

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:55 a.m. on February 18, 2002 in Room 123-S of the Capitol.

All members were present except: All present

Committee staff present:

William Wolff, Associate Director, Kansas Legislative Research Department
Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department
Leah Robinson, Kansas Legislative Research Department
Deb Hollon, Kansas Legislative Research Department
Martha Dorsey, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Carolyn Rampey, Kansas Legislative Research Department
Becky Krahl, Kansas Legislative Research Department
Michael Corrigan, Assistant Revisor of Statutes
Judy Bromich, Assistant to the Chairman
Mary Shaw, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

Bill Introductions

Senator Feleciano moved, with a second by Senator Schodorf, to introduce a bill concerning repealing the Kansas performance review act (1rs1862). Motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Adkins, to introduce a bill concerning the state finance council; voting procedures (1rs1786). Motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Adkins, to approve the minutes of January 25, January 28 and January 29, 2002 committee meetings. Motion carried on a voice vote.

Chairman Morris opened the public hearing on:

SB 517--Claims against the state

Staff briefed the Committee on the bill.

A letter was received from Janet Schalansky, Secretary, Department of Social and Rehabilitation Services (SRS), regarding the payments authorized in Sections 5(a) and (b) in **SB 517 (Attachment 1)**.

Senator Salmans moved, with a second by Senator Jackson, to amend **SB 517** to adopt a balloon and add authorization and direction to pay \$1,864.25 from the expired warrants fund of the Department of Administration for a cancelled payroll warrant and for a technical correction to clarify the name on the check to be issued (Attachment 2). Motion carried on a voice vote.

Senator Jackson moved, with a second by Senator Feleciano, for a conceptual amendment regarding **SB 517**, Section 8, for a tax refund check for a gentleman in the amount of \$92.00 which was over five years old and had not been cashed. Motion carried on a voice vote.

Senator Jackson moved to change on page 9, line 35, section (f) to change the amount to \$1,000.00 and on line 43, section (g) to change the amount to \$1,175.00. There was no second to the motion. Senator Kerr

CONTINUATION SHEET

inquired why the Claims Committee did not accept Senator Jackson's information and Senator Jackson responded that the Claims Committee felt that since the State made the error, the state was responsible for the whole cost. Regarding the estimate, Senator Jackson mentioned that he just got an estimate. Chairman Morris mentioned that he would talk to the Chair of the Claims Committee before any action would be taken on regarding **SB 517**.

Senator Jackson moved, with a second by Senator Kerr, for amendment(s) for the technical cleanup of SB 517. Motion carried on a voice vote.

There being no conferees to come before the Committee, the Chairman closed the public hearing on **SB 517**.

Subcommittee reports on:

Other Education (Attachment 3)

School for the Blind (Attachment 4)

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendations for FY 2002.

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2003 with exceptions as listed in the subcommittee budget report.

Senator Adkins moved, with a second by Senator Barone, to adopt the subcommittee budget report on the School for the Blind for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

School for the Deaf (Attachment 5)

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2002.

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2003 with exceptions as listed in the subcommittee budget report.

Senator Adkins moved, with a second by Senator Schodorf, to adopt the subcommittee budget report on the School for the Deaf for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

State Historical Society (Attachment 6)

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2002.

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2003 with notations as listed in the subcommittee budget report.

Senator Adkins moved, with a second by Senator Schodorf, to adopt the subcommittee budget report on the State Historical Society for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

Kansas Arts Commission (Attachment 7)

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2002.

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2003 with an adjustment as listed in the subcommittee budget report.

Senator Adkins moved, with a second by Senator Schodorf, to adopt the subcommittee budget report on the Kansas Arts Commission for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

CONTINUATION SHEET

Kansas State Library (Attachment 8)

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2002.

Subcommittee Chairman Adkins reported that the Subcommittee concurs with the Governor's recommendation for FY 2003 with adjustments as listed in the subcommittee budget report.

