

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:40 a.m. on March 27, 2002 in Room 123-S of the Capitol.

All members were present except: All present

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department
Deb Hollon, Kansas Legislative Research Department
Martha Dorsey, Kansas Legislative Research Department
Julian Efird, Kansas Legislative Research Department
Paul West, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Michael Corrigan, Assistant Revisor of Statutes
Theresa Kiernan, Assistant Revisor of Statutes
Judy Bromich, Assistant to the Chairman
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Sheila Frahm, Executive Director, Kansas Association of Community College Trustees
Dr. George Knox, President, Cloud County Community College
Jerry B. Farley, President, Washburn University (written)
Mahlon Tuttle, President, Kansas Legislative Policy Group (written)

Others attending: See attached list

Chairman Morris called the Committee's attention to discussion of:

SB 627--Kansas national guard; reimbursement for costs of health insurance

Senator Barone moved, with a second by Senator Feleciano, to amend SB 627 with a balloon amendment (Attachment 1). Motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Adkins, to amend the bill's effective date to the Kansas Register and recommend SB 627 favorable for passage as amended. Motion carried on a roll call vote.

HB 2763--Repealing two statutes that require certain size counties to provide courtroom and supplies for district courts as the judges deem necessary

Senator Feleciano moved, with a second by Senator Jackson, to recommend HB 2763 favorable for passage. Motion carried on a roll call vote.

Sub for HB 2057--Medical student scholarships and loans and medically underserved areas

Senator Huelskamp moved, with a second by Senator Jackson, to amend Sub for HB 2057 on page 9, line 17, remove "child psychiatry" and a technical amendment page 1, line 38, to remove obsolete language "critically medically underserved or" that had been stricken every other place in the bill. Motion carried on a voice vote.

Senator Feleciano moved, with a second by Senator Huelskamp, to recommend Sub for HB 2057 favorable for passage as amended. Motion carried on a roll call vote.

CONTINUATION SHEET

SB 641--Appropriations for FY 2002 and FY 2003 for capital improvements for various state agencies

Staff briefed the Committee on the bill. Discussed in subcommittee.

Senator Barone moved, with a second by Senator Feleciano, to amend SB 641 to authorize \$7.5 million in bonds to renovate the dormitories at Ft. Hays State University as recommended by the Joint Committee on State Building Construction. Motion carried on a voice vote.

Senator Huelskamp moved, with a second by Senator Jackson, to amend SB 641 regarding the Department of Human Resources to reduce an expenditure limitation from \$250,000.00 to \$0 for FY 2002 that the House had discovered was included by the Department and was budgeted for FY 2002 but the Department could not spend for the anticipated bond payment which will not come due until FY 2003. Motion carried on a voice vote.

Senator Barone moved, with a second by Senator Jackson, to recommend SB 641 favorable for passage as amended. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

SB 650--Out-district tuition for community colleges and Washburn university continued through 2003-04 academic year

Staff briefed the Committee on the bill.

Sheila Frahm, Executive Director, Kansas Association of Community College Trustees, spoke to the Committee in support of **SB 650**. Ms. Frahm introduced Dr. George Knox, President, Cloud County College, who testified in support of **SB 650** (Attachment 2). Dr. Knox explained that they would ask to suspend the out-district tuition reduction until such time as **SB 345** is fully funded.

Marvin Burris, Kansas Board of Regents, testified in support of **SB 650**. (No written testimony was submitted.) Mr. Burris mentioned that on behalf of the Board of Regents, they support the passage of the bill.

Written testimony was submitted by Jerry B. Farley, President, Washburn University, in support of **SB 650** (Attachment 3).

Written testimony was submitted by Mahlon Tuttle, President, Kansas Legislative Policy Group, in opposition to **SB 650** (Attachment 4).

Committee questions and discussion followed conferee testimony and the Chairman thanked the conferees for appearing before the Committee. There being no further conferees to come before the Committee, the Chairman closed the public hearing on **SB 650**.

Senator Kerr moved, with a second by Senator Schodorf, to recommend SB 650 favorably for passage. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

SB 651-Establishing a surcharge on appearance bond

Staff briefed the Committee on the bill.

There being no conferees to come before the Committee on the bill, the Chairman closed the public hearing on **SB 651**.

Senator Jackson moved, with a second by Senator Kerr, to amend SB 651 with a proposed balloon amendment (Attachment 5). Motion carried on a voice vote.

CONTINUATION SHEET

Senator Jackson moved, with a second by Senator Kerr, to amend **SB 651** to add Title 8 (traffic), recognizance bonds and pledges of real personal property. Motion carried on a voice vote. Senator Barone requested to be recorded as voting "No" on the motion.

Senator Kerr moved, with a second by Senator Jackson, to recommend **SB 651** favorable for passage as amended. Motion carried on a roll call vote.

Chairman Morris called the Committee's attention to discussion of:

HB 2896--Adding one dollar surcharge to designated athletic event at postsecondary educational institutions to fund the Kansas sports hall of fame

Chairman Morris explained a proposed balloon amendment to **HB 2896**.

Senator Kerr moved, with a second by Senator Jackson, to move the proposed amendment to **HB 2896** (Attachment 6). Motion carried on a voice vote. It was noted that the wording "adult tickets" should be added.

