

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:30 A.M. on March 10, 2005 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Norman Furse, Revisor of Statutes
Jill Wolters, Senior Assistant, Revisor of Statutes
Alan Conroy, Director, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Amy Deckard, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Susan Kannarr, Kansas Legislative Research Department
Matt Spurgin, Kansas Legislative Research Department
Robert Waller, Kansas Legislative Research Department
Judy Bromich, Administrative Analyst
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Senator David Wysong (written)
Terry Marmet, Kansas State Historical Society
Mayor John St. Clair, City of Fairway, Kansas
Betty Lou Duncan, Board Member, Shawnee Indian Mission
Barbara Magarl, Board Member, Shawnee Indian Mission
James Donovan, Private Citizen

Others attending:

See attached list.

Bill Introductions

Senator Barone moved, with a second by Senator Steineger, to introduce a bill concerning lotteries; electronic gaming, lottery facility games and other lottery games (5rs1126). Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Barone, to introduce a conceptual bill with the language in HB 2491 regarding compensation for certain judicial branch employees; docket fees. Motion carried on a voice vote.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2005 and FY 2006 were available to the committee.

Subcommittee budget reports on:

Sentencing Commission

Board of Emergency Medical Services (Attachment 1)

Subcommittee Chairwoman Carolyn McGinn reported that the subcommittee on the Sentencing Commission concurs with the Governor's recommendation in FY 2005 with observation and concurs with the Governor's FY 2006 recommendations with adjustments.

Subcommittee Chairwoman Carolyn McGinn reported that the subcommittee on the Board of Emergency Medical Services concurs with the Governor's recommendation in FY 2005 and concurs with the Governor's FY 2006 recommendations with adjustments.

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:30 A.M. on March 10, 2005 in Room 123-S of the Capitol.

State Fire Marshal (Attachment 2)

Subcommittee Chairwoman Carolyn McGinn reported that the subcommittee on the State Fire Marshal concurs with the Governor's recommendation in FY 2005 and concurs with the Governor's FY 2006 recommendations with adjustments and observations.

Senator Schmidt moved, with a second by Senator Steineger, to adopt the subcommittee budget report on the Sentencing Commission, Board of Emergency Services and State Fire Marshal in FY 2005 and FY 2006. Motion carried on a voice vote.

Kansas Parole Board (Attachment 3)

Subcommittee Chairwoman Ruth Teichman reported that the subcommittee on the Kansas Parole Board concurs with the Governor's recommendation in FY 2005 with observation and concurs with the Governor's FY 2006 recommendations with adjustments and observations.

Kansas Bureau of Investigation (Attachment 4)

Subcommittee Chairwoman Ruth Teichman reported that the subcommittee on the Kansas Bureau of Investigation concurs with the Governor's recommendation in FY 2005 with observation and concurs with the Governor's FY 2006 recommendations with notations.

Senator Barone moved, with a second by Senator Wysong, to amend the subcommittee report on the Kansas Bureau of Investigation, Item No. 4, in FY 2006, last sentence on page 4, after the word consider, add "at Omnibus" and adopt the subcommittee budget report on the Kansas Parole Board and, as amended, the Kansas Bureau of Investigation in FY 2005 and FY 2006. Motion carried on a voice vote.

**Kansas Highway Patrol
Adjutant General** (Attachment 5)

Subcommittee Chairwoman Vicki Schmidt reported that the subcommittee on the Kansas Highway Patrol concurs with the Governor's recommendation in FY 2005 with adjustments and observations and concurs with the Governor's FY 2006 recommendations with adjustments and observations.

Senator Barone moved, with a second by Senator Morris, to amend the subcommittee report on the Kansas Highway Patrol, Item No 4, in FY 2006, to use the \$550,000 transfer from the Highway Fund to the State General Fund. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Steineger, to amend the subcommittee report on the Kansas Highway Patrol, Item No. 5, in FY 2006, to clarify and change the word "equipment" to "parts and supplies". Motion carried on a voice vote.

Subcommittee Chairwoman Vicki Schmidt reported that the subcommittee on the Adjutant General concurs with the Governor's recommendation in FY 2005 with adjustments and observations and concurs with the Governor's FY 2006 recommendations with adjustments and observations.

Senator Emler moved, with a second by Senator Teichman, to amend the subcommittee report on the Adjutant General in FY 2006, Item No. 8, to authorize the addition of \$93,809 (State General Fund) and 1.0 non-FTE Deputy Adjutant General position at this time rather than wait until consideration at Omnibus. Motion carried on a voice vote.

Senator Steineger moved, with a second by Senator Betts, to adopt the subcommittee budget report on the Kansas Highway Patrol and the Adjutant General as amended in FY 2005 and FY 2006. Motion carried on a voice vote.

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:30 A.M. on March 10, 2005 in Room 123-S of the Capitol.

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

SB 218--Transfer of moneys to support the movement of individuals from nursing facilities to home and community-based services

Staff provided an overview of the bill and distributed the following information:

SB 218—Money Follows the Person (Attachment 6)
Money Follows the Person Transfers, March 10, 2005 (Attachment 7)

Additional information was distributed by Staff that was provided by the Kansas Department on Aging, regarding Money Follows the Person, Project Analysis, FY 2004 (Attachment 8). Senator Barone asked Staff for detailed information, by Omnibus, on five persons picked at random that are listed on the information provided by the Kansas Department on Aging and why they were not served at home first rather than going straight to a nursing home.

Chairman Umbarger explained a recommended proviso amendment to **SB 218** (Attachment 9).

Senator Emler moved the recommended proviso amendment regarding **SB 218** that raises the cap from 75 to 100 individuals that move from nursing facilities to home and community-based services, with a second by Senator Barone, and to include a technical correction, on the last line of the amendment, to read the "2006" Legislature. Motion carried on a voice vote.

Chairman Umbarger opened the public hearing on:

SB 293--Shawnee Indian mission state historic property, sale of a portion to city of Fairway, proceeds for site redevelopment

Staff briefed the committee on the bill.

Senator Wysong provided written testimony on **SB 293** (Attachment 10).

Terry Marmet, on behalf of the Kansas State Historical Society, testified in support of **SB 293** (Attachment 11). Mr. Marmet explained that the State Historical Society is strongly in favor of SB 293 that would allow them to convey up to four acres of vacant land, the north end of the Shawnee Indian Mission State Historic Site in Johnson County in exchange for funds to restore and interpret the Shawnee Indian Mission State Historic Site.

John St.Clair, Jr., Mayor, City of Fairway, Kansas, spoke in support of **SB 293** (Attachment 12). Mayor St. Clair mentioned that they are seeking three acres of land and plan to spend \$450,000 for it which the State Historical Society will utilize only for the Indian Mission. He explained that the City of Fairway will acquire approximately three acres of land that will allow it to build a public safety center/city hall that will meet its space needs.

Betty Lu Duncan, Member of the Friends of the Shawnee Indian Mission and Board Member of the Kansas State Historical Society, testified in support of **SB 293** (Attachment 13). Ms. Duncan explained that the Mission at 53rd and Mission Road in Fairway has five strong historical stories to tell and has a potential to be a wonderful museum and education center in Northeast Kansas. She noted that having the Fairway Police close will enhance the security that the Mission could not provide.

Barbara Magerl, Member of the Executive Committee for the Kansas State Historical Society and Co-Chair of the Shawnee Indian Mission Development Project (SIMDP) Committee, spoke in support of **SB 293** (Attachment 14). Ms. Magerl addressed the fact that due to cuts in the budget of the Kansas State Historical Society, upkeep of the Shawnee Indian Mission has been difficult. She explained that the proposal by the City of Fairway is one that could possibly bring visitors to the Mission and increase security by its mere presence

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:30 A.M. on March 10, 2005 in Room 123-S of the Capitol.

next door.

James Donovan, Private Citizen and resident of northeast Johnson County, testified in opposition to **SB 293** (Attachment 15). Mr Donovan expressed concerns regarding if it is in the best interest of the public to take such a large tract of what is public green space and sell it off for development of any kind and while this bill seems to have been six-plus months in the making, the public is just now learning of its content. Mr. Donovan urged the committee to not take action on the bill.

There being no further conferees to appear before the committee, the Chairman closed the public hearing on **SB 293**.

The meeting adjourned at 12:20 p.m. The next meeting is scheduled for March 11, 2005.

SENATE WAYS AND MEANS
GUEST LIST

Date March 10, 2005

NAME	REPRESENTING
Jeff Aron	Division of Budget
Julia Thomas	DOB
Amy Salisbury	DOB
Cheri Froetscher	DoB
James P. Donovan	self
DAVID LAKE	Bo. of EMS
Mary E. Mulvaney	Bd of EMS
ADAM KING	ADJ DEPT
Janice Harper	Adj. General's Dept.
Cheryl McNeeton	KSFMO
Ed Redman	KSF of F/F
Dennis Phillips	KSCFF
Kew Otte	DA/DPS
Karen Watney	DMA
Randy Shaeo	KSTA
Mary Beth Kedd	DGA
Candace W. Cobb	SRS
Jennie Chinn	Historical Society
Terry Marmet	Historical Society
Betty Sue Duncan	" "
Barbara Magerl	" "
John St. Clair	City of Fairway - Mayor
Pat Korman	KFSA

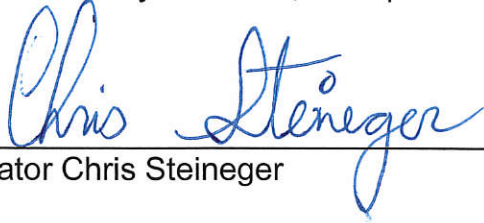
Senate Ways and Means Subcommittee

FY 2005
FY 2006

Sentencing Commission
Board of Emergency Medical Services



Senator Carolyn McGinn, Chairperson



Senator Chris Steineger



Senator Vicki Schmidt

Senate Ways and means
3-10-05
Attachment 1

House Budget Committee Report

Agency: Sentencing Commission

Bill No. HB 2480

Bill Sec. 39

Analyst: Waller

Analysis Pg. No. Vol. I - 670

Budget Page No. 371

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2005</u>	<u>Gov. Rec. FY 2005</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 693,663	\$ 693,663	\$ (20,709)
Aid to Local Units	0	0	0
Other Assistance	<u>6,552,046</u>	<u>5,500,000</u>	<u>(208,559)</u>
Subtotal - Operating	\$ 7,245,709	\$ 6,193,663	\$ (229,268)
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 7,245,709</u></u>	<u><u>\$ 6,193,663</u></u>	<u><u>\$ (229,268)</u></u>
State General Fund:			
State Operations	\$ 564,356	\$ 564,356	\$ (20,709)
Aid to Local Units	0	0	0
Other Assistance	<u>6,552,046</u>	<u>5,500,000</u>	<u>(208,559)</u>
Subtotal - Operating	\$ 7,116,402	\$ 6,064,356	\$ (229,268)
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 7,116,402</u></u>	<u><u>\$ 6,064,356</u></u>	<u><u>\$ (229,268)</u></u>
FTE Positions	7.0	7.0	0.0
Non FTE Uncl. Perm. Pos.	<u>3.0</u>	<u>3.0</u>	<u>0.0</u>
TOTAL	<u><u>10.0</u></u>	<u><u>10.0</u></u>	<u><u>0.0</u></u>

Agency Estimate/Governor's Recommendation

The agency's FY 2005 revised budget estimate totals \$7,245,709. This is an increase of \$924,343 or 14.6 percent above the 2004 Legislature's approved funding. The State General Fund estimate increases by \$1,281,314 (22.0 percent) due to reappropriated balances (\$21,258 in operating funds and \$1,260,605 in SB 123 financing) carried forward from FY 2004. The revised estimate of expenditures from all other funds decrease from \$486,278 to \$129,307 (73.4 percent) from the approved amount. The decrease is due to a reduction in the estimated amount of reimbursements received by offenders participating in drug treatment programs under 2003 SB 123. The number of FTE positions remains the same.

The Governor recommends the following adjustments to the agency's FY 2005 estimate:

- the lapse of \$293,055 (from the State General Fund) in 2003 SB 123 expenditures due to one-time savings.
- reappropriation of \$758,991 in State General Fund SB 123 expenditures from FY 2005 to FY 2006.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 revised recommendation is a State General Fund increase of \$229,268 or 3.9 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. The Budget Committee deletes the \$229,268 from the State General Fund to reduce the Governor's FY 2005 revised recommendation of State General Fund expenditures to the FY 2005 level approved by the 2004 Legislature. Of the amount deleted, \$208,559 was budgeted for 2003 SB 123 expenses. The Budget Committee recommends that these funding issues be addressed again at Omnibus.

House Committee Recommendations

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

Minority Report

I concur with the recommendations of the majority of the House Budget Committee, with one exception. I have serious concerns with the substantial funding reductions related to funding for SB 123. While I understand that savings generated through these reductions are intended to address much-needed funding in elementary and secondary (K-12) education, I am extremely concerned with the impact these reductions could have on the state's inmate population. Under the proposed reductions, it is estimated that 47 offenders would not have the benefit of the alternative sentencing provisions of SB 123 in FY 2005, and 169 offenders would not have access to alternative treatment in FY 2006. I believe to make these reductions at this time would be a serious mistake and would recommend concurring with the Governor's recommendation for funding SB 123 in both FY 2005 and FY 2006. My recommendation would mean restoring \$208,559 in FY 2005 and \$741,950 in FY 2006 to the amounts reduced in the Budget Committee's recommendations.

Representative Bonnie Sharp

Representative Joshua Svaty

Senate Subcommittee Report

Agency: Sentencing Commission

Bill No. SB 272

Bill Sec. 39

Analyst: Waller

Analysis Pg. No. Vol. I - 670

Budget Page No. 371

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2005</u>	<u>Gov. Rec. FY 2005</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 693,663	\$ 693,663	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>6,552,046</u>	<u>5,500,000</u>	<u>0</u>
Subtotal - Operating	\$ 7,245,709	\$ 6,193,663	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 7,245,709</u></u>	<u><u>\$ 6,193,663</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 564,356	\$ 564,356	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>6,552,046</u>	<u>5,500,000</u>	<u>0</u>
Subtotal - Operating	\$ 7,116,402	\$ 6,064,356	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 7,116,402</u></u>	<u><u>\$ 6,064,356</u></u>	<u><u>\$ 0</u></u>
FTE Positions	7.0	7.0	0.0
Non FTE Uncl. Perm. Pos.	<u>3.0</u>	<u>3.0</u>	<u>0.0</u>
TOTAL	<u><u>10.0</u></u>	<u><u>10.0</u></u>	<u><u>0.0</u></u>

Agency Estimate/Governor's Recommendation

The agency's FY 2005 revised budget estimate totals \$7,245,709. This is an increase of \$924,343 or 14.6 percent above the 2004 Legislature's approved funding. The State General Fund estimate increases by \$1,281,314 (22.0 percent) due to reappropriated balances (\$21,258 in operating funds and \$1,260,605 in SB 123 financing) carried forward from FY 2004. The revised estimate of expenditures from all other funds decrease from \$486,278 to \$129,307 (73.4 percent) from the approved amount. The decrease is due to a reduction in the estimated amount of reimbursements received by offenders participating in drug treatment programs under 2003 SB 123. The number of FTE positions remains the same.

The Governor recommends the following adjustments to the agency's FY 2005 estimate:

- the lapse of \$293,055 (from the State General Fund) in 2003 SB 123 expenditures due to one-time savings.

- reappropriation of \$758,991 in State General Fund SB 123 expenditures from FY 2005 to FY 2006.

Senate Subcommittee Recommendation

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

1. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2005 revised recommendation is a State General Fund increase of \$229,268 or 3.9 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature.

