governor for the proposed move.





KANSAS PUBLIC HEALTH ASSOCIATION, INC.  
AFFILIATED WITH THE AMERICAN PUBLIC HEALTH ASSOCIATION  
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TOPEKA KANSAS 66603-3906  
PHONE: 785-233-3103 FAX: 785-233-3439  
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Testimony presented to the House Committee on Appropriations  
by Sally Finney, Executive Director  
on March 6, 2002

Chairman Wilk and members of the committee, I want to thank you for giving me this opportunity to appear before you today to speak on behalf of the members of the Kansas Public Health Association in support of House Bill 2992.

Tobacco, when used as directed, kills. It kills those who use it, and it kills non-users who are exposed to it. In Kansas, second-hand smoke costs approximately 400 Kansans their lives every year.

Discouraging exposure to second-hand smoke is good public policy. It protects the right of persons who choose to abstain from tobacco use. It protects children, who frequently have no choice when it comes to this matter. It helps to reduce the cost of treating tobacco-related disease by preventing it.

To understand why second-hand smoke is a hazard, it is important to understand its nature. Simply put, **second-hand smoke is a combination of smoke from the burning end of a cigarette, pipe, or cigar plus exhaled smoke.** It contains the same contaminants as those inhaled by the smoker. This mixture contains more than 4,000 substances, more than 40 of which are known to cause cancer in humans or animals and many of which are strong irritants.

I have listed below just a sampling of the toxic chemicals that may be found in tobacco smoke:

**Acetone** - used as solvent in such solutions as nail polish remover.

**Ammonia** - added to cigarettes to allow "free-basing" whereby the ammonia converts nicotine from an acid to a base form that vaporizes more easily. The nicotine is then deposited directly on lung tissue and immediately diffuses throughout the body.

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ATTACHMENT 3

**Benzene** – use as a solvent in fuel and in industry (dyes, synthetic rubbers etc.). Causes cancer in humans and is particularly associated with leukemia.

**Cadmium** – a highly poisonous metal also used to make batteries. According to the U.S. Environmental Protection Agency, "Repeated or long-term exposure to cadmium, even at relatively low concentrations, may result in kidney damage and an increased risk of cancer of the lung and of the prostate."

**Carbon monoxide** – an odorless, colorless, poisonous gas that is lethal in large doses. In smaller doses, carbon monoxide causes increased heart rate and shortness of breath. This is because carbon monoxide attaches itself to the red blood cells and in so doing hinders the blood's ability to carry oxygen thus "deactivating" the red cells for extended periods of time.

**Formaldehyde** - used to preserve dead bodies. In cigarette smoke, this chemical is a known carcinogen and causes respiratory and gastrointestinal problems.

**Hydrogen cyanide** – one of the most toxic chemicals found in tobacco smoke. Short-term exposure can lead to headaches, dizziness, nausea and vomiting.

**Lead** - is a highly toxic metal that in minute quantities may seriously damage the brain, kidneys, nervous system, and red blood cells. Children are particularly vulnerable because lead is more easily absorbed into growing bodies, and the tissues of small children are sensitive to its effects. Lead exposure in children can result in delays in physical development, lower IQ levels, shortened attention spans and increased behavioral problems.

**Mercury** - Adults exposed to metallic mercury vapor may develop shakiness, memory loss and kidney disease.

**Nicotine** - makes cigarettes as addictive as they are. Nicotine causes increased heart rate, increased blood pressure, and constriction of blood vessels.

**Tar** - When cigarette smoke is inhaled, it condenses and deposits tar in the lungs. It is the tar that actually transports many of the other chemicals contained in cigarette smoke directly into the body. Tar is a dark, viscous substance that paralyzes the cilia (small hair-like structures in the lungs which protect and clean them).

Exposure to second-hand smoke causes cancer and contributes to various lung and heart diseases. It can cause asthma and other respiratory illnesses in children, and has been implicated in various other childhood diseases such as SIDS (Sudden Infant Death Syndrome) and middle-ear infections. **Scientists agree that there is no safe level of exposure to second hand smoke.** The best protection is not to be exposed to it at all. Again, I want to point out that the policy of allowing smoking in public places overrides the decision of the non-smoker to abstain, eliminating his or her choice to breathe smoke-free air.

While the Kansas Public Health Association supports any measure that might discourage exposure to second-hand smoke, I believe that the only serious proposal to deal with this problem is one banning smoking in all public places.

Absent such a ban, measures like HB 2992 that discourage smoking in public places will provide some protection for the public. If a ban on smoking in all public places is not an option, we ask that you oppose any legislative attempts that might pre-empt the ability of municipalities in Kansas to enact local smoke-free ordinances.

