

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 10:30 a.m. on March 9, 2010, in Room 548-S of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Kansas Legislative Research Department
 J. G. Scott, Kansas Legislative Research Department
 Michael Steiner, Kansas Legislative Research Department
 Dylan Dear, Kansas Legislative Research Department
 Christina Allen, Kansas Legislative Research Department
 Reagan Cussimano, Kansas Legislative Research Department
 Cody Gorges, Kansas Legislative Research Department
 Aaron Klaassen, Kansas Legislative Research Department
 Heather O'Hara, Kansas Legislative Research Department
 Jonathan Tang, Kansas Legislative Research Department
 Jill Wolters, Office of the Revisor of Statutes
 Daniel Yoza, Office of the Revisor of Statutes
 Theresa Kiernan, Office of the Revisor of Statutes
 Melinda Gaul, Chief of Staff
 Shirley Jepson, Committee Assistant

Conferees appearing before the Committee:

Duane Goossen, Secretary, Department of Administration
 Dale Dennis, Department of Education
 Representative Clay Aurand
 Dr. Jill Shackelford, Superintendent, Kansas City Public Schools
 Tom Krebs, Kansas Association of School Boards (KASB)
 Beth Reust, Schools for Quality Education
 Erik Stafford, Associated General Contractors of Kansas, Inc.
 Trudy Aron, Executive Director, American Institute of Architects
 Gary George, Olathe School District

Others attending:

See attached list.

Introduction of proposed legislation

Duane Goossen, Secretary, Department of Administration, appeared before the Committee to request the introduction of legislation concerning a moratorium on state payments into the death and disability system within the Kansas Public Employees Retirement System (KPERS). The moratorium would be placed on payments for the last quarter of FY 2010.

Senator Teichman moved to introduce the legislation as requested (9rs1982). The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Senator Vratil moved to introduce legislation concerning taxation, imposing a tax on alcoholic liquor (9rs1956). The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Senator Vratil moved to introduce legislation concerning taxation, imposing a tax on sweetened beverages (9rs1962). The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Hearing on HB 2280 - School districts; capital improvement and capital outlay state aid.

Theresa Kiernan, Revisor, provided an explanation of **HB 2280** (Attachment 1). Ms. Kiernan noted that **HB 2280** amends two provisions in current statute relating to state aid paid to school district for capital outlay and capital improvements.

CONTINUATION SHEET

Minutes of the Senate Ways and Means Committee at 10:30 a.m. on March 9, 2010, in Room 548-S of the Capitol.

Dale Dennis, Department of Education, responded to questions from the Committee stating that there are currently no districts who qualify under the provisions of the bill pertaining to extraordinary declining enrollment and who are currently pursuing a bond issue. Mr. Dennis noted that the fiscal impact of the bill would be minimal during the next several years; however, could gradually grow. It was noted that the fiscal note prepared by the Division of the Budget addresses the original bill before it was amended. The Committee expressed concern that the legislation would place an extra burden on the state's smaller school districts.

Representative Clay Aurand presented testimony in support of **HB 2280** (Attachment 2). Representative Aurand stated that the bill would allow those districts with the greatest financial burden to receive additional state funding. Representative Aurand noted that several amendments were added on the House floor including:

- Allow school district to transfer money, that was shifted from the general fund to the capital outlay fund during the 2008-2009 school year, from the capital outlay fund to the school district's contingency reserve fund during the 2009-2010 school year. The amount to be transferred in 2009-2010 could not be more than the amount transferred in 2008-2009.
- Exempt school districts from the 15 percent state aid reimbursement for capital improvements if contractual bond obligations were incurred after July 1, 1992, and 10 years has lapsed since a bond has been issued under current law.

Dr. Jill Shackelford, Superintendent, Kansas City Public Schools and also representing the Wichita Public Schools, presented testimony in opposition to **HB 2280** (Attachment 3). Dr. Shackelford stated that the legislation would reduce the current provisions for the state to assist in the cost of bonding for new construction in low wealth districts. Dr. Shackelford noted that the legislation could have an adverse affect on the passage of all new school construction projects except projects in the wealthiest school districts.