House Budget Committee Report

Agency: Sentencing Commission

Bill No. HB 2482

Bill Sec. 80

Analyst: Waller

Analysis Pg. No. Vol. I - 670 **Budget Page No.** 371

<u>Expenditure Summary</u>	<u>Agency Request FY 2006</u>	<u>Gov. Rec. FY 2006</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 734,482	\$ 453,123	\$ (46,164)
Aid to Local Units	0	0	0
Other Assistance	<u>5,274,400</u>	<u>6,160,000</u>	<u>(741,950)</u>
Subtotal - Operating	\$ 6,008,882	\$ 6,613,123	\$ (788,114)
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 6,008,882</u></u>	<u><u>\$ 6,613,123</u></u>	<u><u>\$ (788,114)</u></u>
State General Fund:			
State Operations	\$ 561,989	\$ 573,188	\$ (3,342)
Aid to Local Units	0	0	0
Other Assistance	<u>5,274,400</u>	<u>6,033,391</u>	<u>(741,950)</u>
Subtotal - Operating	\$ 5,836,389	\$ 6,606,579	\$ (745,292)
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 5,836,389</u></u>	<u><u>\$ 6,606,579</u></u>	<u><u>\$ (745,292)</u></u>
FTE Positions	7.0	7.0	0.0
Non FTE Uncl. Perm. Pos.	<u>4.0</u>	<u>4.0</u>	<u>(1.0)</u>
TOTAL	<u><u>11.0</u></u>	<u><u>11.0</u></u>	<u><u>(1.0)</u></u>

Agency Request/Governor's Recommendation

The agency's FY 2006 operating budget request totals \$6,008,882, which is \$1,236,827 or 17.1 percent below the FY 2005 estimate. Requested State General Fund expenditures decrease by \$1,280,013 or 18.0 percent due mostly to a reduction in funding for 2003 SB 123. The agency is estimating that 1,250 and 1,400 offenders in FY 2005 and FY 2006, respectively, will be treated under the provisions of 2003 SB 123 (at a cost of \$4,400 per offender). However, the agency believes that due to the continued "lag" in processing offenders, carry-over balances from FY 2005 to FY 2006 can be utilized to finance some FY 2006 expenditures. Requested expenditures from all other funds increase by \$43,186 or 33.4 percent. The increase can be attributed to the agency's enhancement package.

The Governor recommends operating expenditures which total \$6,913,123. This is an increase of \$719,460 or 11.6 percent above the revised FY 2005 recommendation. Recommended State General Fund expenditures increase by \$542,223 or 8.9 percent with the inclusion of the Governor's recommended pay plan adjustments and the transfer of \$758,991 in reappropriated funding from FY 2005 to FY 2006. Recommended expenditures from all other funds increase by

\$177,237 or 137.1 percent due to funding received by the agency from offenders participating in the drug treatment programs under 2003 SB 123, and the Governor's recommendation to add 1.0 non-FTE assistant accountant position.

Statutory Budget Submission

K.S.A. 75-6701 requires that the budget submitted by the Governor and the budget ultimately approved by the Legislature provide for a State General Fund ending balance of at least 7.5 percent of expenditures for FY 2006. To comply with this provision, Volume 1 of the *Governor's Budget Report* includes a "statutory budget" designed to provide for a 7.5 ending balance. In general, this requires a 8.9 percent reduction to the FY 2006 State General Fund executive branch budget recommendations submitted by the Governor. That reduction has not been applied to school finance funding in the Department of Education, to the Board of Regents and its institutions, or to the judicial or legislative branches. **For this agency, the reduction to the Governor's recommended FY 2006 State General Fund budget would total \$589,922.**

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$6,606,579, an increase of \$771,491 above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$10,037), the 27th payroll period (\$14,870), and the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$1,292), the recommendation is an increase of \$745,292, or 12.8 percent above the approved amount.
2. The Budget Committee recommends the deletion of \$745,292 from the State General Fund to reduce the Governor's FY 2006 recommended State General Fund budget to the FY 2005 level as approved by the 2004 Legislature pending additional review of the expenditures at Omnibus. Of the amount deleted, \$741,950 was budgeted for 2003 SB 123 expenditures.
3. The Budget Committee also recommends the deletion of \$42,822 from special revenue funds and 1.0 non-FTE unclassified permanent Assistant Accountant position recommended by the Governor. The Budget Committee recommends the addition of this position be reviewed at Omnibus.
4. The Budget Committee notes its concerns relating to funding provided for SB 123 expenditures. With the Budget Committee's recommendations to reduce SB 123 funding in both FY 2005 and FY 2006, some members are concerned with the potential impact this funding reduction could ultimately have on the state's prison population. The Budget Committee recommends reviewing this issue further at Omnibus.

5. The Budget Committee recommends that the Sentencing Commission work with the Juvenile Justice Authority (JJA) and the Department of Corrections (DOC) to develop a plan to help improve the data that it keeps on its incarcerated populations. Substantial improvements are needed in JJA's tracking to allow the Sentencing Commission to make valid population projections for juvenile offenders.

House Committee Recommendations

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

Minority Report

I concur with the recommendations of the majority of the House Budget Committee, with one exception. I have serious concerns with the substantial funding reductions related to funding for SB 123. While I understand that savings generated through these reductions are intended to address much-needed funding in elementary and secondary (K-12) education, I am extremely concerned with the impact these reductions could have on the state's inmate population. Under the proposed reductions, it is estimated that 47 offenders would not have the benefit of the alternative sentencing provisions of SB 123 in FY 2005, and 169 offenders would not have access to alternative treatment in FY 2006. I believe to make these reductions at this time would be a serious mistake and would recommend concurring with the Governor's recommendation for funding SB 123 in both FY 2005 and FY 2006. My recommendation would mean restoring \$208,559 in FY 2005 and \$741,950 in FY 2006 to the amounts reduced in the Budget Committee's recommendations.

Representative Bonnie Sharp

Representative Joshua Svaty

Senate Subcommittee Recommendation

Agency: Sentencing Commission

Bill No. SB 270

Bill Sec. 80

Analyst: Waller

Analysis Pg. No. Vol. I - 670

Budget Page No. 371

<u>Expenditure Summary</u>	<u>Agency Request FY 2006</u>	<u>Gov. Rec. FY 2006</u>	<u>Senate Subcommittee Adjustments*</u>
All Funds:			
State Operations	\$ 734,482	\$ 453,123	\$ (33,641)
Aid to Local Units	0	0	0
Other Assistance	<u>5,274,400</u>	<u>6,160,000</u>	<u>0</u>
Subtotal - Operating	\$ 6,008,882	\$ 6,613,123	\$ (33,641)
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 6,008,882</u></u>	<u><u>\$ 6,613,123</u></u>	<u><u>\$ (33,641)</u></u>
State General Fund:			
State Operations	\$ 561,989	\$ 573,188	\$ (26,199)
Aid to Local Units	0	0	0
Other Assistance	<u>5,274,400</u>	<u>6,033,391</u>	<u>0</u>
Subtotal - Operating	\$ 5,836,389	\$ 6,606,579	\$ (26,199)
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 5,836,389</u></u>	<u><u>\$ 6,606,579</u></u>	<u><u>\$ (26,199)</u></u>
FTE Positions	7.0	7.0	0.0
Non FTE Uncl. Perm. Pos.	<u>4.0</u>	<u>4.0</u>	<u>0.0</u>
TOTAL	<u><u>11.0</u></u>	<u><u>11.0</u></u>	<u><u>0.0</u></u>

*The entire adjustment reflects deletion of the Governor's recommended salary plan adjustments.

Agency Request/Governor's Recommendation

The agency's FY 2006 operating budget request totals \$6,008,882, which is \$1,236,827 or 17.1 percent below the FY 2005 estimate. Requested State General Fund expenditures decrease by \$1,280,013 or 18.0 percent due mostly to a reduction in funding for 2003 SB 123. The agency is estimating that 1,250 and 1,400 offenders in FY 2005 and FY 2006, respectively, will be treated under the provisions of 2003 SB 123 (at a cost of \$4,400 per offender). However, the agency believes that due to the continued "lag" in processing offenders, carry-over balances from FY 2005 to FY 2006 can be utilized to finance some FY 2006 expenditures. Requested expenditures from all other funds increase by \$43,186 or 33.4 percent. The increase can be attributed to the agency's enhancement package.

The **Governor** recommends operating expenditures which total \$6,913,123. This is an increase of \$719,460 or 11.6 percent above the revised FY 2005 recommendation. Recommended

State General Fund expenditures increase by \$542,223 or 8.9 percent with the inclusion of the Governor's recommended pay plan adjustments and the transfer of \$758,991 in reappropriated funding from FY 2005 to FY 2006. Recommended expenditures from all other funds increase by \$177,237 or 137.1 percent due to funding received by the agency from offenders participating in the drug treatment programs under 2003 SB 123, and the Governor's recommendation to add 1.0 non-FTE assistant accountant position.

Statutory Budget Submission

K.S.A. 75-6701 requires that the budget submitted by the Governor and the budget ultimately approved by the Legislature provide for a State General Fund ending balance of at least 7.5 percent of expenditures for FY 2006. To comply with this provision, Volume 1 of the *Governor's Budget Report* includes a "statutory budget" designed to provide for a 7.5 ending balance. In general, this requires a 8.9 percent reduction to the FY 2006 State General Fund executive branch budget recommendations submitted by the Governor. That reduction has not been applied to school finance funding in the Department of Education, to the Board of Regents and its institutions, or to the judicial or legislative branches. **For this agency, the reduction to the Governor's recommended FY 2006 State General Fund budget would total \$589,922.**

Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustment.** Delete \$12,888, including \$10,037 from the State General Fund, to remove pay plan funding recommended by the Governor (a 2.5 percent base salary adjustment for all state employees) for consideration in a separate bill.
2. **Other Salary and Wage Adjustments.** Delete \$20,753, including \$16,162 from the State General Fund, to remove funding recommended by the Governor for the 27th payroll period (\$19,094), and for the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$1,292) for later Committee consideration.
3. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2006 recommendation is a State General Fund increase of \$771,491 or 13.2 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent the above pay plan and salary and wage adjustments, the recommendation is an increase of \$745,292 or 12.8 percent above the approved amount.
4. The Subcommittee notes that the Governor recommends \$6,033,391 from the State General Fund and \$126,609 from offender reimbursements and insurance payments to provide funding for 2003 SB 123 operating expenditures. The total amount for treatment would be \$6,160,000 which is expected to serve 1,400 offenders at an average cost of \$4,400 each (based on 18 months of treatment). However, it should be noted that the anticipated offender reimbursement and insurance payments are difficult to estimate. From the implementation of the bill to date (February 7, 2004), insurance payments total \$85,714.61, and the amount

of offender reimbursements total \$15,053.08. The Subcommittee is concerned that although projected expenditures are based upon an average cost of \$4,400 for each offender, the agency stated during testimony that the average cost per offender has actually totaled \$4,564. The Subcommittee would caution any adjustment in funding to provide treatment for offenders under 2003 SB 123, due to the limited amount of time the agency has had in gathering statistical data to support scientific findings. The agency states that to provide accurate success or failure data will require 36-60 months from the implementation of the bill to account for the treatment and supervision of the offender. Therefore, the Subcommittee directs the agency to appear before the 2006 Legislature and provide further information relating to the legislation.

House Budget Committee Report

Agency: Board of Emergency Medical Services **Bill No. - -** **Bill Sec. - -**
Analyst: Waller **Analysis Pg. No.** Vol. I - 660 **Budget Page No.** 168

Expenditure Summary	Agency Estimate FY 2005	Gov. Rec. FY 2005	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 1,080,774	\$ 1,080,774	\$ 0
Aid to Local Units	624,178	624,178	0
Other Assistance	203,250	203,250	0
Subtotal - Operating	\$ 1,908,202	\$ 1,908,202	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 1,908,202	\$ 1,908,202	\$ 0
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 0	\$ 0	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 0	\$ 0	\$ 0
FTE Positions	13.0	13.0	0.0
Non FTE Perm. Uncl. Pos.	0.0	0.0	0.0
TOTAL	13.0	13.0	0.0

Agency Estimate/Governor's Recommendation

The agency's revised FY 2005 budget estimate totals \$1,908,202, which is \$414,067 or 27.7 percent above the approved amount. The change can be attributed to Kansas Savings Incentive Program (KSIP) expenditures (\$59,633) and funding of \$190,090 provided by the Kansas Department of Health and Environment to assist rural communities in completing a Community Planning Guide project. The agency also received a federal grant from the Department of Health and Human Services (Rural Access to Emergency Devices Act Grant) to place automated external defibrillators in rural areas of Kansas (\$494,178). **The Governor** concurs with the agency's revised estimate.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor.

House Committee Recommendations

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

Senate Subcommittee Recommendation

Agency: Board of Emergency Medical Services **Bill No. - -** **Bill Sec. - -**

Analyst: Waller **Analysis Pg. No.** Vol. I - 660 **Budget Page No.** 168

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2005</u>	<u>Gov. Rec. FY 2005</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 1,080,774	\$ 1,080,774	\$ 0
Aid to Local Units	624,178	624,178	0
Other Assistance	203,250	203,250	0
Subtotal - Operating	\$ 1,908,202	\$ 1,908,202	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 1,908,202	\$ 1,908,202	\$ 0
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 0	\$ 0	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 0	\$ 0	\$ 0
FTE Positions	13.0	13.0	0.0
Non FTE Perm. Uncl. Pos.	0.0	0.0	0.0
TOTAL	13.0	13.0	0.0

Agency Estimate/Governor's Recommendation

The agency's revised FY 2005 budget estimate totals \$1,908,202, which is \$414,067 or 27.7 percent above the approved amount. The change can be attributed to Kansas Savings Incentive Program (KSIP) expenditures (\$59,633) and funding of \$190,090 provided by the Kansas Department of Health and Environment to assist rural communities in completing a Community Planning Guide project. The agency also received a federal grant from the Department of Health and Human Services (Rural Access to Emergency Devices Act Grant) to place automated external defibrillators in rural areas of Kansas (\$494,178). **The Governor** concurs with the agency's revised estimate.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Board of Emergency Medical Services **Bill No.** HB 2482

Bill Sec. 79

Analyst: Waller

Analysis Pg. No. Vol. I - 660

Budget Page No. 168

Expenditure Summary	Agency Request FY 2006	Gov. Rec. FY 2006	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 1,042,327	\$ 984,416	\$ 0
Aid to Local Units	100,000	100,000	100,000
Other Assistance	<u>116,250</u>	<u>116,250</u>	<u>0</u>
Subtotal - Operating	\$ 1,258,577	\$ 1,200,666	\$ 100,000
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 1,258,577</u></u>	<u><u>\$ 1,200,666</u></u>	<u><u>\$ 100,000</u></u>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 0	\$ 0	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	14.0	14.0	0.0
Non FTE Perm. Uncl. Pos.	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>14.0</u></u>	<u><u>14.0</u></u>	<u><u>0.0</u></u>

Agency Request/Governor's Recommendation

The agency's FY 2006 operating budget request totals \$1,258,577, which is \$649,625 or 34.0 percent below the FY 2005 revised estimate. No State General Fund expenditures are included for the agency since the passage of 2004 Senate Bill No. 312 which provided the agency with special revenue funding derived from 0.25 percent of the assessment made on fire insurance premium receipts and collected by the Insurance Department. The decrease from FY 2005 to FY 2006 can be attributed to a reduction in funding from the Department of Health and Human Services grant to place automated external defibrillators in rural areas of Kansas, the utilization of funding in the current year for a pilot project to collect statewide accident data, and grant funding utilized in FY 2005 to local units of government to assist in educational costs for rural EMS providers. The decrease is partially offset by the agency's requested enhancement package.