Senator Feleciano moved, with a second by Senator Adkins, to adopt the subcommittee budget report on the Kansas State Library for the FY 2002 and FY 2003 budget. Motion carried on a voice vote.

The meeting was adjourned at 12:00 noon. The next meeting is scheduled for February 19, 2002.



KANSAS DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES

915 SW HARRISON STREET, TOPEKA, KANSAS 66612

JANET SCHALANSKY, SECRETARY

February 18, 2002

Honorable Stephen Morris
Chair, Senate Ways & Means Committee
Statehouse, Room 120-S
Topeka, KS 66612

Re: SB 517, Section 5

Dear Senator Morris:

This is to advise the Committee of SRS's position with regard to the payments authorized in Sections 5(a) and (b) of Senate Bill No. 517.

SRS presented testimony in opposition to the claims of Scott and Susan House and Clair and Shirley Gordon when the Joint Committee on Special Claims held hearings in December 14, 2001.

We would ask the Committee consider the public policy implications of awarding claims based on the court's resolution of a disagreement over the best interests of a particular child. Is it appropriate to award litigants who ultimately prevail? If so, should this be dependent upon individual claims to the joint committee or routinely provided to all prevailing parties in every child in need of care action?

Agency staff and law enforcement are required by law to receive and investigate allegations of abuse and neglect of children. Evidence gathered is provided to the prosecutor. The prosecutor independently determines whether or not to file a petition. Only a judge may order out of home placement and custody to the Secretary. Information continues to be gathered and provided to the court. Much like criminal prosecutions and civil litigation, the court ultimately must make a decision. In most cases, the child returns to parental custody.

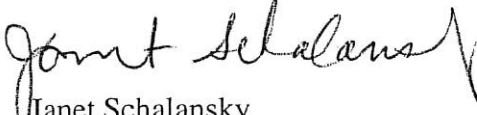
The court is required to appoint counsel for the child and, when the parent is indigent, the parent. While grandparents are automatically parties, they are not entitled to court appointed attorneys. Currently the county is responsible for the cost of appointed counsel representing the child and for indigent parents. When the final decision is to return the child to the custody of parents, should the cost of retained counsel for all parties be reimbursed? This, of course, is not the practice in other civil litigation or in criminal prosecutions.

Senate Ways and Means
2-18-02
Attachment 1

RE: BS 517, Section 5
February 18, 2002
Page 2 of 2

If there are other issues that we should discuss, please feel free to contact me at your convenience at (785) 296- 3271.

Sincerely,


Janet Schalansky
Secretary

JS:RSM/clh

cc: Marilyn Jacobson
John W. Badger

SENATE BILL No. 517

By Joint Committee on Special Claims Against the State

2-6

9 AN ACT concerning certain claims against the state, making appropri-
10 ations, authorizing certain transfers, imposing certain restrictions and
11 limitations, and directing or authorizing certain disbursements, pro-
12 cedures and acts incidental to the foregoing.

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

15 Section 1. For the fiscal year ending June 30, 2002, appropriations are
16 hereby made, restrictions and limitations are hereby imposed, and trans-
17 fers, disbursements, procedures and acts incidental to the foregoing are
18 hereby directed or authorized as provided in this act.

19 Sec. 2. The department of revenue is hereby authorized and directed
20 to pay the following amounts from the motor-vehicle fuel tax refund fund,
21 for claims not filed within the statutory filing period prescribed in K.S.A.
22 79-3458 and amendments thereto, to following claimants:

23 Terry B. Aller	
24 1273 220th	
25 Hiawatha, KS 66434	\$152.93
26 Robert W. Altic	
27 3495 Delaware Rd	
28 Pomona, KS 66076	\$5.60
29 Max J. Amos	
30 649 Hwy 56	
31 Council Grove, KS 66846	\$218.88
32 APAC Kansas Inc.	
33 PO Box 23910	
34 Overland Park, KS 66283	\$26,552.39
35 Barnhart Farms	
36 4019 Louisiana Rd	
37 Ottawa, KS 66067.....	\$98.60
38 Barnhart Farms	
39 4019 Louisiana Rd	
40 Ottawa, KS 66067.....	\$95.40
41 Barton County Highway Dept	
42 PO Box 518	
43 Great Bend, KS 67530	\$4,599.29