Additional testimony in opposition to **HB 2280** was received from:

- Tom Krebs, Kansas Association of School Boards (KASB) (Attachment 4).
- Beth Reust, Schools for Quality Education (Attachment 5).
- Erik Stafford, Associated General Contractors of Kansas, Inc. (Attachment 6).
- Trudy Aron, Executive Director, American Institute of Architects (Attachment 7).
- Gary George, Olathe School District (Attachment 8).

There were no other proponents, neutrals or opponents to appear before the Committee.

The hearing on HB 2280 was closed.

Subcommittee Report on Department of Commerce, Kansas Technology Enterprise Corporation (KTEC) and Kansas, Inc.

Senator Masterson presented the Subcommittee report on the Governor's budget recommendation for the Department of Commerce for FY 2011 and moved for the adoption of the Subcommittee report on the Department of Commerce for FY 2011 (Attachment 9). The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Senator Masterson presented the Subcommittee report on the Governor's budget recommendation for the Kansas Technology Enterprise Corporation (KTEC) for FY 2011 and moved for the adoption of the Subcommittee report on KTEC for FY 2011 (Attachment 9). The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Senator Masterson presented the Subcommittee report on the Governor's budget recommendation for Kansas, Inc. for FY 2011 and moved for the adoption of the Subcommittee report on Kansas, Inc. for FY 2011 (Attachment 9). The motion was seconded by Senator Kelly. Motion carried on a voice vote.

Subcommittee Report on Kansas Public Employees Retirement System (KPERS) and Issues

Senator Teichman presented the Subcommittee report on **SB 527** stating that the Subcommittee heard testimony on the bill which would allow the agency to deduct up to \$3,000 to pay health and long term care

CONTINUATION SHEET

Minutes of the Senate Ways and Means Committee at 10:30 a.m. on March 9, 2010, in Room 548-S of the Capitol.

insurance premiums for retired public safety officers (Attachment 10). The Subcommittee did not make a recommendation on the bill.

Subcommittee Report on Fee Boards

Senator Masterson presented the Subcommittee report on the Governor's budget recommendations for the Bank Commissioner, Department of Credit Unions, Securities Commissioner, Abstracters Board of Examiners, Board of Accountancy, Board of Barbering, Behavioral Sciences Regulatory Board, Board of Cosmetology, Dental Board, Board of Healing Arts, Board of Examiners in Fitting and Dispensing of Hearing Instruments, Board of Mortuary Arts, Board of Optometry, Board of Pharmacy, Real Estate Appraisal Board, Real Estate Commission, Board of Technical Professions, Board of Veterinary Examiners, Home Inspectors Registration Board and Office of Administrative Hearings for FY 2011 (Attachment 11).

Senator Schmidt moved to amend the Subcommittee report on the Board of Pharmacy by adding language to allow the expenditure of \$50,000 in FY 2010 from the agency's fee funds for a software upgrade. The motion was seconded by Senator Taddiken. The motion carried on a voice vote.

Responding to a question from the Committee, Jonathan Tang, Legislative Research Department, stated that the Board of Pharmacy has sufficient fee funds available to cover the expenditure.

Senator Masterson moved for the adoption of the Subcommittee reports on the Fee Boards as amended. The motion was seconded by Senator Schmidt. The motion carried on a voice vote.

Subcommittee Report on Legislative Agencies

Senator Emler presented the Subcommittee reports on the Governor's budget recommendations for the Legislature, Legislative Coordinating Council, Legislative Research Department and Office of Revisor of Statutes for FY 2011 (Attachment 12).

Senator Vratil moved to amend the Subcommittee report on the Legislature by deleting the portion of Item No. 9 relating to the legislative leadership reduction and add language for a 5 percent reduction to the budget of each leadership office. The motion was seconded by Senator Schmidt. Motion failed on a voice vote.