The Governor recommends an operating expenditure total of \$1,200,666, which is \$707,536 or 37.1 percent below the FY 2005 revised recommendation. The Governor recommends a 2.5 percent base salary adjustment for state employees and approves 1.0 FTE position to provide technical support to the rural areas of Kansas.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, with the following adjustment:

1. The Budget Committee recommends the addition of \$100,000 from the EMS Operating Fund to provide total funding of \$200,000 to allow rural localities to enhance emergency medical services educational opportunities.

House Committee Recommendations

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

Senate Subcommittee Report

Agency: Board of Emergency Medical Services **Bill No.** SB 270

Bill Sec. 79

Analyst: Waller **Analysis Pg. No.** Vol. I - 660

Budget Page No. 168

<u>Expenditure Summary</u>	<u>Agency Request FY 2006</u>	<u>Gov. Rec. FY 2006</u>	<u>Senate Subcommittee Adjustments*</u>
All Funds:			
State Operations	\$ 1,042,327	\$ 984,416	\$ (42,089)
Aid to Local Units	100,000	100,000	100,000
Other Assistance	116,250	116,250	0
Subtotal - Operating	<u>\$ 1,258,577</u>	<u>\$ 1,200,666</u>	<u>\$ 57,911</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 1,258,577</u></u>	<u><u>\$ 1,200,666</u></u>	<u><u>\$ 57,911</u></u>
State General Fund:			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE Positions	14.0	14.0	0.0
Non FTE Perm. Uncl. Pos.	0.0	0.0	0.0
TOTAL	<u><u>14.0</u></u>	<u><u>14.0</u></u>	<u><u>0.0</u></u>

* The Subcommittee adjustments include a reduction of \$42,089 from special revenue funds, to delete amounts recommended by the Governor for the 2.5 percent base salary increase, the 27th payroll period, and the KPERS death and disability increase.

Agency Request/Governor's Recommendation

The agency's FY 2006 operating budget request totals \$1,258,577, which is \$649,625 or 34.0 percent below the FY 2005 revised estimate. No State General Fund expenditures are included for the agency since the passage of 2004 Senate Bill No. 312 which provided the agency with special revenue funding derived from 0.25 percent of the assessment made on fire insurance premium receipts and collected by the Insurance Department. The decrease from FY 2005 to FY 2006 can be attributed to a reduction in funding from the Department of Health and Human Services grant to place automated external defibrillators in rural areas of Kansas, the utilization of funding in the current year for a pilot project to collect statewide accident data, and grant funding utilized in FY

2005 to local units of government to assist in educational costs for rural EMS providers. The decrease is partially offset by the agency's requested enhancement package.

The Governor recommends an operating expenditure total of \$1,200,666, which is \$707,536 or 37.1 percent below the FY 2005 revised recommendation. The Governor recommends a 2.5 percent base salary adjustment for state employees and approves 1.0 FTE position to provide technical support to the rural areas of Kansas.

Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustment.** Delete \$16,118 from special revenue funds, to remove pay plan funding recommended by the Governor (a 2.5 percent base salary adjustment for all state employees) for consideration in a separate bill.
2. **Other Salary and Wage Adjustments.** Delete \$25,971 from special revenue funds, to remove funding recommended by the Governor for the 27th payroll period (\$23,878), and for the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$2,093) for later Committee consideration.
3. The Subcommittee adds \$100,000 (from the EMS Operating Fund) to provide a total funding of \$200,000 in financing to allow rural localities to enhance emergency medical services educational opportunities.

Senate Ways and Means
Subcommittee Report on
State Fire Marshal
FY 2005 and FY 2006



Senator Carolyn McGinn



Senator Vicki Schmidt



Senator Chris Steineger

House Budget Committee Report

Agency: State Fire Marshal

Bill No. 2480

Bill Sec. 37

Analyst: Kannarr

Analysis Pg. No. 649

Budget Page No. 167

<u>Expenditure Summary</u>	<u>Agency Est. FY 2005</u>	<u>Governor's Recommendation FY 2005</u>	<u>House Budget Committee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,223,786	4,223,786	0
TOTAL	<u>\$ 4,223,786</u>	<u>\$ 4,223,786</u>	<u>\$ 0</u>
Percentage Change:			
Operating Expenditures:			
All Funds	25.3%	25.3%	
State General Fund	-	-	
FTE Positions	52.0	51.0	0.0
Non FTE Uncl. Perm. Pos.	2.0	1.0	0.0
TOTAL	<u>54.0</u>	<u>52.0</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The **agency** requests operating expenditures of \$4,223,786 and 52.0 FTE positions for FY 2005, an increase of \$40,013 or 1.0 percent and 1.0 FTE position from the amount approved by the 2004 Legislature. The revised estimate includes an increase in federal explosives grants of \$105,732. The 1.0 FTE position is a supplemental request for the conversion of a non-FTE fire investigator position to an FTE position and does not increase agency expenditures. Beginning in FY 2005, expenditures of \$278,000 for inspections of nursing facilities under contract with Medicare through the Kansas Department of Health and Environment were moved to non-expense items to avoid double counting expenditures.

The **Governor** recommends operating expenditures of \$4,223,786 and 51.0 FTE positions. The recommended expenditures are equal to the agency estimate. The Governor does not recommend the conversion of the non-FTE position to an FTE position.

House Budget Committee Recommendation

The House Budget Committee concurs with the Governor.

House Committee Recommendation

The House Committee concurs with the Budget Committee.

Senate Subcommittee Report

Agency: State Fire Marshal

Bill No. 272

Bill Sec. 37

Analyst: Kannarr

Analysis Pg. No. 649

Budget Page No. 167

Expenditure Summary	Agency Est. FY 2005	Governor's Recommendation FY 2005	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,223,786	4,223,786	0
TOTAL	<u>\$ 4,223,786</u>	<u>\$ 4,223,786</u>	<u>\$ 0</u>
Percentage Change:			
Operating Expenditures:			
All Funds	25.3%	25.3%	
State General Fund	-	-	
FTE Positions			
FTE Positions	52.0	51.0	0.0
Non FTE Uncl. Perm. Pos.	2.0	1.0	0.0
TOTAL	<u>54.0</u>	<u>52.0</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The **agency** requests operating expenditures of \$4,223,786 and 52.0 FTE positions for FY 2005, an increase of \$40,013 or 1.0 percent and 1.0 FTE position from the amount approved by the 2004 Legislature. The revised estimate includes an increase in federal explosives grants of \$105,732. The 1.0 FTE position is a supplemental request for the conversion of a non-FTE fire investigator position to an FTE position and does not increase agency expenditures. Beginning in FY 2005, expenditures of \$278,000 for inspections of nursing facilities under contract with Medicare through the Kansas Department of Health and Environment were moved to non-expense items to avoid double counting expenditures.

The **Governor** recommends operating expenditures of \$4,223,786 and 51.0 FTE positions. The recommended expenditures are equal to the agency estimate. The Governor does not recommend the conversion of the non-FTE position to an FTE position.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

House Budget Committee Report

Agency: State Fire Marshal

Bill No. 2482

Bill Sec. 75

Analyst: Kannarr

Analysis Pg. No. 649

Budget Page No. 167

Expenditure Summary	Agency Request FY 2006	Governor's Recommendation FY 2006	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,925,396	4,209,644	(58,000)
TOTAL	\$ 4,925,396	\$ 4,209,644	\$ (58,000)
Percentage Change:			
Operating Expenditures:			
All Funds	16.6%	(0.3)%	
State General Fund	-	-	
FTE Positions	63.0	51.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	64.0	52.0	0.0

Agency Request/Governor's Recommendation

The **agency** requests operating expenditures of \$4,925,396 and 63.0 FTE positions for FY 2006. The request is an increase of \$701,610 or 16.6 percent from the FY 2005 revised estimate. The request includes an enhancement package of \$919,385 and 11.0 FTE positions. Requested expenditures from the Fire Marshal Fee Fund total \$3,790,067, an increase of \$496,422 or 15.1 percent from the revised FY 2005 estimate.

The **Governor** recommends operating expenditures of \$4,209,644 and 51.0 FTE positions. The recommendation is a decrease of \$715,752 and 12.0 FTE positions from the agency request. The Governor recommends \$58,000 for the purchase of new vehicles but does not recommend the remainder of the agency's enhancement package. The recommendation includes \$145,633 for pay plan adjustments.

House Budget Committee Recommendation

The House Budget Committee concurs with the Governor with the following exception:

1. Delete \$58,000 in expenditure authority (\$43,500 Fire Marshal Fee Fund and \$14,500 Liquefied Petroleum Gas Fee Fund) to remove funding for the purchase of replacement vehicles recommended by the Governor. The Budget Committee recommends the review of this item at Omnibus.

House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: State Fire Marshal

Bill No. 270

Bill Sec. 75

Analyst: Kannarr

Analysis Pg. No. 649

Budget Page No. 167

<u>Expenditure Summary</u>	<u>Agency Request FY 2006</u>	<u>Governor's Recommendation FY 2006</u>	<u>Senate Subcommittee Adjustments*</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,925,396	4,209,644	(145,633)
TOTAL	<u>\$ 4,925,396</u>	<u>\$ 4,209,644</u>	<u>\$ (145,633)</u>
Percentage Change:			
Operating Expenditures:			
All Funds	16.6%	(0.3)%	
State General Fund	-	-	
FTE Positions	63.0	51.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u>64.0</u>	<u>52.0</u>	<u>0.0</u>

* The entire adjustment reflects the deletion of the Governor's recommended salary plan adjustments.

Agency Request/Governor's Recommendation

The **agency** requests operating expenditures of \$4,925,396 and 63.0 FTE positions for FY 2006. The request is an increase of \$701,610 or 16.6 percent from the FY 2005 revised estimate. The request includes an enhancement package of \$919,385 and 11.0 FTE positions. Requested expenditures from the Fire Marshal Fee Fund total \$3,790,067, an increase of \$496,422 or 15.1 percent from the revised FY 2005 estimate.

The **Governor** recommends operating expenditures of \$4,209,644 and 51.0 FTE positions. The recommendation is a decrease of \$715,752 and 12.0 FTE positions from the agency request. The Governor recommends \$58,000 for the purchase of new vehicles but does not recommend the

remainder of the agency's enhancement package. The recommendation includes \$145,633 for pay plan adjustments.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Pay Plan Adjustment.** Delete \$63,009, none of which is from the State General Fund, to remove pay plan funding recommended by the Governor (a 2.5 percent base salary adjustment for all state employees) for consideration in a separate bill.
2. **Other Salary and Wage Adjustments.** Delete \$101,808, none of which is from the State General Fund, to remove funding recommended by the Governor for the 27th payroll period (\$93,348), and for the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$8,460) for later Committee consideration.
3. The Subcommittee notes that during the 2004 Session, the Legislature amended statutes to decrease the proportion of a 1.25 percent premium tax levy on fire insurance premium received by the State Fire Marshal. Concurrently, the Legislature also approved a transfer of \$500,000 from the Fire Marshal Fee Fund to the State General Fund for FY 2005. The Subcommittee received testimony that the combination of these two actions has put the agency in a poor financial position with regard to cash flow and having adequate revenues to meet expenses in upcoming fiscal years. The Subcommittee recommends a review of the agency's financial position and anticipated revenues at Omnibus.
4. The Subcommittee recommends a review of the current distribution of a 1.25 percent tax levy on fire insurance premiums at Omnibus to determine whether the current distribution is appropriate. Currently, the levy is distributed with 0.8 percent supporting the Fire Marshal, 0.25 percent supporting the Board of Emergency Medical Services and 0.2 percent supporting the Kansas Fire and Rescue Training Center at the University of Kansas.
5. The Subcommittee understands that there have been concerns with agency operations in the past and reviewed a June 2004 Legislative Post Audit report which examined such issues. The Subcommittee believes the current acting State Fire Marshal is excelling in his duties and believes he is addressing issues cited by the audit report. The Subcommittee is willing to consider the concept of an oversight board, as recommended by the audit, and notes that H.B. 2227 currently under consideration by the House Committee on Appropriations would create such a board.

Public Safety Committee

FY 2005

FY 2006

on

Parole Board



Senator Ruth Teichman, Subcommittee Chairman



Senator Jim Barone



Senator Vicki Schmidt

Senate Ways and Means
3-10-05
Attachment 3

House Budget Committee Report

Agency: Kansas Parole Board

Bill No. --

Bill Sec. --

Analyst: Cussimano

Analysis Pg. No. Vol. I, 640 Budget Page No. 323

Expenditure Summary	Agency Estimate FY 2005	Governor's Recommendation FY 2005	House Budget Adjustments
Kansas Parole Board	\$ 449,387	\$ 449,387	\$ (16,344)
FTE Positions	3.0	3.0	3.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	3.0	3.0	3.0

Agency Estimate/Governor's Recommendation

The agency estimates \$449,387 State General Funds for FY 2005, an increase of \$16,344 or 3.8 percent from the amount approved by the 2004 Legislature. The increase reflects an unlimited reappropriation of \$16,052 available for expenditure without any further legislative action and KSIP expenditures of \$292.

The Governor concurs with the agency's FY 2005 estimate.

House Public Safety Budget Committee Recommendation

The House Public Safety Budget Committee concurs with the Governor's recommendation with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 revised recommendation for the Kansas Parole Board is a State General Fund increase of \$16,344 or 3.8 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature.
2. The Budget Committee deletes \$16,344 to return to the amount approved by the 2004 Legislature and review at Omnibus for possible restoration.

House Committee Recommendation

The House Committee concurs with the House Budget Committee recommendation.

Senate Subcommittee Report

Agency: Kansas Parole Board

Bill No. - -

Bill Sec. - -

Analyst: Cussimano

Analysis Pg. No. Vol. I, 640 Budget Page No. 323

Expenditure Summary	Agency Estimate FY 2005	Governor's Recommendation FY 2005	Senate Subcommittee Adjustments
Kansas Parole Board	\$ 449,387	\$ 449,387	\$ 0
FTE Positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>3.0</u>	<u>3.0</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The agency estimates \$449,387 State General Funds for FY 2005, an increase of \$16,344 or 3.8 percent above the amount approved by the 2004 Legislature. The increase reflects an unlimited reappropriation of \$16,052 available for expenditure without any further legislative action and KSIP expenditures of \$292.

The Governor concurs with the agency's FY 2005 estimate.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor with the following observation:

- Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2005 revised recommendation is a State General Fund increase of \$16,344 or 3.8 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature.

House Budget Committee Report

Agency: Kansas Parole Board

Bill No. 2482

Bill Sec. 76

Analyst: Cussimano

Analysis Pg. No. Vol. I, 640 **Budget Page No.** 323

Expenditure Summary	Agency Estimate FY 2006	Governor's Recommendation FY 2006	House Budget Adjustments
Kansas Parole Board	\$ 433,858	\$ 458,053	\$ (25,010)
FTE Positions	3.0	3.0	3.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>3.0</u>	<u>3.0</u>	<u>3.0</u>

Agency Estimate/Governor's Recommendation

The agency requests FY 2006 funding of \$433,858 from the State General Fund, a decrease of \$15,529 or 3.5 percent from the FY 2005 estimate.

The Governor recommends \$458,053 from the State General Fund, an increase of \$24,195 or 5.6 percent from the agency's FY 2005 estimate. The Governor makes the following adjustments to the agency request:

- 2.5 percent base salary adjustment - add \$9,265 from the State General Fund;
- KPERs death and disability rate increase - add \$1,203 from the State General Fund; and
- 27th payroll period - add \$13,727 from the State General Fund.