A letter was received from Linda Lubensky, Executive Director, Kansas Home Care Association, in response to the Performance Audit Report: Medicaid Cost Containment by the Legislative Division of Post Audit to the Committee (Attachment 7).

The meeting was adjourned at 11:55 a.m. The next meeting is scheduled for March 28, 2002.

SENATE WAYS AND MEANS COMMITTEE
GUEST LIST

DATE March 27, 2002

NAME	REPRESENTING
Cody Denton	Budget
By Tom SMALL	AAG ARMY NG
Col ADAM D. KING	ADJUTANT GENERALS DEPT
Barbara J Gibson	KDHE
Marvin Durnley	KBOR
Mike Pepon	Sedgwick County
Kathy Porter	Judicial Branch
Don Etzel	Dept of Admin / OFM
JOE FRITTON	DOFA / OFM
Dan Baluh	DOFA / OFM
KAYE JORDAN-CAIN	KDOT
Dick Bannan	KDOT
Chris Grawz	Topeka Capital - Journal
TED HAYES	KS SPORTS HALL OF FAME
Harry Boren	Dept of Admin
John Spurgeon	KDWP
Cheryl Musselman	KSHSAA
Ronnie Ann Rorer	KAHP
Bred Smoot	Pfizer / Abbott
Stephanie Buchanan	DOB
Doug Smith	Vinegar, Smith & Assoc

SENATE BILL No. 627

By Committee on Federal and State Affairs

Amendment for consideration
by Senate Ways and Means Committee

Senate Ways and Means
8-27-02
Attachment 1

AN ACT concerning the Kansas national guard; relating to pay and allowances; amending K.S.A. 2001 Supp. 48-225 and repealing the existing section.

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

Section 1. K.S.A. 2001 Supp. 48-225 is hereby amended to read as follows: 48-225. (a) When an officer or enlisted person of the Kansas national guard is ordered by the governor to perform active state service, such person shall receive from the state, pay and allowances as may be authorized by the adjutant general at the rate now or hereafter paid or allowed by law to officers and enlisted persons of the same rank and length of service in the armed forces of the United States. The minimum amount of such pay and allowances shall not be less than the amount received by an individual in the pay grade of E-6 with six years of military service credited for pay purposes ~~during any period or consecutive periods of state active duty in excess of 30 days, an officer or enlisted member of Kansas national guard shall be entitled to reimbursement of the cost of their privately-purchased or employer-provided health insurance for such officer or member and such officer's or member's family. The reimbursement shall be treated as an allowance and paid by the state and shall be considered as a cost of state active duty.~~ If any part of the compensation of such persons for the above service is paid by the United States, then there shall be paid from state funds, only that part thereof not paid by the United States.

(b) The governor shall have authority to detail any member of the governor's staff or any other officer or enlisted person of the Kansas national guard upon any tour of military duty or to attend any military or civil ceremony, within or without the state, as the governor may deem for the best interest of the service.

~~New Sec. 2. (a) For taxable years commencing after December 31, 2001, any officer or enlisted member of the Kansas national guard shall be allowed a credit against the income tax imposed by the Kansas income tax in an amount equal to amounts paid by such officer or member for health insurance for such officer or member and such officer's or member's family during any period or consecutive periods of state active duty~~

. During
officer's or member's
when the policy of insurance was in force prior to such officer or member being ordered to perform active state service. Such reimbursement shall not exceed the amount paid for premiums for individual or family health insurance coverage under the state employees group health insurance plan

~~in excess of 30 days.~~

~~(b) The credit allowed by this section shall not exceed the amount of tax imposed under the Kansas income tax act reduced by the sum of any other credits allowable pursuant to law.~~

New Sec. ~~3~~ (a) For taxable years commencing after December 31, 2001, the employer of any officer or enlisted member of the Kansas national guard shall be allowed a credit against the income tax imposed by the Kansas income tax in an amount equal to amounts paid by such employer for health insurance for such officer or member and such officer's or member's family during any period or consecutive periods of state active duty in excess of 30 days if such employer is not otherwise required to pay for such insurance.

(b) The credit allowed by this section shall not exceed the amount of tax imposed under the Kansas income tax act reduced by the sum of any other credits allowable pursuant to law.

Sec. ~~4~~, K.S.A. 2001 Supp. 48-225 is hereby repealed.

Sec. ~~5~~, This act shall take effect and be in force from and after its publication in the statute book.

2

If the amount of the credit allowed by subsection (a) of this section exceeds the taxpayer's income tax liability imposed under the Kansas income tax act, such excess amount may be carried over for credit in the same manner in the succeeding taxable years until the total amount of such credit is used.

(c) For taxable years commencing after December 31, 2001, on or before December 15, 2002, and each ensuing year, upon certification by the adjutant general to the director of accounts and reports of the amount that an employer, who is a political subdivision of the state, of any officer or enlisted member of the Kansas national guard paid for health insurance for such officer or member and such officer's or member's family during any period or consecutive periods of state active duty in excess of 30 days, if such employer is not otherwise required to pay for such insurance and upon such certification, the director of accounts and reports shall transfer from the state general fund to the general fund of such employer an amount equal to the amount paid for such health insurance. Each officer and enlisted member of the national guard requesting reimbursement under this section shall present proof of such health insurance cost on forms furnished by the adjutant general.

