

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:45 A.M. on February 21, 2008, in Room 123-S of the Capitol.

All members were present except:

Senator Donald Betts, Jr. - excused  
Senator Greta Goodwin - excused  
Senator Vicki Schmidt - excused

Committee staff present:

Jill Wolters, Senior Assistant, Revisor of Statutes  
Alan Conroy, Director, Kansas Legislative Research Department  
Kristen Clarke Kellems, Assistant Revisor of Statutes  
Audrey Dunkel, Kansas Legislative Research Department  
Aaron Klaassen, Kansas Legislative Research  
J. G. Scott, Kansas Legislative Research Department  
Jarod Waltner, Kansas Legislative Research Department  
Melinda Gaul, Chief of Staff, Senate Ways & Means  
Mary Shaw, Committee Assistant

Conferees appearing before the committee: none

Others attending:

See attached list.

**Bill Introductions**

Senator Taddiken moved, with a second by Senator Kelly, to introduce a conceptual bill concerning the Kansas Technology Enterprise corporation and Kansas broadband initiative and the rural broadband grants program. Motion carried on a voice vote.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2008 and FY 2009 were available to the committee.

**Subcommittee reports on:**

**Legislative Coordinating Council (Attachment 1)**

Subcommittee Chairman Jay Emler reported that the subcommittee on the Legislative Coordinating Council concurs with the Governor's recommendation in FY 2008 and concurs with the Governor's FY 2009 recommendation with adjustments.

Senator Emler moved, with a second by Senator Morris, to adopt the subcommittee budget report on the Legislative Coordinating Council in FY 2008 and FY 2009. Motion carried on a voice vote.

**Revisor of Statutes**

Subcommittee Chairman Jay Emler reported that the subcommittee on the Revisor of Statutes concurs with the Governor's recommendation in FY 2008 and concurs with the Governor's FY 2009 recommendation with adjustments.

Senator Emler moved, with a second by Senator Taddiken, to adopt the subcommittee budget report on the Revisor of Statutes in FY 2008 and FY 2009. Motion carried on a voice vote.

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:45 A.M. on February 21, 2008, in Room 123-S of the Capitol.

**Kansas Legislative Research Department**

Subcommittee Chairman Jay Emler reported that the subcommittee on the Kansas Department of Legislative Research concurs with the Governor's recommendation in FY 2008 and concurs with the Governor's FY 2009 recommendation with adjustments.

Senator Emler moved, with a second by Senator Taddiken, to adopt the subcommittee budget report on the Kansas Department of Legislative Research in FY 2008 and FY 2009. Motion carried on a voice vote.

**Legislative Division of Post Audit**

Subcommittee Chairman Jay Emler reported that the subcommittee on the Legislative Division of Post Audit concurs with the Governor's recommendation in FY 2008 with adjustment and notation and concurs with the Governor's FY 2009 recommendation with adjustments.

Senator Steineger moved, with a second by Senator Emler, to amend the subcommittee report on the Legislative Division of Post Audit and consider the addition of two new auditors at Omnibus at that time. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Teichmans, to adopt the subcommittee budget report on the Legislative Division of Post Audit in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

**Legislature**

Subcommittee Chairman Jay Emler reported that the subcommittee on the Legislature concurs with the Governor's recommendation in FY 2008 and concurs with the Governor's FY 2009 recommendation with adjustments.

Senator Emler moved, with a second by Senator Teichman, to amend the subcommittee report on the Legislature in FY 2009, Item No. 2, to make the date specific (December 31, 2008) regarding time being in office when allowing legislators the option to buy their computers. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Steineger, to adopt the subcommittee budget report on the Legislature in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

**Kansas Bureau of Investigation (Attachment 2)**

Subcommittee Chairwoman Ruth Teichman reported that the subcommittee on the Kansas Bureau of Investigation concurs with the Governor's recommendation in FY 2008 with comment and concurs with the Governor's FY 2009 recommendation with adjustments.

Senator Teichman moved, with a second by Senator Kelly, to amend the subcommittee report on the Kansas Bureau of Investigation in FY 2009, Item No. 2, to allow the Kansas Bureau of Investigation to purchase motor vehicles because they had budgeted for them. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Emler, to adopt the subcommittee budget report on the Kansas Bureau of Investigation in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

**Kansas Parole Board**

Senator Teichman moved, with a second by Senator Emler, to reconsider action previously taken on the Kansas Parole Board. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Emler, to amend the subcommittee report on the Kansas Parole Board to delete \$6,729 from the State General Fund for enhancement funding request and recommends reviewing the request at Omnibus. Motion carried on a voice vote.

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:45 A.M. on February 21, 2008, in Room 123-S of the Capitol.

Senator Teichman moved, with a second by Senator Kelly, to adopt the subcommittee budget report on the Kansas Parole Board in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

**Note:** The Kansas Commission on Peace Officers' Standards and Training subcommittee budget report was approved on February 13, 2008.

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

**SB 403—Partnership for faculty of distinction program; state income earnings equivalent cap, removed**

Senator Steineger moved, with a second by Senator Wysong, to recommend SB 403 favorable for passage. Motion carried on a roll call vote.

**SB 415—Postsecondary educational institutions; deferred maintenance**

The Revisor explained a balloon amendment (Attachment 3).

Senator Morris moved, with a second by Senator Emler, to adopt the balloon amendment on SB 415. Motion carried on a voice vote.

Senator Morris moved, with a second by Senator Emler, to amend SB 415 to maintain the eight year term on the bonding. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Kelly, to recommend SB 415 favorable for passage as amended. Motion carried on a roll call vote.

The meeting adjourned at 11:35 a.m. The next meeting was scheduled for February 25, 2008.



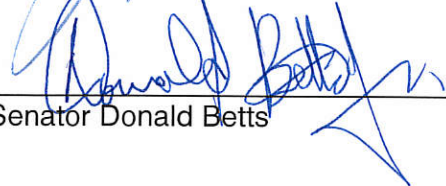


FY 2008 and FY 2009

**SENATE WAYS AND MEANS SUBCOMMITTEE**

**Legislative Coordinating Council  
Revisor of Statutes  
Legislative Research Department  
Legislative Post Audit  
Legislature**

  
\_\_\_\_\_  
Senator Jay Emler, Chair

  
\_\_\_\_\_  
Senator Donald Betts

Senate ways and means  
2-21-08  
Attachment 1

## Senate Subcommittee Report

**Agency:** Legislative Coordinating Council **Bill No.** SB

**Bill Sec.**

**Analyst:** Scott

**Analysis Pg. No.** Vol.-

**Budget Page No.** 295

Expenditure Summary	Agency Estimate FY 08	Governor's Recommendation FY 08	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 1,200,943	\$ 1,200,943	\$ 0
Other Funds	0	0	0
Subtotal - Operating	\$ 1,200,943	\$ 1,200,943	\$ 0
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 1,200,943</b>	<b>\$ 1,200,943</b>	<b>\$ 0</b>
FTE Positions	11.0	11.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>11.0</b>	<b>11.0</b>	<b>0.0</b>

### Agency Estimate

The Legislative Coordinating Council requests a revised FY 2008 budget totaling \$1,200,943, all from the State General Fund, an increase of \$134,342, or 12.6 percent, above the amount approved by the 2007 Legislature. The increase is the result of an unlimited reappropriation of \$334,131 which carried forward from FY 2007. The agency anticipates spending \$134,342 of this reappropriation and carrying the remainder forward to FY 2009. Most of the increased expenditure estimate is for contractual services, and reflects continued expenditures for the classified employee salary study contract. This increase is partially offset by decreases in salaries and wages and capital outlay. The request would fund 11.0 FTE positions, 1.0 FTE less than the approved amount. This 1.0 FTE (Project Manager) position has been shifted to the Legislature's budget where the rest of the Kansas Legislative Information System expenditures are reflected.