House Public Safety Budget Committee

The House Public Safety Budget Committee concurs with the Governor's recommendation with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 recommendation for the Kansas Parole Board totals \$458,053, an increase of \$24,195 or 5.6 percent. Absent amounts recommended for the 2.5 percent base salary adjustment (\$9,265), the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$1,203), and the 27th payroll period (\$13,727), the recommendation is an increase of \$16,344 or 3.8 percent above the approved amount.
2. The Budget Committee deletes \$25,010 from the FY 2006 budget to return to amount approved by the 2004 Legislature and review at Omnibus for possible restoration.

House Committee Recommendation

The House Committee concurs with the House Budget Committee recommendation.

Senate Subcommittee Report

Agency: Kansas Parole Board

Bill No. SB 270

Bill Sec. 76

Analyst: Cussimano

Analysis Pg. No. Vol. I, 640 **Budget Page No.** 323

Expenditure Summary	Agency Estimate FY 2006	Governor's Recommendation FY 2006	Senate Subcommittee Adjustments
Kansas Parole Board	\$ 433,858	\$ 458,053	\$ (25,010)
FTE Positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>3.0</u>	<u>3.0</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The agency requests FY 2006 funding of \$433,858 from the State General Fund, a decrease of \$15,529 or 3.5 percent below the FY 2005 estimate.

The Governor recommends \$458,053 from the State General Fund, an increase of \$24,195 or 5.6 percent above the agency's FY 2005 estimate.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Pay Plan Adjustment.** Delete \$9,265 from the State General Fund to remove pay plan funding recommended by the Governor (a 2.5 percent base salary adjustment for all state employees) for consideration in a separate bill.
2. **Other Salary and Wage Adjustments.** Delete \$14,930 from the State General Fund, to remove funding recommended by the Governor for the 27th payroll period (\$13,727), and for the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$1,203) for later Committee consideration.

3. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2006 recommendation is a State General Fund increase of \$25,010 or 5.8 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent the above pay plan and salary and wage adjustments, the recommendation is the same as the amount approved by the 2004 Legislature.

Senate Ways and Means Subcommittee

FY 2005
FY 2006

Kansas Bureau of Investigation



Senator Ruth Teichman, Chairperson



Senator Jim Barone



Senator Vicki Schmidt

Senate Ways and Means
3-10-05
Attachment 4

House Budget Committee Report

Agency: Kansas Bureau of Investigation **Bill No. - -** **Bill Sec. - -**
Analyst: Waller **Analysis Pg. No. Vol. I - 903** **Budget Page No. 245**

Expenditure Summary	Agency Estimate FY 2005	Gov. Rec. FY 2005	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 20,347,983	\$ 19,926,778	\$ 0
Aid to Local Units	1,477,000	1,477,000	0
Other Assistance	<u>111,894</u>	<u>111,894</u>	<u>0</u>
Subtotal - Operating	\$ 21,936,877	\$ 21,515,672	\$ 0
Capital Improvements	<u>230,000</u>	<u>230,000</u>	<u>0</u>
TOTAL	<u><u>\$ 22,166,877</u></u>	<u><u>\$ 21,745,672</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 12,163,031	\$ 11,892,058	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 12,163,031	\$ 11,892,058	\$ 0
Capital Improvements	<u>230,000</u>	<u>230,000</u>	<u>0</u>
TOTAL	<u><u>\$ 12,393,031</u></u>	<u><u>\$ 12,122,058</u></u>	<u><u>\$ 0</u></u>
FTE Positions	200.0	200.0	0.0
Non FTE Perm. Uncl. Pos.	<u>108.0</u>	<u>108.0</u>	<u>0.0</u>
TOTAL	<u><u>308.0</u></u>	<u><u>308.0</u></u>	<u><u>0.0</u></u>

Agency Estimate/Governor's Recommendation

The agency's estimated FY 2005 operating budget totals \$21,936,877, which is \$2,478,457 or 12.7 percent above the 2004 Legislature's approved funding. The State General Fund estimate increases by \$270,973 which is due to the agency's requested supplemental appropriation package. The revised all other funds increase by \$2,207,484 (2.3 percent) is due to the availability of additional federal grant funding and an increase in laboratory fees received by the agency. The increased funding is requested in part to purchase 23 new vehicles in FY 2005. The number of FTE positions remains the same, while the number of non-FTE positions permanent unclassified increases by 19.0 positions.

The agency requests a current year supplemental appropriation of \$270,973 from the State General Fund:

- Matching funds.** The agency requests \$18,749 from the State General Fund to access federal dollars available for work on the Kansas Criminal Justice Information System (KCJIS). The federal funding is available from a government settlement with a software company in default.

- **Additional Funding.** The agency requests \$252,224 from the State General Fund to provide additional financing for other operating expenditures in the Investigation Division.

The **Governor** recommends an FY 2005 operating expenditure total of \$21,515,672. This is \$2,057,252 or 10.6 percent above the approved amount. The Governor does not recommend the agency's supplemental appropriation request. As a result, recommended State General Fund expenditures total the approved FY 2005 amount. Expenditures from all other funds total \$9,623,614, which is \$150,232 or 7.3 percent below the agency's estimate. The Governor's recommendation would reduce the number of vehicles purchased in FY 2005 from 23 to 15.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, with the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 revised State General Fund recommendation does not change from the FY 2005 approved amount.

House Committee Recommendations

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

Senate Subcommittee Report

Agency: Kansas Bureau of Investigation **Bill No. - -** **Bill Sec. - -**

Analyst: Waller **Analysis Pg. No.** Vol. I - 903 **Budget Page No.** 245

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2005</u>	<u>Gov. Rec. FY 2005</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 20,347,983	\$ 19,926,778	\$ 0
Aid to Local Units	1,477,000	1,477,000	0
Other Assistance	111,894	111,894	0
Subtotal - Operating	\$ 21,936,877	\$ 21,515,672	\$ 0
Capital Improvements	230,000	230,000	0
TOTAL	\$ 22,166,877	\$ 21,745,672	\$ 0
State General Fund:			
State Operations	\$ 12,163,031	\$ 11,892,058	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 12,163,031	\$ 11,892,058	\$ 0
Capital Improvements	230,000	230,000	0
TOTAL	\$ 12,393,031	\$ 12,122,058	\$ 0
FTE Positions	200.0	200.0	0.0
Non FTE Perm. Uncl. Pos.	108.0	108.0	0.0
TOTAL	308.0	308.0	0.0

Agency Estimate/Governor's Recommendation

The agency's estimated FY 2005 operating budget totals \$21,936,877, which is \$2,478,457 or 12.7 percent above the 2004 Legislature's approved funding. The State General Fund estimate increases by \$270,973 which is due to the agency's requested supplemental appropriation package. The revised all other funds increase by \$2,207,484 (2.3 percent) is due to the availability of additional federal grant funding and an increase in laboratory fees received by the agency. The increased funding is requested in part to purchase 23 new vehicles in FY 2005. The number of FTE positions remains the same, while the number of non-FTE positions permanent unclassified increases by 19.0 positions.

The agency requests a current year supplemental appropriation of \$270,973 from the State General Fund:

- **Matching funds.** The agency requests \$18,749 from the State General Fund to access federal dollars available for work on the Kansas Criminal Justice Information System (KCJIS). The federal funding is available from a government settlement with a software company in default.
- **Additional Funding.** The agency requests \$252,224 from the State General Fund to provide additional financing for other operating expenditures in the Investigation Division.

The **Governor** recommends an FY 2005 operating expenditure total of \$21,515,672. This is \$2,057,252 or 10.6 percent above the approved amount. The Governor does not recommend the agency's supplemental appropriation request. As a result, recommended State General Fund expenditures total the approved FY 2005 amount. Expenditures from all other funds total \$9,623,614, which is \$150,232 or 7.3 percent below the agency's estimate. The Governor's recommendation would reduce the number of vehicles purchased in FY 2005 from 23 to 15.

Senate Subcommittee Recommendation

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

1. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2005 revised recommendation in State General Fund financing remains unchanged from the amount approved by the 2004 Legislature.

House Budget Committee Report

Agency: Kansas Bureau of Investigation

Bill No. HB 2482

Bill Sec. 78

Analyst: Waller

Analysis Pg. No. Vol. I - 703

Budget Page No. 245

Expenditure Summary	Agency Request FY 2006	Gov. Rec. FY 2006	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 28,152,438	\$ 21,114,447	\$ (458,295)
Aid to Local Units	1,250,000	1,250,000	0
Other Assistance	112,294	112,294	(400)
Subtotal - Operating	\$ 29,514,732	\$ 22,476,741	\$ (458,695)
Capital Improvements	245,000	245,000	0
TOTAL	\$ 29,759,732	\$ 22,721,741	\$ (458,695)
State General Fund:			
State Operations	\$ 20,434,398	\$ 12,884,303	\$ (368,751)
Aid to Local Units	0	0	0
Other Assistance	400	400	(400)
Subtotal - Operating	\$ 20,434,798	\$ 12,884,703	\$ (369,151)
Capital Improvements	245,000	245,000	0
TOTAL	\$ 20,679,798	\$ 13,129,703	\$ (369,151)
FTE Positions	213.0	200.0	0.0
Non FTE Perm. Uncl. Pos.	112.0	112.0	0.0
TOTAL	325.0	312.0	0.0

Agency Request/Governor's Recommendation

The **agency's** FY 2006 operating budget request totals \$29,514,732, which is \$7,577,855 or 34.5 percent above the agency's FY 2005 revised estimate. The agency's requested operating total includes \$20,434,798 from the State General Fund. This is an increase of \$8,271,767 or 68.0 percent above the FY 2005 request. The requested State General Fund operating increases are due mostly to the agency's enhancement request (\$8,242,522). Requested expenditures from all other funds decrease by \$693,912 or 7.1 percent from the FY 2005 revised request. The change is due to a reduction in federal grants, partially offset by an increase in laboratory fees collected by the agency.

The **Governor** recommends an operating budget total of \$22,476,741. This is an increase of \$961,069 or 4.5 percent above the FY 2005 recommendation. State General Fund expenditures increase by \$992,645 or 8.3 percent due mostly to the recommended 2.5 percent salary adjustment for state employees, the purchase of agency vehicles, and additional other operating expenditures. Recommended expenditures from all other funds decrease by \$31,576 or 0.3 percent below the FY 2005 recommendation, due mostly to a reduction in federal grants. This is offset by an increase in

HIDTA (High Intensity Drug Trafficking Area Grants) and an increase in utilization of special revenue fund balances to finance agency operations. The Governor recommends adding \$333,000 (which includes \$243,456 from the agency's "off budget" Internal Services Fund) to fund the purchase of 18 vehicles.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$13,129,703, an increase of \$1,007,645 above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$248,710), the 27th payroll period (\$368,422), and the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$19,309), the recommendation is an increase of \$371,204, or 3.1 percent above the approved amount.
2. The Budget Committee recommends the deletion of \$458,695 from the State General Fund to reduce the agency's FY 2006 operating budget to the FY 2005 level, with an adjustment for increased debt service expenditures in FY 2006. The Budget Committee notes that included in this reduction is \$89,544, which along with off-budget funding of \$243,456, was recommended for the purchase of 18 new vehicles. The Budget Committee intends to review the recommendation for the new vehicles and the overall reduction in expenditures at Omnibus.
3. Change the expenditure limitation recommended by the Governor on the agency's Laboratory and Record Check Fee Fund to no-limit. The Budget Committee notes that these funds have traditionally been no-limit funds, and particularly in light of the State General Fund reductions recommended, does not want to hinder the agency's flexibility in financing operating expenditures.
4. The Budget Committee notes that the agency is requesting the conversion of 7.0 non-FTE unclassified agent and analyst positions to FTE positions. The positions were previously funded through a Community Oriented Policing Services (COPS) grant, and are currently financed (after the third and final year of receiving the grant) from the State General Fund. The agency is requesting the conversion to send a positive message to the employees that they are considered full-time permanent employees. The Budget Committee recommends this item be further considered at Omnibus.
5. The Budget Committee notes for Omnibus consideration the agency's request for the addition of \$1,105,323 from the State General Fund to allow the agency to fill 10 (out of 18) vacant agent positions. The Budget Committee notes that the Governor's FY 2006 recommendation utilizes existing special revenue fund balances and funding shifts to fund 8.0 FTE vacant agent positions.
6. The Budget Committee also recommends that the issue of the addition of \$864,873 (\$808,887 from the State General Fund) for a 7.5 percent increase to

fund the pay increase negotiated between the State of Kansas and the Kansas State Troopers Association be considered at Omnibus.

House Committee Recommendations

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

Senate Subcommittee Report

Agency: Kansas Bureau of Investigation

Bill No. SB 270

Bill Sec. 78

Analyst: Waller

Analysis Pg. No. Vol. I - 703

Budget Page No. 245

<u>Expenditure Summary</u>	<u>Agency Request FY 2006</u>	<u>Gov. Rec. FY 2006</u>	<u>Senate Subcommittee Adjustments*</u>
All Funds:			
State Operations	\$ 28,152,438	\$ 21,114,447	\$ (4,595)
Aid to Local Units	1,250,000	1,250,000	0
Other Assistance	112,294	112,294	0
Subtotal - Operating	\$ 29,514,732	\$ 22,476,741	\$ (4,595)
Capital Improvements	245,000	245,000	0
TOTAL	\$ 29,759,732	\$ 22,721,741	\$ (4,595)
State General Fund:			
State Operations	\$ 20,434,398	\$ 12,884,303	\$ (247,818)
Aid to Local Units	0	0	0
Other Assistance	400	400	0
Subtotal - Operating	\$ 20,434,798	\$ 12,884,703	\$ (247,818)
Capital Improvements	245,000	245,000	0
TOTAL	\$ 20,679,798	\$ 13,129,703	\$ (247,818)
FTE Positions	213.0	200.0	7.0
Non FTE Perm. Uncl. Pos.	112.0	112.0	0.0
TOTAL	325.0	312.0	7.0

*The Subcommittee adjustments include a reduction of \$879,664 (\$636,441 from the State General Fund), to delete amounts recommended by the Governor for the 2.5 percent base salary increase, the 27th payroll period, and the KPERS death and disability increase.

Agency Request/Governor's Recommendation

The **agency's** FY 2006 operating budget request totals \$29,514,732, which is \$7,577,855 or 34.5 percent above the agency's FY 2005 revised estimate. The agency's requested operating total includes \$20,434,798 from the State General Fund. This is an increase of \$8,271,767 or 68.0 percent above the FY 2005 request. The requested State General Fund operating increases are due mostly to the agency's enhancement request (\$8,242,522). Requested expenditures from all other funds decrease by \$693,912 or 7.1 percent from the FY 2005 revised request. The change is due to a reduction in federal grants, partially offset by an increase in laboratory fees collected by the agency.

The **Governor** recommends an operating budget total of \$22,476,741. This is an increase of \$961,069 or 4.5 percent above the FY 2005 recommendation. State General Fund expenditures increase by \$992,645 or 8.3 percent due mostly to the recommended 2.5 percent salary adjustment for state employees, the purchase of agency vehicles, and additional other operating expenditures. Recommended expenditures from all other funds decrease by \$31,576 or 0.3 percent below the FY 2005 recommendation, due mostly to a reduction in federal grants. This is offset by an increase in HIDTA (High Intensity Drug Trafficking Area Grants) and an increase in utilization of special revenue fund balances to finance agency operations. The Governor recommends adding \$333,000 (which includes \$243,456 from the agency's "off budget" Internal Services Fund) to fund the purchase of 18 vehicles.

Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustment.** Delete \$342,899 including \$248,710 from the State General Fund, to remove pay plan funding recommended by the Governor (a 2.5 percent base salary adjustment for all state employees) for consideration in a separate bill.
2. **Other Salary and Wage Adjustments.** Delete \$536,765, including \$387,731 from the State General Fund, to remove funding recommended by the Governor for the 27th payroll period (\$507,943), and for the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$28,822) for late Committee consideration.
3. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2006 recommendation is a State General Fund increase of \$992,645 or 8.3 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent the above pay plan and salary and wage adjustments, the recommendation is an increase of \$356,204 or 3.0 percent above the approved amount.
4. The Senate Subcommittee adds \$884,259 (from the State General Fund) to fill 8 of 10 vacant agent positions requested by the agency. The Subcommittee notes that the Governor's FY 2006 recommendation utilizes existing special revenue fund balances and funding shifts to fund the 8.0 FTE vacant agent positions. Additionally, the Senate Subcommittee wishes to consider the addition

of \$221,065 (from the State General Fund) to finance the remaining 2.0 vacant agent positions requested by the agency in FY 2006.

5. The Senate Subcommittee changes the expenditure limitation recommended by the Governor on the agency's Laboratory and Record Check Fee Fund to no-limit. The Subcommittee notes that these funds have traditionally been no-limit funds, and does not want to hinder the agency's flexibility in financing operating expenditures.
6. The Senate Subcommittee recommends the conversion of 6.0 non-FTE unclassified agent and 1.0 analyst positions to FTE positions. The positions were previously funded through a Community Oriented Policing Services (COPS) grant, and are currently financed (after the third and final year of receiving the grant) from the State General Fund. The agency is requesting the conversion to send a positive message to the employees that they are considered full-time permanent employees.
7. The Senate Subcommittee recommends for Omnibus consideration the addition of \$864,873 (\$808,887 from the State General Fund) for a 7.5 percent pay increase for Kansas Bureau of Investigation agents in conjunction with the negotiated amount provided by the memorandum of agreement between the State of Kansas and the Kansas State Troopers Association.

SENATE WAYS AND MEANS SUBCOMMITTEE

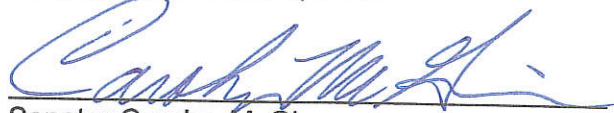
FY 2005

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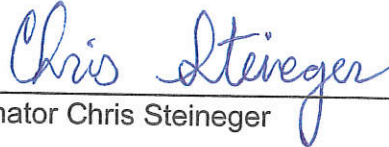
Kansas Highway Patrol
Adjutant General



Senator Vicki Schmidt, Chair



Senator Carolyn McGinn



Senator Chris Steineger

House Budget Committee Report

Agency: Kansas Highway Patrol

Bill No. HB 2480

Bill Sec. 38

Analyst: Waller

Analysis Pg. No. Vol. I - 723

Budget Page No. 189

Expenditure Summary	Agency Estimate FY 2005	Gov. Rec. FY 2005	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 64,075,755	\$ 63,690,755	\$ 0
Aid to Local Units	27,343,600	27,343,600	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 91,419,355	\$ 91,034,355	\$ 0
Capital Improvements	989,995	989,995	0
TOTAL	<u>\$ 92,409,350</u>	<u>\$ 92,024,350</u>	<u>\$ 0</u>
State General Fund:			
State Operations	\$ 30,688,004	\$ 30,688,004	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 30,688,004	\$ 30,688,004	\$ 0
Capital Improvements	0	0	0
TOTAL	<u>\$ 30,688,004</u>	<u>\$ 30,688,004</u>	<u>\$ 0</u>
FTE Positions	824.1	824.1	0.0
Non FTE Perm. Uncl. Pos.	22.0	22.0	0.0
TOTAL	<u>846.1</u>	<u>846.1</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The agency's revised current year estimate for operating expenditures totals \$91,419,355, which is \$7,472,970 or 8.9 percent above the approved FY 2005 amount. The agency's State General Fund revised estimate does not change. The change in all other funds is due to an increase in federal homeland security funding and the agency's utilization of special revenue fund balances. The number of FTE positions in the agency's revised FY 2005 budget remains the same. The agency requests an additional \$385,000 (from the State Highway Fund) to provide for the increased price and usage of gasoline by the agency.

The Governor does not recommend the additional funding from the State Highway Fund for gasoline costs, but concurs with the remainder of the agency's revised estimate.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, with the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 revised State General Fund recommendation does not change from the FY 2005 approved amount.

House Committee Recommendations

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

Senate Subcommittee Report

Agency: Kansas Highway Patrol

Bill No. SB 272

Bill Sec. 38

Analyst: Waller

Analysis Pg. No. Vol. I - 723

Budget Page No. 189

Expenditure Summary	Agency Estimate FY 2005	Gov. Rec. FY 2005	Senate Subcommittee Adjustments
All Funds:			
State Operations	\$ 64,075,755	\$ 63,690,755	\$ 0
Aid to Local Units	27,343,600	27,343,600	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 91,419,355	\$ 91,034,355	\$ 0
Capital Improvements	989,995	989,995	0
TOTAL	\$ 92,409,350	\$ 92,024,350	\$ 0
State General Fund:			
State Operations	\$ 30,688,004	\$ 30,688,004	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 30,688,004	\$ 30,688,004	\$ 0
Capital Improvements	0	0	0
TOTAL	\$ 30,688,004	\$ 30,688,004	\$ 0
FTE Positions	824.1	824.1	0.0
Non FTE Perm. Uncl. Pos.	22.0	22.0	0.0
TOTAL	846.1	846.1	0.0

Agency Estimate/Governor's Recommendation

The agency's revised current year estimate for operating expenditures totals \$91,419,355, which is \$7,472,970 or 8.9 percent above the approved FY 2005 amount. The agency's State General Fund revised estimate does not change. The change in all other funds is due to an increase in federal homeland security funding and the agency's utilization of special revenue fund balances. The number of FTE positions in the agency's revised FY 2005 budget remains the same. The agency requests an additional \$385,000 (from the State Highway Fund) to provide for the increased price and usage of gasoline by the agency.

The Governor does not recommend the additional funding from the State Highway Fund for gasoline costs, but concurs with the remainder of the agency's revised estimate.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2005 State General Fund revised recommendation remains unchanged from the FY 2005 State General Fund amount approved by the 2004 Legislature.

House Budget Committee Report

Agency: Kansas Highway Patrol

Bill No. HB 2482

Bill Sec. 77

Analyst: Waller

Analysis Pg. No. Vol. I - 723

Budget Page No. 189

Expenditure Summary	Agency Request FY 2006	Gov. Rec. FY 2006	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 69,271,818	\$ 70,472,383	\$ (6,806,166)
Aid to Local Units	26,546,996	26,546,996	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 95,818,814</u>	<u>\$ 97,019,379</u>	<u>\$ (6,806,166)</u>
Capital Improvements	1,030,466	1,030,466	0
TOTAL	<u><u>\$ 96,849,280</u></u>	<u><u>\$ 98,049,845</u></u>	<u><u>\$ (6,806,166)</u></u>
State General Fund:			
State Operations	\$ 32,307,907	\$ 35,647,855	\$ (1,321,266)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	<u>\$ 32,307,907</u>	<u>\$ 35,647,855</u>	<u>\$ (1,321,266)</u>
Capital Improvements	0	0	0
TOTAL	<u><u>\$ 32,307,907</u></u>	<u><u>\$ 35,647,855</u></u>	<u><u>\$ (1,321,266)</u></u>
FTE Positions	824.1	826.1	0.0
Non FTE Perm. Uncl. Pos.	50.7	50.7	0.0
TOTAL	<u><u>874.8</u></u>	<u><u>876.8</u></u>	<u><u>0.0</u></u>

Agency Request/Governor's Recommendation

The agency's operating budget request totals \$95,818,814, which is \$4,399,459 or 4.8 percent above the FY 2005 revised estimate. Requested State General Fund expenditures total \$32,307,907 or 5.3 percent above the FY 2005 amount due mostly to the agency enhancement package and the 7.5 percent salary increase for Trooper positions pursuant to the agreement between the State of Kansas and the Kansas Trooper association signed in FY 2004. Requested expenditures from special revenue funds increase by \$2,779,556 or 4.6 percent above the FY 2005 amount of \$60,731,351. The change is due primarily to the agency's enhancement package. The agency also requests the shift of Capitol Area Security Patrol (CASP) contractual expenses to an "on budget" expenditure in FY 2006. CASP contractual operations would be funded by additional State Highway Funds requested by the agency.

The Governor recommends operating expenditures which total \$97,019,379, which is \$5,985,024 or 6.6 percent above the FY 2005 revised recommendation. Recommended State General Fund expenditures increase by \$4,959,851, and the increased funding is provided through a transfer from the State Highway Fund to the State General Fund. The increase can be attributed to the Governor's recommended 2.5 percent base salary adjustment for all state employees and a

7.5 percent salary increase for state troopers. Recommended expenditures from all other funds increase by \$1,025,173 or 1.7 percent above the current year. The Governor recommends the shift of CASP contractual expenditures to an "on-budget" expenditure for the patrol, shifting \$1,982,955 from the State General Fund and 2.0 FTE positions from the Department of Administration to the Highway Patrol.

Statutory Budget Submission

KSA 75-6701 requires that the budget submitted by the Governor and the budget ultimately approved by the Legislature provide for a State General Fund ending balance of at least 7.5 percent of expenditures for FY 2006. To comply with this provision, Volume 1 of the *Governor's Budget Report* includes a "statutory budget" designed to provide for a 7.5 ending balance. In general, this requires a 8.9 percent reduction to the FY 2006 State General Fund executive branch budget recommendations submitted by the Governor. That reduction has not been applied to school finance funding in the Department of Education, to the Board of Regents and its institutions, or to the judicial or legislative branches. **For this agency, the reduction to the Governor's recommended FY 2006 State General Fund budget would total \$3,183,110.**

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$35,647,855, an increase of \$4,959,851 above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$710,920), the 27th payroll period (\$1,054,317), and the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$22,743), the recommendation is an increase of \$3,171,871 or 10.3 percent above the approved amount.
2. The Budget Committee recommends the deletion of \$1,321,266 from the State General Fund to reduce the Governor's FY 2006 recommended State General Fund budget to the amount approved by the 2004 Legislature, with an adjustment for the transfer of the CASP contractual program to the Patrol's budget. These funding reductions will be reviewed at Omnibus.
3. The Budget Committee notes the agency's concern with the rising costs of fuel and recommends that the issue of additional funding to address these costs be addressed at Omnibus.
4. The Budget Committee also intends to further review issues regarding funding of the 7.5 percent salary increase for troopers recommended by the Governor in FY 2006 at Omnibus.
5. 2004 Senate Bill 520 added Motor Carrier Inspection and Capital Area Security Police Officers to the Kansas Police and Fire retirement plan. However, in reducing the Governor's FY 2006 recommended amount in State General Fund financing to the FY 2005 approved level, the Budget Committee notes its concern

relating to the additional costs incurred by the agency with the passage of the bill (\$233,916, including \$84,944 from the State General Fund), and recommends this item be reviewed again at Omnibus.

6. The Budget Committee recommends the deletion of \$5,484,900 (from the Motor Vehicle Fund) for the purchase of vehicles by the agency pending further review at Omnibus.

House Committee Recommendations

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

1. Add \$1,294,122 from the State General Fund to finance the 7.5 percent salary increase provided to Trooper positions per the memorandum of agreement between the Department of Administration and the Troopers Association.
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Senate Subcommittee Report

Agency: Kansas Highway Patrol

Bill No. SB 270

Bill Sec. 77

Analyst: Waller

Analysis Pg. No. Vol. I - 723

Budget Page No. 189

Expenditure Summary	Agency Request FY 2006	Gov. Rec. FY 2006	Senate Subcommittee Adjustments*
All Funds:			
State Operations	\$ 69,271,818	\$ 70,472,383	\$ (2,497,988)
Aid to Local Units	26,546,996	26,546,996	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 95,818,814	\$ 97,019,379	\$ (2,497,988)
Capital Improvements	<u>1,030,466</u>	<u>1,030,466</u>	<u>0</u>
TOTAL	<u>\$ 96,849,280</u>	<u>\$ 98,049,845</u>	<u>\$ (2,497,988)</u>
State General Fund:			
State Operations	\$ 32,307,907	\$ 35,647,855	\$ (1,237,980)
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 32,307,907	\$ 35,647,855	\$ (1,237,980)
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
TOTAL	<u>\$ 32,307,907</u>	<u>\$ 35,647,855</u>	<u>\$ (1,237,980)</u>
FTE Positions	824.1	826.1	0.0
Non FTE Perm. Uncl. Pos.	<u>50.7</u>	<u>50.7</u>	<u>0.0</u>
TOTAL	<u>874.8</u>	<u>876.8</u>	<u>0.0</u>

* The Subcommittee adjustments include a reduction of \$3,047,988 (\$1,787,980 from the State General Fund), to delete amounts recommended by the Governor for the 2.5 percent base salary increase, the 27th payroll period, and the KPERS death and disability increase.

Agency Request/Governor's Recommendation

The agency's operating budget request totals \$95,818,814, which is \$4,399,459 or 4.8 percent above the FY 2005 revised estimate. Requested State General Fund expenditures total \$32,307,907 or 5.3 percent above the FY 2005 amount due mostly to the agency enhancement package and the 7.5 percent salary increase for Trooper positions pursuant to the agreement between the State of Kansas and the Kansas Trooper association signed in FY 2004. Requested expenditures from special revenue funds increase by \$2,779,556 or 4.6 percent above the FY 2005 amount of \$60,731,351. The change is due primarily to the agency's enhancement package. The agency also requests the shift of Capitol Area Security Patrol (CASP) contractual expenses to an "on budget" expenditure in FY 2006. These CASP contractual operations would be funded by additional State Highway Funds requested by the agency.

The Governor recommends operating expenditures which total \$97,019,379, which is \$5,985,024 or 6.6 percent above the FY 2005 revised recommendation. Recommended State

General Fund expenditures increase by \$4,959,851, and the increased funding is provided through a transfer from the State Highway Fund to the State General Fund. The increase can be attributed to the Governor's recommended 2.5 percent base salary adjustment for all state employees and a 7.5 percent salary increase for state troopers. Recommended expenditures from all other funds increase by \$1,025,173 or 1.7 percent above the current year. The Governor recommends the shift of CASP contractual expenditures to an "on-budget" expenditure for the patrol, shifting \$1,982,955 from the State General Fund and 2.0 FTE positions from the Department of Administration to the Highway Patrol.

Statutory Budget Submission

KSA 75-6701 requires that the budget submitted by the Governor and the budget ultimately approved by the Legislature provide for a State General Fund ending balance of at least 7.5 percent of expenditures for FY 2006. To comply with this provision, Volume 1 of the *Governor's Budget Report* includes a "statutory budget" designed to provide for a 7.5 ending balance. In general, this requires a 8.9 percent reduction to the FY 2006 State General Fund executive branch budget recommendations submitted by the Governor. That reduction has not been applied to school finance funding in the Department of Education, to the Board of Regents and its institutions, or to the judicial or legislative branches. **For this agency, the reduction to the Governor's recommended FY 2006 State General Fund budget would total \$3,183,110.**

Senate Subcommittee Recommendations

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Pay Plan Adjustment.** Delete \$1,210,198, including \$710,920 from the State General Fund, to remove pay plan funding recommended by the Governor (a 2.5 percent base salary adjustment for all state employees) for consideration in a separate bill.
2. **Other Salary and Wage Adjustments.** Delete \$1,837,790, including \$1,077,060 from the State General Fund, to remove funding recommended by the Governor for the 27th payroll period (\$1,795,801), and for the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$41,989) for later Committee consideration.
3. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2006 recommendation is a State General Fund increase of \$4,959,851 or 16.2 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent the above pay plan and salary and wage adjustments, the recommendation is an increase of \$1,911,863, or 6.2 percent above the approved amount.
4. The Senate Subcommittee adds \$550,000 (from the State General Fund) in FY 2006 to finance the increased price and increased usage of gasoline by the agency. During testimony, the agency stated that due to an increase in fuel prices and the number of Troopers employed by the agency, fuel costs have increased dramatically. The Subcommittee notes that the availability of fuel is vital for the operations of the Kansas Highway Patrol, and draws attention to a policy implemented by a previous Superintendent of the Kansas Highway Patrol

to have Troopers limit driving and remain parked on the side of the road to conserve fuel.