Kansas register

(3)
(4)



MEMO

**TO: Senator Steve Morris, Chair
Senate Ways & Means Committee**

From: Sheila Frahm, Executive Director

Date: March 27, 2002

RE: SB 650

Senator Morris and Members of the Senate Ways & Means Committee:

Community Colleges are represented today by:

Dr. George Knox, President Cloud County CC
Carter File, Dean Admin. Services, Cloud County CC

Handouts include:

1. Dr. Knox – Testimony
2. Dr. Ed Berger – President Hutchinson CC – Testimony
3. KBOR Unified Budget Request, FY 2003
4. Community College Revenue
5. Community College Property Tax
6. Community College Enrollment

*Senate Ways and Means
3-27-02
Attachment 2*

Chairman Morris and Members of the Committee, thank you for the opportunity to discuss SB 650 and the impact that its defeat will have on the community college system. I am Dr. George Knox, President of Cloud County Community College.

A brief history might be in order: SB 345 had among its many provisions three that are particularly germane to the conversation today. They are:

1. Under SB 345 Section 39 (a)(2)(C) community colleges are scheduled to receive 60% of the "average amount of state aid per FTE [lower division] undergraduate student that the regional state educational institutions are entitled to receive for the year." 2003 is the first year community colleges are scheduled to receive their performance grants under SB 345.
2. Local property tax relief is a cornerstone of SB 345. Section 26 (b) of SB 345 states "The tax levy authorized by subsection (a) shall be reduced in fiscal years 2002, 2003 and 2004 by an amount equal to 80% of the amount of the difference between the amount of the state grant received by the community colleges in the preceding fiscal year less the amount of out-district tuition received by the community college in such fiscal year and the amount of the state grant to which the community college is entitled to in the current fiscal year".
3. Section 28 (b) SB 345 provides for a reduction of the out-district tuition rate for the 2002-2003 year of \$6 dollars per credit hour. This is a 50% reduction of the out-district funds available to community colleges for the 2003 fiscal year. The entire system will lose approximately \$2.7 million dollars for the 2003 fiscal year if this reduction is not suspended. There is also no guarantee that individual taxpayers will benefit from this reduction as counties are under no obligation to give relief to their taxpayers for the reduced out-district tuition levels.

With these points in mind I would like to highlight the fiscal impact on the community college system. Under the current state budget scenarios that are being proposed the community college system would be facing a complete loss of performance grants—\$2.025 million. The community college system was scheduled to receive 60% (FY 2003) as stated above or a total \$101,301,384 for the 2002-2003 fiscal year. The projections are now between 50.45%, if funding is flat, and 49.44%, if funding is reduced by 2%. This represents a decrease in revenue under the state aid formula of between \$16.1 million dollars and \$17.8 million dollars respectively. This reduction in state aid is in danger of growing as the states woes continue. Of the scheduled increase from 2001-2002, \$10.4 million dollars are scheduled for home-district property tax relief, an additional \$2.7 million dollars are scheduled for out-district tuition reduction, with \$3.0 million dollars remaining for enhancements to the community college system. If the state budget is flat or below the 2001-2002 funding level none of the above initiatives will be funded. There will be no state funds for local property tax relief or enhancements. However, the out-district tuition reduction will move forward and in all likelihood not have additional state dollars to compensate for the buy-down, of this reduction, as was intended in SB 345. The \$2,704,141 loss of out-district tuition represents a 3.2% loss of revenue for the community college system.

The crux of the situation is; we understand and accept our responsibility to help in difficult times however, we would ask the committee to suspend the out-district tuition reduction until such time as SB 345 is fully funded. This action is desirous for several reasons: 1) it spreads the pain of the budget shortfall to all community college stakeholders, 2) it DOES NOT increase the state shortfall by any additional dollars, and 3) it will help lessen a very difficult fiscal situation for the community college system as a whole. The only options left for the community college system would be very difficult personnel cuts, increased tuition, and increased local tax levies.

While we understand and accept our responsibility to share the burden of the states fiscal shortfall, we would be remise in our obligation to our local taxpayers if we did not bring to the attention of this committee the unavoidable fact that honoring the out-district tuition reduction will be at the expense of the home-district taxpayers and students. Finally, suspension of the out-district tuition reduction does not increase the state budget shortfall and will help the community college system by not increasing an already serious funding deficit.

Chairman Morris and Members of the Committee:

I am Ed Berger, President of Hutchinson Community College/Area Vocational School. I am here to speak in support of continued funding of SB 345. The funding formula that was developed as part of SB 345 addressed inequities and idiosyncrasies that had become a part of the community college funding. It was understood that funding and off sets could not be achieved in a single year but would need to be phased in over four years. State support of community colleges was to be elevated to 65 percent of the state support of lower division full time equivalencies at the regional universities multiplied times the total number of community college full time equivalencies. Recognizing the cost for one year would be more than the state could budget, it was agreed that the sixty-five percent would be phased in over four years with increments of 50, 55, 60 and finally 65 percent. The new dollars received were to be dedicated to tax relief (out district tuition for the 87 counties that do not have community colleges would be eliminated as the percentage of state dollars increased in each of the four years), vocational funding for non area vocational schools was to be incrementally increased to 1.75 from 1.5, eighty percent of the remaining dollars were dedicated to local property tax relief in 18 counties with 20 percent available for community college enhancements.