### Governor's Recommendation

The Governor concurs with the agency request.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

## Senate Subcommittee Report

**Agency:** Legislative Coordinating Council **Bill No.** SB

**Bill Sec.**

**Analyst:** Scott

**Analysis Pg. No.** Vol.-

**Budget Page No.** 295

Expenditure Summary	Agency Request FY 09	Governor's Recommendation FY 09	Senate Subcommittee Adjustments*
<b>Operating Expenditures:</b>			
State General Fund	\$ 784,406	\$ 799,905	\$ (27,550)
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Operating	<u>\$ 784,406</u>	<u>\$ 799,905</u>	<u>\$ (27,550)</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 784,406</u></u>	<u><u>\$ 799,905</u></u>	<u><u>\$ (27,550)</u></u>
FTE Positions	11.0	11.0	0.0
Non FTE Uncl. Perm. Pos.	<u>0.0</u>	<u>0.0</u>	<u>0.0</u>
<b>TOTAL</b>	<u><u>11.0</u></u>	<u><u>11.0</u></u>	<u><u>0.0</u></u>

\*All of the Subcommittee recommended reductions are related to pay plan adjustments.

### Agency Request

The Legislative Coordinating Council requests an FY 2009 budget of \$784,406, all from the State General Fund, a decrease of \$416,537, or 34.7 percent, below the revised current year estimate. The decrease mainly reflects one-time expenditures in other operating expenditures anticipated in FY 2008 that are not budgeted to repeat in FY 2009. The request would fund 11.0 FTE positions, the same as requested for the current year. No enhancement funding is requested.

### Governor's Recommendation

The Governor concurs with the agency request and adds \$15,499, all from the State General Fund, for a 2.5 percent base salary adjustment.

### Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$27,550, all from the State General Fund, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$15,499, all from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.
  - b. **Longevity Pay.** Delete \$12,051, all from the State General Fund to remove the amount recommended by the Governor for longevity bonus payments.

## Senate Subcommittee Report

**Agency:** Revisor of Statutes    **Bill No.** SB

**Bill Sec.**

**Analyst:** Scott                      **Analysis Pg. No.** Vol.-

**Budget Page No.** 349

Expenditure Summary	Agency Estimate FY 08	Governor's Recommendation FY 08	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 3,827,150	\$ 3,837,150	\$ 0
Other Funds	0	0	0
Subtotal - Operating	\$ 3,827,150	\$ 3,837,150	\$ 0
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 3,827,150</b>	<b>\$ 3,837,150</b>	<b>\$ 0</b>
FTE Positions	31.5	31.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>31.5</b>	<b>31.5</b>	<b>0.0</b>

### Agency Estimate

The Revisor of Statutes requests a revised FY 2008 budget totaling \$3.8 million, all from the State General Fund, an increase of \$117,709, or 3.2 percent, above the amount approved by the 2007 Legislature. The increase is the result of an unlimited reappropriation of \$367,250 which carried forward from FY 2007. The agency anticipates spending \$117,709 of this reappropriation and carrying the remainder forward to FY 2009.

### Governor's Recommendation

The Governor concurs with the agency request.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.



## Senate Subcommittee Report

**Agency:** Revisor of Statutes    **Bill No.** SB    **Bill Sec.**  
**Analyst:** Scott    **Analysis Pg. No.** Vol.-    **Budget Page No.** 349

Expenditure Summary	Agency Request FY 09	Governor's Recommendation FY 09	Senate Subcommittee Adjustments*
Operating Expenditures:			
State General Fund	\$ 3,483,193	\$ 3,548,603	\$ (88,460)
Other Funds	0	0	0
Subtotal - Operating	<u>\$ 3,483,193</u>	<u>\$ 3,548,603</u>	<u>\$ (88,460)</u>
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 3,483,193</u></u>	 <u><u>\$ 3,548,603</u></u>	 <u><u>\$ (88,460)</u></u>
 FTE Positions	 31.5	 31.5	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>31.5</u></u>	<u><u>31.5</u></u>	<u><u>0.0</u></u>

\*All of the Subcommittee recommended reductions are related to pay plan adjustments.

### Agency Request

The Revisor of Statutes requests a FY 2009 budget of \$3.5 million, all from the State General Fund, a decrease of \$353,957, or 9.2 percent, below the revised current year estimate. The decrease mainly reflects one-time expenditures (\$333,077) for printing hardbound volumes of the *Kansas Statutes Annotated* anticipated in FY 2008 that are not budgeted to repeat in FY 2009. The request would fund 31.5 FTE positions, the same as requested for the current year. No enhancement funding is requested.

### Governor's Recommendation

The Governor concurs and does add \$65,410, all from the State General Fund, for a 2.5 percent base salary adjustment.

### Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$88,460, all from the State General Fund, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$65,410, all from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.
  - b. **Longevity Pay.** Delete \$23,050, all from the State General Fund to remove the amount recommended by the Governor for longevity bonus payments.

## Senate Subcommittee Report

**Agency:** Legislative Research Department    **Bill No.** SB

**Bill Sec.**

**Analyst:** Scott

**Analysis Pg. No.** Vol.-

**Budget Page No.** 299

Expenditure Summary	Agency Estimate FY 08	Governor's Recommendation FY 08	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 3,647,958	\$ 3,647,958	\$ 0
Other Funds	0	0	0
Subtotal - Operating	\$ 3,647,958	\$ 3,647,958	\$ 0
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	\$ 0	\$ 0	\$ 0
<b>TOTAL</b>	<b>\$ 3,647,958</b>	<b>\$ 3,647,958</b>	<b>\$ 0</b>
FTE Positions	40.0	40.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>40.0</b>	<b>40.0</b>	<b>0.0</b>

### Agency Estimate

The Legislative Research Department requests a revised FY 2008 budget totaling \$3.6 million, all from the State General Fund, an increase of \$185,922, or 5.4 percent, above the amount approved by the 2007 Legislature. The increase is the result of an unlimited reappropriation of \$233,264 which carried forward from FY 2007. The agency anticipates spending \$185,922 of this reappropriation and carrying the remainder forward to FY 2009.

### Governor's Recommendation

The Governor concurs with the agency request.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

## Senate Subcommittee Report

**Agency:** Legislative Research Department    **Bill No.** SB

**Bill Sec.**

**Analyst:** Scott

**Analysis Pg. No.** Vol.-

**Budget Page No.** 299

Expenditure Summary	Agency Request FY 09	Governor's Recommendation FY 09	Senate Subcommittee Adjustments*
Operating Expenditures:			
State General Fund	\$ 3,600,840	\$ 3,678,206	\$ (102,316)
Other Funds	0	0	0
Subtotal - Operating	\$ 3,600,840	\$ 3,678,206	\$ (102,316)
Capital Improvements:			
State General Fund	\$ 0	\$ 0	0
Other Funds	0	0	0
Subtotal - Capital Improvements	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 3,600,840	 \$ 3,678,206	 \$ (102,316)
 FTE Positions	 40.0	 40.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	40.0	40.0	0.0

\*All of the Subcommittee recommended reductions are related to pay plan adjustments.

### Agency Request

The Legislative Research Department requests an FY 2009 budget of \$3.6 million, all from the State General Fund, a decrease of \$47,118, or 1.3 percent, below the revised current year estimate. The decrease mainly reflects one-time expenditures in other operating expenditures anticipated in FY 2008 that are not budgeted to repeat in FY 2009. The request would fund 40.0 FTE positions, the same as requested for the current year.

