

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:35 A.M. on March 2, 2006, in Room 123-S of the Capitol.

All members were present except:

Senator Carolyn McGinn- excused

Committee staff present:

Jill Wolters, Revisor of Statutes Office  
Michael Corrigan, Revisor of Statutes Office  
Alan Conroy, Director, Kansas Legislative Research Department  
J. G. Scott, Kansas Legislative Research Department  
Reagan Cussimano, Kansas Legislative Research Department  
Audrey Dunkel, Kansas Legislative Research Department  
Julian Efirid, Kansas Legislative Research Department  
Matt Spurgin, Kansas Legislative Research Department  
Amy VanHouse, Kansas Legislative Research Department  
Judy Bromich, Chief of Staff  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Walt Darling, Chief Finance Officer, Kansas Highway Patrol

Others attending:

See attached list.

**Bill Introductions**

Senator Emler moved, with a second by Senator Kelly, to introduce a bill concerning at-risk education council and 2010 commission funded by appropriations for legislature expense not legislative coordinating council budget (5rs2251). Motion carried on a voice vote.

Senator Umbarger moved, with a second by Senator Barone, to introduce a bill concerning wildlife and parks funding; transfers from economic development initiatives fund; local government outdoor recreation grant program (5rs2249). Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Morris, to introduce a bill concerning school finance; BSAPP; LOB, mandatory levy; at-risk weighting; high at-risk weighting; special education; correlation weighting (5rs2248). Motion carried on a voice vote.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2006 and FY 2007 were made available to the Committee.

**Subcommittee budget reports on:**

**Board of Tax Appeals (Attachment 1)**

Subcommittee Chairwoman Vicki Schmidt reported that the budget subcommittee on the Board of Tax Appeals concurs with the Governor's recommendations in FY 2006 and FY 2007 with observations.

Senator Schmidt moved, with a second by Senator Kelly, to adopt the budget subcommittee report on the Board of Tax Appeals in FY 2006 and FY 2007. Motion carried on a voice vote.

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:35 A.M. on March 2, 2006, in Room 123-S of the Capitol.

**Juvenile Justice Authority**  
**Atchison Juvenile Correctional Facility**  
**Beloit Juvenile Correctional Facility**  
**Larned Juvenile Correctional Facility**  
**Kansas Juvenile Correctional Complex (Attachment 2)**

Subcommittee Chairman Jay Emler reported that the budget subcommittee on the Juvenile Justice Authority concurs with the Governor's recommendations in FY 2006 and FY 2007; Atchison Juvenile Correctional Facility in FY 2006 with adjustment and FY 2007 with adjustment; Beloit Juvenile Correctional Facility in FY 2006 and FY 2007 with adjustment; Larned Juvenile Correctional Facility in FY 2006 and FY 2007; Kansas Juvenile Correctional Complex in FY 2006 and in FY 2007.

Senator Emler moved, with a second by Senator Betts, to adopt the budget subcommittee reports on the Juvenile Justice Authority, Atchison Juvenile Correctional Facility, Beloit Juvenile Correctional Facility, Larned Juvenile Correctional Facility and Kansas Juvenile Correctional Complex in FY 2006 and FY 2007. Motion carried on a voice vote.

Chairman Umbarger opened the public hearing on:

**SB 569--Kansas highway patrol superintendent allowed to pay claims up to \$2,500 for damages occurring during law enforcement efforts**

Staff briefed the Committee on the bill.

The Chairman welcomed the following conferees:

Walt Darling, Chief Finance Officer, Kansas Highway Patrol, testified in support of **SB 569** (Attachment 3). Mr. Darling explained that they have requested proposed changes to K.S.A. 46-922 found in **SB 569** that would allow the Patrol's Superintendent to authorize payment to another person for a claim against the patrol for personal injury or property damage or loss. He noted that the proposed authority would be limited to circumstances which establish that damage or loss occurred during law enforcement efforts by the Kansas Highway Patrol to persons who were not negligent during such efforts.

There being no further conferees to come before the Committee, the Chairman closed the public hearing on **SB 569**.

Senator Steineger moved, with a second by Senator Betts, to recommend **SB 569** favorable for passage. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

**SB 574--Transfer of certain land in Shawnee county to helping hands humane society, amending land description**

Staff briefed the Committee on the bill.

There being no conferees to come before the Committee, the Chairman closed the public hearing on **SB 574**.

Senator Kelly moved, with a second by Senator Teichman, to recommend **SB574** favorable for passage and be placed on the consent calendar. Motion carried on a roll call vote.

The meeting adjourned at 11:20 a.m. The next meeting was scheduled for March 3, 2006.

SENATE WAYS AND MEANS  
GUEST LIST

Date March 2, 2006

NAME	REPRESENTING
Bill Aree	Helping Hands Humane Society
Carol Stubbs	Helping Hands Humane Society
TERRY FORSYTH	KNEA
John Eichkorn	KHP
Lisa Janati	KHP
WALT DARLING	KANSAS HIGHWAY PANEL
Don Jordan	JJA
Walt Morgan	JJA
Martin Ester	USD 465
Dave Hammer	USD 465
Steve Hines	Intern
Andy Shaw	Kearney & Associates
Dodie Wellshar	Patrick Hurley & Co.
Mike Huffles	United School Administrators
Jerry Pullen	USD 220
Shirley Douglas	Hein Law Firm
Pat Horley	Pat Horley & Co.
Craig Gray	Andover Public Schools / KNEA
Patrick Oake	Andover High School
DAN LEWEN	SRS
Jamie Harris	Andover High School - Teachers
Carmen Schulte	Andover USD 385 Parent
Tim Madden	KDOE



FY 2006 and FY 2007

Senate Subcommittee

Board of Tax Appeals



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Senator Vicki Schmidt, Chair



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Senator Mark Taddiken



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Senator Laura Kelly

Senate Ways and Means  
03-02-07  
Attachment 1

## House Budget Committee Report

**Agency:** Board of Tax Appeals

**Bill No.** HB 2958

**Bill Sec.** 33

**Analyst:** Spurgin

**Analysis Pg. No.** Vol. I-730

**Budget Page No.** 393

Expenditure Summary	Agency Estimate FY 2006	Governor's Recommendation FY 2006	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,365,174	\$ 1,365,174	\$ 0
Other Funds	424,339	424,339	0
<b>TOTAL</b>	<b>\$ 1,789,513</b>	<b>\$ 1,789,513</b>	<b>\$ 0</b>
FTE Positions	26.0	26.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>26.0</b>	<b>26.0</b>	<b>0.0</b>

### Agency Estimate

The **agency** estimates FY 2006 operating expenditures of \$1,789,513, which is an increase of \$164,950 (10.2 percent) above the approved amount. The estimate includes State General Fund expenditures of \$1,365,174, which is an increase of \$9,611 (0.7 percent) above the approved amount. The increase in State General Fund expenditures is the combination of \$675 of reappropriated funds from FY 2005, which were approved but not expended in FY 2005, and carried forward to FY 2006, and \$8,936 in KSIP expenditures. The current year estimate includes funding for 27 payroll periods.

The increase in special revenue funds of \$155,339 is requested due to increases above the approved amounts in contractual services and for salaries and wages. The agency reported that expenditures for contractual services were approved for FY 2006 at a much lower level than historical levels of expenditures reflected. Included in this overall increase of expenditures from special revenue funds the agency has requested, as a supplemental expenditure, \$80,713 from the Board of Tax Appeals (BOTA) Filing Fee Fund for increases in expenditures for salaries and wages. The agency requests additional funding due to increases in salaries and benefits for unclassified employees and has reported that salaries and benefits costs increased upward as the unclassified positions were adjusted to levels commensurate with other government agencies. The agency noted that since June 2003, salaries for three staff attorney positions were increased an average of 11.75 percent per year and there has been no net increase in salaries for the Executive Director or Chief Counsel positions since June 2003.

### Governor's Recommendation

The **Governor** concurs with the agency's estimate of current year estimates.

### House Budget Committee Recommendation

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

### House Committee Recommendation

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

### Senate Subcommittee Report

**Agency:** Board of Tax Appeals      **Bill No.** SB 570      **Bill Sec.**33

**Analyst:** Spurgin      **Analysis Pg. No.** Vol. I-730      **Budget Page No.** 393

Expenditure Summary	Agency Estimate FY 2006	Governor's Recommendation FY 2006	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,365,174	\$ 1,365,174	\$ 0
Other Funds	424,339	424,339	0
<b>TOTAL</b>	<b><u>\$ 1,789,513</u></b>	<b><u>\$ 1,789,513</u></b>	<b><u>\$ 0</u></b>
FTE Positions	26.0	26.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b><u>26.0</u></b>	<b><u>26.0</u></b>	<b><u>0.0</u></b>

### Agency Estimate

The **agency** estimates FY 2006 operating expenditures of \$1,789,513, which is an increase of \$164,950 (10.2 percent) above the approved amount. The estimate includes State General Fund expenditures of \$1,365,174, which is an increase of \$9,611 (0.7 percent) above the approved amount. The increase in State General Fund expenditures is the combination of \$675 of reappropriated funds from FY 2005, which were approved but not expended in FY 2005, and carried forward to FY 2006, and \$8,936 in KSIP expenditures. The current year estimate includes funding for 27 payroll periods.

The increase in special revenue funds of \$155,339 is requested due to increases above the approved amounts in contractual services and for salaries and wages. The agency reported that expenditures for contractual services were approved for FY 2006 at a much lower level than historical levels of expenditures reflected. Included in this overall increase of expenditures from special revenue funds the agency has requested, as a supplemental expenditure, \$80,713 from the Board of Tax Appeals (BOTA) Filing Fee Fund for increases in expenditures for salaries and wages. The agency requests additional funding due to increases in salaries and benefits for unclassified

employees and has reported that salaries and benefits costs increased upward as the unclassified positions were adjusted to levels commensurate with other government agencies. The agency noted that since June 2003, salaries for three staff attorney positions were increased an average of 11.75 percent per year and there has been no net increase in salaries for the Executive Director or Chief Counsel positions since June 2003.

**Governor's Recommendation**

The **Governor** concurs with the agency's estimate of current year estimates.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor's recommendation.



# House Budget Committee Report

**Agency:** Board of Tax Appeals

**Bill No.** HB 2968

**Bill Sec.** 20

**Analyst:** Spurgin

**Analysis Pg. No.** Vol. 1-730

**Budget Page No.** 393

Expenditure Summary	Agency Request FY 2007	Governor's Recommendation FY 2007	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,580,563	\$ 1,456,060	\$ 0
Other Funds	427,939	429,604	0
<b>TOTAL</b>	<b>\$ 2,008,502</b>	<b>\$ 1,888,664</b>	<b>\$ 0</b>
FTE Positions	26.0	26.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>26.0</b>	<b>26.0</b>	<b>0.0</b>

## Agency Request

The **agency** requests budget year operating expenditures of \$2,008,502, an increase of \$218,989 (12.2 percent) above the revised current year estimate. The agency requests FY 2007 State General Fund expenditures of \$1,580,563, an increase of \$215,389 (15.8 percent) above the revised current year estimate. The increase in expenditures above current year estimates reflects an increase in capital outlay, which consists of an enhancement request of \$225,000 from the State General Fund for a case management system. The agency also requests an enhancement of \$75,301 from the State General Fund to fund salaries and wages for FY 2007.