The funding formula was central to SB 345 receiving unanimous support by community colleges and was critical in getting community college support for changing the state board of control from the Board of Education to the Kansas Board of Regents. The interconnectivity of the bill, tying community college support to the state support of regional universities and university faculty salary increases to community college funding made the system complete.

Community colleges in Kansas recognize that the third year of funding for SB 345 may need to be suspended because of state revenue constraints. **If SB 345 is suspended it is important to have all components suspended including the phase down of out district tuition, which is accomplished with SB 650.** If this portion of the bill is left in tact, community colleges in Kansas could lose over three million dollars in revenue next year.

Community colleges in Kansas are experiencing significant enrollment increases because of the difficult economy. Traditional and non-traditional students are seeing community colleges as an affordable avenue to get the first two years of a transfer program or obtain marketable job skills. Additionally, community colleges have become essential to the economy, providing job training and retraining to thousands of individuals who have lost their jobs. These individuals are able to get back to work quicker because of the availability of affordable community college training. As the number of students enrolled in community colleges swells, the per student support from the state will diminish significantly with a funding freeze. I am sure that the committee recognizes the integral role that community colleges play in the economic recovery of Kansas. I appreciate your consideration and remind the committee again of the fiscal intent of SB 345, which was local tax relieve and enhanced funding for community colleges to the sixty five percent level of the regional universities.

KANSAS BOARD OF REGENTS
UNIFIED OPERATING BUDGET REQUEST FOR HIGHER EDUCATION
FROM STATE APPROPRIATIONS*
COMPARED TO THE GOVERNOR'S BUDGET RECOMMENDATIONS
FOR FISCAL YEAR 2002 AND FISCAL YEAR 2003

INSTITUTION	GOV REC FY 2002	KBOR REQUESTED FY 2003	GOV REC FY 2003	DIFF OF GOV REC TO REQ FY 2003	DIFF OF GOV REC FY 2003 TO FY 2002	% CHANGE
BOARD OF REGENTS:						
General Administration	\$2,858,990	\$3,373,531	\$2,902,768	(\$470,763)	\$43,778	1.53%
Student Financial Assistance Programs	14,395,164	14,922,664	14,298,714	(623,950)	(96,450)	-0.67%
Adult Basic Education State Matching Grant	1,100,000	1,514,504	1,100,000	(414,504)	0	0.00%
Carl D. Perkins Matching Grant	375,430	396,295	384,815	(11,480)	9,385	2.50%
Other Postsecondary Education Programs	487,355	500,500	200,000	(300,500)	(267,355)	-57.21%
SUBTOTAL BOARD OF REGENTS	\$19,196,939	\$20,707,494	\$18,886,297	(\$1,821,197)	(\$310,642)	-1.62%
COMMUNITY COLLEGES:						
Operating Grants	\$85,174,486	\$101,301,384	\$81,818,611	(\$19,482,773)	(\$3,355,875)	-3.94%
Technology Grants	412,000	412,000	412,000	0	0	0.00%
SUBTOTAL COMMUNITY COLLEGES	\$85,586,486	\$101,713,384	\$82,230,611	(\$19,482,773)	(\$3,355,875)	-3.92%
STATE UNIVERSITIES: (1)						
University of Kansas	\$138,667,728		\$133,223,431		(\$5,464,297)	
University of Kansas Medical Center	104,325,975		100,573,732		(3,752,243)	
Kansas State University						
Main Campus	106,888,956		102,670,067		(4,218,889)	
Extension Service and Research Programs	49,203,009		47,264,410		(1,938,599)	
Veterinary Medical Center	10,052,324		9,656,262		(396,062)	
Wichita State University	65,903,685		63,307,080		(2,596,605)	
Emporia State University	30,572,053		29,367,514		(1,204,539)	
Pittsburg State University	33,548,613		32,224,876		(1,321,737)	
Fort Hays State University	31,951,242		30,692,363		(1,258,879)	
Subtotal - State Univ Operating Grants - FY 2002	571,131,585	571,131,585	548,979,735	(22,151,850)	0	
Faculty Salary Enhancement		13,422,757		(13,422,757)	0	
State University Operating Grant Increase		25,700,726		(25,700,726)	0	
Annualization of Salaries and Fringe Benefits		6,178,967		(6,178,967)	0	
SUBTOTAL STATE UNIVERSITIES	\$571,131,585	\$616,434,035	\$548,979,735	(\$67,454,300)	(\$22,151,850)	-3.88%
TECHNICAL SCHOOLS AND COLLEGES						
Postsecondary State Aid (2)	\$26,966,871	\$29,200,000	\$26,142,996	(\$3,057,004)	(\$823,875)	-3.06%
Capital Outlay Aid	2,700,000	2,700,000	2,700,000	0	0	0.00%
SUBTOTAL TECH SCHOOL/COLLEGES	\$29,666,871	\$31,900,000	\$28,842,996	(\$3,057,004)	(\$823,875)	-2.78%
WASHBURN UNIVERSITY						
Operating Grant	10,594,032	12,220,838	10,176,627	(\$2,044,211)	(\$417,405)	-3.94%
Technology Grant	38,000	38,000	38,000	0	0	0.00%
SUBTOTAL WASHBURN UNIVERSITY	\$10,632,032	\$12,258,838	\$10,214,627	(\$2,044,211)	(\$417,405)	-3.93%
ALL SECTORS						
2% Performance Funding		\$13,877,915		(\$13,877,915)	\$0	
GRAND TOTAL STATE APPROPRIATIONS	\$716,213,913	\$796,891,666	\$689,154,266	(\$107,737,400)	(\$27,059,647)	-3.78%