5. During the 2004 Legislative session, a proviso was added which authorized Department of Transportation subarea shops waivers from existing purchasing contracts in those cases when vendors in the existing contracts are not located within the five-digit zip code of the shop. The Subcommittee recommends adding the proviso for the Highway Patrol in FY 2006, similar to the recommendation added for the Kansas Department of Transportation. The Subcommittee believes this would provide both agencies with some relief relating to the purchase of equipment.
6. The Senate Subcommittee notes that previously Capitol Area Security Patrol (CASP) expenditures under contracts with the Department of Administration and State Historical Society had been designated as non-expense ("off-budget") items. Therefore, they were not included within the operational budget of the agency in FY 2004 and FY 2005. The Governor recommends Highway Patrol shifting these CASP expenditures (\$2,989,321) to the Patrol's reportable budget in FY 2006, and recommends the transfer 2.0 FTE support positions to the Patrol's budget from the Department of Administration. The recommendation allows the agency to have more flexibility in providing security for state-owned facilities. The Subcommittee includes this information to inform the Committee of the program change as recommended by the Governor.
7. The Senate Subcommittee notes its concerns relating to security provided by Capitol Area Security Patrol (CASP) within the Capitol Building. The Subcommittee draws attention to the fact that although metal detectors are available, neither visitors nor their packages are subject to search at this time. During testimony, it was stated that discussions between CASP and the Legislative Coordinating Council (LCC) have been held, but concerns were raised regarding legislative constituents being subject to search while visiting their particular legislator in a public building. The Subcommittee encourages the LCC and the Governor's office to allow CASP the authority to implement security measures that are beneficial to providing the level of protection that many other public buildings have (i.e. a Courthouse or City Hall). The Subcommittee can see no reason to limit public access to one entrance to the Capitol Building if visitors to the building are not screened in any way.

House Budget Committee Report

Agency: Adjutant General

Bill No. HB 2480

Bill Sec. 36

Analyst: Waller

Analysis Pg. No. Vol. I - 682

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2005</u>	<u>Gov. Rec. FY 2005</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 26,425,446	\$ 26,375,446	\$ (459,014)
Aid to Local Units	15,614,363	16,574,793	0
Other Assistance	<u>4,882,762</u>	<u>5,132,762</u>	<u>0</u>
Subtotal - Operating	\$ 46,922,571	\$ 48,083,001	\$ (459,014)
Capital Improvements	<u>225,000</u>	<u>225,000</u>	<u>0</u>
TOTAL	<u>\$ 47,147,571</u>	<u>\$ 48,308,001</u>	<u>\$ (459,014)</u>
State General Fund:			
State Operations	\$ 4,497,912	\$ 4,447,912	\$ (57,989)
Aid to Local Units	117,357	117,357	0
Other Assistance	<u>0</u>	<u>250,000</u>	<u>0</u>
Subtotal - Operating	\$ 4,615,269	\$ 4,815,269	\$ (57,989)
Capital Improvements	<u>225,000</u>	<u>225,000</u>	<u>0</u>
TOTAL	<u>\$ 4,840,269</u>	<u>\$ 5,040,269</u>	<u>\$ (57,989)</u>
FTE Positions	215.0	215.0	0.0
Non FTE Uncl. Perm. Pos.	<u>191.7</u>	<u>191.7</u>	<u>0.0</u>
TOTAL	<u>406.7</u>	<u>406.7</u>	<u>0.0</u>

Agency Estimate/Governor's Recommendation

The revised FY 2005 agency estimate totals \$46,922,571, which is \$11,032,605 or 30.7 percent above the FY 2005 approved amount. The FY 2005 estimate includes \$4,615,269 from the State General Fund, which is \$144,936 or 3.2 percent above the approved amount. The change is due to the: reappropriation of \$117,355 in FY 2005 ice storm disaster funding; a reduction of \$22,421 in debt service interest from armory bonds; and the inclusion of the agency's supplemental request. The revised request for expenditures from all other funds increase by \$10,887,669 over the approved amount. The increase can be attributed to additional federal funding received for agency operations, and financing provided for disaster related costs. The number of FTE positions remain the same. The agency requests \$50,000 (from the State General Fund) to finance the celebration of the 150th anniversary of the Kansas National Guard.

The Governor recommends an FY 2005 operating budget of \$48,083,001. This is \$12,193,035 or 34.0 percent above the approved amount. Recommended State General Fund financing increases by \$79,936 (1.6 percent) above the amount approved by the 2004 Legislature. The Governor adds \$250,000 in FY 2005 to finance a new program that will provide payments to Executive Branch state employees who are called to active military duty. The program will provide

a one-time payment of \$1,000 to eligible Executive Branch employees. In addition, the Governor recommends the initiation of a second program that would provide payments representing the difference between employees' state pay and their military pay. Eligible employees will receive a differential payment of up to \$1,000 per month, before state withholdings, for the duration of their military service. Recommended all other fund expenditures increase by \$11,848,099 or 37.7 percent due to additional funding needed to finance costs associated with disaster relief. **The Governor** does not recommend the agency's supplemental request.

House Budget Committee Recommendations

The House Budget Committee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 revised recommendation is a State General Fund increase of \$79,936 or 1.6 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature.
2. Delete \$57,989 from the State General Fund to reduce the FY 2005 revised budget to the level approved by the 2004 Legislature with adjustments to allow for additional disaster relief matching funds and for the Governor's recommended military activation program. The Budget Committee also deletes \$401,025 in federal matching monies. The funding reductions will be considered at Omnibus.
3. The Budget Committee concurs with the Governor's addition of \$250,000 for expenditures related to military activation. The Budget Committee, however, recommends the addition of a proviso which would expand eligibility to the program to all state employees, not just those of the Executive Branch.

House Committee Recommendation

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

Senate Subcommittee Report

Agency: Adjutant General

Bill No. SB 272

Bill Sec. 36

Analyst: Waller

Analysis Pg. No. Vol. I - 682

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2005</u>	<u>Gov. Rec. FY 2005</u>	<u>Senate Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 26,425,446	\$ 26,375,446	\$ 0
Aid to Local Units	15,614,363	16,574,793	0
Other Assistance	<u>4,882,762</u>	<u>5,132,762</u>	<u>0</u>
Subtotal - Operating	\$ 46,922,571	\$ 48,083,001	\$ 0
Capital Improvements	<u>225,000</u>	<u>225,000</u>	<u>0</u>
TOTAL	<u><u>\$ 47,147,571</u></u>	<u><u>\$ 48,308,001</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 4,497,912	\$ 4,447,912	\$ 0
Aid to Local Units	117,357	117,357	0
Other Assistance	<u>0</u>	<u>250,000</u>	<u>0</u>
Subtotal - Operating	\$ 4,615,269	\$ 4,815,269	\$ 0
Capital Improvements	<u>225,000</u>	<u>225,000</u>	<u>0</u>
TOTAL	<u><u>\$ 4,840,269</u></u>	<u><u>\$ 5,040,269</u></u>	<u><u>\$ 0</u></u>
FTE Positions	215.0	215.0	0.0
Non FTE Uncl. Perm. Pos.	<u>191.7</u>	<u>191.7</u>	<u>0.0</u>
TOTAL	<u><u>406.7</u></u>	<u><u>406.7</u></u>	<u><u>0.0</u></u>

Agency Estimate/Governor's Recommendation

The revised FY 2005 agency estimate totals \$46,922,571, which is \$11,032,605 or 30.7 percent above the FY 2005 approved amount. The FY 2005 estimate includes \$4,615,269 from the State General Fund, which is \$144,936 or 3.2 percent above the approved amount. The change is due to the: reappropriation of \$117,355 in FY 2005 ice storm disaster funding; a reduction of \$22,421 in debt service interest from armory bonds; and the inclusion of the agency's supplemental request. The revised request for expenditures from all other funds increase by \$10,887,669 over the approved amount. The increase can be attributed to additional federal funding received for agency operations, and financing provided for disaster related costs. The number of FTE positions remain the same. The agency requests \$50,000 (from the State General Fund) to finance the celebration of the 150th anniversary of the Kansas National Guard.

The Governor recommends an FY 2005 operating budget of \$48,083,001. This is \$12,193,035 or 34.0 percent above the approved amount. Recommended State General Fund financing increases by \$79,936 (1.6 percent) above the amount approved by the 2004 Legislature.

The Governor adds \$250,000 in FY 2005 to finance a new program that will provide payments to Executive Branch state employees who are called to active military duty. The program will provide a one-time payment of \$1,000 to eligible Executive Branch employees. In addition, the Governor recommends the initiation of a second program that would provide payments representing the difference between employees' state pay and their military pay. Eligible employees will receive a differential payment of up to \$1,000 per month, before state withholdings, for the duration of their military service. Recommended all other fund expenditures increase by \$11,848,099 or 37.7 percent due to additional funding needed to finance costs associated with disaster relief. **The Governor** does not recommend the agency's supplemental request.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2005 revised recommendation is a State General Fund increase of \$344,936 or 7.7 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature.

House Budget Committee Report

Agency: Adjutant General

Bill No. HB 2482

Bill Sec. 74

Analyst: Waller

Analysis Pg. No. Vol. I - 682

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Request FY 2006</u>	<u>Gov. Rec. FY 2006</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 29,756,065	\$ 30,341,254	\$ (247,098)
Aid to Local Units	12,027,988	8,981,010	0
Other Assistance	<u>4,481,841</u>	<u>4,481,841</u>	<u>0</u>
Subtotal - Operating	\$ 46,265,894	\$ 43,804,105	\$ (247,098)
Capital Improvements	<u>1,993,379</u>	<u>850,000</u>	<u>0</u>
TOTAL	<u><u>\$ 48,259,273</u></u>	<u><u>\$ 44,654,105</u></u>	<u><u>\$ (247,098)</u></u>
State General Fund:			
State Operations	\$ 5,065,233	\$ 4,923,847	\$ (160,732)
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	\$ 5,065,233	\$ 4,923,847	\$ (160,732)
Capital Improvements	<u>1,993,379</u>	<u>850,000</u>	<u>0</u>
TOTAL	<u><u>\$ 7,058,612</u></u>	<u><u>\$ 5,773,847</u></u>	<u><u>\$ (160,732)</u></u>
FTE Positions	215.0	215.0	0.0
Non FTE Uncl. Perm. Pos.	<u>298.7</u>	<u>291.7</u>	<u>0.0</u>
TOTAL	<u><u>513.7</u></u>	<u><u>506.7</u></u>	<u><u>0.0</u></u>

Agency Request/Governor's Recommendation

The agency's FY 2006 operating budget request totals \$46,265,894, which is \$656,677 or 1.4 percent below the revised FY 2005 estimate. Requested State General Fund expenditures total \$5,065,233. This is an increase of \$449,964 or 9.7 percent above the estimated FY 2005 amount due mostly to State General Fund enhancements requested by the agency. Requested all other fund expenditures decrease by \$1,106,641 or 2.6 percent from the FY 2005 estimate due to decreases in federal disaster and homeland security related funding.

The Governor recommends operating expenditures which total \$43,804,105, which is \$4,278,896 or 8.9 percent below the revised FY 2005 recommendation. Recommended State General Fund expenditures increase by \$108,578 due mostly to the Governor's recommended pay plan adjustment. The Governor does not recommend the addition of any state matching funds for disaster related expenditures due to uncertainty in the amounts necessary. However, the Governor notes that funding will be addressed at a later date. Requested expenditures from all other funds decrease by \$4,387,474 or 10.1 percent due primarily to federal disaster related funding expended during FY 2005.

Statutory Budget Submission

K.S.A. 75-6701 requires that the budget submitted by the Governor and the budget ultimately approved by the Legislature provide for a State General Fund ending balance of at least 7.5 percent of expenditures for FY 2006. To comply with this provision, Volume 1 of the *Governor's Budget Report* includes a "statutory budget" designed to provide for a 7.5 ending balance. In general, this requires a 8.9 percent reduction to the FY 2006 State General Fund executive branch budget recommendations submitted by the Governor. That reduction has not been applied to school finance funding in the Department of Education, to the Board of Regents and its institutions, or to the judicial or legislative branches. **For this agency, the reduction to the Governor's recommended FY 2006 State General Fund budget would total \$515,565.**

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, with the following adjustments and observations:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$5,773,847, an increase of \$813,514 above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$49,140), the 27th payroll period (\$72,866), and the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$6,480), the recommendation is an increase of \$685,028 or 13.8 percent above the approved amount.
2. Delete \$160,732 from the State General Fund to reduce the FY 2006 State General Fund budget to the FY 2005 approved level, with adjustments for required debt service expenditures in FY 2006. Additionally, the Budget Committee deletes \$65,766 in federal matching monies. The funding reductions will be considered again at Omnibus.
3. Delete \$20,600 in special revenue funds recommended for the purchase of a vehicle for the technological hazards section. The Budget Committee recommends funding for vehicles be considered again at Omnibus.

House Committee Recommendation

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

Senate Subcommittee Report

Agency: Adjutant General

Bill No. SB 270

Bill Sec. 74

Analyst: Waller

Analysis Pg. No. Vol. I - 682

Budget Page No. 1

<u>Expenditure Summary</u>	<u>Agency Request FY 2006</u>	<u>Gov. Rec. FY 2006</u>	<u>Senate Subcommittee Adjustments*</u>
All Funds:			
State Operations	\$ 29,756,065	\$ 30,341,254	\$ (1,202,252)
Aid to Local Units	12,027,988	8,981,010	0
Other Assistance	4,481,841	4,481,841	0
Subtotal - Operating	\$ 46,265,894	\$ 43,804,105	\$ (1,202,252)
Capital Improvements	1,993,379	850,000	0
TOTAL	<u>\$ 48,259,273</u>	<u>\$ 44,654,105</u>	<u>\$ (1,202,252)</u>
State General Fund:			
State Operations	\$ 5,065,233	\$ 4,923,847	\$ (128,486)
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal - Operating	\$ 5,065,233	\$ 4,923,847	\$ (128,486)
Capital Improvements	1,993,379	850,000	0
TOTAL	<u>\$ 7,058,612</u>	<u>\$ 5,773,847</u>	<u>\$ (128,486)</u>
FTE Positions	215.0	215.0	0.0
Non FTE Uncl. Perm. Pos.	298.7	291.7	0.0
TOTAL	<u>513.7</u>	<u>506.7</u>	<u>0.0</u>

* The entire adjustment reflects deletion of the Governor's recommended salary plan adjustments.

Agency Request/Governor's Recommendation

The agency's FY 2006 operating budget request totals \$46,265,894, which is \$656,677 or 1.4 percent below the revised FY 2005 estimate. Requested State General Fund operating expenditures total \$5,065,233. This is an increase of \$449,964 or 9.7 percent above the estimated FY 2005 amount due mostly to State General Fund enhancements requested by the agency. Requested all other fund expenditures decrease by \$1,106,641 or 2.6 percent from the FY 2005 estimate due to decreases in federal disaster and homeland security related funding.