# HOUSE BILL No. 2681

By Committee on Appropriations

1-24

9 AN ACT concerning home plus; increasing the number of individuals to  
10 eight; amending K.S.A. 39-923 and repealing the existing section.

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

13 Section 1. K.S.A. 39-923 is hereby amended to read as follows: 39-  
14 923. (a) As used in this act:

15 (1) "Adult care home" means any nursing facility, nursing facility for  
16 mental health, intermediate care facility for the mentally retarded, as-  
17 sisted living facility, residential health care facility, home plus, boarding  
18 care home and adult day care facility, all of which classifications of adult  
19 care homes are required to be licensed by the secretary of health and  
20 environment.

21 (2) "Nursing facility" means any place or facility operating 24 hours  
22 a day, seven days a week, caring for six or more individuals not related  
23 within the third degree of relationship to the administrator or owner by  
24 blood or marriage and who, due to functional impairments, need skilled  
25 nursing care to compensate for activities of daily living limitations.

26 (3) "Nursing facility for mental health" means any place or facility  
27 operating 24 hours a day, seven days a week caring for six or more indi-  
28 viduals not related within the third degree of relationship to the admin-  
29 istrator or owner by blood or marriage and who, due to functional im-  
30 pairments, need skilled nursing care and special mental health services  
31 to compensate for activities of daily living limitations.

32 (4) "Intermediate care facility for the mentally retarded" means any  
33 place or facility operating 24 hours a day, seven days a week caring for  
34 six or more individuals not related within the third degree of relationship  
35 to the administrator or owner by blood or marriage and who, due to  
36 functional impairments caused by mental retardation or related condi-  
37 tions need services to compensate for activities of daily living limitations.

38 (5) "Assisted living facility" means any place or facility caring for six  
39 or more individuals not related within the third degree of relationship to  
40 the administrator, operator or owner by blood or marriage and who, by  
41 choice or due to functional impairments, may need personal care and  
42 may need supervised nursing care to compensate for activities of daily  
43 living limitations and in which the place or facility includes apartments

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ATTACHMENT 4

4-2

1 for residents and provides or coordinates a range of services including  
2 personal care or supervised nursing care available 24 hours a day, seven  
3 days a week for the support of resident independence. The provision of  
4 skilled nursing procedures to a resident in an assisted living facility is not  
5 prohibited by this act. Generally, the skilled services provided in an as-  
6 sisted living facility shall be provided on an intermittent or limited term  
7 basis, or if limited in scope, a regular basis.

8 (6) "Residential health care facility" means any place or facility, or a  
9 contiguous portion of a place or facility, caring for six or more individuals  
10 not related within the third degree or relationship to the administrator,  
11 operator or owner by blood or marriage and who, by choice or due to  
12 functional impairments, may need personal care and may need supervised  
13 nursing care to compensate for activities of daily living limitations and in  
14 which the place or facility includes individual living units and provides or  
15 coordinates personal care or supervised nursing care available on a 24-  
16 hour, seven-day-a-week basis for the support of resident independence.  
17 The provision of skilled nursing procedures to a resident in a residential  
18 health care facility is not prohibited by this act. Generally, the skilled  
19 services provided in a residential health care facility shall be provided on  
20 an intermittent or limited term basis, or if limited in scope, a regular  
21 basis.

22 (7) "Home plus" means any residence or facility caring for not more  
23 than ~~five~~ eight individuals not related within the third degree of relation-  
24 ship to the operator or owner by blood or marriage unless the resident  
25 in need of care is approved for placement by the secretary of the de-  
26 partment of social and rehabilitation services, and who, due to functional  
27 impairment, needs personal care and may need supervised nursing care  
28 to compensate for activities of daily living limitations. The level of care  
29 provided residents shall be determined by preparation of the ~~operator~~  
30 ~~staff~~ and rules and regulations developed by the department of health  
31 and environment. ~~An adult care home may convert one wing of the facility~~  
32 ~~to an eight bed home plus facility.~~

a portion of one wing of the facility to a not  
less than five-bed and not more than eight-bed  
home plus facility provided that the home plus  
facility remains separate and from the adult  
care home and each facility must remain  
contiguous

33 (8) "Boarding care home" means any place or facility operating 24  
34 hours a day, seven days a week, caring for not more than 10 individuals  
35 not related within the third degree of relationship to the operator or  
36 owner by blood or marriage and who, due to functional impairment, need  
37 supervision of activities of daily living but who are ambulatory and essen-  
38 tially capable of managing their own care and affairs.

39 (9) "Adult day care" means any place or facility operating less than  
40 24 hours a day caring for individuals not related within the third degree  
41 of relationship to the operator or owner by blood or marriage and who,  
42 due to functional impairment need supervision of or assistance with ac-  
43 tivities of daily living.