### Governor's Recommendation

The Governor concurs with the agency request and does add \$77,366, all from the State General Fund, for a 2.5 percent base salary adjustment.

### Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$102,316, all from the State General Fund, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$77,366, all from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.
  - b. **Longevity Pay.** Delete \$24,950, all from the State General Fund to remove the amount recommended by the Governor for longevity bonus payments.



# Senate Subcommittee Report

**Agency:** Legislative Division of Post Audit      **Bill No.** SB      **Bill Sec.**

**Analyst:** Scott      **Analysis Pg. No.** Vol.-      **Budget Page No.** 297

Expenditure Summary	Agency Estimate FY 08	Governor's Recommendation FY 08	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 2,607,993	\$ 2,607,993	\$ 50,000
Other Funds	0	0	0
Subtotal - Operating	<u>\$ 2,607,993</u>	<u>\$ 2,607,993</u>	<u>\$ 50,000</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 2,607,993</u></u>	<u><u>\$ 2,607,993</u></u>	<u><u>\$ 50,000</u></u>
FTE Positions	26.0	26.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>26.0</u></u>	<u><u>26.0</u></u>	<u><u>0.0</u></u>

## Agency Estimate

Legislative Post Audit requests a revised FY 2008 budget totaling \$2.6 million, all from the State General Fund, a decrease of \$71,929, or 2.7 percent, below the amount approved by the 2007 Legislature. Most of the decreased expenditure estimate is for salaries and wages (\$74,879), and reflects the most recent calculation of expenditures. Increases are estimated in contractual services (\$2,950).

## Governor's Recommendation

The Governor concurs with the agency request.

## Senate Subcommittee Recommendation

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

1. Add \$50,000, all from the State General Fund, to allow the agency flexibility to address staffing issues that have arisen during the current year.
2. The Subcommittee would like to commend the agency for its fiscal conservatism in reflecting savings from turnover that occurred early in the fiscal year. Including the Subcommittee's recommendation to add \$50,000, the agency is still almost \$22,000 below the budget approved by the 2007 Legislature.

## Senate Subcommittee Report

**Agency:** Legislative Division of Post Audit      **Bill No.** SB

**Bill Sec.**

**Analyst:** Scott

**Analysis Pg. No.** Vol.-

**Budget Page No.** 297

Expenditure Summary	Agency Request FY 09	Governor's Recommendation FY 09	Senate Subcommittee Adjustments*
Operating Expenditures:			
State General Fund	\$ 2,600,871	\$ 2,648,474	\$ (7,769)
Other Funds	0	0	0
Subtotal - Operating	\$ 2,600,871	\$ 2,648,474	\$ (7,769)
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	\$ 0	\$ 0	\$ 0
TOTAL	\$ 2,600,871	\$ 2,648,474	\$ (7,769)
FTE Positions	27.0	26.0	1.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	27.0	26.0	1.0

\*Of the Subcommittee's recommended reductions, \$59,603, all from the State General Fund, is related to pay plan adjustments.

### Agency Request

The Legislative Post Audit requests an FY 2009 budget of \$2.6 million, all from the State General Fund an increase of \$44,307, or 1.7 percent, above the revised current year estimate. The increase reflects one-time expenditures anticipated in FY 2008 that are not budgeted to repeat in FY 2009. The request would fund 27.0 FTE positions including 1.0 new FTE position. This new position would provide computer support for the agency. The new position and funding of \$51,429, all from the State General Fund, is requested as the agency's only enhancement.

### Governor's Recommendation

The Governor does not fund the enhancement but does add \$47,603, all from the State General Fund, for a 2.5 percent base salary adjustment.

### Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$59,603, all from the State General Fund, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$47,603, all from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.
  - b. **Longevity Pay.** Delete \$12,000, all from the State General Fund to remove the amount recommended by the Governor for longevity bonus payments.
2. Add \$51,834, all from the State General Fund, and 1.0 FTE for a computer support position. Adding this position and funding, which was approved by the Legislative Post Audit Committee, will provide the agency with enhanced computer support and maintenance activities. This addition also will allow more efficient use of the highly skilled auditors currently providing limited computer support to focus on audit functions.

## Senate Subcommittee Report

**Agency:** Legislature

**Bill No.** SB

**Bill Sec.**

**Analyst:** Scott

**Analysis Pg. No. Vol.-**

**Budget Page No.** 301

Expenditure Summary	Agency Estimate FY 08	Governor's Recommendation FY 08	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 16,283,173	\$ 16,283,173	\$ 0
Other Funds	178,153	178,153	0
Subtotal - Operating	<u>\$ 16,461,326</u>	<u>\$ 16,461,326</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 16,461,326</u></u>	<u><u>\$ 16,461,326</u></u>	<u><u>\$ 0</u></u>
FTE Positions	36.0	36.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>36.0</u></u>	<u><u>36.0</u></u>	<u><u>0.0</u></u>

### Agency Estimate

The Legislature requests a revised FY 2008 budget totaling \$16.5 million, the same as the amount approved by the 2007 Legislature. Requested State General Fund expenditures total \$16,283,173, a decrease of \$93,153, or 0.6 percent, below the approved amount. This is offset by an increase in special revenue funds of the same amount. The request would fund 36.0 FTE positions, an increase of 1.0 FTE position which was shifted from the Legislative Coordinating Council budget.

### Governor's Recommendation

The Governor concurs with the agency request.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

## Senate Subcommittee Report

**Agency:** Legislature                      **Bill No.** SB                                      **Bill Sec.**  
**Analyst:** Scott                                      **Analysis Pg. No.** Vol.-                                      **Budget Page No.** 301

Expenditure Summary	Agency Request FY 09	Governor's Recommendation FY 09	Senate Subcommittee Adjustments*
<b>Operating Expenditures:</b>			
State General Fund	\$ 19,651,845	\$ 19,969,767	\$ (319,272)
Other Funds	86,470	86,470	0
Subtotal - Operating	<u>\$ 19,738,315</u>	<u>\$ 20,056,237</u>	<u>\$ (319,272)</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 19,738,315</u></u>	<u><u>\$ 20,056,237</u></u>	<u><u>\$ (319,272)</u></u>
FTE Positions	37.0	37.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>37.0</u></u>	<u><u>37.0</u></u>	<u><u>0.0</u></u>

\*All of the Subcommittee recommended reductions are related to pay plan adjustments.

### Agency Request

The agency requests an FY 2009 budget of \$19.7 million, an increase of \$3.3 million, or 19.9 percent, above the revised current year estimate. The request includes State General Fund expenditures of \$19.7 million, an increase of \$3.4 million, or 20.7 percent, above the revised current year estimate. The request would fund 37.0 FTE positions, an increase of 1.0 FTE position from the revised current year estimate. The new position is for a Data Center Facility Technician to help staff the Data Center that is part of the Kansas Legislative Information Services System.

Although the request does not include enhancement funding, it does include \$3.3 million from the State General Fund for the Legislative Branch Computer Strategic Plan Initiative (the Kansas Legislative Information Services System or KLISS). This initiative increase includes \$250,000 for a production control room, \$400,000 for a development and back up center, \$116,676 for the design of decision support software to be used by Legislative Research and Legislative Post Audit, \$916,620 for the actual development of the code for the software application, and \$1.5 million for the license of the lawmaking portion of the software. Absent these adjustments, the requested FY 2009 budget would actually be a decrease of \$37,647, or 0.2 percent, below the revised current year estimate.