## Governor's Recommendation

The **Governor** recommends budget year operating expenditures of \$1,888,664, an increase of \$99,151 (5.5 percent) above the revised current year recommendation. The Governor recommends FY 2007 State General Fund expenditures of \$1,459,060, an increase of \$93,886 (6.9 percent) above the FY 2006 recommendation. The Governor recommends the \$75,301 enhancement request for unclassified staff salary increases. The Governor recommends \$75,000 of the agency's \$225,000 case management system enhancement request. The recommendation also includes \$30,162, including \$28,497 from the State General Fund, for a base salary adjustment. The recommendation includes funding for 26 payroll periods, which reduced the base budget by \$42,218 below the FY 2006 recommendation, and partially offsets the increased expenditures for salaries and wages.

## House Budget Committee Recommendation

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

1. **FY 2007 Baseline Budget.** To establish a baseline FY 2007 budget, the FY 2006 budget, as approved by the 2005 Legislature, was adjusted to reflect salary adjustments (removal of the 27<sup>th</sup> payroll period funding included in FY 2006, annualization of the FY 2006 phased in 2.5 percent base salary adjustment and statutorily required adjustments for Kansas Public Employees Retirement System (KPERs) rates, KPERs death and disability insurance, and longevity). In addition, adjustments were made for required debt service payments, revenue transfers, and consensus items including school finance funding and caseload estimates for the Department of Social and Rehabilitation Services, the Department of Administration, the Department on Aging, and the Board of Indigents' Defense Services. Finally, adjustments were made for one-time items which impact specific agency budgets.

**For this agency,** the FY 2006 approved budget totaled \$1,624,563, including \$1,355,563 from the State General Fund. The approved budget was reduced by a net total of \$20,970 from the State General Fund to establish a baseline budget for FY 2007. The reductions included \$20,970 in salary adjustments.

2. **Comparison of FY 2007 Baseline Budget to Governor's Recommendation.** The table below reflects the difference between the Governor's recommendation and the baseline budget.

	<u>SGF</u>	<u>All Funds</u>
Governor's Recommendation	\$ 1,459,060	\$ 1,888,664
Baseline Budget	1,334,593	1,603,593
Dollar Difference	<u>\$ 124,467</u>	<u>\$ 285,071</u>
<i>Percent Difference</i>	<i>9.3%</i>	<i>17.8%</i>

The following table reflects items included in the Governor's recommendation which differ from the baseline budget.

	<u>SGF</u>	<u>All Funds</u>
Base Salary Adjustment	\$ 28,497	\$ 30,162
Enhancement for bar code reader	75,000	75,000
Enhancement for additional salary money	0	75,301
Other Net Adjustments	20,970	104,608
TOTAL	<u>\$ 124,467</u>	<u>\$ 285,071</u>

### House Committee Recommendation

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

### Senate Subcommittee Report

**Agency:** Board of Tax Appeals

**Bill No.** SB 573

**Bill Sec.** 20

**Analyst:** Spurgin

**Analysis Pg. No.** Vol. I-730

**Budget Page No.** 393

Expenditure Summary	Agency Request FY 2007	Governor's Recommendation FY 2007	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,580,563	\$ 1,459,060	\$ 0
Other Funds	427,939	429,604	0
TOTAL	<u>\$ 2,008,502</u>	<u>\$ 1,888,664</u>	<u>\$ 0</u>
FTE Positions	26.0	26.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>26.0</u>	<u>26.0</u>	<u>0.0</u>

#### Agency Request

The **agency** requests budget year operating expenditures of \$2,008,502, an increase of \$218,989 (12.2 percent) above the revised current year estimate. The agency requests FY 2007 State General Fund expenditures of \$1,580,563, an increase of \$215,389 (15.8 percent) above the revised current year estimate. The increase in expenditures above current year estimates reflects an increase in capital outlay, which consists of an enhancement request of \$225,000 from the State General Fund for a case management system. The agency also requests an enhancement of \$75,301 from the State General Fund to fund salaries and wages for FY 2007.

#### Governor's Recommendation

The **Governor** recommends budget year operating expenditures of \$1,888,664, an increase of \$99,151 (5.5 percent) above the revised current year recommendation. The Governor recommends FY 2007 State General Fund expenditures of \$1,459,060, an increase of \$93,886 (6.9 percent) above the FY 2006 recommendation. The Governor recommends the \$75,301 enhancement request for unclassified staff salary increases. The Governor recommends \$75,000 of the agency's \$225,000 case management system enhancement request. The recommendation also includes \$30,162, including \$28,497 from the State General Fund, for a base salary adjustment. The recommendation includes funding for 26 payroll periods, which reduced the base budget by \$42,218 below the FY 2006 recommendation, and partially offsets the increased expenditures for salaries and wages.

#### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation with the following observations.

1. The Subcommittee notes the agency requested an enhancement of \$225,000 from the State General Fund for a case management system. The Governor recommended funding of \$75,000 from the State General Fund to fund a portion of the requested enhancement. The agency testified it is looking into other funding sources and that funds may be available through the Information Network of Kansas (INK). The Subcommittee recommends a review at Omnibus of the remainder of the funding for this enhancement requested by the agency.

FY 2006 • FY 2007


**SENATE PUBLIC SAFETY SUBCOMMITTEE**

Juvenile Justice Authority  
Atchison Juvenile Correctional Facility  
Beloit Juvenile Correctional Facility  
Larned Juvenile Correctional Facility  
Kansas Juvenile Correctional Complex



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Senator Jay Scott Emler, Chair



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Senator Donald Betts



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Senator Vicki Schmidt

Senate Ways and Means  
03-02-06  
Attachment 2

# House Budget Committee Report

**Agency:** Juvenile Justice Authority

**Bill No.** 2958

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I - 173

**Budget Page No.** 231

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 31,823,717	\$ 30,517,432	\$ 0
Other Funds	35,533,521	35,109,737	0
TOTAL - Operations	<u>\$ 67,357,238</u>	<u>\$ 65,627,169</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	0
Other Funds	2,187,300	2,187,300	0
Subtotal - Cap. Impr.	<u>\$ 2,187,300</u>	<u>\$ 2,187,300</u>	<u>\$ 0</u>
<b>TOTAL</b>	<b><u>\$ 69,544,538</u></b>	<b><u>\$ 67,814,469</u></b>	<b><u>\$ 0</u></b>
<b>FTE Positions</b>			
FTE Positions	42.0	42.0	0.0
Non FTE Uncl. Perm. Pos.	15.5	15.5	0.0
TOTAL	<u>57.5</u>	<u>57.5</u>	<u>0.0</u>

## Agency Estimate

The agency estimates operating expenditures of \$67,357,238, an increase of \$14,055,257 or 26.4 percent above the amount approved by the 2005 Legislature. Included in the estimate is a supplemental request totaling \$2,028,157 from the State General Fund. In addition, the agency requests the authority to spend Title XIX funds totaling \$12,020,332 moved from the Division of Health Policy and Finance (DHPF) to JJA.

## Governor's Recommendation

The Governor recommends operating expenditures of \$65,627,169, an increase of \$12,325,188 or 23.1 percent above the amount approved by the 2005 Legislature. The recommendation includes the authority to spend Title XIX funds totaling \$11,948,314 in the JJA budget, a Level V rate increase of \$1,752,000, including \$690,989 from the State General Fund, and a transfer to Larned Juvenile Correctional Facility of \$30,884 from the State General Fund for extraordinary medical expenses. The Governor does not recommend supplemental funding for the creation of an "intermediate care" rate or for the purchase of service residential facility treatment shortfall.

## House Budget Committee

The Budget Committee concurs with the Governor's recommendation.

## Senate Subcommittee Report

**Agency:** Juvenile Justice Authority      **Bill No.** 570      **Bill Sec.** 51

**Analyst:** Cussimano      **Analysis Pg. No.** Vol. I - 173      **Budget Page No.** 231

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 31,823,717	\$ 30,517,432	\$ 0
Other Funds	35,533,521	35,109,737	0
<b>TOTAL - Operations</b>	<b>\$ 67,357,238</b>	<b>\$ 65,627,169</b>	<b>\$ 0</b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	0
Other Funds	2,187,300	2,187,300	0
<b>Subtotal - Cap. Impr.</b>	<b>\$ 2,187,300</b>	<b>\$ 2,187,300</b>	<b>\$ 0</b>
 <b>TOTAL</b>	 <b>\$ 69,544,538</b>	 <b>\$ 67,814,469</b>	 <b>\$ 0</b>
 FTE Positions	 42.0	 42.0	 0.0
Non FTE Uncl. Perm. Pos.	15.5	15.5	0.0
<b>TOTAL</b>	<b>57.5</b>	<b>57.5</b>	<b>0.0</b>

### Agency Estimate

The agency estimates operating expenditures of \$67,357,238, an increase of \$14,055,257 or 26.4 percent above the amount approved by the 2005 Legislature. Included in the estimate is a supplemental request totaling \$2,028,157 from the State General Fund. In addition, the agency requests the authority to spend Title XIX funds totaling \$12,020,332 moved from the Division of Health Policy and Finance (DHPF) to JJA.

### Governor's Recommendation

The Governor recommends operating expenditures of \$65,627,169, an increase of \$12,325,188 or 23.1 percent above the amount approved by the 2005 Legislature. The recommendation includes the authority to spend Title XIX funds totaling \$11,948,314 in the JJA budget, a Level V rate increase of \$1,752,000, including \$690,989 from the State General Fund, and a transfer to Larned Juvenile Correctional Facility of \$30,884 from the State General Fund for extraordinary medical expenses. The Governor does not recommend supplemental funding for the creation of an "intermediate care" rate or for the purchase of service residential facility treatment shortfall.

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Juvenile Justice Authority

**Bill No.** 2968

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I-173

**Budget Page No.** 231

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 32,490,227	\$ 30,442,208	\$ 0
Other Funds	34,395,462	33,976,262	0
<b>TOTAL - Operations</b>	<b>\$ 66,885,689</b>	<b>\$ 64,418,470</b>	<b>\$ 0</b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	3,427,852	2,619,800	0
<b>Subtotal - Cap. Impr.</b>	<b>\$ 3,427,852</b>	<b>\$ 2,619,800</b>	<b>0</b>
<b>TOTAL</b>	<b>\$ 70,313,541</b>	<b>\$ 67,038,270</b>	<b>\$ 0</b>
FTE Positions	42.0	42.0	0.0
Non FTE Uncl. Perm. Pos.	15.5	15.5	0.0
<b>TOTAL</b>	<b>57.5</b>	<b>57.5</b>	<b>0.0</b>

### Agency Request

**The agency** requests operating expenditures of \$66,885,689, a decrease of \$471,549 or 0.7 percent below the revised FY 2006 request. Included in this request are four enhancement packages totaling \$2,797,351 in State General Funds. Absent the enhancement packages, the request is a State General Fund decrease of \$2,130,841 or 6.7 percent below the revised FY 2006 request. In addition, the agency requests the authority to spend Title XIX funds moved from the Division of Health Policy and Finance to JJA for FY 2007.