The Governor recommends operating expenditures which total \$43,804,105, which is \$4,278,896 or 8.9 percent below the revised FY 2005 recommendation. Recommended State General Fund expenditures increase by \$108,578 due mostly to the Governor's recommended pay plan adjustment. The Governor does not recommend the addition of any state matching funds for

disaster related expenditures due to uncertainty in the amounts necessary. However, the Governor notes that funding will be addressed at a later date. Requested expenditures from all other funds decrease by \$4,387,474 or 10.1 percent due primarily to federal disaster related funding expended during FY 2005.

Statutory Budget Submission

K.S.A. 75-6701 requires that the budget submitted by the Governor and the budget ultimately approved by the Legislature provide for a State General Fund ending balance of at least 7.5 percent of expenditures for FY 2006. To comply with this provision, Volume 1 of the *Governor's Budget Report* includes a "statutory budget" designed to provide for a 7.5 ending balance. In general, this requires a 8.9 percent reduction to the FY 2006 State General Fund executive branch budget recommendations submitted by the Governor. That reduction has not been applied to school finance funding in the Department of Education, to the Board of Regents and its institutions, or to the judicial or legislative branches. **For this agency, the reduction to the Governor's recommended FY 2006 State General Fund budget would total \$515,565.**

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor, with the following adjustments and observations:

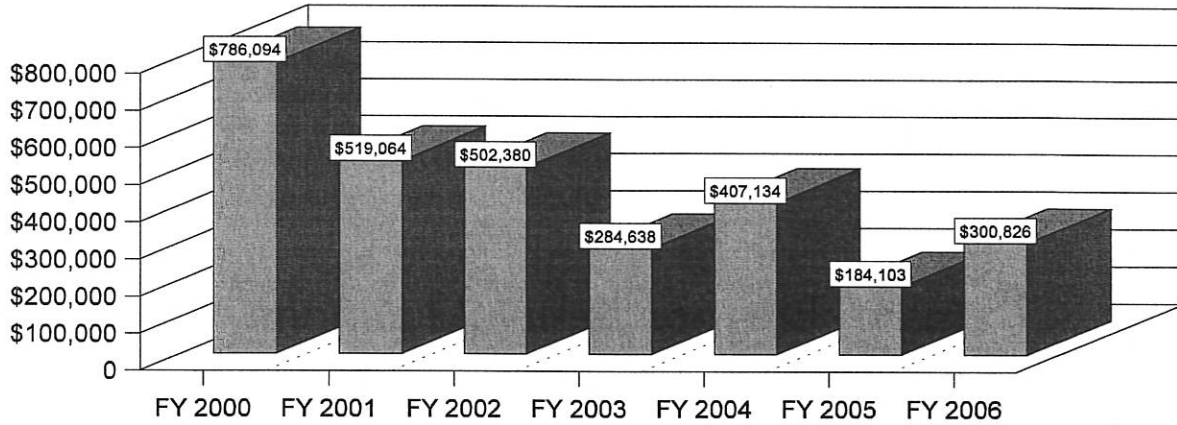
1. **Pay Plan Adjustment.** Delete \$459,664, including \$49,140 from the State General Fund, to remove pay plan funding recommended by the Governor (a 2.5 percent base salary adjustment for all state employees) for consideration in a separate bill.
2. **Other Salary and Wage Adjustments.** Delete \$742,588, including \$79,346 from the State General Fund, to remove funding recommended by the Governor for the 27th payroll period (\$681,664), and for the Kansas Public Employees Retirement System (KPERs) death and disability increase (\$60,924) for later Committee consideration.
3. **Change from FY 2005 Approved.** The Subcommittee notes that the Governor's FY 2006 recommendation is a State General Fund increase of \$453,514 or 10.1 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent the above pay plan and salary and wage adjustments, the recommendation is an increase of \$270,584, or 6.1 percent above the approved amount.
4. The Senate Subcommittee would like to draw attention to Executive Directive 05-356 which authorizes the creation of two separate programs for current State of Kansas employees in the Executive Branch who are activated to full time military duty, mobilized, and deployed in excess of 30 consecutive days in support of a military operation. The first program would provide a one time payment of \$1,000 to offset any financial burden that may occur as a result of mobilization. The Governor adds \$250,000 in FY 2005 to finance this new program. The second program implements a plan to provide payments representing the difference between employees' state pay and their military pay. Eligible employees would receive a differential payment of up to \$1,000 per month, before state withholdings, for the duration of their military service. The Subcommittee notes

that the House Appropriations Committee added a proviso to ensure that all state employees (not just those within the Executive Branch) were included under the two new programs. The Subcommittee was assured by the Division of Budget that it was the Governor's intention to include all state employees under the provisions of the programs.

5. The Senate Subcommittee notes that on October 13, 2004, the State Finance Council authorized emergency funds in the amount of \$707,703 from the State Emergency Fund to cover the costs of storm related damage that occurred in Kansas during the period of June 12 and July 25, 2004. The agency estimated that \$5,307,772 in federal funds, \$707,703 in state matching funds, and \$1,061,555 in local funding would be utilized for a total of \$7,077,030 in FY 2005 (federal funds provide 75 percent of costs, the state provides 10 percent, and local units provide the remaining 15 percent). However, since the estimates have not been finalized, the Governor did not include any state matching funds in FY 2006 pending new estimates. During testimony, the agency provided the Subcommittee with a new estimate totaling \$46,110,630. The agency is requesting \$2,793,079 in FY 2005 and \$1,817,984 in FY 2006 in state matching funds to finance disaster related costs. The Subcommittee encourages the issuance of a Governor's Budget Amendment (GBA), and therefore notes the item for Omnibus consideration.
6. The Senate Subcommittee would like to encourage the agency to continue its efforts in partnering with state or local units of government in building and operating its 58 statewide armories. The Subcommittee notes the important of the armories as a location for both military activities and for local entities (both public and private).
7. The Senate Subcommittee notes that the Governor recommends \$50,000 (from the State General Fund) to the Kansas National Guards' 150th anniversary celebration. The agency explained that the funding would be utilized statewide for a series of celebrations, and was not being utilized at one location. Additionally, the agency noted that the celebration would also be utilized as a recruitment "tool" to continue its efforts in adding more soldiers to the Kansas National Guard (KNG) in light of the current level of mobilization of personnel to active duty. The agency's desire is to maintain and retrain a majority of KNG members, reducing the negative impact current military activities may have on future staffing levels.
8. The Senate Subcommittee recommends for Omnibus consideration the addition of \$93,809 (from the State General Fund) and 1.0 non-FTE Deputy Adjutant General position. The Subcommittee notes the numerous duties undertaken by the Adjutant General (including Homeland Security, disaster response, military operations), without a Deputy Adjutant General to fulfill those duties in his absence. The Subcommittee questions the lack of a Deputy Adjutant General, particularly when the majority of state agencies employ a Deputy/Assistant to a Secretary or Director.
9. The Senate Subcommittee notes the agency had estimated that along with the aggregate \$22,000,000 in bonding authority authorized by 2000 SB 326 (the bill authorized the issuance of 15-year bonds for acquisition, construction, equipping, renovation, reconstruction, and repair of the state's 58 armories), \$750,000 of funding normally utilized by the agency to provide repair and maintenance of

armories, was also going to be available for ongoing armory maintenance. However, over the last six fiscal years, that funding has significantly decreased. The Subcommittee notes the Governor's recommendation to add \$100,000 in maintenance funds, but the Subcommittee has concerns as to the ability of the agency to repair and maintain its armories. Therefore, the Senate Subcommittee recommends this item for Omnibus consideration in the event that additional funding is located, and draws attention to the following chart relating to armory maintenance and repair expenditures.

Armories Maintenance and Repair



Staff Note: Saving of \$125,000 were available due to elimination of armory insurance and thus spent on maintenance and repairs.

SB 218 - Money Follows the Person

Where did the language come from?

The language in SB 218 was added by proviso to 2003 Senate Substitute for House Bill 2444 and continued in 2004 House Bill 2675. In addition, the language is included in the Governor's FY 2006 appropriations bill in Section 54(1).

How is the proviso language currently being implemented?

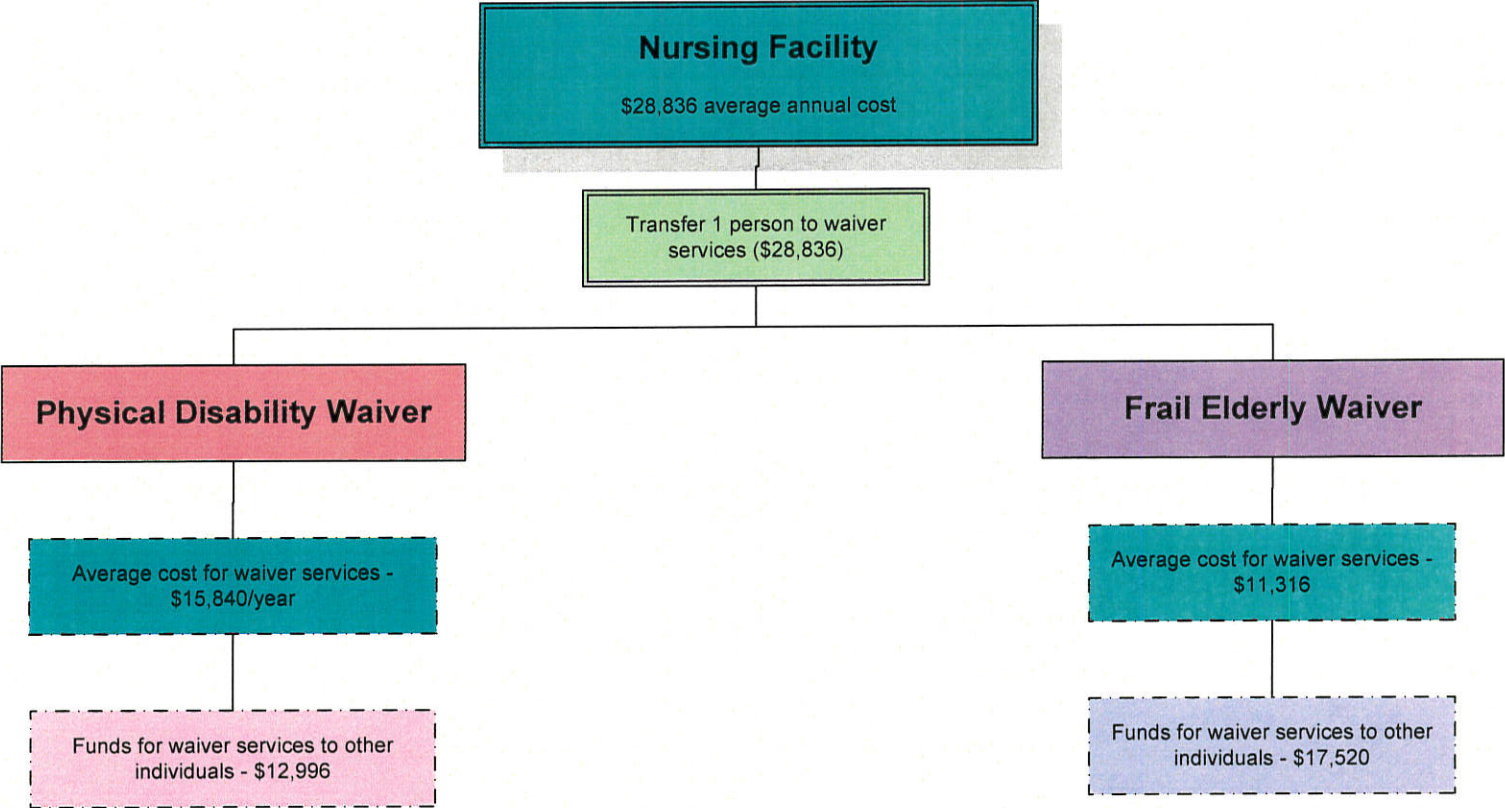
- The Secretaries of the Department on Aging and the Department of Social and Rehabilitation Services agreed that 75 persons would be served through the Money Follows the Person program set forth in the proviso language.
- The nursing facility rate is defined as the budgeted average monthly cost of nursing home care for the current state fiscal year. The amount transferred to the Home and Community Based Services (HCBS)/ Frail Elderly (FE) and Physically Disabled (PD) waivers is the actual percentage of state general fund match required for Medicaid nursing home expenditures.
- The funds to be transferred are determined on a monthly basis, beginning with the month during which the individual was transferred and continuing through the end of the state fiscal year or the month in which the waiver services are discontinued.
- Individuals transferred in June are included in the subsequent year's transfer, and a maximum of twelve months of nursing facility budget will be transferred to the appropriate waiver program.
- Expenditures for persons transferred under this program become the responsibility of the applicable waiver program once the nursing facility funds are exhausted.
- The waivers increase their base budget for the fiscal years following the transfer to provide sufficient funds to continue services.
- Eligibility requirements:
 - ▶ Qualify for the HCBS/FE or PD waiver, as appropriate;
 - ▶ be on a waiting list for either the HCBS/FE or PD waiver;
 - ▶ currently be living in a nursing home or hospital-based long-term care unit and have been there for the preceding 90-day period;
 - ▶ have identified resources necessary to transition in to the community (e.g. housing, attendant care services);
 - ▶ be receiving services from the HCBS/FE or PD waiver, as appropriate, within 60 days of leaving the nursing facility and continue to receive FE or PD waiver service, as appropriate, for a minimum of one month to qualify for this project.

Issues related to SB 218

1. Does the bill guarantee a specific number of persons will be moved?
2. Does the bill guarantee a specific dollar amount will be moved?
3. Is the intent to keep savings in the nursing facility program, use the savings to serve additional persons in the waivers, or use the savings to continue services in the out years for persons transferred ?
4. What will the cost increases be in the future?