## Governor's Recommendation

The **Governor** concurs with the agency's budget and adds \$317,922 to fund a 2.5 percent base salary adjustment.

## Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$319,272, all from the State General Fund, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$317,922, all from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.
  - b. **Longevity Pay.** Delete \$1,350, all from the State General Fund to remove the amount recommended by the Governor for longevity bonus payments.
2. The Subcommittee recommends adding language that would allow legislators the option to buy their computers when the current lease ends. This is the same option that was provided to legislative staff in the current year. The sale saves the expense of packing and shipping the old computers back to Dell.

FY 2008 and FY 2009

**SENATE WAYS AND MEANS SUBCOMMITTEE**

**Parole Board  
Kansas Bureau of Investigation  
Kansas Commission on Peace Officers' Standards and Training**

  
\_\_\_\_\_  
Senator Ruth Teichman, Chair

  
\_\_\_\_\_  
Senator Greta Goodwin

  
\_\_\_\_\_  
Senator Vicki Schmidt

Senate Ways and Means  
2-21-08  
Attachment 2

## Senate Subcommittee Report

**Agency:** Kansas Parole Board

**Bill No.** SB

**Bill Sec.**

**Analyst:** Waltner

**Analysis Pg. No.** Vol.-

**Budget Page No.** 313

Expenditure Summary	Agency Estimate FY 2008	Governor's Recommendation FY 2008	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 519,397	\$ 519,397	\$ 0
Other Funds	0	0	0
Subtotal - Operating	<u>\$ 519,397</u>	<u>\$ 519,397</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 519,397</u></u>	<u><u>\$ 519,397</u></u>	<u><u>\$ 0</u></u>
<b>FTE Positions</b>			
FTE Positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>3.0</u></u>	<u><u>3.0</u></u>	<u><u>0.0</u></u>

### Agency Estimate

The agency estimates FY 2008 operating expenditures of \$519,397 from the State General Fund. This is an increase of \$6,703, or 1.3 percent, above the amount approved by the 2007 Legislature. This increase is solely due to reappropriated funds from FY 2007. The FY 2008 budget estimate is an increase of \$35,399, or 7.3percent, above the FY 2007 actual budget. Most of the increase can be attributed to increases in salary, in-state travel and subsistence, capital outlay, and reappropriation.

### Governor's Recommendation

The Governor concurs with the agency estimate.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

## Senate Subcommittee Report

**Agency:** Kansas Parole Board      **Bill No.** SB      **Bill Sec.**  
**Analyst:** Waltner      **Analysis Pg. No.** Vol.-      **Budget Page No.** 313

Expenditure Summary	Agency Request FY 2009	Governor's Recommendation FY 2009	Senate Subcommittee Adjustments*
Operating Expenditures:			
State General Fund	\$ 516,311	\$ 511,503	\$ (16,192)
Other Funds	0	0	0
<b>TOTAL</b>	<b>\$ 516,311</b>	<b>\$ 511,503</b>	<b>\$ (16,192)</b>
FTE Positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>3.0</b>	<b>3.0</b>	<b>0.0</b>

\* Of the Subcommittee's recommended reductions, \$10,192, all from the State General Fund, is related to pay plan adjustments.

### Agency Request

The agency requests \$516,311 for FY 2009 operating expenditures, all from the State General Fund. This is an decrease of \$3,086, or 0.6 percent, below the FY 2008 budget estimate. FY 2009 operating expenditures include \$426,590 for salaries and wages for 3.0 FTE positions, \$69,864 in contractual services, \$4,857 in commodities, and \$15,000 for capital outlay.

### Governor's Recommendation

The Governor recommends expenditures of \$511,503, all from the State General Fund for FY 2009 operating expenditures. The recommendation is a decrease of \$7,894, or 1.5 percent, below the FY 2008 recommendation and a decrease of \$4,808, or 0.9 percent, below the agency request. The recommendation includes enhancement funding of \$6,729 from the State General Fund for additional operating expenditures and the Governor's pay plan adjustment.

### Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$10,192, all from the State General Fund, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$ 10,192, all from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.

- b. **Classified Employee Pay Plan.** No employees in this agency are eligible for pay increases for basic vocational classes and for those employees identified as having the most disparity relative to market rate.
  - c. **Longevity Pay.** No employees in this agency are eligible for longevity bonus payments.
2. **Enhancement Funding.** Delete \$6,729 from the State General Fund. The Committee recommends removal of the funding for an enhancement request but does recommend reviewing the request at **Omnibus**.



## Senate Subcommittee Report

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

**Bill Sec.** --

**Analyst:** VanHouse/Klaassen **Analysis Pg. No.** Vol. -

**Budget Page No.** 237

Expenditure Summary	Agency Estimate FY 08	Governor's Recommendation FY 08	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 16,992,478	\$ 16,992,478	\$ 0
Other Funds	10,942,309	11,624,022	0
Subtotal - Operating	<u>\$ 27,934,787</u>	<u>\$ 28,616,500</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 637,196	\$ 637,196	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 637,196</u>	<u>\$ 637,196</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 28,571,983</u></u>	<u><u>\$ 29,253,696</u></u>	<u><u>\$ 0</u></u>
FTE Positions	220.0	220.0	0.0
Non FTE Uncl. Perm. Pos.	126.1	126.1	0.0
<b>TOTAL</b>	<u><u>346.1</u></u>	<u><u>346.1</u></u>	<u><u>0.0</u></u>

### Agency Estimate

For **FY 2008**, the **Kansas Bureau of Investigation** estimates operating expenditures of \$27,934,787, including \$16,992,478 from the State General Fund. The estimate is an increase of \$1,201,015, or 4.5 percent, above the amount approved by the 2007 Legislature. The KBI estimates expenditures of \$637,196, all from the State General Fund, for capital improvements in FY 2008.

### Governor's Recommendation

For **FY 2008**, the **Governor** recommends operating expenditures of \$28,616,500, including \$16,992,478 from the State General Fund. The recommendation is an increase of \$1,882,728, or 7.0 percent, above the amount approved by the 2007 Legislature. The capital improvements recommendation is \$637,196, all from the State General Fund, for FY 2008.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following comment:

1. The KBI is due to receive \$50 for each state and federal record check processed, and notes a deficit of approximately \$235,000 in receipts for services provided. The Subcommittee would like for the Attorney General's office to provide the

money owed to the KBI in an expedited fashion with the funds that are currently available in the Attorney General's Office.

## Senate Subcommittee Report

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

**Bill Sec.** --

**Analyst:** VanHouse/Klaassen **Analysis Pg. No.** Vol. -

**Budget Page No.** 237

Expenditure Summary	Agency Request FY 09	Governor's Recommendation FY 09	Senate Subcommittee Adjustments*
Operating Expenditures:			
State General Fund	\$ 18,563,236	\$ 18,133,280	\$ (1,797,618)
Other Funds	9,743,913	9,860,973	(219,225)
Subtotal - Operating	\$ 28,307,149	\$ 27,994,253	\$ (2,016,843)
Capital Improvements:			
State General Fund	\$ 1,019,540	\$ 100,000	\$ 0
Other Funds	0	535,000	0
Subtotal - Capital Improvements	\$ 1,019,540	\$ 635,000	\$ 0
 TOTAL	 \$ 29,326,689	 \$ 28,629,253	 \$ (2,016,843)
 FTE Positions	 224.0	 223.0	 0.0
Non FTE Uncl. Perm. Pos.	126.1	126.1	0.0
TOTAL	350.1	349.1	0.0

\* Of the Subcommittee's recommended reductions, \$583,144, including \$443,919 from the State General Fund, is related to pay plan adjustments.