Proposed Amendment
for Consideration by
Senate Ways and Means Committee

Senate Ways and Means
2-18-02
Attachment 2

1 ~~Sec. 7~~ (a) Except as otherwise provided by this act, the director of
 2 accounts and reports is hereby authorized and directed to draw warrants
 3 on the state treasurer in favor of the claimants specified in this act, upon
 4 vouchers duly executed by the state agencies directed to pay the amounts
 5 specified in such sections to the claimants or their legal representatives
 6 or duly authorized agents, as provided by law.

7 (b) The director of accounts and reports shall secure prior to the pay-
 8 ment of any amount to any claimant, other than amounts authorized to
 9 be paid pursuant to section 2 as motor-vehicle fuel tax refunds or as
 10 transactions between state agencies as provided by this act, a written
 11 release and satisfaction of all claims and rights against the state of Kansas
 12 and any agencies, officers and employees of the state of Kansas regarding
 13 their respective claims.

14 ~~Sec. 9~~ This act shall take effect and be in force from and after its
 15 publication in the Kansas register.

Sec. 8. The department of administration is hereby authorized and
 directed to pay the following amount from the expired warrants fund of the
 above agency as reimbursement for a cancelled payroll warrant to the
 following claimant:

James T. Smith	
1031 W. 2 nd	
Larned, KS 67550	\$1,864.25

**2002 WAYS AND MEANS SUBCOMMITTEE ON
OTHER EDUCATION**

SCHOOL FOR THE BLIND

SCHOOL FOR THE DEAF

HISTORICAL SOCIETY

KANSAS ARTS COMMISSION

STATE LIBRARY



Senator David Adkins, Chairperson



Senator Jean Schordorf



Senator Jim Barone

Senate Ways and Means
2-18-02
Attachment 3

Senate Subcommittee Report

Agency: School for the Blind

Bill No. --

Bill Sec. --

Analyst: Rampey

Analysis Pg. No. 1281

Budget Page No. 87

Expenditure Summary	Agency Est. FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 4,948,062	\$ 4,919,062	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 4,948,062	\$ 4,919,062	\$ 0
Capital Improvements	482,627	333,511	0
TOTAL	\$ 5,430,689	\$ 5,252,573	\$ 0
State General Fund:			
State Operations	\$ 4,527,583	\$ 4,527,583	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 4,527,583	\$ 4,527,583	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 4,527,583	\$ 4,527,583	\$ 0
FTE Positions	92.5	92.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	92.5	92.5	0.0

Agency Est./Governor's Recommendation

The School for the Blind estimates agency operating expenditures of \$4,948,062, including expenditures of \$4,527,583 from the State General Fund.

The Governor recommends expenditures of \$4,919,062, an increase of \$24,881 in expenditures from special revenue funds above the approved amount.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the recommendations of the Governor.

Senate Subcommittee Report

Agency: School for the Blind

Bill No. --

Bill Sec. --

Analyst: Rampey

Analysis Pg. No. 1281

Budget Page No. 87

Expenditure Summary	Agency Est. FY 03	Governor's Recommendation FY 03	Senate Subcommit- tee Adjustments
All Funds:			
State Operations	\$ 4,941,743	\$ 4,805,049	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal-Operating	\$ 4,941,743	\$ 4,805,049	\$ 0
Capital Improvements	59,435	59,435	0
TOTAL	<u>\$ 5,001,178</u>	<u>\$ 4,864,484</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 4,572,995	\$ 4,434,536	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal-Operating	\$ 4,572,995	\$ 4,434,536	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 4,572,995</u>	<u>\$ 4,434,536</u>	<u>\$ 0</u>
FTE Positions	92.5	92.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>92.5</u>	<u>92.5</u>	<u>0.0</u>

Agency Est./Governor's Recommendation

The School for the Blind requests a total of \$4,941,743 for agency operating expenditures in FY 2003, of which \$4,572,995 is from the State General Fund. The total includes \$38,000 from the State General Fund for an enhancement (parity salary increases for teachers) and \$59,435 from the State Institutions Building Fund for capital improvements (rehabilitation and repair projects).