Money Follows the Person Transfers

March 10, 2005



Senate Ways and Means
3-10-05
Attachment 7

MONEY FOLLOWS THE PERSON
PROJECT ANALYSIS
SFY 2004

DATE OF TRANSFER	# MO'S	State Match Tsf from NF Budget	Cost of POC State Match Totals	ESTIMATED SAVINGS TO STATE	
FRAIL ELDERLY WAIVER					
1	7/14/03	12	10,702	8,198	2,503
2	7/15/03	11	9,814	7,125	2,688
3	7/15/03	12	10,702	6,833	3,869
4	7/26/03	12	10,702	6,204	4,497
5	8/1/03	11	9,798	7,163	2,636
6	8/1/03	11	9,798	6,041	3,757
7	8/1/03	7	6,246	1,024	5,223
8	8/15/03	11	9,798	1,831	7,967
9	8/18/03	5	4,470	2,767	1,703
10	9/1/03	10	8,895	4,522	4,373
11	9/28/03	4	3,567	994	2,573
12	10/1/03	9	7,992	7,052	940
13	10/1/03	9	7,992	5,679	2,313
14	11/23/03	8	7,104	6,931	173
15	12/1/03	7	6,216	5,196	1,020
16	12/1/03	7	6,216	4,975	1,241
17	12/1/03	7	6,216	1,407	4,809
18	2/11/04	5	4,440	1,676	2,764
19	2/22/04	5	4,440	3,303	1,137
20	3/1/04	4	3,552	-	3,552
21	3/1/04	4	3,552	1,194	2,358
22	3/1/04	4	3,552	594	2,958
23	3/1/04	4	3,552	941	2,611
24	3/1/04	4	3,552	1,456	2,096
25	3/1/04	4	3,552	865	2,687
26	3/1/04	4	3,552	4,223	(671)
27	3/1/04	1	888	-	888
28	3/6/04	4	3,552	566	2,986
29	3/8/04	4	3,552	2,072	1,480
30	4/1/04	3	2,664	1,826	838
31	4/1/04	3	2,664	1,279	1,385
32	4/21/04	3	2,664	2,033	631
33	5/10/04	2	1,776	510	1,266
		187,732	106,481	81,251	

AVERAGE # 6 AVERAGE PER PERSON \$ 2,462

MONEY FOLLOWS THE PERSON
PROJECT ANALYSIS
SFY 2004

DATE OF TRANSFER	# MO'S	State Match Tsf from NF Budget	Cost of POC State Match Totals	ESTIMATED SAVINGS TO STATE	
PHYSICALLY DISABLED WAIVER					
1	8/12/03	11	9,798	14,747	(4,949)
2	8/18/03	11	9,798	10,331	(533)
3	8/21/03	8	7,134	4,257	2,877
4	8/26/03	3	2,694	2,174	521
5	8/29/03	11	9,798	7,446	2,353
6	9/1/03	10	8,895	11,894	(2,999)
7	9/2/03	10	8,895	19,233	(10,337)
8	9/3/03	10	8,895	4,653	4,243
9	9/3/03	10	8,895	9,355	(459)
10	10/22/03	9	7,992	8,197	(205)
11	11/24/03	8	7,104	8,672	(1,568)
12	12/1/03	7	6,216	3,925	2,291
13	12/20/03	7	6,216	943	5,273
14	1/4/04	6	5,328	969	4,359
15	1/12/04	6	5,328	3,058	2,270
16	2/1/04	5	4,440	6,656	(2,216)
17	2/2/04	5	4,440	2,492	1,948
18	2/7/04	5	4,440	965	3,475
19	3/4/04	4	3,552	680	2,872
20	3/15/04	4	3,552	195	3,357
21	3/29/04	4	3,552	145	3,407
22	3/31/04	4	3,552	1,766	1,786
23	4/29/04	3	2,664	368	2,296
24	4/30/04	3	2,664	871	1,793
25	5/1/04	2	1,776	788	988
26	5/1/04	2	1,776	419	1,357
27	5/10/04	2	1,776	644	1,132
		<u>151,172</u>	<u>125,841</u>	<u>25,331</u>	
AVERAGE #	6	AVERAGE PER PERSON		\$ 938	

S.B. 218

Recommended Proviso Amendment

(1) During the fiscal year ending June 30, 2006, the director of accounts and reports shall transfer the amounts specified by the director of the budget from the LTC - medicaid assistance - NF account of the state general fund of the department on aging to the LTC - medicaid assistance - HCBS/FE account of the state general fund of the department on aging or to the community based services account of the department of social and rehabilitation services: *Provided*, That such amounts to be transferred shall be certified by the director of the budget on December 1, 2005, and on June 1, 2006, to reflect the nursing facility rate paid for persons moving from a nursing facility to the home and community-based services waiver for the physically disabled or the frail elderly for the six months preceding the date of certification: *Provided further*, That the aggregate of all such transfers certified during fiscal year 2006 shall not exceed the amount required to support the movement of 100 individuals from nursing facilities to home and community-based services: *And provided further*, That each of the 100 individuals must meet the requirements described in a policy jointly developed by the secretary of aging and the secretary of social and rehabilitation services governing the operations of this transfer: *And provided further*, That the director of the budget shall transmit a copy of each such certification to the director of the legislative research department: *And provided further*, that the agency shall track expenditures for individuals moved under this program and report back to the 2007 legislature regarding the cost neutrality of the program.

6

of all transfers; actual annual costs of individual moved; and numbers ^{and costs} of add'l individual served

Senate Ways and Means
3-10-05
Attachment 9



TOPEKA

SENATE CHAMBER

March 10, 2005

Testimony on SB 293
Ways and Means Committee

DAVID WYSONG
SENATOR, 7TH DISTRICT
6630 INDIAN LANE
MISSION HILLS, KS 66208-1745
(913) 530-1608

STATE CAPITOL, ROOM 143-N
TOPEKA, KANSAS 66612-1504
(785) 296-7369

WYSONG@SENATE.STATE.KS.US

COMMITTEE ASSIGNMENTS
VICE-CHAIR: FINANCIAL INSTITUTIONS
AND INSURANCE
MEMBER: COMMERCE
WAYS AND MEANS

The State Historical Society, on behalf of the State of Kansas, will sell and convey to the city of Fairway, Kansas, a portion of the land that constitutes the site of the old Shawnee Mission, known as the Shawnee Indian Mission, that (1) is a contiguous vacant parcel, (2) comprises not more than four acres of such land, and (3) is described by legal description.

The contract shall be prepared in consultation with the assistance of the secretary of administration. The parcel conveyed is to be used for a public/safety center building for the city of Fairway, Kansas.

- The Indian Mission will benefit from constant security protection. With the new building housing the police staff, there will always be police on or near the site 24 hours per day.
- The new city structure will supply some exhibit space for items from the Indian Mission.
- The new structure will feature community room space, which will allow for City and Indian Mission use (e.g., educational programming and special events).
- The closer relationship between the City and Indian Mission will foster other improvements, such as the crosswalk across 53rd Street between the site buildings.
- When the City vacates its current building location, it is envisioned a retail business or other business will occupy that space thereby generating tax dollars.

All moneys received by the State Historical Society as proceeds from the sale, estimated to be \$450,000, shall be remitted to the state treasurer. The State Treasurer shall deposit the entire amount in the state treasury to the credit of the Shawnee Indian Mission historic site fund. All moneys credited to the Shawnee Indian Mission historic site fund shall be used for the development, interpretation, repair, maintenance and other expenditures for the Shawnee Indian Mission historic site, including the costs incurred for the sale and conveyance authorized.

Senate Ways and Means
3-10-05
Attachment 10

EAST
472.85'

NORTH
475.40'

FOOTPRINT OF 10,000 SQ. FT. CITY BUILDING

MAXIMUM FOUR-ACRE SITE

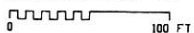
STARTING
POINT

NORTH
545.60'

S 4° 13' 20" E
1024.37'

NORTH 89° 56' 20" W
548.27'

SHAWNEE INDIAN MISSION
STATE HISTORIC SITE
SCHEMATIC OF LAND TRANSFER & CITY BUILDING



2-14-02

Senate Ways and Means
3-10-05
Attachment 11



Office of the Mayor

Senate Bill 293 Testimony
Land Transfer Between the State Historical Society and the City of Fairway
March 10, 2005

- The State Historical Society will receive approximately \$450,000, which will allow it to complete the Shawnee Indian Mission's capital campaign. All of the proceeds will be utilized only for the Indian Mission.
- The City will acquire approximately 3 acres of land that will allow it to build a public safety center/city hall that will meet its space needs. This building will be as far away from the existing site buildings as physically possible located on the northernmost piece of the property.
- The planned city structure will compliment other buildings on the site but will not mimic them.
- The City will provide grass cutting, snow removal, and other minor maintenance services thereby allowing the Indian Mission to spend more of its operational funds on other program specific needs.
- The Indian Mission will benefit from significantly enhanced security protection. With the new building housing the police staff, there will always be police on or near the site 24 hours per day.
- By virtue of numerous people needing to visit city hall for city business, more and more people will be exposed to the Indian Mission site. It is envisioned that this will help increase attendance and exposure to the site.
- The new city structure will supply some exhibit space for items from the Indian Mission.
- The new structure will feature community room space, which will allow for City and Indian Mission use (e.g., educational programming and special events).
- The closer relationship between the City and Indian Mission will foster other improvements such as the crosswalk across 53rd Street between the site buildings.
- The City will continue to enhance its assistance of Indian Mission special events such as the Fall Festival.
- The City would vacate its current building location, and it is envisioned a retail business or other business will occupy that space thereby generating additional City and State tax dollars.
- The mayors (8 others) of Northeast Johnson County have been notified about the idea. Their comments and reactions to this idea have been very positive and complimentary.
- Going forward, we intend to develop an inclusive process as we develop plans and designs for the site. This process will include representatives from the State Historical Society as well as interested citizens.

Respectfully submitted,

John W. St. Clair, Jr.
Mayor

My name is Betty Lu Duncan. I have been a member of the Friends of the Shawnee Indian Mission since 1999, a board member of the Kansas State Historical Society since 1993 and co-chair of the Shawnee Indian Mission development project for the purpose of restoration and reinterpretation of the Mission since 2000.

The Friends is a small group of people loyal to the Mission, but who disclaimed any desire to raise the funds needed to restore the Mission. Their total focus is programming. A subcommittee of KSHS, which has raised 2/3 of the total needed to accomplish the restoration was organized in 2000 for that purpose.

The Mission at 53rd and Mission Road in Fairway has five strong historical stories to tell. It has the potential to be the most wonderful museum and education center in Northeast Kansas.

The site has 12 acres. One building on the North side of the street tells the story of how Native Americans attending the school lived in the 1840s. The rest of the land on the North side of the street is basically unused. The sale of the unused land will not detract from the historical value of the land. On the South side of 53rd there are two buildings dating from the 1840s, a period garden managed by the Master Gardeners, a weaving cabin, space for small animals as a living history exhibit and park land.

In order to preserve the best of the Mission I support selling unused land for a positive public use. Having the Fairway Police close will enhance the security we can't provide. Because of the city hall location the Mission will have increased visibility. The state can no longer afford to spend the kind of money necessary for the development and maintenance of the Mission.

Betty Lu Duncan

*Senate Ways and Means
3-10-05
Attachment 13*

March 10, 2005

To The Committee:

My name is Barbara Magerl and I live in Overland Park. I have been a member of Kansas State Historical Society for over seventeen years and currently am a member of the Executive Committee.

Since the year 2000 I have been a co-chair of the Shawnee Indian Mission Development Project (SIMDP) Committee. Its purpose is to help plan the reinterpretation of the Shawnee Indian Mission in Fairway and to raise funds for the project.

The Mission is a National Historic Landmark, certified by the National Park Service. My hope is that the Mission will become a dynamic, exciting facility to build pride in local residents, develop a 'sense of place' for the community, and generate enthusiasm in students for Kansas history. It should become a lure for visitors, both regional and international, and evolve into an income producing tourism destination.

Because of cuts in the Kansas State Historical Society's budget, upkeep of the Mission has been difficult. Creative reinterpretation and interactive exhibits simply were not possible without turning to the community for financial assistance.

I am proud of our financial achievements to date. In partnership with Kansas State Historical Society, we have obtained two thirds of our one million dollar goal. Funds have been received from the National Park Service and Kansas Department of Transportation. And we have been awarded four successive grants from the Johnson County Heritage Trust Fund.

The Mission sits amid 12 acres of land with one building on the north side of the street. The primary focus of activity, however, are the two buildings on the south side of the tract.

The proposal by the city of Fairway is one that could possibly bring more visitors to the Mission and increase security by its mere presence next door, as well as alleviate some of the maintenance problems. I see this potential as very beneficial to the Shawnee Indian Mission.

Barbara Magerl

Senate Ways and Means
3-10-05
Attachment 14

The Donovan's

Jim, Peggy, Benjamin, and Emily

3009 West 51st Street
Westwood, KS 66205

telephone: 913-236-9466
e-mail: donovan66205@yahoo.com

March 10, 2005

Senator Dwayne Umbarger
Chairman, Senate Ways and Means
State Capitol, 120-S
Topeka, KS 66612

RE: Senate Bill 293

Dear Senator Umbarger and members of the Senate Ways and Means Committee:

I would like to thank you for allowing me a few moments of your day to comment of Senate Bill 293. I will attempt to keep my comments short and to the point.

My name is Jim Donovan and I am a 40 plus year resident of northeast Johnson County. In that time I have become involved in quite a number of activities and organizations in, around, and near northeast Johnson County. A brief overview of my background includes:

- Current member of the Westwood City Council;
- Current Site-Council member of Westwood View (a Shawnee Mission School District K-6 public school);
- Former Westwood Planning Commission member;
- Former Treasurer of the Shawnee Indian Mission Development Project; and,
- Past two-term President and one-term Vice-president of the Friends of the Shawnee Indian Mission (due to a term limitation in our by-laws I could not run for another term).

I could expand on this list, but for today's Ways and Means Committee meeting this overview of my background acts as a good point of introduction.

I am here today to address a figurative large, pink elephant that seems to have sat down in the middle of our Shawnee Indian Mission living room. Approximately six months ago the first of what seems to have become a series of meetings was held at the Shawnee Indian Mission and other sites that involved parties that are influential in and around the Mission. However, no members of the Friends of the Shawnee Indian Mission, neighbor of the site, or frequent "visitor/user/ principal" (for the lack of better words) of the site were involved in the meetings. In addition, the purpose and findings of these meetings were not shared with the general public until this bill was introduced.

Large, pink elephants sitting in the middle of any living rooms tend to cause people to react in an interesting manner. In many cases and as was the case here, people simply refused to address the elephant's existence. In fact, friends, neighbors, and "visitors/users/principals" chose not only to ignore the elephant's existence, but tended to deny its' existence. Friends, neighbors, and "visitors/users/principals" found it best to live as best they can around this rather large animal that clearly exists. Since they were not invited into this series of meetings, they chose to deny that influential people were continuing to meet and address what could only be assumed (at that time) to be issues that relate to the site.

The figurative large, pink elephant I have been referring to now has a name – Senate Bill 293. In brief, the bill would allow for the sale of four of the Shawnee Indian Mission's 12 or so acres to the City of Fairway for a City Hall. All four acres would be cut out of the 6 or so acres associated with the North Building located on the north side of 53rd Street. The proceeds of the sale would be deposited in the state treasury and credited to a Shawnee Indian Mission historic site fund to be used for the development, interpretation, repair, maintenance, and other expenditures for the Mission.

I am here today to voice my concerns with this bill. I assure you that I can go on for what will seem like hours to discuss the history of the Shawnee Indian Mission; I can share the importance the site played in regard to the development of Johnson County, territorial Kansas, and Kansas statehood; I can talk about how the site came into existence as a historic site; I can discuss the importance of the site historically from a state perspective and a local perspective. These and many other aspects help to create who we are as Kansans as well as assist in determining and developing our culture, heritage, and identity.

I certainly don't envy the City of Fairway for wanting a new City Hall. Please allow me to repeat that comment because I certainly do not envy the City of Fairway for wanting a new City Hall. In addition, it would be foolish not to recognize that the proceeds from the sale of the land is the easiest way to raise money to address the *current* needs of the Mission. However, one must ask if these choices are in the best *long-term* interest of the Shawnee Indian Mission State Historic Site, northeast Johnson County, and the State of Kansas. Based on my involvement with these groups, I must question this priority.

I would now like to pose a couple of questions:

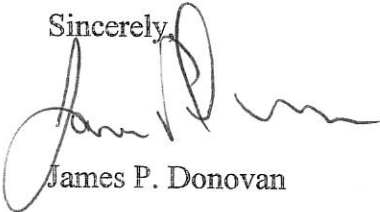
1. Like so many others in northeast Johnson County I recognize that we live in a very dense, highly developed area. I must therefore ask if it is in the best interest of the public to take such a large tract of what is public green space and sell it off for development of any kind?
2. While this bill seems to have been six plus months in the making, the public is just now learning of its' content. Like so many others, I just found out about this bill yesterday (it was introduced on March 8 and referred to the Ways and Means Committee on March 9.) One must ask if the public is being treated fairly in this process. Does this time frame allow for "due process"?

We must ultimately ask the following questions: At what price do we value our history? At what level do we prioritize our public areas? At what cost do we jeopardize the best interests of future generations?

Due to the historical importance of the Shawnee Indian Mission, the lack of lead-time since finding out about the ramifications of Senate Bill 293, and the importance of public green space in northeast Johnson County, I would ask the committee not to take action. This and future generations of Kansans will greatly appreciate the fact that we can stand up today and preserve our history for those following us.

I thank the committee for allowing me a few minutes of their time. I welcome any questions or comments you may have.

Sincerely,



James P. Donovan