### Governor's Recommendation

**The Governor** recommends operating expenditures of \$64,418,470, a decrease of \$1,208,699 or 1.8 percent below the FY 2006 recommendation. It is a decrease of \$2,467,219 or 3.7 percent below the agency's FY 2007 request. The recommendation includes enhancements totaling \$13,700,314, including \$690,989 from the State General Fund. The recommended enhancements include the transfer of Title XIX funds totaling \$11,918,314 to the JJA budget. In addition, the Governor recommends \$62,927 for a 2.5 percent base salary increase.

### House Budget Committee Recommendation

The House Budget Committee concurs with the Governor's recommendations with the following notations and adjustments:



1. **FY 2007 Baseline Budget.** To establish a baseline FY 2007 budget, the FY 2006 budget, as approved by the 2005 Legislature, was adjusted to reflect salary adjustments (removal of the 27<sup>th</sup> payroll period funding included in FY 2006, annualization of the FY 2006 phased in 2.5 percent base salary adjustment and statutorily required adjustments for Kansas Public Employees Retirement System (KPERS) rates, KPERS death and disability insurance, and longevity). In addition, adjustments were made for required debt service payments, revenue transfers, and consensus items including school finance funding and caseload estimates for the Department of Social and Rehabilitation Services, the Department of Administration, the Department on Aging, and the Board of Indigents' Defense Services. Finally, adjustments were made for one-time items which impact specific agency budgets.

**For this agency,** the FY 2006 approved budget totaled \$53,301,981, including \$29,788,792 from the State General Fund. The approved budget was increased by a net total of \$3,835,771, none of which is from the State General Fund to establish a baseline budget for FY 2007. The adjustments included reductions of \$48,471 in salary adjustments and \$116,000 in one-time adjustments, partially offset by an increase of \$4,000,512 for debt service payments.

2. **Comparison of FY 2007 Baseline Budget to Governor's Recommendation.** The table below reflects the difference between the Governor's recommendation and the baseline budget.

	SGF	All Funds
Governor's Recommendation	\$ 30,442,208	\$ 67,038,270
Baseline Budget	29,671,370	57,137,752
Dollar Difference	<u>\$ 770,838</u>	<u>\$ 9,990,518</u>
<i>Percent Difference</i>	<i>2.5%</i>	<i>14.8%</i>

The following table reflects items included in the Governor's recommendation which differ from the baseline budget.

	SGF	All Funds
Base Salary Adjustment	\$ 58,343	\$ 62,927
Level V Base Increase	690,989	1,752,000
Title XIX Transfer	0	11,948,314
Reduction Rehab/Repair	0	(152,500)
Move Non-expense to Expense	0	137,135
Reduction Title XIX	0	(2,800,000)
Reduction Title IV-E	0	(228,828)
Reduction Block Grant	0	(143,771)
Other Net Adjustments	21,506	(584,759)
TOTAL	<u>\$ 770,838</u>	<u>\$ 9,990,518</u>

3. **DISC Services.** The Budget Committee notes that the cost of DISC services continues to increase. Specifically, the cost for Kansas Juvenile Correctional Complex exceeds the costs of Atchison, Beloit, and Larned Juvenile Correctional

Facilities significantly. The Committee requests a breakdown of costs associated with DISC services for further review at Omnibus.

4. **Multisystemic Therapy Pilot Project.** Multisystemic Therapy (MST) is a family-oriented, home-based program that targets chronically violent, substance-abusing youth ages 12-17 years old. It uses methods that promote positive social behavior to change how youth function in their natural settings. MST views parents or guardians as valuable resources, even when they have serious and multiple needs of their own. The Budget Committee notes the agency's request to implement a pilot project and requests further review at Omnibus.
5. **Parenting with Love and Limits.** The Budget Committee heard testimony regarding the Savannah Family Institute's prevention model Parenting with Love and Limits. The Committee requests further review of this topic at Omnibus.
6. The Budget Committee supports the Governor's proposed proviso allowing grantees to use prevention grant funds for graduated sanctions and intervention programs with written approval from the Commissioner of Juvenile Justice.

### House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation with the following notations:

1. The House Committee recommends the Budget Committee continue to monitor the Level V and Level VI issue regarding length of stay and review the status of those issues prior to Omnibus.
  2. The House Committee recommends a review of mental health services at Larned Juvenile Correctional Facility prior to Omnibus in order to explore the possibility of placing Level V youth at the facility.
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## Senate Subcommittee Report

**Agency:** Juvenile Justice Authority      **Bill No.** 573      **Bill Sec.** 51

**Analyst:** Cussimanio      **Analysis Pg. No.** Vol. I - 173      **Budget Page No.** 231

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 32,490,227	\$ 30,442,208	\$ 0
Other Funds	<u>34,395,462</u>	<u>33,976,262</u>	<u>0</u>
TOTAL - Operations	<u>\$ 66,885,689</u>	<u>\$ 64,418,470</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	<u>3,427,852</u>	<u>2,619,800</u>	<u>0</u>
Subtotal - Cap. Impr.	<u>\$ 3,427,852</u>	<u>\$ 2,619,800</u>	<u>0</u>
<b>TOTAL</b>	<b><u>\$ 70,313,541</u></b>	<b><u>\$ 67,038,270</u></b>	<b><u>\$ 0</u></b>
FTE Positions	42.0	42.0	0.0
Non FTE Uncl. Perm. Pos.	<u>15.5</u>	<u>15.5</u>	<u>0.0</u>
TOTAL	<u>57.5</u>	<u>57.5</u>	<u>0.0</u>

### Agency Request

The agency requests operating expenditures of \$66,885,689, a decrease of \$471,549 or 0.7 percent below the revised FY 2006 request. Included in this amount are four enhancement packages totaling \$2,797,351 in State General Funds. Absent the enhancement packages, the request is a State General Fund decrease of \$2,130,841 or 6.7 percent below the revised FY 2006 request. In addition, the agency requests the authority to spend Title XIX funds move from the Division of Health Policy and Finance to JJA for FY 2007.

### Governor's Recommendation

The Governor recommends operating expenditures of \$64,418,470, a decrease of \$1,208,699 or 1.8 percent below the FY 2006 recommendation. It is a decrease of \$2,467,219 or 3.7 percent below the agency's FY 2007 request. The recommendation includes enhancements totaling \$13,700,314, including \$690,989 from the State General Fund. The recommended enhancements include the transfer of Title XIX funds totaling \$11,918,314 to the JJA budget. In addition, the Governor recommends \$62,927 for a 2.5 percent base salary increase.

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Atchison Juvenile Correctional Facility **Bill No.** 2958

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. 1 - 190

**Budget Page No.** 63

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 6,128,299	\$ 6,010,294	\$ 0
Other Funds	150,116	150,116	0
<b>TOTAL - Operations</b>	<b><u>\$ 6,278,415</u></b>	<b><u>\$ 6,160,410</u></b>	<b><u>\$ 0</u></b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	0
Other Funds	245,597	245,597	0
Subtotal - Cap. Impr.	\$ 245,597	\$ 245,597	\$ 0
<b>TOTAL</b>	<b><u>\$ 6,524,012</u></b>	<b><u>\$ 6,406,007</u></b>	<b><u>\$ 0</u></b>
FTE Positions	99.0	99.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b><u>99.0</u></b>	<b><u>99.0</u></b>	<b><u>0.0</u></b>

### Agency Estimate

The agency's current estimate of operating expenditures is \$6,278,415, an increase of \$17,446 above the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$6,128,299, an increase of \$96,936 or 1.6 percent above the approved amount. Included in the agency's budget is a State General Fund supplemental request of \$56,931.

### Governor's Recommendation

The Governor recommends an FY 2006 operating budget of \$6,160,410, a decrease of \$100,559 or 1.6 percent below the amount approved by the 2005 Legislature. The recommendation is a decrease of \$118,005 or 1.9 percent below the agency's FY 2006 request. The Governor does not recommend the agency's supplemental request of \$56,931 and further recommends a reduction of \$61,074 for a reduced population.

### House Budget Committee Recommendation

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

### House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation.

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### Senate Subcommittee Report

**Agency:** Atchison Juvenile Correctional Facility **Bill No.** 570

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. 1 - 190

**Budget Page No.** 63

<u>Expenditure Summary</u>	<u>Agency Estimate FY 06</u>	<u>Governor's Recommendation FY 06</u>	<u>Senate Subcommittee Adjustments</u>
<b>Operating Expenditures:</b>			
State General Fund	\$ 6,128,299	\$ 6,010,294	\$ 56,931
Other Funds	150,116	150,116	0
TOTAL - Operations	<u>\$ 6,278,415</u>	<u>\$ 6,160,410</u>	<u>\$ 56,931</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	0
Other Funds	245,597	245,597	0
Subtotal - Cap. Impr.	\$ 245,597	\$ 245,597	0
<b>TOTAL</b>	<u><b>\$ 6,524,012</b></u>	<u><b>\$ 6,406,007</b></u>	<u><b>\$ 56,931</b></u>
FTE Positions	99.0	99.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>99.0</u>	<u>99.0</u>	<u>0.0</u>

### Agency Estimate

The agency's current estimate of operating expenditures is \$6,278,415, an increase of \$17,446 above the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$6,128,299, an increase of \$96,936 or 1.6 percent above the approved amount. Included in the agency's budget is a State General Fund supplemental request of \$56,931.

### Governor's Recommendation

The Governor recommends an FY 2006 operating budget of \$6,160,410, a decrease of \$100,559 or 1.6 percent below the amount approved by the 2005 Legislature. The recommendation is a decrease of \$118,005 or 1.9 percent below the agency's FY 2006 request. The Governor does not recommend the agency's supplemental request of \$56,931 and further recommends a reduction of \$61,074 for a reduced population.

## **Senate Subcommittee Recommendation**

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

1. Add \$56,931 in supplemental funding from the State General Fund to meet increased education contract expenditures related to increased teacher salaries in the current year.

## House Budget Committee Report

**Agency:** Atchison Juvenile Correctional Facility **Bill No.** 2968

**Bill Sec.** 51

**Analyst:** Cussimanio

**Analysis Pg. No.** Vol. 1 - 190

**Budget Page No.** 63

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 6,582,822	\$ 5,789,060	\$ 0
Other Funds	137,500	137,500	0
TOTAL - Operations	\$ 6,720,322	\$ 5,926,560	\$ 0
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Cap. Impr.	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 6,720,322</b>	<b>\$ 5,926,560</b>	<b>\$ 0</b>
FTE Positions	111.5	99.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	111.5	99.0	0.0

### Agency Request

**The agency** requests an operating budget of \$6,720,322 for FY 2007, an increase of \$441,907 or 7.0 percent above the revised FY 2006 request. The agency requests State General Fund expenditures of \$6,582,822, an increase of \$454,523 or 7.4 percent above the revised FY 2006 request. The request includes three enhancement packages totaling \$623,973, all from the State General Fund. Absent the enhancement package, the agency request is a decrease of \$182,066 or 2.9 percent below the revised FY 2006 request.