### Agency Request

For **FY 2009**, the **Kansas Bureau of Investigation** requests operating expenditures of \$28,307,149, including \$18,563,236 from the State General Fund. The request is an increase of \$372,362, or 1.3 percent, above the FY 2008 estimate. The agency requests enhancements of \$2,327,489, including \$2,122,024 from the State General Fund. The capital improvements requests totals \$1,019,540, all from the State General Fund, including \$634,540 in enhancement requests.

### Governor's Recommendation

For **FY 2009**, the **Governor** recommends operating expenditures of \$27,994,253, including \$18,133,280 from the State General Fund. The recommendation is a decrease of \$622,247, or 2.2 percent, below the FY 2008 recommendation. The Governor's recommendation is a decrease of \$312,896, or 1.1 percent, below the agency's FY 2009 request. The Governor recommends enhancements totaling \$1,433,699, including \$1,353,699 from the State General Fund, and 3.0 FTE positions. The capital improvements recommendation for FY 2009 is \$635,000, including \$100,000 from the State General Fund. The capital improvements recommendation includes enhancements totaling \$250,000, all from the Expanded Lottery Act Revenue Fund.

## Senate Subcommittee Recommendation

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

1. **Pay Plan Adjustments.** Delete \$583,144, including \$443,919 from the State General Fund, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$393,203, including \$288,135 from the State General Fund, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.
  - b. **Classified Employee Pay Plan.** Delete \$107,691, including \$77,084 from the State General Fund, to remove the amount recommended by the Governor for FY 2009 pay increases for basic vocational classes and for those employees identified as having the most disparity relative to market rate.
  - c. **Longevity Pay.** Delete \$82,250, including \$78,700 from the State General Fund to remove the amount recommended by the Governor for longevity bonus payments.
2. Delete \$80,000, all from the KBI Motor Vehicle Fund, for the replacement of four vehicles, and review at Omnibus.
3. Delete \$1,353,699, all from the State General Fund, for the following items for the Kansas Criminal Justice Information System and review at Omnibus:
  - \$186,846 for 3.0 new information technology FTE positions;
  - \$500,000 for a new central messaging switch;
  - \$250,000 to replace core hardware and software; and
  - \$416,853 for new network interface cards and bandwidth lines.
4. Review at Omnibus the addition of \$200,000 to pilot a real time methamphetamine precursor monitoring program. The KBI testified in support of moving methamphetamine precursors to schedule three, which would make them prescription level. The committee and agency are aware that there is a task force being created to study this issue during the interim.

## Senate Subcommittee Report

**Agency:** Kansas Commission on  
Peace Officers' Standards and Training

**Bill No.** SB --

**Bill Sec.** --

**Analyst:** VanHouse/Klaassen **Analysis Pg. No.** Vol. -

**Budget Page No.** 317

Expenditure Summary	Agency Estimate FY 08	Governor's Recommendation FY 08	Senate Subcommittee Adjustments
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	715,516	715,516	0
Subtotal - Operating	<u>\$ 715,516</u>	<u>\$ 715,516</u>	<u>\$ 0</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
<b>TOTAL</b>	<u><u>\$ 715,516</u></u>	<u><u>\$ 715,516</u></u>	<u><u>\$ 0</u></u>
FTE Positions	5.0	5.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>5.0</u></u>	<u><u>5.0</u></u>	<u><u>0.0</u></u>

### Agency Estimate

For **FY 2008**, the **agency** estimates expenditures of \$715,516, all from the Kansas Commission on Peace Officer's Standards and Training Fund. The estimate is consistent with the amount approved by the 2007 Legislature.

### Governor's Recommendation

For **FY 2008**, the **Governor** concurs with the agency estimate.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

## Senate Subcommittee Report

**Agency:** Kansas Commission on Peace Officers' Standards and Training      **Bill No.** SB --      **Bill Sec.** --

**Analyst:** VanHouse/Klaassen      **Analysis Pg. No.** Vol. -      **Budget Page No.** 317

Expenditure Summary	Agency Request FY 09	Governor's Recommendation FY 09	Senate Subcommittee Adjustments*
<b>Operating Expenditures:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	715,516	726,251	(10,735)
Subtotal - Operating	<u>\$ 715,516</u>	<u>\$ 726,251</u>	<u>\$ (10,735)</u>
<b>Capital Improvements:</b>			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal - Capital Improvements	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 715,516</u></u>	 <u><u>\$ 726,251</u></u>	 <u><u>\$ (10,735)</u></u>
 FTE Positions	 7.0	 7.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>7.0</u></u>	<u><u>7.0</u></u>	<u><u>0.0</u></u>

\* All of the Subcommittee's recommended reductions are related to pay plan adjustments.

### Agency Request

For **FY 2009**, the **agency** requests expenditures of \$715,516, all from the Kansas Commission on Peace Officers' Standards and Training Fund. The request is consistent with the FY 2008 estimate.

### Governor's Recommendation

For **FY 2009**, the **Governor** recommends expenditures of \$726,251, all from the Kansas Commission on Peace Officers' Standards and Training Fund. The Governor recommends an increase of \$10,735, or 1.5 percent, above the FY 2008 recommendation for a 2.5 percent base salary adjustment. The recommendation is a change of \$10,735 above the agency request, entirely attributed to the base salary adjustment.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation, with the following adjustment and request:

1. **Pay Plan Adjustments.** Delete \$10,735, all from special revenue funds, to remove the following pay plan adjustments recommended by the Governor. Pay plan adjustments will be considered in a separate bill.
  - a. **State Employee Pay Increases.** Delete \$10,735, all from special revenue funds, to remove the amount recommended by the Governor for the 2.5 percent base salary adjustment.
  - b. **Classified Employee Pay Plan.** No employees in this agency are eligible for pay increases for basic vocational classes and for those employees identified as having the most disparity relative to market rate.
  - c. **Longevity Pay.** No employees in this agency are eligible for longevity bonus payments.
  
2. That the agency provide a report to the Budget Committee that details agency project expenditures. The Subcommittee notes that as this is a new agency, this information will aid in the evaluation of the agency's needs.

# SENATE BILL No. 415

Proposed amendments  
February 21, 2008

By Joint Committee on State Building Construction

1-14

Senate Ways & Means  
2-21-08  
Attachment 3

9 AN ACT concerning postsecondary educational institutions; relating to  
10 deferred maintenance; amending [K.S.A. 2007 Supp. 72-4479, 76-  
11 7,105, 76-7,117, 76-7,120 and 79-32,261 and repealing the existing  
12 sections.  
13

amendments on this page requested by Board of Regents

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

15 Section 1. K.S.A. 2007 Supp. 72-4479 is hereby amended to read as  
16 follows: 72-4479. (a) ~~On or before July 1, 2008~~; The governing bodies of  
17 the northeast Kansas technical college, Kansas City area technical school,  
18 Kaw area technical school, Salina area technical school and southwest  
19 Kansas body of each technical school shall submit to the state board of  
20 regents a plan to merge or affiliate with a postsecondary educational in-  
21 stitution or become an accredited technical college with an independent  
22 governing board. *Any plan approved by the state board shall be imple-*  
23 *mented on or before July 1, 2009.*

K.S.A. 76-755 and

24 (b) ~~Whenever the state board approves a plan submitted by the gov-~~  
25 ~~erning body of a technical school, the state board shall send notice of such~~  
26 ~~approval to the president of the Kansas development finance authority~~  
27 ~~and the secretary of the department of revenue.~~

The state board shall certify

28 (b) (c) As used in this section:

whenever a technical school or college has achieved substantial compliance with subsection (a)

29 (1) "Postsecondary educational institution" means a technical college,  
30 community college, municipal university or a state educational institution.