The Governor recommends expenditures of \$4,864,484, of which \$4,434,536 is from the State General Fund. The recommendation is a reduction of \$136,694 from the request and includes the requested funding for capital improvements (\$59,435). The Governor does not recommend additional funding for teacher parity salary increases.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the recommendations of the Governor, with the following exception:

- The Subcommittee observes that, while the School for the Blind is not part of the state system of unified school districts, it is a public institution that competes with school districts for teachers. For that reason, the Subcommittee recommends that, if enhanced funding is recommended for public school districts, the same percentage increase should be

appropriated to the School for the Blind so that it may remain competitive with public schools in the same job market.

Senate Subcommittee Report

Agency: School for the Deaf

Bill No. --

Bill Sec. --

Analyst: Rampey

Analysis Pg. No. 1294

Budget Page No. 139

Expenditure Summary	Agency Est. FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 7,845,208	\$ 7,845,208	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	7,845,208	7,845,208	0
Capital Improvements	1,070,948	1,070,948	0
TOTAL	<u>\$ 8,916,156</u>	<u>\$ 8,916,156</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 7,266,358	\$ 7,266,358	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal—Operating	7,266,358	7,266,358	0
Capital Improvements	0	0	0
TOTAL	<u>\$ 7,266,358</u>	<u>\$ 7,266,358</u>	<u>\$ 0</u>
FTE Positions	173.5	173.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>173.5</u>	<u>173.5</u>	<u>0.0</u>

Agency Est./Governor's Recommendation

The School for the Deaf estimates expenditures of \$7,845,208 in the current year, of which \$7,266,358 is from the State General Fund. Capital improvements in the amount of \$1,070,948 are from the State Institutions Building Fund.

The Governor concurs with the estimate for FY 2002.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with recommendations of the Governor.

Senate Subcommittee Report

Agency: School for the Deaf

Bill No. --

Bill Sec. --

Analyst: Rampey

Analysis Pg. No. 1294

Budget Page No. 139

Expenditure Summary	Agency Req. FY 03	Governor's Recommendation FY 03	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 8,077,123	\$ 7,498,040	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal-Operating	\$ 8,077,123	\$ 7,498,040	\$ 0
Capital Improvements	1,023,512	492,792	139,885
TOTAL	\$ 9,100,635	\$ 7,990,832	\$ 139,885
State General Fund:			
State Operations	\$ 7,747,334	\$ 7,168,251	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal-Operating	\$ 7,747,334	\$ 7,168,251	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 7,747,334	\$ 168,251	\$ 0
FTE Positions	179.5	173.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	179.5	173.5	0.0

Agency Req./Governor's Recommendation

The School for the Deaf requests a total of \$8,077,123 for operating expenditures, of which \$7,747,334 is from the State General Fund, including \$414,143 for enhancements. Requested enhancements consist of decreased shrinkage (\$109,923), parity increases for teachers (\$83,375), a Technology Specialist position (\$60,845), and 5.0 FTE positions to begin a new program for multi-disabled deaf students (\$160,000). In addition, the School requests capital improvements projects totaling \$1,023,512 from the State Institutions Building Fund.

The Governor recommends operating expenditures of \$7,498,040, of which \$7,168,251 is from the State General Fund. The amount from the State General Fund is \$98,107 less than in the current year and is a reduction of \$579,083 from the request. The Governor does not recommend any of the operating budget enhancements. Of the requested \$1,023,512 for capital improvements, the Governor recommends \$492,792.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the recommendations of the Governor, with the following exceptions:

- Concur with the recommendations of the Senate Subcommittee on Capital Improvements and add \$139,885 from the State Institutions Building Fund to replace roofs on the Parks-Bilger Vocational Building (\$70,035) and the Taylor Gym (\$69,850).
- The Subcommittee observes that, while the School for the Deaf is not part of the state system of unified school districts, it is a public institution that competes with school districts for teachers. For that reason, the Subcommittee recommends that, if enhanced funding is recommended for public school districts, the same percentage increase should be appropriated to the School for the Deaf so that it may remain competitive with public schools in the same job market.