* Includes appropriations from the State General Fund and the Economic Development Initiatives Fund.
 (1) FY 2002 SGF appropriations does not include carry-forward funds from FY 2001.
 (2) Does not include a supplemental request of \$33,129 to correct a technical error made during the 2001 legislative session.

Kansas Community Colleges - Revenue Percentages by Source for the Fiscal Year Ended June 30, 2001							
COLLEGE	STUDENT	FEDERAL	STATE	COUNTY			TOTAL
				O-D	LOCAL	OTHER	
Allen County	21.3%	0.8%	44.6%	4.3%	23.4%	5.7%	100.0%
Barton County	20.6%	0.4%	37.6%	2.3%	35.1%	4.0%	100.0%
Butler County	27.0%	0.2%	34.6%	5.7%	25.3%	7.3%	100.0%
Cloud County	19.9%	0.9%	45.9%	6.7%	22.2%	4.4%	100.0%
Coffeyville	15.8%	2.4%	19.6%	1.9%	57.0%	3.3%	100.0%
Colby	25.8%	0.0%	33.7%	5.8%	27.0%	7.7%	100.0%
Cowly County	21.0%	1.4%	42.1%	3.9%	29.7%	1.9%	100.0%
Dodge City	14.3%	2.6%	25.6%	2.3%	51.9%	3.4%	100.0%
Fort Scott	29.6%	2.6%	37.7%	4.5%	21.4%	4.1%	100.0%
Garden City	17.9%	2.3%	17.9%	1.7%	52.9%	7.3%	100.0%
Highland	23.2%	0.0%	50.7%	8.1%	13.6%	4.4%	100.0%
Hutchinson	15.2%	1.6%	30.4%	2.9%	48.5%	1.4%	100.0%
Independence	12.0%	3.3%	22.0%	1.8%	59.8%	1.2%	100.0%
Johnson County	18.4%	0.3%	20.2%	0.8%	51.9%	8.4%	100.0%
Kansas City	15.1%	0.0%	22.6%	1.0%	58.1%	3.3%	100.0%
Labette County	16.4%	2.7%	36.2%	2.6%	39.8%	2.3%	100.0%
Neosho County	19.7%	1.9%	29.3%	3.1%	44.3%	1.6%	100.0%
Pratt	18.0%	0.0%	22.4%	3.2%	46.6%	9.8%	100.0%
Seward County	16.4%	1.2%	18.2%	2.2%	56.9%	5.2%	100.0%
Total Ks Comm Colleges	19.2%	0.9%	27.8%	2.6%	43.9%	5.6%	100.0%

Compiled from a draft of the Kansas Association of Community College Business Officers' *Enrollment and Financial Statistics* (Compiled January 2002) by Kent Williams, Vice President for Finance at Butler County Community College.

Feb. 5, 2002

KANSAS COMMUNITY COLLEGES
Property Tax Revenues Generated
FISCAL YEAR 2000 **FISCAL YEAR 2001**