31 (2) "Technical college", "community college", "municipal university"  
32 and "state educational institution" have the meanings ascribed thereto by  
33 K.S.A. 74-3201b, and amendments thereto.

34 (3) "State board" means the state board of regents.

35 (4) "Technical school" means the northeast Kansas technical college,  
36 Kansas City area technical school, Kaw area technical school, Salina area  
37 technical school and southwest Kansas technical school.

38 Sec. 2. K.S.A. 2007 Supp. 76-7,105 is hereby amended to read as  
39 follows: 76-7,105. (a) Subject to the provisions of subsection (c), the state  
40 board shall advise and consult with the joint committee regarding each  
41 project. The state board shall not approve a project to be financed by  
42 moneys from the infrastructure maintenance fund unless the state board  
43 first has advised and consulted with the joint committee. ~~A state educa-~~



1 tional institution shall advise and consult with the joint committee before  
2 expenditure of any moneys from the infrastructure maintenance fund, or  
3 from any account or accounts of the infrastructure maintenance fund of  
4 such institution, for each project. No moneys received by a state educa-  
5 tional institution as a contribution which qualifies as an income tax credit  
6 pursuant to law to finance the cost of a project may be expended unless  
7 the institution first has advised and consulted with the joint committee.

8 (b) Except as specifically provided by this act, the project financed  
9 under the program shall not be subject to any further process or proce-  
10 dure that requires the submission, review or approval of any infrastruc-  
11 ture improvement. The state board shall ensure that projects financed  
12 under the program comply with nationally recognized codes and life-  
13 safety inspections under K.S.A. 31-132 et seq., and amendments thereto.  
14 Such inspections, plan reviews and other related work shall be conducted  
15 by the division of facilities management, or a designee of the division,  
16 prior to certification for building occupancy. The state board shall not be  
17 subject to the oversight of the state fire marshal.

18 (c) The joint committee shall develop recommendations for a plan  
19 for the management and oversight of projects financed under the pro-  
20 gram. Such recommendations shall be submitted to the president of the  
21 senate and the speaker of the house of representatives on or before Jan-  
22 uary 14, 2008.

23 Sec. 3. K.S.A. 2007 Supp. 76-7,117 is hereby amended to read as  
24 follows: 76-7,117. As used in the infrastructure finance program:

25 (a) "State board" means the state board of regents.

26 (b) "Postsecondary educational institution" or "institution" means  
27 Washburn university and any community college or, technical college or  
28 *technical school*.

29 (c) "Community college" means a community college established un-  
30 der the provisions of the community college act.

31 (d) "Technical college" means a technical college as designated pur-  
32 suant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475 and ~~72-4476~~ 72-4477,  
33 and amendments thereto.

34 (e) (1) "Project" or "infrastructure improvement project" means the  
35 maintenance, repair, reconstruction, remodeling or rehabilitation of a  
36 building located at a postsecondary educational institution, any additions  
37 to a building, any utility system and other infrastructure relating to such  
38 building, any life-safety upgrades to such building, any improvements  
39 necessary to be made to such building in order to comply with the  
40 requirements of the Americans with disabilities act or other federal or  
41 state law.

42 (2) "Infrastructure improvement project" shall not mean:

43 (A) The new construction of buildings;

1 (B) the maintenance, repair, reconstruction or rehabilitation of any  
2 building used as an athletic facility that does not directly support the  
3 delivery of academic pursuits; or

4 (C) the maintenance, repair, reconstruction or rehabilitation of the  
5 residence of the president or chief executive officer of a postsecondary  
6 educational institution.

7 (f) "Cost" means all costs or expenses which are necessary or inci-  
8 dental to an infrastructure improvement project and which are directly  
9 attributable thereto.

10 (g) "Program" means the postsecondary educational institution infra-  
11 structure finance program.

12 (h) "Joint committee" means the joint committee on state building  
13 construction.

14 (i) *"Technical school" means a technical school which has submitted*  
15 *a plan approved by the state board in accordance with the provisions of*  
16 *K.S.A. 2007 Supp. 72-4479, and amendments thereto.*

17 Sec. 4. K.S.A. 2007 Supp. 76-7,120 is hereby amended to read as  
18 follows: 76-7,120. (a) (1) Subject to the provisions of this section, the  
19 Kansas development finance authority is hereby authorized to issue bonds  
20 to finance the cost of projects. Projects which are approved by the state  
21 board under the program are hereby approved for the state board for the  
22 purposes of subsection (b) of K.S.A. 74-8905, and amendments thereto.  
23 *Except as provided by paragraph (3) of this subsection, the aggregate*  
24 *principal amount of bonds issued pursuant to this section in a single fiscal*  
25 *year under the program shall not exceed \$100,000,000, plus all amounts*  
26 *required for costs of bond issuance, costs of interest on the bonds issued*  
27 *for projects during the time such improvements are being made and any*  
28 *required reserves for the payment of principal and interest on the bonds.*  
29 ~~The aggregate principal amount of bonds issued pursuant to this section~~  
30 ~~in a single fiscal year shall not exceed \$20,000,000, plus all amounts re-~~  
31 ~~quired for costs of bond issuance, costs of interest on the bonds issued~~  
32 ~~for projects during the time such improvements are being made and any~~  
33 ~~required reserves for the payment of principal and interest on the bonds.~~  
34 All moneys received from the issuance of any such bonds shall be depos-  
35 ited and accounted for as prescribed by applicable bond covenants. The  
36 debt service for any such bonds issued for such project shall be paid by  
37 appropriations of moneys from the state general fund as may be necessary  
38 to pay debt service on the bonds. Subject to the provisions of appropri-  
39 ations acts, and as directed by the Kansas development finance authority,  
40 payment of principal and interest on the bonds shall be made by the state  
41 board from annual appropriations by the legislature or from any other  
42 moneys as may be made available by law or from the postsecondary ed-  
43 ucational institution in amounts sufficient to pay the principal and interest

1 on the bonds until the bonds are finally paid. The state board is authorized  
2 to enter into loan agreements with a postsecondary educational institution  
3 to provide for payment of principal on the bonds. All moneys received  
4 pursuant to such agreements shall be deposited in the state treasury in  
5 accordance with the provisions of K.S.A. 75-4215, and amendments  
6 thereto, and shall be credited to the state general fund.

7 (2) No bonds shall be issued pursuant to this section after June 30,  
8 2012.

9 (3) *The limitation imposed by paragraph (1) of this subsection on the*  
10 *aggregate principal amount of bonds which may be issued under the pro-*  
11 *gram shall be increased in an amount equal to \$4,000,000 for each tech-*  
12 *nical school which has submitted a plan approved by the state board in*  
13 *accordance with the provisions of K.S.A. 2007 Supp. 72-4479, and amend-*  
14 *ments thereto. Applications for loans from technical schools shall be given*  
15 *first priority for moneys attributable to the increase in bonding authority*  
16 *under this paragraph. Any moneys remaining after loans are made to*  
17 *technical schools may be reallocated to other postsecondary educational*  
18 *institutions.*

19 (b) The aggregate principal amount of bonds issued pursuant to this  
20 section to finance the cost of projects at a single postsecondary educa-  
21 tional institution shall not exceed \$15,000,000, plus all amounts required  
22 for costs of bond issuance, costs of interest on the bonds issued for pro-  
23 jects during the time such improvements are being made and any re-  
24 quired reserves for the payment of principal and interest on the bonds.