### Governor's Recommendation

**The Governor** recommends an FY 2007 operating budget of \$5,926,560, a decrease of \$233,850 or 3.8 percent below the FY 2006 recommendation. The recommendation is a decrease of \$793,762 or 11.8 percent below the agency's FY 2007 request. The Governor does not recommend any of the enhancements. The Governor's recommendation includes an increase in shrinkage for Juvenile Corrections Officers totaling \$72,807 from the State General Fund. The recommendation also includes a reduction of \$172,032 from the State General Fund due to a reduced population. The Governor recommends a 2.5 percent cost of living adjustment totaling \$71,414 from the State General Fund and the reclassification of trades positions totaling \$3,636 from the State General Fund.

### House Budget Committee Recommendation

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

1. **FY 2007 Baseline Budget.** To establish a baseline FY 2007 budget, the FY 2006 budget, as approved by the 2005 Legislature, was adjusted to reflect salary adjustments (removal of the 27<sup>th</sup> payroll period funding included in FY 2006, annualization of the FY 2006 phased in 2.5 percent base salary adjustment and statutorily required adjustments for Kansas Public Employees Retirement System (KPERs) rates, KPERs death and disability insurance, and longevity). In addition, adjustments were made for required debt service payments, revenue transfers, and consensus items including school finance funding and caseload estimates for the Department of Social and Rehabilitation Services, the Department of Administration, the Department on Aging, and the Board of Indigents' Defense Services. Finally, adjustments were made for one-time items which impact specific agency budgets.

**For this agency,** the FY 2006 approved budget totaled \$6,260,969, including \$6,031,363 from the State General Fund. The approved budget was reduced by a net total of \$63,025 from the State General Fund to establish a baseline budget for FY 2007. The reductions included \$63,025 in salary adjustments.

2. **Comparison of FY 2007 Baseline Budget to Governor's Recommendation.** The table below reflects the difference between the Governor's recommendation and the baseline budget.

	<u>SGF</u>	<u>All Funds</u>
Governor's Recommendation	\$ 5,789,060	\$ 5,926,560
Baseline Budget	<u>5,967,960</u>	<u>6,197,944</u>
Dollar Difference	<u>\$ (178,900)</u>	<u>\$ (271,384)</u>
<i>Percent Difference</i>	<i>(3.1)%</i>	<i>(4.6)%</i>

The following table reflects items included in the Governor's recommendation which differ from the baseline budget.

	<u>SGF</u>	<u>All Funds</u>
Base Salary Adjustment	\$ 71,323	\$ 71,323
JCO Shrinkage	(72,807)	(72,807)
Reduced Population Reduction	(172,032)	(172,032)
Trades Reclassification	3,727	3,727
Other Net Adjustments	<u>(9,111)</u>	<u>(101,595)</u>
TOTAL	<u>\$ (178,900)</u>	<u>\$ (271,384)</u>

3. **Virtual School.** The Budget Committee recommends a review of education services at Atchison Juvenile Correctional Facility. Specifically, the Committee requests a review of implementing virtual schooling accredited by the Kansas Department of Education at the facility for review at Omnibus.



### House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation.

### Senate Subcommittee Report

**Agency:** Atchison Juvenile Correctional Facility    **Bill No.** 573    **Bill Sec.** 51

**Analyst:** Cussimano    **Analysis Pg. No.** Vol. 1 - 190    **Budget Page No.** 63

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 6,582,822	\$ 5,789,060	\$ 84,899
Other Funds	137,500	137,500	0
<b>TOTAL - Operations</b>	<b><u>\$ 6,720,322</u></b>	<b><u>\$ 5,926,560</u></b>	<b><u>\$ 84,899</u></b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<b>Subtotal - Cap. Impr.</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>TOTAL</b>	<b><u>\$ 6,720,322</u></b>	<b><u>\$ 5,926,560</u></b>	<b><u>\$ 84,899</u></b>
FTE Positions	111.5	99.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b><u>111.5</u></b>	<b><u>99.0</u></b>	<b><u>0.0</u></b>

### Agency Request

**The agency** requests an operating budget of \$6,720,322 for FY 2007, an increase of \$441,907 or 7.0 percent above the revised FY 2006 request. The agency requests State General Fund expenditures of \$6,582,822, an increase of \$454,523 or 7.4 percent above the revised FY 2006 request. The request includes three enhancement packages totaling \$623,973, all from the State General Fund. Absent the enhancement package, the agency request is a decrease of \$182,066 or 2.9 percent below the revised FY 2006 request.

### Governor's Recommendation

**The Governor** recommends an FY 2007 operating budget of \$5,926,560, a decrease of \$233,850 or 3.8 percent below the FY 2006 recommendation. The recommendation is a decrease of \$793,762 or 11.8 percent below the agency's FY 2007 request. The Governor does not recommend any of the enhancements. The Governor's recommendation includes an increase in

shrinkage for Juvenile Corrections Officers totaling \$72,807 from the State General Fund. The recommendation also includes a reduction of \$172,032 from the State General Fund due to a reduced population. The Governor recommends a 2.5 percent cost of living adjustment totaling \$71,414 from the State General Fund and the reclassification of trades positions totaling \$3,636 from the State General Fund.

### **Senate Subcommittee Recommendation**

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

1. Add \$84,899 from the State General Fund to meet increased education contract expenditures related to increased teacher salaries.

## House Budget Committee Report

**Agency:** Beloit Juvenile Correctional Facility **Bill No.** 2958

**Bill Sec.** 51

**Analyst:** Cussimanio

**Analysis Pg. No.** Vol. I -207

**Budget Page No.** 83

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 4,636,437	\$ 4,553,532	\$ 0
Other Funds	252,040	252,040	0
TOTAL - Operations	\$ 4,888,477	\$ 4,805,572	0
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	52,367	56,162	0
Subtotal - Cap. Impr.	\$ 52,367	\$ 56,162	0
<b>TOTAL</b>	<b>\$ 4,940,844</b>	<b>\$ 4,861,734</b>	<b>\$ 0</b>
FTE Positions	87.0	87.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	87.0	87.0	0.0

### Agency Estimate

The agency's current year estimate of expenditures is \$4,888,477, an increase of \$29,774 or 0.6 percent above the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$4,636,437, an increase of \$66,195 or 1.4 percent above the FY 2006 approved amount. All other funds decreased from \$288,461 to \$252,040, a decrease of \$36,421 or 12.6 percent below the FY 2006 approved amount.

### Governor's Recommendation

The Governor recommends an FY 2006 operating budget of \$4,805,572, a decrease of \$53,131 or 1.1 percent below the amount approved by the 2005 Legislature. The recommendation is a decrease of \$82,905 or 1.7 percent below the agency FY 2006 request. The decrease is due to an estimated reduction in population.

### House Budget Committee Recommendation

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

**House Committee Recommendation**

The House Committee concurs with the Budget Committee recommendation.

**Senate Subcommittee Report**

**Agency:** Beloit Juvenile Correctional Facility **Bill No.** 570 **Bill Sec.** 51

**Analyst:** Cussimano **Analysis Pg. No.** Vol. I - 207 **Budget Page No.** 83

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 4,636,437	\$ 4,553,532	\$ 0
Other Funds	<u>252,040</u>	<u>252,040</u>	<u>0</u>
TOTAL - Operations	<u><u>\$ 4,888,477</u></u>	<u><u>\$ 4,805,572</u></u>	<u><u>0</u></u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	<u>52,367</u>	<u>56,162</u>	<u>0</u>
Subtotal - Cap. Impr.	\$ 52,367	\$ 56,162	\$ 0
<b>TOTAL</b>	<u><u>\$ 4,940,844</u></u>	<u><u>\$ 4,861,734</u></u>	<u><u>\$ 0</u></u>
FTE Positions	87.0	87.0	0.0
Non FTE Uncl. Perm. Pos.	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>87.0</u></u>	<u><u>87.0</u></u>	<u><u>0.0</u></u>

**Agency Estimate**

The agency's current year estimate of expenditures is \$4,888,477, an increase of \$29,774 or 0.6 percent above the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$4,636,437, an increase of \$66,195 or 1.4 percent above the FY 2006 approved amount. All other funds decreased from \$288,461 to \$252,040, a decrease of \$36,421 or 12.6 percent below the FY 2006 approved amount.

**Governor's Recommendation**

The Governor recommends an FY 2006 operating budget of \$4,805,572, a decrease of \$53,131 or 1.1 percent below the amount approved by the 2005 Legislature. The recommendation is a decrease of \$82,905 or 1.7 percent below the agency FY 2006 request. The decrease is due to an estimated reduction in population.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Beloit Juvenile Correctional Facility **Bill No.** 2968

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I - 207

**Budget Page No.** 83

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 4,628,668	\$ 4,353,606	\$ 0
Other Funds	209,006	209,006	0
<b>TOTAL - Operations</b>	<b>\$ 4,837,674</b>	<b>\$ 4,562,612</b>	<b>\$ 0</b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<b>Subtotal - Cap. Impr.</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
 <b>TOTAL</b>	 <b>\$ 4,837,674</b>	 <b>\$ 4,562,612</b>	 <b>\$ 0</b>
 FTE Positions	 87.0	 87.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>87.0</b>	<b>87.0</b>	<b>0.0</b>

### Agency Request

**The agency** requests an FY 2007 operating budget of \$4,837,674, a decrease of \$50,803 or 1.0 percent below the revised 2006 request. The request includes two enhancement packages totaling \$123,933 funded by the State General Fund for a chemical dependency director and 2.0 vocational instructors. Absent the enhancement package, the request is a decrease of \$174,736 or 3.6 percent below the agency's FY 2006 revised estimate. The decrease is due to reductions made in salaries and wages for the 27<sup>th</sup> payroll period an decrease in professional fees for the Education Services Program.

### Governor's Recommendation

**The Governor** recommends FY 2007 operating expenditures of \$4,562,612, a decrease of \$242,960 or 5.1 percent below the FY 2006 recommendation. The recommendation is a decrease of \$275,062 or 5.7 percent below the agency FY 2007 request. The Governor did not recommend the enhancement package of \$123,933. The recommendation includes an increase in juvenile corrections officer salaries and wages shrinkage rate resulting in a reduction of \$72,297 from the State General Fund, a reduced population estimated savings of \$147,303 from the State General Fund, a 2.5 percent cost of living adjustment totaling \$63,913 from the State General Fund and a trades reclassification totaling \$4,558 from the State General Fund.