Senate Subcommittee Report

Agency: State Historical Society

Bill No. --

Bill Sec. --

Analyst: Rampey

Analysis Pg. No. 1308

Budget Page No. 221

Expenditure Summary	Agency Est. FY 02	Governor's Recommendation FY 02	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 7,123,309	\$ 7,020,046	\$ 0
Aid to Local Units	1,013,000	1,013,000	0
Other Assistance	0	0	0
Subtotal—Operating	\$ 8,136,309	\$ 8,033,046	\$ 0
Capital Improvements	285,473	285,473	0
TOTAL	<u>\$ 8,421,782</u>	<u>\$ 8,318,519</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 5,840,464	\$ 5,837,370	\$ 0
Aid to Local Units	13,000	30,000	0
Other Assistance	115,000	0	0
Subtotal—Operating	\$ 5,968,464	\$ 5,867,370	\$ 0
Capital Improvements	129,381	129,381	0
TOTAL	<u>\$ 6,097,845</u>	<u>\$ 5,996,751</u>	<u>\$ 0</u>
FTE Positions	136.5	136.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>136.5</u>	<u>136.5</u>	<u>0.0</u>

Agency Est./Governor's Recommendation

The Historical Society estimates expenditures of \$8,432,782 in FY 2002. Included in the total is \$100,000 from the State General Fund requested as a supplemental appropriation to meet a projected shortfall in salaries. (Since submitting its budget, the shortfall has been revised downward to between \$60,000 and \$70,000.) Although the agency is holding some vacant positions open six months to a year, it still is experiencing a shortfall of between \$3,000 and \$4,000 on each payroll. The estimate for FY 2002 also includes requested expenditure limitation increases of \$10,000 on expenditures from the Microfilm Fees Fund for a project to copy negatives from the master microfilm archives and an increase of \$14,217 from the Heritage Trust Fund for operating expenditures.

The Governor recommends expenditures of \$8,515,762, which includes requested increases in expenditures limitations on the Microfilm Fees Fund and the Heritage Trust Fund. The Governor does not approve a supplemental appropriation for salaries.

*Senate Ways and Means
2-18-02
Attachment 6*

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor.

Senate Subcommittee Report

Agency: State Historical Society

Bill No. --

Bill Sec. --

Analyst: Rampey

Analysis Pg. No. 1308

Budget Page No. 221

<u>Expenditure Summary</u>	<u>Agency Req. FY 03</u>	<u>Governor's Recommendation FY 03</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 7,493,639	\$ 7,013,670	\$ 80,000
Aid to Local Units	1,113,000	1,263,000	0
Other Assistance	0	0	0
Subtotal—State Operations	<u>\$ 8,606,639</u>	<u>\$ 8,294,670</u>	<u>\$ 80,000</u>
Capital Improvements	1,486,174	221,092	75,000
TOTAL	<u><u>\$ 10,092,813</u></u>	<u><u>\$ 8,515,762</u></u>	<u><u>\$ 155,000</u></u>
State General Fund:			
State Operations	\$ 6,369,972	\$ 6,131,969	\$ 80,000
Aid to Local Units	30,000	30,000	0
Other Assistance	300	0	0
Subtotal—State Operations	<u>\$ 6,399,972</u>	<u>\$ 6,161,969</u>	<u>\$ 80,000</u>
Capital Improvements	1,265,082	0	75,000
TOTAL	<u><u>\$ 7,665,054</u></u>	<u><u>\$ 6,161,969</u></u>	<u><u>\$ 155,000</u></u>
FTE Positions	136.5	136.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>136.5</u></u>	<u><u>136.5</u></u>	<u><u>0.0</u></u>

Agency Req./Governor's Recommendation

For FY 2003, the Historical Society requests a total of \$8,606,639 for state operating expenditures. The amount includes \$1,347,377 for enhancements, of which \$778,869 is for capital improvements.