25 (c) The date of maturity on bonds issued pursuant to this section shall  
26 not be fixed for a period of time which exceeds ~~eight~~ 20 years from the  
27 date of issuance.

28 (d) Subject to the provisions of appropriation acts, the secretary of  
29 administration may enter into pledge agreements with the state board  
30 and the Kansas development finance authority to pledge moneys for the  
31 payment of bonds issued pursuant to the approval in subsection (a).

32 (e) Any postsecondary educational institutions may apply for a loan  
33 under the program. Applications shall be submitted in the manner and  
34 form required by the state board. The state board may enter into agree-  
35 ments with the postsecondary educational institutions for the provision  
36 of a loan and for the payment of all or a part of eligible project costs. The  
37 purposes for which the loan is to be provided, the amount thereof and  
38 the repayment terms and conditions shall be included in the agreement  
39 entered into pursuant to subsection (d).

40 (f) The first payment of any principal and interest on bonds issued  
41 pursuant to this section during fiscal year 2008, shall not be made prior  
42 to July 1, 2008.

43 Sec. 5. K.S.A. 2007 Supp. 79-32,261 is hereby amended to read as

1 follows: 79-32,261. (a) On and after July 1, 2008, any taxpayer who con-  
2 tributes in the manner prescribed by this section to a community college  
3 located in Kansas for capital improvements, to a technical college *or tech-*  
4 *nical school* for deferred maintenance or the purchase of technology or  
5 equipment or to a postsecondary educational institution located in Kansas  
6 for deferred maintenance, shall be allowed a credit against the tax im-  
7 posed by the Kansas income tax act, the premium tax or privilege fees  
8 imposed pursuant to K.S.A. 40-252, and amendments thereto, or the priv-  
9 ilege tax as measured by net income of financial institutions imposed  
10 pursuant to article 11 of chapter 79 of the Kansas Statutes Annotated.  
11 The tax credit allowed by this section is applicable for the tax year 2008  
12 for any contributions made on and after July 1, 2008, and for the tax years  
13 2009, 2010, 2011 and 2012 for any contributions made during the entire  
14 tax year. The amount of the credit allowed by this section shall not exceed  
15 60% of the total amount contributed during the taxable year by the tax-  
16 payer to a community college ~~or a~~, technical college *or technical school*  
17 located in Kansas for such purposes. The amount of the credit allowed  
18 by this section shall not exceed 50% of the total amount contributed  
19 during the taxable year by the taxpayer to a postsecondary educational  
20 institution for such purposes. If the amount of the credit allowed by this  
21 section for a taxpayer who contributes to a community college ~~or a~~, tech-  
22 nical college *or technical school* exceeds the taxpayer's income tax liability  
23 imposed by the Kansas income tax act, such excess amount shall be re-  
24 funded to the taxpayer. If the amount of the tax credit for a taxpayer who  
25 contributes to a postsecondary educational institution exceeds the tax-  
26 payer's income tax liability for the taxable year, the amount which exceeds  
27 the tax liability may be carried over for deduction from the taxpayer's  
28 income tax liability in the next succeeding taxable year or years until the  
29 total amount of the tax credit has been deducted from tax liability, except  
30 that no such tax credit shall be carried over for deduction after the third  
31 taxable year succeeding the taxable year in which the contribution is  
32 made. Prior to the issuance of any tax credits pursuant to this section, the  
33 structure of the process in which contributions received by a community  
34 college, a technical college ~~or a~~, *technical school* or postsecondary edu-  
35 cational institution qualify as tax credits allowed and issued pursuant to  
36 this section shall be developed by a community college, a technical college  
37 ~~and a~~, *technical school* or postsecondary educational institution in con-  
38 sultation with the secretary of revenue and the foundation or endowment  
39 association of any such community college, technical college, *technical*  
40 *school* or postsecondary educational institution in a manner that complies  
41 with requirements specified in the federal internal revenue code of 1986,  
42 as amended, so that contributions qualify as charitable contributions al-  
43 lowable as deductions from federal adjusted gross income.

all amendments on this page requested by Johnson County Community College

1 (b) (1) Upon receipt of any such contributions to a community col-  
2 lege made pursuant to the provisions of this section, the treasurer of the  
3 community college shall deposit such contributions to the credit of the  
4 capital outlay fund of such community college established as provided by  
5 K.S.A. 71-501a, and amendments thereto. Expenditures from such fund  
6 shall be made for the purposes described in subsection (a) of K.S.A. 71-  
7 501, and amendments thereto, except that expenditures shall not be made  
8 from such fund for new construction or the acquisition of real property  
9 for use as building sites or for educational programs.

10 (2) Upon receipt of any such contributions to a technical college  
11 made pursuant to the provisions of this section, such contributions shall  
12 be deposited to the credit of a deferred maintenance fund or a technology  
13 and equipment fund established by the technical college which received  
14 the contribution. Expenditures from such fund shall be made only for the  
15 purpose as provided in this subsection section.

16 (3) Upon receipt of any such contributions to a technical school made  
17 pursuant to the provisions of this section, such contributions shall be de-  
18 posited to the credit of a deferred maintenance fund or a technology and  
19 equipment fund established by the technical school which received the  
20 contribution. Expenditures from such fund shall be made only for the  
21 purpose as provided in this section.

22 (4) Upon receipt of any such contributions to a postsecondary  
23 educational institution made pursuant to the provisions of this section,  
24 such contributions shall be deposited to the credit of the appropriate  
25 deferred maintenance support fund of the postsecondary educational in-  
26 stitution which received the contribution. Expenditures from such fund  
27 shall be made only for the purposes designated for such fund pursuant  
28 to law.

29 (c) (1) ~~In no event shall~~ (A) Except as provided in paragraph (B),  
30 the total amount of credits allowed under this section for taxpayers who  
31 contribute to any one such community college or technical college or  
32 technical school shall not exceed the following amounts: For the tax year  
33 2008, an amount not to exceed \$78,125; for the tax year 2009, an amount  
34 not to exceed \$156,250, and for the tax years 2010, 2011 and 2012, an  
35 amount not to exceed \$208,233.33.

36 (B) The limitation imposed under paragraph (A) of this subsection on  
37 the total amount of tax credits shall be increased: By \$78,125 for each  
38 technical school which has submitted a plan approved by the state board  
39 in accordance with the provisions of K.S.A. 2007 Supp. 72-4479, and  
40 amendments thereto, for tax year 2008; by \$156,250 for each technical  
41 school which has submitted a plan approved by the state board in ac-  
42 cordance with the provisions of K.S.A. 2007 Supp. 72-4479, and amend-  
43 ments thereto, for tax year 2009; and by \$208,233.33 for each technical

for the tax year 2008,

\$78,125; and, except as provided in paragraph (B), for the tax years 2009 through 2012, the total amount of credits allowed under this section for taxpayers who contribute to community colleges, technical colleges or technical schools shall not exceed the following amounts: For the tax year 2009, an amount not to exceed \$3,750,000; and for the tax years 2010, 2011 and 2012, an amount not to exceed \$5,000,000. Except as otherwise provided, for the tax years 2009 through 2012, the allocation of such tax credits for each individual community college, technical college or technical school shall be determined by the state board of regents in consultation with the secretary of revenue and each community college, technical college and technical school, and such determination shall be completed prior to the issuance of any tax credits pursuant to this section. Not more than 40% of the total of credits allowed under this section shall be allocated to any one community college, technical college or technical school unless all such community colleges, technical colleges and technical schools approve an allocation to any one such community college, technical college or technical school which exceeds 40% of the total of such credits allowed under this section.