## House Budget Committee Recommendation

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

1. **FY 2007 Baseline Budget.** To establish a baseline FY 2007 budget, the FY 2006 budget, as approved by the 2005 Legislature, was adjusted to reflect salary adjustments (removal of the 27<sup>th</sup> payroll period funding included in FY 2006, annualization of the FY 2006 phased in 2.5 percent base salary adjustment and statutorily required adjustments for Kansas Public Employees Retirement System (KPERs) rates, KPERs death and disability insurance, and longevity). In addition, adjustments were made for required debt service payments, revenue transfers, and consensus items including school finance funding and caseload estimates for the Department of Social and Rehabilitation Services, the Department of Administration, the Department on Aging, and the Board of Indigents' Defense Services. Finally, adjustments were made for one-time items which impact specific agency budgets.

**For this agency,** the FY 2006 approved budget totaled \$4,858,703, including \$4,570,242 from the State General Fund. The approved budget was decreased by a net total of \$60,535, including \$59,482 from the State General Fund to establish a baseline budget for FY 2007. The reduction included \$60,535 in salary adjustments.

2. **Comparison of FY 2007 Baseline Budget to Governor's Recommendation.** The table below reflects the difference between the Governor's recommendation and the baseline budget.

	SGF	All Funds
Governor's Recommendation	\$ 4,353,606	\$ 4,562,612
Baseline Budget	4,510,761	4,798,168
Dollar Difference	<u>\$ (157,155)</u>	<u>\$ (235,556)</u>
<i>Percent Difference</i>	<i>(3.6)%</i>	<i>(5.2)%</i>

The following table reflects items included in the Governor's recommendation which differ from the baseline budget.

	SGF	All Funds
Base Salary Adjustment	\$ 63,798	\$ 63,798
JCO Shrinkage	(72,297)	(72,297)
Reduced Population Reduction	(147,303)	(147,303)
Trades Reclassification	4,673	4,673
Other Net Adjustments	<u>(6,026)</u>	<u>(84,427)</u>
TOTAL	<u>\$ (157,155)</u>	<u>\$ (235,556)</u>

3. **Virtual School.** The Budget Committee recommends a review of education services at Beloit Juvenile Correctional Facility. Specifically, the Committee requests a review of implementing virtual schooling accredited by the Kansas Department of Education at the facility for review at Omnibus.

## House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation.

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## Senate Subcommittee Report

**Agency:** Beloit Juvenile Correctional Facility **Bill No.** 573

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I - 207

**Budget Page No.** 83

<u>Expenditure Summary</u>	<u>Agency Request FY 07</u>	<u>Governor's Recommendation FY 07</u>	<u>Senate Subcommittee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 4,628,668	\$ 4,353,606	\$ 78,801
Other Funds	209,006	209,006	0
TOTAL - Operations	<u>\$ 4,837,674</u>	<u>\$ 4,562,612</u>	<u>\$ 78,801</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Cap. Impr.	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<u><b>\$ 4,837,674</b></u>	<u><b>\$ 4,562,612</b></u>	<u><b>\$ 78,801</b></u>
FTE Positions	87.0	87.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>87.0</u>	<u>87.0</u>	<u>0.0</u>

### Agency Request

The agency requests an FY 2007 operating budget of \$4,837,674, a decrease of \$50,803 or 1.0 percent below the revised 2006 request. The request includes two enhancement packages totaling \$123,933 funded by the State General Fund for a chemical dependency director and 2.0 vocational instructors. Absent the enhancement package, the request is a decrease of \$174,736 or 3.6 percent below the agency's FY 2006 revised estimate. The decrease is due to reductions made in salaries and wages for the 27<sup>th</sup> payroll period an decrease in professional fees for the Education Services Program.

### Governor's Recommendation

The Governor recommends FY 2007 operating expenditures of \$4,562,612, a decrease of \$242,960 or 5.1 percent below the FY 2006 recommendation. The recommendation is a decrease of \$275,062 or 5.7 percent below the agency FY 2007 request. The Governor did not recommend



the enhancement package of \$123,933. The recommendation includes an increase in juvenile corrections officer salaries and wages shrinkage rate resulting in a reduction of \$72,297 from the State General Fund, a reduced population estimated savings of \$147,303 from the State General Fund, a 2.5 percent cost of living adjustment totaling \$63,913 from the State General Fund and a trades reclassification totaling \$4,558 from the State General Fund.

### **Senate Subcommittee Recommendation**

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

1. Add \$78,801 from the State General Fund for the addition of 2.0 vocational instructors to provide enhanced vocation education to juveniles who have longer sentences or who have completed their formal high school education.

## House Budget Committee Report

**Agency:** Larned Juvenile Correctional Facility **Bill No.** 2958

**Bill Sec.** 51

**Analyst:** Cussimano **Analysis Pg. No.** Vol. I - 223

**Budget Page No.** 295

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 8,155,088	\$ 8,083,902	\$ 0
Other Funds	449,794	396,840	0
TOTAL - Operations	\$ 8,604,882	\$ 8,480,742	\$ 0
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Cap. Impr.	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 8,604,882</b>	<b>\$ 8,480,742</b>	<b>\$ 0</b>
FTE Positions	146.0	146.0	0.0
Non FTE Uncl. Perm. Pos.	15.0	15.0	0.0
TOTAL	161.0	161.0	0.0

### Agency Estimate

The agency's current year estimate of expenditures is \$8,604,882, an increase of \$603,654 or 7.5 percent above the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$8,155,088, an increase of \$211,869 or 2.7 percent above the amount approved by the 2005 Legislature. The agency estimates expenditures of \$449,794 in all other funds, an increase of \$391,785 or 675.4 percent above the amount approved by the 2005 Legislature. Included in the estimate is a supplemental funds request of \$198,099 for outside medical expenses, all of which is from the State General Fund.

### Governor's Recommendation

The Governor recommends operating expenditures of \$8,480,742, an increase of \$479,514 or 6.0 percent above the amount approved by the 2005 Legislature. The recommendation is a decrease of \$124,140 or 1.4 percent below the agency FY 2006 request. The decrease is due to a reduced population lapse of \$64,778 and a reduction in a transfer from the Juvenile Justice Authority of \$59,362.

### House Budget Committee Recommendation

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

## House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation.

### Senate Subcommittee Report

**Agency:** Larned Juvenile Correctional Facility **Bill No.** 570 **Bill Sec.** 51

**Analyst:** Cussimano **Analysis Pg. No.** Vol. I - 223 **Budget Page No.** 295

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 8,155,088	\$ 8,083,902	\$ 0
Other Funds	449,794	396,840	0
<b>TOTAL - Operations</b>	<b>\$ 8,604,882</b>	<b>\$ 8,480,742</b>	<b>\$ 0</b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<b>Subtotal - Cap. Impr.</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>TOTAL</b>	<b>\$ 8,604,882</b>	<b>\$ 8,480,742</b>	<b>\$ 0</b>
FTE Positions	146.0	146.0	0.0
Non FTE Uncl. Perm. Pos.	15.0	15.0	0.0
<b>TOTAL</b>	<b>161.0</b>	<b>161.0</b>	<b>0.0</b>

### Agency Estimate

The agency's current year estimate of expenditures is \$8,604,882, an increase of \$603,654 or 7.5 percent above the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$8,155,088, an increase of \$211,869 or 2.7 percent above the amount approved by the 2005 Legislature. The agency estimates expenditures of \$449,794 in all other funds, an increase of \$391,785 or 675.4 percent above the amount approved by the 2005 Legislature. Included in the estimate is a supplemental funds request of \$198,099 for outside medical expenses, all of which is from the State General Fund.

### Governor's Recommendation

The Governor recommends operating expenditures of \$8,480,742, an increase of \$479,514 or 6.0 percent above the amount approved by the 2005 Legislature. The recommendation is a decrease of \$124,140 or 1.4 percent below the agency FY 2006 request. The decrease is due to a reduced population lapse of \$64,778 and a reduction in a transfer from the Juvenile Justice Authority of \$59,362.

### **Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Larned Juvenile Correctional Facility **Bill No.** 2968

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I - 223

**Budget Page No.** 295

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 8,199,382	\$ 8,060,971	\$ 0
Other Funds	154,797	156,454	0
<b>TOTAL - Operations</b>	<b>\$ 8,354,179</b>	<b>\$ 8,217,425</b>	<b>\$ 0</b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Cap. Impr.	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 8,354,179</b>	<b>\$ 8,217,425</b>	<b>\$ 0</b>
FTE Positions	146.0	146.0	0.0
Non FTE Uncl. Perm. Pos.	15.0	15.0	0.0
<b>TOTAL</b>	<b>161.0</b>	<b>161.0</b>	<b>0.0</b>

### Agency Request

**The agency** requests an FY 2007 operating budget of \$8,354,179, a decrease of \$250,703 or 2.9 percent below the revised FY 2006 request. The request includes \$8,199,382 from the State General Fund and \$154,797 from all other funds. Included in the request is an enhancement package in the amount of \$167,300, all from the State General Fund, for 5.0 unclassified, full-time positions in the substance abuse treatment program.

### Governor's Recommendation

**The Governor** recommends an FY 2007 operating budget of \$8,217,425, a decrease of \$263,317 or 3.1 percent below the FY 2006 recommendation. The recommendation is a decrease of \$136,754 or 1.6 percent below the agency FY 2007 request. The decrease is due to an increase in shrinkage resulting in a reduction of \$35,857 from the State General Fund, a reduced population reduction of \$186,413 from the State General Fund. Included in the recommendation is a 2.5 percent cost of living adjustment of \$121,677 and a trades reclassification of \$1,436. The Governor recommended the enhancement package at a reduced amount totaling \$129,703.

### House Budget Committee Recommendation

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

1. **FY 2007 Baseline Budget.** To establish a baseline FY 2007 budget, the FY 2006 budget, as approved by the 2005 Legislature, was adjusted to reflect salary adjustments (removal of the 27<sup>th</sup> payroll period funding included in FY 2006, annualization of the FY 2006 phased in 2.5 percent base salary adjustment and statutorily required adjustments for Kansas Public Employees Retirement System (KPERs) rates, KPERs death and disability insurance, and longevity). In addition, adjustments were made for required debt service payments, revenue transfers, and consensus items including school finance funding and caseload estimates for the Department of Social and Rehabilitation Services, the Department of Administration, the Department on Aging, and the Board of Indigents' Defense Services. Finally, adjustments were made for one-time items which impact specific agency budgets.

**For this agency,** the FY 2006 approved budget totaled \$8,001,228, including \$7,943,219 from the State General Fund. The approved budget was reduced by a net total of \$89,492, including \$89,319 from the State General Fund to establish a baseline budget for FY 2007. The reductions included \$89,492 in salary adjustments.

2. **Comparison of FY 2007 Baseline Budget to Governor's Recommendation.** The table below reflects the difference between the Governor's recommendation and the baseline budget.

	<u>SGF</u>	<u>All Funds</u>
Governor's Recommendation	\$ 8,060,971	\$ 8,217,425
Baseline Budget	<u>7,853,900</u>	<u>7,911,736</u>
Dollar Difference	<u>\$ 207,071</u>	<u>\$ 305,689</u>
<i>Percent Difference</i>	<i>2.6%</i>	<i>3.7%</i>

The following table reflects items included in the Governor's recommendation which differ from the baseline budget.