FISCAL YEAR 2002

Three Year

	Mill Levy, FY end 6/00	Assessed Valuation, CY 1999	Revenue Generated	Mill Levy, FY end 6/01	Assessed Valuation, CY 2000	Revenue Generated	Mill Levy, FY end 6/02	Assessed Valuation, CY 2001	Revenue Generated	Valuation Change	Revenue Change	Rev. Per. Change
Allen County	22.335	63,949,116	1,428,304	19.511	63,680,932	1,242,479	16.716	69,350,419	1,159,262	5,401,303	-269,042	-18.84%
Barton County	34.680	142,925,059	4,956,641	30.760	155,158,098	4,772,663	28.500	162,826,258	4,640,548	19,901,199	-316,093	-6.38%
Butler County	19.760	290,563,515	5,741,535	17.130	306,925,001	5,257,625	15.130	355,539,675	5,379,315	64,976,160	-362,220	-6.31%
Cloud County	28.374	52,416,806	1,487,274	27.240	55,329,691	1,507,181	27.639	61,554,695	1,701,310	9,137,889	214,036	14.39%
Coffeyville	38.371	89,072,397	3,417,797	37.530	95,771,731	3,594,313	39.520	111,325,486	4,399,583	22,253,089	981,786	28.73%
Colby	27.803	62,788,613	1,745,712	25.030	65,844,856	1,648,097	24.750	71,106,757	1,759,892	8,318,144	14,180	0.81%
Cowley County	22.762	158,017,683	3,596,799	19.967	163,098,479	3,256,587	16.998	183,692,750	3,122,409	25,675,067	-474,389	-13.19%
Dodge City	25.560	181,725,990	4,644,916	25.591	188,775,807	4,830,962	25.560	194,318,724	4,966,787	12,592,734	321,870	6.93%
Fort Scott	22.140	63,088,979	1,396,790	19.615	63,144,612	1,238,582	19.615	71,654,529	1,405,504	8,565,550	8,714	0.62%
Garden City	18.570	357,837,692	6,645,046	18.528	336,069,484	6,226,695	19.691	390,694,479	7,693,165	32,856,787	1,048,119	15.77%
Highland	17.260	45,271,398	781,384	14.300	48,849,686	698,551	14.300	55,722,877	796,837	10,451,479	15,453	1.98%
Hutchinson	23.390	363,371,741	8,499,265	21.488	378,330,021	8,129,555	21.021	413,500,026	8,692,184	50,128,285	192,919	2.27%
Independence	35.947	87,510,974	3,145,757	36.817	88,192,544	3,246,985	36.549	89,766,011	3,280,858	2,255,037	135,101	4.29%
Johnson County	7.184	4,849,449,401	34,838,444	7.646	5,472,074,811	41,839,484	7.743	6,022,876,211	46,635,131	1,173,426,810	11,796,686	33.86%
Kansas City	17.424	699,078,942	12,180,751	18.350	758,855,352	13,924,996	18.350	806,388,164	14,797,223	107,309,222	2,616,471	21.48%
Labette	24.970	93,317,891	2,330,148	24.470	93,048,630	2,276,900	23.970	102,014,082	2,445,278	8,696,191	115,130	4.94%
Neosho County	29.957	69,038,355	2,068,182	27.840	68,038,355	1,894,188	29.970	76,896,549	2,304,590	7,858,194	236,408	11.43%
Pratt	39.280	75,432,127	2,962,974	39.860	76,436,528	3,046,760	38.845	76,027,289	2,953,280	595,162	-9,694	-0.33%
Seward County	27.410	193,066,158	5,291,943	26.917	197,106,855	5,305,525	26.766	217,050,515	5,809,574	23,984,357	517,631	9.78%
Totals		7,937,922,837	107,159,663		8,674,731,473	113,938,127		9,532,305,496	123,942,729	1,594,382,659	16,783,066	15.66%
without Johnson Co.		3,088,473,436	72,321,218		3,202,656,662	72,098,643		3,509,429,285	77,307,599	420,955,849	4,986,380	6.89%
										20.09%		
										13.63%		

Information taken from Kansas Community Colleges 'Enrollment and Financial Statistics', compiled January, 2002 - (draft copy)

ENROLLMENT FOR KANSAS COMMUNITY COLLEGES

June 1, 2000 - May 31, 2001¹

Revised September 20, 2001

INSTITUTIONS	Enrollment June 1 - Dec 31		Enrollment Jan 1 - May 31		Enrollment Fiscal Year 2001 Total	
	Credit Hrs.	Headcount ²	Credit Hrs.	Headcount ²	Credit Hrs.	Headcount ²
Allen County CC	19,783.0	2,504	16,570.0	2,238	36,353.0	3,483
Barton County CC	39,485.5	6,692	32,673.0	6,041	72,158.5	10,416
Butler County CC	70,102.0	9,914	53,774.0	7,772	123,876.0	12,977
Cloud County CC	20,880.5	3,745	17,374.0	3,016	38,254.5	4,999
Coffeyville CC	13,597.5	1,987	10,004.0	1,625	23,601.5	2,433
Colby CC	17,474.5	2,606	14,303.0	2,318	31,271.5 ³	3,456
Cowley County CC	38,980.0	4,702	32,170.0	3,944	71,150.0	6,194
Dodge City CC	18,554.0	2,470	14,716.0	1,983	32,119.0 ³	3,238
Fort Scott CC	22,045.0	2,586	15,415.0	2,391	32,709.0 ³	3,871
Garden City CC	20,423.0	2,793	16,341.0	2,530	36,764.0	6,032
Highland CC	22,428.5	3,523	19,170.0	2,962	41,598.5	4,889
Hutchinson CC	36,363.0	5,414	29,982.0	4,365	66,345.0	7,370
Independence CC	10,208.0	1,426	8,522.5	1,242	18,730.5	1,983
Johnson County CC	134,392.0	19,016	111,883.0	16,028	246,064.0 ³	24,924
Kansas City KS CC	48,496.0	6,718	36,969.0	5,720	85,465.0	8,828
Labette CC	20,480.0	2,840	17,006.5	2,345	37,486.5	4,122
Neosho County CC	13,393.0	1,848	10,466.0	1,482	23,859.0	2,473
Pratt CC	12,527.0	1,766	8,479.0	1,217	21,006.0	2,196
Seward County CC	15,057.0	2,328	9,153.0	1,664	22,170.0 ³	2,592
TOTAL	594,669.5	84,878	474,971.0	70,883	1,060,981.5	116,476

¹ This period coincides with credit hour state aid.
² All headcount numbers are unduplicated.
³ Total reported by institution - not total of 2 enrollment periods.