and in addition to any amounts allocated to a technical school pursuant to paragraph (A),

1 *school which has submitted a plan approved by the state board in ac-*  
2 *cordance with the provisions of K.S.A. 2007 Supp. 72-4479, and amend-*  
3 *ments thereto, for tax years 2010, 2011 and 2012.*

4 (2) ~~In no event shall~~ The total of credits allowed under this section  
5 for taxpayers who contribute to postsecondary educational institutions  
6 *shall not* exceed the following amounts: For the tax year 2008, an amount  
7 not to exceed \$5,625,000; for the tax year 2009, an amount not to exceed  
8 \$11,250,000; and for the tax years 2010, 2011 and 2012, an amount not  
9 to exceed \$15,000,000. Except as otherwise provided, the allocation of  
10 such tax credits for each individual state educational institution shall be  
11 determined by the state board of regents in consultation with the secre-  
12 tary of revenue and the university foundation or endowment association  
13 of each postsecondary educational institution, and such determination  
14 shall be completed prior to the issuance of any tax credits pursuant to  
15 this section. Not more than 40% of the total of credits allowed under this  
16 section shall be allocated to any one postsecondary educational institution  
17 unless all such postsecondary educational institutions approve an alloca-  
18 tion to any one such postsecondary educational institution which exceeds  
19 40% of the total of such credits allowed under this section.

20 (d) As used in this section: (1) "Community college" means a com-  
21 munity college established under the provisions of the community college  
22 act;

23 (2) "deferred maintenance" means the maintenance, repair, recon-  
24 struction or rehabilitation of a building located at a technical college or a  
25 postsecondary educational institution which has been deferred, any utility  
26 systems relating to such building, any life-safety upgrades to such building  
27 and any improvements necessary to be made to such building in order to  
28 comply with the requirements of the Americans with disabilities act or  
29 other federal or state law;

30 (3) "postsecondary educational institution" means the university of  
31 Kansas, Kansas state university of agriculture and applied science, Wichita  
32 state university, Emporia state university, Pittsburg state university, Fort  
33 Hays state university and Washburn university of Topeka; ~~and~~

34 (4) "technical college" means a technical college as designated pur-  
35 suant to K.S.A. 72-4472, 72-4473, 72-4474, 72-4475 and 72-4477, and  
36 amendments thereto; *and*

37 (5) *"technical school" means a technical school which complies with*  
38 *the provisions of K.S.A. 2007 Supp. 72-4479, and amendments thereto.*

39 (e) Any taxpayer not subject to Kansas income, privilege or premiums  
40 tax who contributes to a community college, technical college, *technical*  
41 *school* or postsecondary educational institution, hereinafter designated  
42 the transferor, may sell, assign, convey or otherwise transfer tax credits  
43 allowed and earned pursuant to this section. The sale price of a tax credit



1 shall be at least 50% of the full value of the credit. Such credit shall be  
 2 deemed to be allowed and earned by any such taxpayer which is only  
 3 disqualified therefrom by reason of not being subject to such Kansas  
 4 taxes. The taxpayer acquiring earned credits, hereinafter designated the  
 5 transferee, may use the amount of the acquired credits to offset up to  
 6 100% of the taxpayer's income, privilege or premiums tax liability for the  
 7 taxable year in which such acquisition was made. Such credits may be  
 8 sold or transferred only one time and, if sold or transferred, shall be  
 9 transferred in the tax year such credit is earned or the two successive tax  
 10 years. A transferred credit shall be claimed in the year purchased. The  
 11 transferor shall enter into a written agreement with the transferee estab-  
 12 lishing the terms and conditions of the sale or transfer and shall perfect  
 13 such transfer by notifying the secretary of revenue in writing within 30  
 14 calendar days following the effective date of the transfer, subject to the  
 15 review and approval or denial of such transfer by the secretary of revenue.  
 16 The transferor and transferee shall provide any information pertaining to  
 17 the sale or transfer as may be required by the secretary of revenue to  
 18 administer and carry out the provisions of this section. The amount re-  
 19 ceived by the transferor of such tax credit shall be taxable as income of  
 20 the transferor, and the excess of the value of such credit over the amount  
 21 paid by the transferee for such credit shall be taxable as income of the  
 22 transferee.

23 (f) The secretary of revenue shall submit an annual report to the  
 24 legislature to assist the legislature in the evaluation of the utilization of  
 25 any credits claimed pursuant to this act, including information specific as  
 26 to each community college, technical college, *technical school* or postse-  
 27 condary educational institution. Such report shall be due on or before the  
 28 first day of the legislative session following the tax year in which the  
 29 credits were claimed.

30 (g) The secretary of revenue shall adopt rules and regulations nec-  
 31 essary to administer the provisions of this section.

32 Sec. 6. K.S.A. 2007 Supp. 72-4479, 76-7,105, 76-7,117, 76-7,120 and  
 33 79-32,261 are hereby repealed.

34 Sec. 7. This act shall take effect and be in force from and after its  
 35 publication in the statute book.

Insert attached amendments requested by the Board of Regents

K.S.A. 76-755 and

New Sec. 7. (a) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the deferred maintenance support fund of each state educational institution interest earnings based on:

- (1) The average daily balance of moneys in each clearing fund of the state educational institution for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(b) All moneys transferred to the deferred maintenance support fund pursuant to this section shall be expended solely to finance infrastructure improvement projects as defined by K.S.A. 2007 Supp. 76-7,102, and amendments thereto.

(c) As used in this section, "clearing fund of the state educational institution" means those special revenue funds in the state treasury which are designated as clearing funds, other than service clearing funds under K.S.A. 76-755, and amendments thereto, of a state educational institution, as defined in K.S.A. 76-711, and amendments thereto, by the chief executive officer of the state board of regents.

New Sec. 8. (a) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the deferred maintenance support fund of each state educational institution interest earnings based on:

- (1) The average daily balance of moneys in each health fee fund for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(b) All moneys transferred to the deferred maintenance support fund pursuant to this section shall be expended solely to finance infrastructure improvement projects as defined by K.S.A. 2007 Supp. 76-7,102, and amendments thereto.

(c) As used in this section, "health fee fund" means the university of Kansas health service fund, Kansas state university student health fees fund, Emporia state university student health fees fund, Pittsburg state university hospital and student health fees fund, and Fort Hays state university health fees fund.

Sec. 9. K.S.A. 76-755 is hereby amended to read as follows: 76-755. (a) There is hereby established in the state treasury a service clearing fund for each state educational institution.

(b) The service clearing fund at a state educational institution shall be used only as a working capital fund to finance the internal service activities rendered to the state educational institution's own departments, other institutional related organizations and specific organizations and classes of individuals approved by the state board of regents, which activities are specified in appropriations acts for the service clearing fund or which are authorized for the service clearing fund by the state board of regents with the approval of the state finance council acting on this matter which is hereby characterized as a matter of legislative delegation and subject to the guidelines prescribed in subsection (c) of K.S.A. 75-3711c and amendments thereto.

(c) The director of accounts and reports shall approve the accounting procedures to be used for service clearing funds to insure a self-supporting operation of each service clearing fund.

(d) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the deferred maintenance support fund of each state educational institution interest earnings based on:

- (1) The average daily balance of moneys in the service clearing fund of the state educational institution for the preceding month; and
- (2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(e) All moneys transferred to the deferred maintenance support fund pursuant to this section shall be expended solely to finance infrastructure improvement projects as defined by K.S.A. 2007 Supp. 76-7,102, and amendments thereto.

Renumber remaining sections accordingly.