	<u>SGF</u>	<u>All Funds</u>
Base Salary Adjustment	\$ 119,985	\$ 121,642
RSAT	129,703	129,703
Reclassification of positions	1,471	1,471
JCO Shrinkage	(35,857)	(35,857)
Reduced Population Reduction	(186,413)	(186,413)
Other Net Adjustments	<u>178,182</u>	<u>275,143</u>
TOTAL	<u>\$ 207,071</u>	<u>\$ 305,689</u>

3. **Virtual School.** The Budget Committee recommends a review of education services at Larned Juvenile Correctional Facility. Specifically, the Committee requests a review of implementing virtual schooling accredited by the Kansas Department of Education at the facility for review at Omnibus.

### Senate Subcommittee Report

**Agency:** Larned Juvenile Correctional Facility **Bill No.** 573

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I - 223

**Budget Page No.** 295

<u>Expenditure Summary</u>	<u>Agency Request FY 07</u>	<u>Governor's Recommendation FY 07</u>	<u>Senate Subcommittee Adjustments</u>
<b>Operating Expenditures:</b>			
State General Fund	\$ 8,199,382	\$ 8,060,971	\$ 0
Other Funds	154,797	156,454	0
<b>TOTAL - Operations</b>	<b><u>\$ 8,354,179</u></b>	<b><u>\$ 8,217,425</u></b>	<b><u>\$ 0</u></b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
<b>Subtotal - Cap. Impr.</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 0</b>
<b>TOTAL</b>	<b><u>\$ 8,354,179</u></b>	<b><u>\$ 8,217,425</u></b>	<b><u>\$ 0</u></b>
FTE Positions	146.0	146.0	0.0
Non FTE Uncl. Perm. Pos.	15.0	15.0	0.0
<b>TOTAL</b>	<b><u>161.0</u></b>	<b><u>161.0</u></b>	<b><u>0.0</u></b>

#### Agency Request

**The agency** requests an FY 2007 operating budget of \$8,354,179, a decrease of \$250,703 or 2.9 percent below the revised FY 2006 request. The request includes \$8,199,382 from the State General Fund and \$154,797 from all other funds. Included in the request is an enhancement package in the amount of \$167,300, all from the State General Fund, for 5.0 unclassified, full-time positions in the substance abuse treatment program.

#### Governor's Recommendation

**The Governor** recommends an FY 2007 operating budget of \$8,217,425, a decrease of \$263,317 or 3.1 percent below the FY 2006 recommendation. The recommendation is a decrease of \$136,754 or 1.6 percent below the agency FY 2007 request. The decrease is due to an increase in shrinkage resulting in a reduction of \$35,857 from the State General Fund, a reduced population reduction of \$186,413 from the State General Fund. Included in the recommendation is a 2.5 percent cost of living adjustment of \$121,677 and a trades reclassification of \$1,436. The Governor recommended the enhancement package at a reduced amount totaling \$129,703.

#### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Kansas Juvenile Correctional Complex **Bill No.** 2958

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I- 239

**Budget Page No.** 251

Expenditure Summary	Agency Estimate FY 06	Governor's Recommendation FY 06	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 15,109,477	\$ 15,048,477	\$ 0
Other Funds	566,094	566,094	0
<b>TOTAL - Operations</b>	<b>\$ 15,675,571</b>	<b>\$ 15,614,571</b>	<b>\$ 0</b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	10,310	10,310	0
<b>Subtotal - Cap. Impr.</b>	<b>\$ 10,310</b>	<b>\$ 10,310</b>	<b>\$ 0</b>
<b>TOTAL</b>	<b>\$ 15,685,881</b>	<b>\$ 15,624,881</b>	<b>\$ 0</b>
FTE Positions	253.5	253.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>253.5</b>	<b>253.5</b>	<b>0.0</b>

### Agency Estimate

**The agency's** current estimate of operating expenditures is \$15,675,571, a decrease of \$305,412 or 1.9 percent below the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$15,109,477, a decrease of \$286,262 or 1.9 percent below the approved amount.

### Governor's Recommendation

**The Governor** recommends an FY 2006 operating budget of \$15,614,571, a decrease of \$366,412 or 2.3 percent below the amount approved by the 2005 Legislature. The recommendation is a decrease of \$61,000 or 0.4 percent below the agency's FY 2006 request. The decrease is due to a lapse of \$61,000 from the State General Fund for a reduced population.

### House Budget Committee Recommendation

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

### House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation.



### Senate Subcommittee Report

**Agency:** Kansas Juvenile Correctional Complex **Bill No.** 570

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I - 239

**Budget Page No.** 251

<u>Expenditure Summary</u>	<u>Agency Estimate FY 06</u>	<u>Governor's Recommendation FY 06</u>	<u>Senate Subcommittee Adjustments</u>
<b>Operating Expenditures:</b>			
State General Fund	\$ 15,109,477	\$ 15,048,477	\$ 0
Other Funds	<u>566,094</u>	<u>566,094</u>	<u>0</u>
TOTAL - Operations	<u><u>\$ 15,675,571</u></u>	<u><u>\$ 15,614,571</u></u>	<u><u>\$ 0</u></u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	<u>10,310</u>	<u>10,310</u>	<u>0</u>
Subtotal - Cap. Impr.	<u>\$ 10,310</u>	<u>\$ 10,310</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><b>\$ 15,685,881</b></u>	<u><b>\$ 15,624,881</b></u>	<u><b>\$ 0</b></u>
FTE Positions	253.5	253.5	0.0
Non FTE Uncl. Perm. Pos.	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
TOTAL	<u><u>253.5</u></u>	<u><u>253.5</u></u>	<u><u>0.0</u></u>

#### Agency Estimate

The agency's current estimate of operating expenditures is \$15,675,571, a decrease of \$305,412 or 1.9 percent below the amount approved by the 2005 Legislature. The agency estimates FY 2006 State General Fund expenditures of \$15,109,477, a decrease of \$286,262 or 1.9 percent below the approved amount.

#### Governor's Recommendation

The Governor recommends an FY 2006 operating budget of \$15,614,571, a decrease of \$366,412 or 2.3 percent below the amount approved by the 2005 Legislature. The recommendation is a decrease of \$61,000 or 0.4 percent below the agency's FY 2006 request. The decrease is due to a lapse of \$61,000 from the State General Fund for a reduced population.

#### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Kansas Juvenile Correctional Complex **Bill No.** 2968

**Bill Sec.** 51

**Analyst:** Cussimano

**Analysis Pg. No.** Vol. I-239

**Budget Page No.** 251

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	House Budget Committee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 14,898,347	\$ 14,845,988	\$ (19,000)
Other Funds	484,094	532,962	0
TOTAL - Operations	\$ 15,382,441	\$ 15,378,950	\$ (19,000)
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Cap. Impr.	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 15,382,441</b>	<b>\$ 15,378,950</b>	<b>\$ 0</b>
<b>FTE Positions</b>			
FTE Positions	253.5	253.5	0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	253.5	253.5	0.0

### Agency Request

The agency requests an operating budget of \$15,382,441 for FY 2007, a decrease of \$293,130 or 1.9 percent below the revised FY 2006 request. The agency requests State General Fund expenditures of \$14,898,347, a decrease of \$211,130 or 1.4 percent below the revised FY 2006 request. The request includes an enhancement package totaling \$19,000 from the State General Fund.

### Governor's Recommendation

The Governor recommends an FY 2007 operating budget of \$15,378,950, a decrease of \$235,621 or 1.5 percent below the FY 2006 recommendation. The recommendation is a decrease of \$3,491 below the agency's FY 2007 request. The Governor recommends the enhancement package. The Governor's recommendation includes an increase in the salaries and wages shrinkage rate for Juvenile Corrections Officers resulting in a reduction of \$193,888 from the State General Fund, a reduction of \$25,712 from the State General Fund due to a reduced population, an increase for the 2.5 percent cost of living adjustment totaling \$205,770 from the State General Fund and an increase for reclassification of trades positions totaling \$10,339 from the State General Fund. The increases have been offset by the reduction made in FY 2007 for the 27th payroll period.

### House Budget Committee Recommendation

The House Budget Committee concurs with the Governor's recommendation with the following notations and adjustments:

1. **FY 2007 Baseline Budget.** To establish a baseline FY 2007 budget, the FY 2006 budget, as approved by the 2005 Legislature, was adjusted to reflect salary adjustments (removal of the 27<sup>th</sup> payroll period funding included in FY 2006, annualization of the FY 2006 phased in 2.5 percent base salary adjustment and statutorily required adjustments for Kansas Public Employees Retirement System (KPERs) rates, KPERs death and disability insurance, and longevity). In addition, adjustments were made for required debt service payments, revenue transfers, and consensus items including school finance funding and caseload estimates for the Department of Social and Rehabilitation Services, the Department of Administration, the Department on Aging, and the Board of Indigents' Defense Services. Finally, adjustments were made for one-time items which impact specific agency budgets.

**For this agency**, the FY 2006 approved budget totaled \$15,980,983, including \$15,395,739 from the State General Fund. The approved budget was reduced by a net total of \$180,162 from the State General Fund to establish a baseline budget for FY 2007. The reductions included \$180,162 in salary adjustments.

2. **Comparison of FY 2007 Baseline Budget to Governor's Recommendation.** The table below reflects the difference between the Governor's recommendation and the baseline budget.

	SGF	All Funds
Governor's Recommendation	\$ 14,845,988	\$ 15,378,950
Baseline Budget	15,215,577	15,800,821
Dollar Difference	<u>\$ (369,589)</u>	<u>\$ (421,871)</u>
<i>Percent Difference</i>	<i>(2.5)%</i>	<i>(2.7)%</i>

The following table reflects items included in the Governor's recommendation which differ from the baseline budget.

	SGF	All Funds
Base Salary Adjustment	\$ 205,513	\$ 205,513
Reclassification of positions	10,596	10,596
Vehicle Purchases	19,000	19,000
Population Reduction	(25,712)	(25,712)
JCO Shrinkage	(193,888)	(193,888)
Spend down fee fund	(48,868)	(48,868)
Reception/Diagnostic Unit	(288,662)	(288,662)
Other Net Adjustments	(47,568)	(99,850)
TOTAL	<u>\$ (369,589)</u>	<u>\$ (421,871)</u>

3. **Vehicle Purchase.** Delete \$19,000 from the State General Fund for the purchase of a replacement van for further review at Omnibus.
4. **Virtual School.** The Budget Committee recommends a review of education services at Kansas Juvenile Correctional Complex. Specifically, the Committee requests a review of implementing virtual schooling accredited by the Kansas Department of Education at the facility for review at Omnibus.

## House Committee Recommendation

The House Committee concurs with the Budget Committee recommendation.