Source: Kansas Board of Regents



WASHBURN UNIVERSITY
Office of the President

**Testimony to the
Senate Ways and Means Committee
regarding Senate Bill 650
by
Jerry B. Farley, President
Washburn University
March 27, 2002**

Mr. Chairman, Members of the Committee:

Washburn University reluctantly supports passage of Senate Bill 650. Our reluctance is due to the financial circumstances confronting the state which creates the necessity for such legislation.

This bill is required in order to suspend for one year the four-year phase down of out-district tuition which was begun with enactment of 1999 Senate Bill 345 (the Higher Education Coordination Act). Because it is unlikely that funds will be available to provide for the continuation of this phase-down in fiscal year 2003, it is important that this bill be enacted so the 19 community colleges and Washburn University are not required to absorb the cost of this phase-down without the promised corresponding compensating resources.

The bill only suspends this phase-down for one year. In the future, we are optimistic additional resources will be available to implement this plan to completion. We hope you will support passage of SB 650.

TESTIMONY/PRES/SENW&M-SB650.032702

**Testimony to the
Senate Committee on Ways and Means
Regarding Senate Bill No. 650
By
Mahlon Tuttle, President
Kansas Legislative Policy Group
March 27, 2002**

Mister Chairman, Members of the Committee:

Regretfully, I am unable to appear personally before the Committee today. However, I am providing written testimony in opposition of Senate Bill No. 620.

I serve as president of Kansas Legislative Policy Group which is an organization consisting of 36 Counties located in western Kansas and I also serve as a member of the Gove County Commission. I am appearing today in their behalf.

As you know, when the Higher Education Coordination Act became law it provided for the four-year phase down of out-district-tuition. Out district tuition is an amount of money counties pay when students from their county attend community colleges or Washburn University.

Senate Bill No. 620 suspends this phase-down one-year. This places additional financial pressure on counties to stretch their limited financial resources.

I acknowledge the serious financial situation the State is challenged with addressing and ask that if Senate Bill No. 620 is passed the Legislature will keep its commitment to limit the phase down to only one-year.

Thank you for your time and consideration of this testimony.

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Attachment 4

SB 651

3

1 as evidence in any subsequent proceeding against the defendant.

2 (10) The appearance bond and any security required as a condition
3 of the defendant's release shall be deposited in the office of the magistrate
4 or the clerk of the court where the release is ordered. If the defendant
5 is bound to appear before a magistrate or court other than the one or-
6 dering the release, the order of release, together with the bond and se-
7 curity shall be transmitted to the magistrate or clerk of the court before
8 whom the defendant is bound to appear.

9 (11) Proceedings before a magistrate as provided in this section to
10 determine the release conditions of a person charged with a crime in-
11 cluding release upon execution of an appearance bond may be conducted
12 by two-way electronic audio-video communication between the defend-
13 ant and the judge in lieu of personal presence of the defendant or de-
14 fendant's counsel in the courtroom in the discretion of the court. The
15 defendant may be accompanied by the defendant's counsel. The defend-
16 ant shall be informed of the defendant's right to be personally present in
17 the courtroom during such proceeding if the defendant so requests. Ex-
18 ercising the right to be present shall in no way prejudice the defendant.

19 (12) The magistrate may order the person to pay for any costs asso-
20 ciated with the supervision of the conditions of release of the appearance
21 bond in an amount not to exceed \$5 per week of such supervision.

22 (13) (a) *In addition to any other fees or fines prescribed by law, there*
23 *is hereby imposed a surcharge on each person who is ordered to post an*
24 *appearance bond. of \$5. The state district courts shall administer, charge*
25 *and collect the appearance bond fee imposed by this section.*

26 (b) *Each district court shall remit the money received from such sur-*
27 *charges to the state treasurer in accordance with the provisions of K.S.A.*
28 *75-4215, and amendments thereto. Upon receipt of each such remittance,*
29 *the state treasurer shall deposit the entire amount to the credit of the state*
30 *general fund.*

31 Sec. 2. K.S.A. 2001 Supp. 22-2802 is hereby repealed.

32 Sec. 3. This act shall take effect and be in force from and after its
33 publication in the statute book.

34
35
36 If you want to include own recognizance
37 bonds and pledges of real or personal
38 property as bond, you might want to clarify
39 the bill to specify that. The revisors may
40 need to work on this language or may feel it
41 is unnecessary. I think it is best to specify,
42 but also think the collection rate will be low.
43

\$5 fee

All persons ordered to post an appearance bond shall remit the \$5 fee to the clerk at the time the bond is filed.

If it appears to the satisfaction of the court that payment of the appearance bond fee will impose manifest hardship on the person charged with a crime, the court may waive payment of the appearance bond fee. (This language is in K.S.A. 2001 Supp. 22-4529, which imposes the Board of Indigents' Defense Services \$35 administrative fee. Including this language may avert a legal challenge.)