The Governor recommends a total of \$8,294,670 for state operations, of which \$6,161,960 is from the State General Fund. The only capital improvement recommended by the Governor is \$221,092 in federal funds for restoration of the William Allan White Home.

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with recommendation of the Governor, with the following exceptions:

- Add \$30,000 from the State General Fund to reduce shrinkage on salaries in FY 2003 from 11.2 percent to 10.7 percent, which is the rate for FY 2002. Even the lower rate of 10.7 percent, which is being forced in order to stay within available resources, is causing a shortfall of between \$3,000 and \$4,000 each payroll period, has resulted in a hiring freeze of between six months to a year on vacant positions, and could cause a furlough of employees by the end of the year. Despite this, the Subcommittee believes the 10.7 percent rate is preferable to the higher rate of 11.2 percent.
- Add \$50,000 from the State General Fund for the Kansas Territorial Sesquicentennial Commission. The 2001 Legislature enacted legislation (HB 2532) to create the Kansas Territorial Sesquicentennial Commission consisting of nine members appointed by the Governor. The legislation also creates a 31-member advisory board to the Commission comprised of five *ex officio* state agency representatives, 15 appointees of the Governor, eight appointees of the Legislature, and three other appointees. The Commission is charged with making recommendations to the Governor by July 1, 2002, regarding the Sesquicentennial.

The Subcommittee considers commemoration in 2004 of the anniversary of Kansas becoming a territory a milestone in our state's history and believes the Legislature should honor its commitment to fund a commission it created.

- Add \$75,000 from the State General Fund for emergency repairs for construction and other costs necessary to keep building components and systems in good working order. Historical Society officials cannot recall a year in which no funding has been made available for repairs. The Subcommittee believes it is regrettable enough when any public building is damaged, but, in the case of the Historical Society, most of its facilities are part of the state's heritage and damage to some of them literally is irreparable.
- The Historical Society contracts with the Highway Patrol for to provide security at the Kansas History Center. The cost of the contract has increased each year and one reason is that, whatever salary increase members of the Highway Patrol receive, the same increase has to be given to the Highway Patrol security officers at the History Center. This increase, over which the Historical Society has no control, causes difficulty because even after the Historical Society negotiates a contract, more money has to be added for salaries. To address the situation, the Subcommittee recommends that whatever salary increase is approved by the 2002 Legislature for members of the Highway Patrol, the same increase should be added to the Historical Society's budget in the Omnibus Bill in order to increase the salaries of the officers who are assigned to the Kansas History Center.
- Recommend that those subcommittees that consider appropriations from the Economic Developments Initiatives Fund (EDIF) consider appropriating a grant

of \$50,000 to the Kansas Humanities Council for the "Kansas Chautauqua," a commemoration of the 150th anniversary of Kansas becoming a territory. Events will take place in Junction City, Colby, Fort Scott, and Lawrence. The state appropriation would be used to hire scholars, develop educational materials, market the event, and develop ancillary programs. It would be used to leverage private grants in order to pay for the commemorative activities, which are expected to total \$150,000.

Senate Subcommittee Report

Agency: Kansas Arts Commission

Bill No.

Bill Sec.