### Senate Subcommittee Report

**Agency:** Kansas Juvenile Correctional Complex **Bill No.** 573 **Bill Sec.** 51

**Analyst:** Cussimanio **Analysis Pg. No.** Vol. I - 239 **Budget Page No.** 251

Expenditure Summary	Agency Request FY 07	Governor's Recommendation FY 07	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 14,898,347	\$ 14,845,988	\$ 0
Other Funds	484,094	532,962	0
<b>TOTAL - Operations</b>	<b>\$ 15,382,441</b>	<b>\$ 15,378,950</b>	<b>\$ 0</b>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Cap. Impr.	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 15,382,441</b>	<b>\$ 15,378,950</b>	<b>\$ 0</b>
FTE Positions	253.5	253.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>253.5</b>	<b>253.5</b>	<b>0.0</b>

### Agency Request

The agency requests an operating budget of \$15,382,441 for FY 2007, a decrease of \$293,130 or 1.9 percent below the revised FY 2006 request. The agency requests State General Fund expenditures of \$14,898,347, a decrease of \$211,130 or 1.4 percent below the revised FY 2006 request. The request includes an enhancement package totaling \$19,000 from the State General Fund.

### Governor's Recommendation

The Governor recommends an FY 2007 operating budget of \$15,378,950, a decrease of \$235,621 or 1.5 percent below the FY 2006 recommendation. The recommendation is a decrease of \$3,491 below the agency's FY 2007 request. The Governor recommends the enhancement package. The Governor's recommendation includes an increase in the salaries and wages shrinkage rate for Juvenile Corrections Officers resulting in a reduction of \$193,888 from the State General Fund, a reduction of \$25,712 from the State General Fund due to a reduced population, an increase for the 2.5 percent cost of living adjustment totaling \$205,770 from the State General Fund and an increase for reclassification of trades positions totaling \$10,339 from the State General Fund. The increases have been offset by the reduction made in FY 2007 for the 27th payroll period.

**Senate Subcommittee Recommendation**

The Senate Subcommittee concurs with the Governor's recommendation.



# K A N S A S

WILLIAM R. SECK, SUPERINTENDENT

KATHLEEN SEBELIUS, GOVERNOR

KANSAS HIGHWAY PATROL

**Testimony on SB 569  
To the  
Senate Ways and Means Committee**

**Presented by Walt Darling  
Kansas Highway Patrol**

**March 2, 2006**

Good morning, Mr. Chairman and members of the committee. My name is Walt Darling and I am the Chief Finance Officer for the Kansas Highway Patrol. On behalf of Colonel William Seck and the Kansas Highway Patrol, it my pleasure to appear before you today in support of Senate Bill 569.

The Kansas Highway Patrol has requested proposed changes to KSA 46-922 found in SB 569 that would allow the Patrol's Superintendent to authorize payment to another person for a claim against the patrol for personal injury or property damage or loss. The proposed authority would be limited to circumstances which establish that damage or loss occurred during law enforcement efforts by the Kansas Highway Patrol to persons who were not negligent during such efforts.

An example of law enforcement efforts by the Kansas Highway Patrol would be taking control of a vehicle pursuit. While attempting to do so, tire deflation devices or Stop Sticks ® are routinely used to stop a fleeing driver. Unfortunately, we occasionally damage tires of other vehicles that are not involved in a pursuit, but are effectively, "in the wrong place at the wrong time." Currently, KSA 46-922 allows for claims such as this to be paid only when damage or loss was caused by the negligence of the state or any agency, officer, or employee thereof. The Patrol feels the proposed amendment is necessary to address situations when KHP law enforcement officers are doing their jobs appropriately, following established policies or procedures, are not negligent in any way, but damage or personal injury occurs. There are situations where true accidents happen, and damage or injury results without negligence.

Proposed changes found in SB 569 most importantly address the need to quickly process claims by individuals incurring loss caused by law enforcement efforts. In the case of the innocent individual who runs over Stop Sticks ® and receives tire damage, the individual is currently required to spend their own money to acquire towing services and replacement tire(s). They then are required to fill out a claim form that must be signed before a notary. That paperwork is submitted through channels at the Highway Patrol. After a review of the claim, recommendations are made and payment can be processed. The total time required can be two to four months. During this time, the innocent person can become very frustrated with the process. SB 569 would allow the Patrol to establish a process, which would have us finance the same expenses we already are, but in a way that would take care of innocent persons quickly and courteously and to get them back on the road with minimal inconvenience. Ultimately, our intent with this legislation is to exceed our customer's expectations.

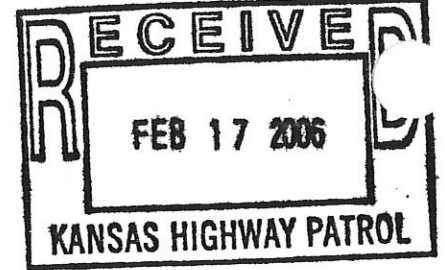
The Kansas Highway Patrol appreciates the committee's willingness to hear SB 569 and urges your support of the bill. I, along with any of the other Patrol personnel present here today would be happy to answer any questions that you might have.

###

122 SW 7th Street, Topeka, Kansas 66603  
Voice 785-296-6800 Fax 785-296-5956

[www.KansasHighwayPatrol.org](http://www.KansasHighwayPatrol.org)

*Senate Ways and Means  
03-02-06  
Attachment 3*



# KANSAS

ROBERT L. MACKEY, DIRECTOR

DEPARTMENT OF ADMINISTRATION  
DIVISION OF ACCOUNTS AND REPORTS

KATHLEEN SEBELIUS, GOVERNOR  
DUANE A. GOOSSEN, SECRETARY  
CAROL L. FOREMAN, DEPUTY SECRETARY

February 17, 2006

Walter V. Darling, Chief Finance Officer  
Kansas Highway Patrol  
122 SW 7<sup>th</sup> Street  
Topeka, KS 66603

Dear Walt:

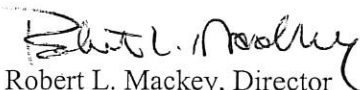
Thank you for sending an advanced copy of the proposed legislation to amend K.S.A. 46-922, regarding certain personal injury or property damage or loss claims incurred by the Kansas Highway Patrol (KHP). My staff has advised me that it will be introduced today as Senate Bill 569. The Department of Administration has no concerns with the proposal and does not anticipate being called upon by the Legislature regarding the proposal. As requested, the following statistics are provided for KHP personal injury and property damage or loss claims history:

<u>Calendar Year</u>	<u>Public Claims</u>	<u>Employee Claims</u>	<u>Total Annual Claims</u>
2001	3	8	11
2002	8	4	12
2003	7	2	9
2004	7	1	8
2005	7	5	12

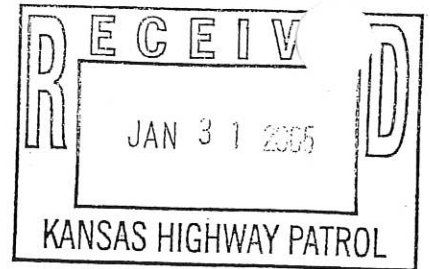
In the January 31, 2006 letter to Colonel Seck approving the current KHP process for certain property damage or loss claims, the statement to attest compliance with K.S.A. 46-922 was mentioned. It was proposed as a voucher attachment, but you have expressed concerns about timing related to purchases made through the Business Procurement Card and the subsequent payment to UMB Bank. With the KHP procedures in place to settle the claim at the time of its occurrence, it was anticipated that KHP headquarters would be aware of the claim and the charge, and could theoretically submit to Accounts and Reports both the claim documentation and the payment voucher at somewhat the same time. That would allow the staff involved in the two processes to see the claims coding, link the documents, and process the payment accordingly. Since it is anticipated that there will be very few of these, we should be able to work through this without the need to delay any payments.

Please let me know if the Division of Accounts and Reports may be of assistance in regard any other matters of concern to the Kansas Highway Patrol.

Sincerely,

  
Robert L. Mackey, Director  
Division of Accounts and Reports

RLM:sw



# KANSAS

ROBERT L. MACKEY, DIRECTOR

DEPARTMENT OF ADMINISTRATION  
DIVISION OF ACCOUNTS AND REPORTS

KATHLEEN SEBELIUS, GOVERNOR  
DUANE A. GOOSSEN, SECRETARY  
CAROL L. FOREMAN, DEPUTY SECRETARY

January 31, 2006

Colonel William R. Seck, Superintendent  
Kansas Highway Patrol  
122 SW 7<sup>th</sup> Street  
Topeka, KS 66603

Dear Colonel Seck:

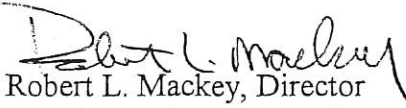
Thank you for your letter proposing a modified process for certain property damage or loss claims incurred by the Kansas Highway Patrol. As you may know, I was appointed as Director of Accounts and Reports effective January 3, 2006. It is my understanding that staff from both of our agencies spent significant time prior to my appointment to discuss this proposal and their joint effort resulted in a final product with which everyone is comfortable.

I have read the proposal and discussed it with my staff. Their recommendation is to approve the modifications to the existing property damage and loss claims process, the unique claim form to be used for this purpose only, and the related internal Highway Patrol Policy and Procedure Manual filing. They also advise that you and your staff have agreed to attach a statement to the payment voucher regarding compliance with the provisions of K.S.A. 46-922. This statute requires you, as the agency head, to acknowledge that the claim was caused by the negligence of the state, or any agency, officer or employee thereof. It has been agreed that the statement will simply say that the payment has been paid "pursuant to K.S.A. 46-922". It is my understanding that the legislation to be proposed by your agency in the 2006 Legislative Session will codify authority for the proposed process and alleviate the need for the voucher attachment regarding the negligence issue.

I certainly understand how the current claims process does not work well for some situations encountered in the Highway Patrol's course of business. Therefore, I approve the provisions of the property damage or loss proposal, as stated in your December 16, 2005 letter, and the voucher attachment necessary to comply with existing law, as discussed and reviewed by our respective staff.

Please let me know if the Division of Accounts and Reports may be of assistance in regard to the proposed legislation or any other matters of concern to the Kansas Highway Patrol.

Sincerely,

  
Robert L. Mackey, Director  
Division of Accounts and Reports

RLM:sw



**CATEGORY: EIGHT**

***CLAIMS AGAINST THE PATROL RESULTING FROM THE  
UNINTENTIONAL DISABLING OF A VEHICLE***

**SUBCATEGORY: ONE**

***PROPERTY DAMAGE***

**8.1.1 OVERVIEW.**

The Patrol frequently uses methods to stop and capture persons, which are suspected of breaking the law, in the scope of routine agency duties. One of the hazards of employing law enforcement in traffic is that, occasionally, damage is unintentionally inflicted on vehicles in the vicinity of targeted vehicles. Pursuant to K.S.A. 46-922 the Patrol has the authority to reimburse non-negligent persons for damage caused by actions performed within the scope of the Patrol's duties.

**8.1.2. AUTHORIZED PAYMENTS.**

The Superintendent must authorize the payment of any claim for personal injury or property damage or loss occurring under circumstances, which establish in the Superintendent's opinion, that such damage or loss was incurred from the performance of duties within the Patrol's scope, and in which the claimant was not negligent.