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Attachment 5

Proposed Amendment for House Bill No. 2896
for Consideration by Senate Ways and
Means Committee

Sec. 2. (a) In addition to any other excise tax imposed by law, there is hereby imposed for the purpose of providing funds for the Kansas sports hall of fame a surcharge of \$1 added to the sale price of each ticket which is sold for state championship high school men's and women's basketball, football and women's volleyball. Annually, on or before August 1, the state board of education shall designate men's and women's basketball, football and women's volleyball state championship athletic events or contests to collect such surcharge. In the case of a season ticket, the surcharge imposed by this section shall be computed on the basis of \$1 for the season ticket. Each activity card or ticket, which is issued to students of a high school upon paying a nonoptional activity fee charged and collected by the high school and which provides admission to activities or events in addition to high school athletic events or contests, is exempt from the surcharge imposed by this section.

(b) The surcharge collected shall be disbursed by each high school to the Kansas sports hall of fame surcharge fund within 30 days of the designated state championship athletic event or contest. Each high school shall determine its policy concerning the withholding of sales tax, and shall indicate on a report form provided by the board, whether sales tax has been withheld.

(c) There is hereby established in the state treasury the Kansas sports hall of fame surcharge fund. If the surcharge established in subsection (a) is not paid to the Kansas sports hall of fame surcharge fund on January 15 or July 15, the Kansas sports hall of fame board shall notify the commissioner of education. The commissioner of education shall determine the amount of money which should have been paid to the fund by designating men's and women's basketball, football and women's volleyball state championship athletic events or contests for the time period for which the surcharge was not paid. Such amount as determined by the commissioner of education shall be withheld

from the next scheduled payment of general state aid to the school district in which the high school is located that has failed to remit the surcharge established in (a). Upon receipt of each such certification, the director of accounts and reports shall transfer the amount certified from the specified general fees fund or any other state general fund account of each high school into the Kansas sports hall of fame surcharge fund. As part of the certification, the commissioner of education shall designate the appropriate state general fund account. All moneys from the Kansas sports hall of fame surcharge fund shall be paid to the Kansas sports hall of fame.



Kansas Home Care Association • 1512 B Legend Trail Drive • Lawrence, Kansas 66047
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To: Senate Ways and Means Committee
From: Linda Lubensky, Executive Director, Kansas Home Care Association
Date: March 25, 2002
Re: Performance Audit Report: Medicaid Cost Containment

As I sat in the audience this morning listening to the Post Audit presentation, I was greatly disturbed by some of the conclusions drawn in regard to home health services. Although we represent a very small portion of the budget, home health continues to be singled-out as a “problem” area. The sample audit that SRS performed in late 2001, on home health services, was by their own admission statistically invalid. And yet, the results of that sample audit have been referenced repeatedly to indicate abuse of the waiver programs and inappropriate actions by the Medicare certified home care agencies who provide Medicaid services.

The fact is that each of those services was provided based on a physician’s order in an entirely appropriate and legal manner. Consequently, it is important to address the confusion and misunderstandings that have arisen in regard to this whole issue. SRS contends that the “content of service” for each of our HCBS waivers should meet the needs of those beneficiaries. The content of service for waivers is, for the most part, comprised of non-skilled services provided by a variety of attendants. Waiver clients, by definition, are individuals who would qualify for nursing home placement if they were not being served in the community. Frequently, they do have medical needs that are met by home health skilled services paid under straight Medicaid, rather than the waivers. SRS feels that the non-skilled attendants should perform many of those skilled services. In particular, SRS is concerned about the use of nurses for the administration of oral medications.

Home health has always had “zero” tolerance for fraud and abuse. If such were the case, we would support its elimination. However, the issue that must be considered is why HH nurses were brought in to serve waiver clients in the first place. In instance after instance, home health nurses were asked to service a patient whose condition had deteriorated due to inadequate or inappropriate care provided by their attendant. Due to the home health skilled services, the patient could be stabilized and avoid more costly services at the doctor’s office or emergency room. It is one thing to say that a group of programs “should” work a specific way. It is quite another to make sure that they do. Attendants receive low wages and the turnover is extremely high. It will be a major battle to make sure that they are appropriately trained and supervised in meeting the needs of the waiver consumer. The delegation of nursing tasks is not something that should be taken lightly.

Medicaid home health is not the “enemy”. We are an extremely professional and highly regulated industry that must meet the very rigorous Medicare standards. Home health plays a very important role in enabling Kansas to keep many of their Medicaid consumers in the

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community rather than institutions. We know the value of Medicaid services and the impact they have had on many lives. Because of that, we have worked cooperatively with SRS for over four months now to have input in the policy changes and express our concerns for patient safety and well being.

Do not make the mistake of thinking that by limiting the availability of home health skilled services you will solve your problems. The numbers of Medicaid eligible individuals will continue to grow. There are many factors contributing to this trend including the recession, Medicare cut backs, an aging population, etc. In past years, we have been very successful in reducing the number of Medicaid consumers in our nursing home benefit. We should not be surprised that many of these consumers, now functioning in their communities, have a higher level of care needs than was seen at the beginning of the waivers. Although these growing costs are of justifiable concern to the legislature, the cut backs and elimination of services will only provide a temporary financial respite. Eventually, Kansas will pay a much higher price as conditions worsen and consumers seek institutional care.