Analyst: Krahl

Analysis Pg. No. 1330

Budget Page No. 63

<u>Expenditure Summary</u>	<u>Agency Estimate FY 02</u>	<u>Governor's Recommendation FY 02</u>	<u>Subcommittee Adjustments</u>
Operating Expenditures			
State Operations	\$ 529,778	\$ 529,778	\$ 0
Aid to Local Units	1,590,949	1,590,949	0
Other Assistance	31,000	31,000	0
TOTAL	<u>\$ 2,151,727</u>	<u>\$ 2,151,727</u>	<u>\$ 0</u>
FTE Positions	8.0	8.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>8.0</u>	<u>8.0</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The agency estimates \$2,151,727 (16,55,236 SGF) which is an increase of \$61,399 (2.9 percent) from the FY 2001 approved budget. The estimate includes \$402,959 for salaries and wages; \$116,807 for contractual services; \$4,748 for commodities; \$5,264 for capital outlay; \$1,590,949 for aid to local units; and \$31,000 for other assistance.

The Governor concurs with the agency's estimate.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Kansas Arts Commission

Bill No.

Bill Sec.

Analyst: Krahl

Analysis Pg. No. 1330

Budget Page No. 63

Expenditure Summary	Agency Request FY 03	Governor's Recommendation FY 03	Subcommittee Adjustments
Operating Expenditures			
State Operations	\$ 654,457	\$ 534,091	\$ 0
Aid to Local Units	1,866,767	1,494,738	66,304
Other Assistance	31,000	31,000	0
TOTAL	\$ 2,552,224	\$ 2,059,829	\$ 66,304
FTE Positions	9.0	8.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	9.0	8.0	0.0

Agency Request/Governor's Recommendation

The agency requests \$2,552,224 (\$2,088,334 SGF) for FY 2003 which is an increase of \$400,497 (18.6 percent) from the FY 2002 estimate. The request includes: \$430,132 for salaries and wages; \$219,577 for contractual services; \$4,748 for commodities; \$1,866,767 for aid to local units; and \$31,000 for other assistance. The request includes enhancements totaling \$430,723.

The Governor recommends \$2,059,829 (\$1,591,305 SGF) for FY 2003 which is a decrease of \$91,898 (4.3 percent) from the FY 2002 recommendation. The recommendation includes: \$412,536 for salaries and wages; \$116,807 for contractual services; \$4,748 for commodities; \$1,494,738 for aid to local units; and \$31,000 for other assistance. The Governor does not recommend the enhancements. The Governor does recommend a reduction package of \$66,304 from State General Fund which is a 4.0 percent reduction of to aid to local units and aid to qualified state organizations.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendations with the following adjustments:

1. The Subcommittee recommends the restoration of the 4.0 percent package (\$66,304 from the State General Fund). This reduction would reduce funding for aid to local units and aid to qualified state organizations. According to the agency, every dollar of reduction for aid to local units from the State General Fund results in a \$19 loss in arts programming funding.

Senate Subcommittee Report

Agency: Kansas State Library

Bill No.

Bill Sec.

Analyst: Krahl

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Budget Page No. 339

<u>Expenditure Summary</u>	<u>Agency Estimate FY 02</u>	<u>Governor's Recommendation FY 02</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,307,309	\$ 2,307,309	\$ 0
Aid to Local Units	4,302,546	4,302,546	0
Other Assistance	393,163	393,163	0
TOTAL	<u>\$ 7,003,018</u>	<u>\$ 7,003,018</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 1,530,565	\$ 1,530,565	\$ 0
Aid to Local Units	3,873,046	3,873,046	0
Other Assistance	0	0	0
TOTAL	<u>\$ 5,403,611</u>	<u>\$ 5,403,611</u>	<u>\$ 0</u>
FTE Positions	27.0	27.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>27.0</u>	<u>27.0</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The agency estimate for FY 2002 expenditures is \$7,003,018 which is an increase of \$79,858 in federal funds from the approved budget. The request includes: \$1,099,665 for salaries and wages; \$983,260 for contractual services; \$127,830 for commodities; \$96,554 for capital outlay; \$4,302,546 for aid to local units; and \$393,163 for other assistance.

The Governor concurs with the agency estimate.

The Senate Subcommittee Recommendation.

The Senate Subcommittee concurs with the Governor's recommendation.

Senate Subcommittee Report

Agency: Kansas State Library

Bill No.

Bill Sec.