**8.1.2.1. DETERMINATION BY SUPERINTENDENT FOR IMMEDIATE  
CORRECTIVE ACTION AND PAYMENT FOR GOODS AND  
SERVICES TO VENDOR IN LIEU OF CASH PAYMENT TO  
CLAIMANT**

The Superintendent has determined that actions on the roadway by employees of this agency, made in an attempt to stop an offending vehicle and driver, but in which damages occur to vehicles of persons not related to the offense for which the action is taken, and where the action results in such a vehicle being incapacitated, will result in immediate corrective action so that the non-negligent person will be affected as minimally as possible.

This determination specifically affects the use of "stop-sticks" or similar devices used to incapacitate vehicles of offenders. At times, the use of these devices results in the unintentional incapacitation of additional vehicles. When such an unintended consequence occurs, officers are directed to ensure that the persons affected are assisted to such an extent as to get their vehicles operational as quickly as possible.

The need of a non-negligent person for corrective action resulting from circumstances such as described above are considered claims under Article 9 of Chapter 40 of the *Kansas Statutes Annotated*. As such, affected persons must complete a claim form prior to payments being made to correct for the unintended consequences. Before fulfilling a claim under this policy the officer responsible for completing the claim form **must** receive approval from a supervisor. No damages may be paid without the approval of a supervisor. The Troop Commander may designate one or more senior officers that can approve these payments when supervisors are unavailable. The claim form will provide the information required under the statute and provide for the officer to witness the statement and signature of the individual and describe the circumstances surrounding the action resulting in the claim.

Upon completion of the claim form, by the claimant and the officer, who may also be the witness to the statement and signature of the claimant, payment may be made directly to the provider of the goods and services required to satisfy the claim. The cost of the goods and services must be entered onto the claim form and agreed to by the claimant and officer. If agreement is not reached, the AR-98 form must be completed, and the officer is not authorized to pay a vendor for goods and services in lieu of cash payment to the claimant.

The originals of the shop work order and payment invoice, and, a photocopy of the credit card receipt must be attached to the claim form prior to the claim form being sent to GHQ Accounting. If the officer charges the expense rather than using the credit card, it must be noted on the claim form that the invoice is not paid and is to be paid by GHQ Accounting.

### 8.1.3. PAYMENT LIMITATIONS.

State law prohibits the Highway Patrol from the payment of claims that exceed \$1,000. If the claim is for more than \$1,000, the claimant must file a claim with the Joint Committee on Special Claims Against the State, as authorized by K.S.A. 46-913, to receive payment. In this instance, the KHP claim form cannot be used. Instead, the claimant must start the claims process by completing and submitting one of two versions of the claim form developed by the Joint Committee on Special Claims Against the State, dependent upon whether the claim is for personal injury/property damage, or if it is for an issue unrelated to such injury or damage. The forms are available on the web at [http://skyways.lib.ks.us/ksleg/KLRD/Resources\\_Claims.htm](http://skyways.lib.ks.us/ksleg/KLRD/Resources_Claims.htm). This site also includes the rules and procedures for the claims process.

The Kansas Highway Patrol cannot use this policy's special process and form for the payment of claims made by employees of the agency. The AR-98 form developed by the State must be used for all agency employee claims under \$1,000.

#### **8.1.4. RELEASE OF LIABILITY.**

Under Chapter 9 of Article 40 of the *Kansas Statutes Annotated*, the acceptance by the claimant of any payment made pursuant to a claim shall be final and conclusive and shall constitute a complete release of any and all existing and future claims for personal injury or property damage or loss against the Patrol, the State of Kansas and any individual, employee or agent thereof arising from the stated event. Said acceptance shall be binding on all heirs, successors, or assigns.

No claim payments may be made to a person who is an insurer and who is making the claim as a subrogee for all or part of any amount paid to such person's insured.

Any claimant has the right to submit a claim with the Joint Committee on Special Claims Against the State.

#### **8.1.5. CLAIM FORMS.**

The Patrol has designed a claim form specifically for damage caused from actions by its employees in the conduct of their responsibilities, which can be found as Attachment A in the KHP Accounting Policy and Procedure Manual. The form must be signed by the claimant and must be witnessed in writing by a uniformed officer. Claims, which are in excess of \$1,000, must be submitted on the special forms developed for that purpose by the Joint Committee on Special Claims Against the State. See [http://skyways.lib.ks.us/ksleg/KLRD/Resources\\_Claims.htm](http://skyways.lib.ks.us/ksleg/KLRD/Resources_Claims.htm) for details.

#### **8.1.6. REPORTING REQUIREMENTS.**

As required under K.S.A. 46-925, the Patrol will report any claims resulting in personal injury, property damage, or loss to the Director of Accounts and Reports.

#### **8.1.7. PROCEDURES.**

1. The officer involved in the completion of the claim must receive authorization from a supervisor, or senior officer approved by the appropriate Troop Commander, to fulfill a claim under this policy.
2. The claimant must complete the Patrol's claim form for the receipt of goods and services in lieu of a cash payment from the Highway Patrol. A Kansas Highway Patrol or other Kansas law enforcement officer must witness and sign the claim. Upon corrective action being taken, the officer is authorized to make payment using the fleet BPC card directly to the vendor providing the goods and service to the claimant in lieu of a cash payment from the KHP to the claimant. Upon completion of the claim form by the claimant and officer, correction of the vehicle, and payment to the vendor, the officer will forward

the original claim form, supporting documentation, shop work order, vendor invoice, and a copy of the credit card receipt to GHQ Accounting. (If payment to the vendor is not completed at this time, GHQ Accounting must be notified that payment is still pending.)

3. GHQ Accounting will forward the completed original claim form and supporting documentation to the Central Services Team of the Division of Accounts and Reports.
4. A&R Central Services Team will record and update claim files for payments made and will follow-up on unpaid claims.

**PROPERTY DAMAGE OR LOSS CLAIM  
AGAINST THE KANSAS HIGHWAY PATROL**

**INSTRUCTIONS**

1. The officer responsible for completing the claim form must receive approval.
2. Claimants must read the "Notice to Claimant" section prior to completing the form.
3. Claimant must complete the requested information in the "Claimant Information" and "Claim Information – Claimant" sections of the form.
4. Claimant must have the claim statement and signature witnessed by a Kansas Law Enforcement Officer.
5. Claim form and any necessary documentation must be returned to the Kansas Highway Patrol officer for completion.
6. KHP Officer must submit completed forms and all documentation to "KHP Legal; State Headquarters; 122 SW 7<sup>th</sup>; Topeka, KS; 66612.

**NOTICE TO CLAIMANT**

Property damage may be paid by the Kansas Highway Patrol if the claim amount does not exceed \$1,000, the damage did not occur as a result of negligence of the claimant, the damage resulted from a Kansas Highway Patrol action in the regular conduct of lawful duties and responsibilities, and which resulted in the disabling of a vehicle.

The acceptance by the claimant of any payment made pursuant to this claim shall be final and conclusive and shall constitute a complete release of any and all existing and future claims, known and unknown, for personal injury or property damage or loss against the Kansas Highway Patrol, the State of Kansas and any individual, employee or agent thereof arising from the stated event. Said acceptance shall be binding on all heirs, successors, or assigns. (KSA 46-924)

This process is designed to speed repairs and allow direct payment to the vendor by the Kansas Highway Patrol for your damages. If you choose not to use this process, you may pay all expenses related to the repairs yourself and request on an AR-98 form that those expenses be reimbursed: (1) By the Kansas Highway Patrol, or (2) You also have the right to file a formal claim with the Kansas Legislature. If you choose either of these other processes, the Kansas Highway Patrol will be able to address your damage claim only after a complete review of your claim file has been concluded.

**CLAIMANT INFORMATION** (Please Print or Type)

Name \_\_\_\_\_ Tax ID No. (SSN or FEIN) \_\_\_\_\_

Address \_\_\_\_\_ Telephone Number ( ) \_\_\_\_\_

\_\_\_\_\_ E-Mail Address \_\_\_\_\_

\_\_\_\_\_

**AIM INFORMATION – CLAIMANT SECTION**

1. Enter the total dollar amount of the claim for which you are filing.

Agency Name: Kansas Highway Patrol Total Claim Amount: \$ \_\_\_\_\_

2. Please briefly state the basis of your claim including the date, time, location and circumstances of the event. Attach any documents, which you feel may be pertinent to your claim, including an itemization of the amount for which you are claiming.

I hereby declare and affirm that, under penalty of perjury I have read the preceding claim and know the contents are true and correct. Further, by signing below, I accept the receipt of goods and services in the amount noted in "Total Claim Amount" above, in lieu of any cash payment directly to me. I understand that the Highway Patrol will make payment directly to the vendor providing the goods and services related to this claim, and that I have received such goods and/or services. I hereby state that I understand I am participating in this process voluntarily and as an alternative to paying all expenses related to the repairs and requesting reimbursement from the Kansas Highway Patrol on an AR-98 claim form. Further, I knowingly and voluntarily waive the right to pay all my expenses myself and file my claim for reimbursement directly with the Kansas Legislature. My acceptance of the above goods and services in lieu of a cash payment for this claim shall be final and conclusive and shall constitute a complete release of any and all existing and future claims, known and unknown, for personal injury and/or property damage or loss against the Kansas Highway Patrol, the State of Kansas, and any individual, employee or agent thereof arising from the stated event. Said acceptance shall be binding on all heirs, successors, or assigns. (KSA 46-924)

Claimant Signature \_\_\_\_\_ Date \_\_\_\_\_

**WITNESS:**

Officer's Signature \_\_\_\_\_ Date \_\_\_\_\_

**CLAIM INFORMATION – OFFICER SECTION**

Please briefly state the circumstances of the claim including the date, time, location, circumstances of the event, the name of the approving supervisor, and the date and time that approval was granted. If you are in agreement with the claimant that actions on your part unintentionally resulted in the damage for which the claim is made, and claimant is not an employee of the Kansas Highway Patrol, you are authorized under the directive of the Superintendent to get the motorist's vehicle restored as quickly as possible, and make payment to a vendor for the goods and services to resolve the claim at the time this form is completed. Attach any documents that you feel may be pertinent to the claim, but specifically include the original itemization of the work performed, vendor name and address (if not on the invoice) and a copy of the credit card receipt, if payment was made by credit card. If you are not in agreement with the claimant or if the amount being claimed is in excess of the amount necessary to correct for whatever damages resulted, do not complete this form or have any work completed on the claimant's vehicle, and have the claimant complete the AR-98 form for submission directly to State Headquarters.

**APPROVING SUPERVISOR INFORMATION (PRINT)**

Name \_\_\_\_\_  
Date \_\_\_\_\_ Time \_\_\_\_\_

**OFFICER CERTIFICATION**

I hereby certify that the above is an accurate statement of facts regarding the incident for which goods and services are claimed, and that the payment for goods and services by the Highway Patrol is appropriate under state law and Kansas Highway Patrol (KHP) policy. I further certify that I have verified the identity of the claimant, discussed this claim with a supervisor or senior Highway Patrol officer approved for this purpose by my Troop Commander, and have received approval to proceed.

KHP Officer Name (Print) \_\_\_\_\_ Radio # \_\_\_\_\_

KHP Officer's Signature \_\_\_\_\_ Date \_\_\_\_\_