Analyst: Krahl

Analysis Pg. No. 1343

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<u>Expenditure Summary</u>	<u>Agency Request FY 03</u>	<u>Governor's Recommendation FY 03</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,367,054	\$ 2,271,968	\$ 0
Aid to Local Units	6,873,528	4,149,850	152,696
Other Assistance	393,163	393,163	0
TOTAL	<u>\$ 9,633,745</u>	<u>\$ 6,814,981</u>	<u>\$ 152,696</u>
State General Fund:			
State Operations	\$ 1,590,311	\$ 1,492,710	\$ 0
Aid to Local Units	6,444,028	3,720,350	152,696
Other Assistance	0	0	0
TOTAL	<u>\$ 8,034,339</u>	<u>\$ 5,213,060</u>	<u>\$ 152,696</u>
FTE Positions	27.0	27.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>27.0</u>	<u>27.0</u>	<u>0.0</u>

Agency Request/Governor's Recommendation

The agency requests FY 2003 expenditures of \$9,633,745 which is an increase of \$2,630,727 (37.6 percent) from the FY 2002 agency request. The request includes: \$1,112,717 for salaries and wages; \$981,749 for contractual services; \$179,599 for commodities; \$92,989 for capital outlay; \$6,873,528 for aid to local units; and \$393,163 for other assistance. The request includes enhancement packages of \$2,620,982 SGF including \$2,570,982 for state aid to local libraries and \$50,000 for research and information services.

The Governor recommends FY 2003 expenditures of \$6,814,981 which is a decrease of \$188,037 (2.7 percent) from the FY 2002 revised recommendation. The request includes: \$1,131,469 for salaries and wages; \$981,749 for contractual services; \$65,761 for commodities; \$92,989 for capital outlay; \$4,149,850 for aid to local units; and \$393,163 for other assistance. The Governor does not recommend the enhancement packages. The Governor recommends reduction packages of \$216,534 from the State General Fund including a 4.0 percent reduction of other operating expenditures totaling \$63,838 and a 4.0 percent reduction in aid to local libraries totaling \$152,696.

The Senate Subcommittee Recommendation

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

1. The Subcommittee recommends the restoration of the 4.0 percent reduction in aid to local libraries totaling \$152,696 from the State General Fund. The reduction would reduce the capability of libraries to provide hours of services, information technology, and other public services.
2. The State Library, during its presentation to the Subcommittee offered the suggestion of a surcharge on Kansas Turnpike traffic as an alternative funding source for state aid to local libraries. Although the Subcommittee does not recommend the introduction of any legislation, the Subcommittee feels the matter deserves further consideration, as it would be one method to shift the current \$3.8 million in state aid from the State General Fund to an alternative source of revenue. Attached is a table indicating the agency's estimate of the amount of revenue turnpike traffic could generate for state aid to local libraries.

Calculations for
State Aid to Local Libraries
Funded by KS Turnpike Traffic

2000		Vehicle	Average		
\$6,160,756		Volume	Surcharge	Per Vehicle	
Passenger	25,219,558	\$0.15	(average by toll)	\$3,782,934	
Commercial	3,963,038	\$0.60	(average by #	\$2,377,823	
Total	29,182,596		of axels)		\$6,160,756

1999		Vehicle	Average		
\$6,214,755		Volume	Surcharge	Per Vehicle	
Passenger	25,728,451	\$0.15	(average by toll)	\$3,859,268	
Commercial	3,925,813	\$0.60	(average by #	\$2,355,488	
Total	29,654,264		of axels)		\$6,214,755

1998		Vehicle	Average		
\$6,119,220		Volume	Surcharge	Per Vehicle	
Passenger	25,593,118	\$0.15	(average by toll)	\$3,838,968	
Commercial	3,800,421	\$0.60	(average by #	\$2,280,253	
Total	29,393,539		of axels)		\$6,119,220

Passenger car surcharge average of 15¢,
spread over the toll range of .25 to \$8.15

Commercial vehicle surcharge average 60¢,
spread over the toll range of .25 to \$60