Senator Emler moved for the adoption of the Subcommittee report on the Governor's budget recommendation on the Legislature for FY 2011. The motion was seconded by Senator Teichman. The motion carried on a voice vote. Senator Lee requested to be recorded as voting "no".

Senator Emler moved for the adoption of the Subcommittee reports on the Governor's budget recommendation for the Coordinating Council, Legislative Research Department and Office of the Revisor of Statutes for FY 2011. The motion was seconded by Senator Schodorf. Motion carried on a voice vote.

Amendment to Subcommittee Report on State Treasurer

Senator Masterson moved to amend the Subcommittee report on the State Treasurer for FY 2011 by adding language to re-distribute funds that were distributed in error from the Special City and County Highway Fund to the counties with the repayment to be distributed over a 5-year period with a bill to be introduced to incorporate the language. The issue is to be reviewed at Omnibus to determine the status of the legislation. If no action has taken place on the legislation, the issue will remain as a part of the Subcommittee report on the State Treasurer for FY 2011 and will need to be addressed again with the FY 2012 State Treasurer budget (Attachment 13). The motion was seconded by Senator Schmidt. Motion carried on a voice vote.

Senator Emler moved for the adoption of the Subcommittee report on the State Treasurer for FY 2011 as amended. The motion was seconded by Senator Masterson. Motion carried on a voice vote.

Adjournment

CONTINUATION SHEET

Minutes of the Senate Ways and Means Committee at 10:30 a.m. on March 9, 2010, in Room 548-S of the Capitol.

The next meeting is scheduled for March 10, 2010.

The meeting was adjourned at 12:20 p.m.

**SENATE WAYS AND MEANS COMMITTEE
GUEST LIST**

DATE: March 9, 2010

NAME	REPRESENTING
Kathy Busch	KTEC
Steve Albert	Kansas, Inc.
Sheena Ward	BUDGET
Bill Reardon	USA 500 (KCK)
Jill Shackelford	USD #500 KCK Superintendent
Bill Brady	STFF
Sean Miller	Cap. Strategies
Liz Weeks	SRS
MP Davis	KBOC
Jim Olyn	K8BN
Mark Tidwell	KSNW
Jean Bolois	KSBTP
AL Dyck	KSBTP
Dustin Thomas	KS BOA
Steve Wasson	KS Sec Comm
Jyns Hammer	" " "
Natie Snyot	Page - Sen. Vicki Schmidt
Jordan Swartzendruber	Page - Sen. Vicki Schmidt
Sara Haworth	Intern - Sen. Vicki Schmidt
Kathleen Selzer Lippert	KSBHA
Shy Del	KREC
Teray Del	Admin Hearings
Judy Aron	Asst. Inst. of Architects

MARY ANN TORRENCE, ATTORNEY
REVISOR OF STATUTES
JAMES A. WILSON III, ATTORNEY
FIRST ASSISTANT REVISOR
GORDON L. SELF, ATTORNEY
FIRST ASSISTANT REVISOR



OFFICE OF REVISOR OF STATUTES
KANSAS LEGISLATURE

Legal Consultation—
Legislative Committees and Legislators
Legislative Bill Drafting
Legislative Committee Staff
Secretary—
Legislative Coordinating Council
Kansas Commission on
Interstate Cooperation
Kansas Statutes Annotated
Editing and Publication
Legislative Information System

TO: Senate Committee on Ways and Means
FROM: Theresa Kiernan
RE: House Bill No. 2280
DATE: March 10, 2010

HB 2280 amends two provisions relating to state aid paid to school districts for capital outlay and capital improvements.

The bill would reduce the state aid computation percentage from 25% to 15% for capital outlay levies imposed by a school district pursuant to resolutions adopted after July 1, 2010. If a resolution is adopted and published prior to July 1, but the protest period has not expired prior to July 1, or if an election is required but not held prior to July 1, the state aid computation factor for capital outlay levies imposed pursuant to such resolution would be 15%.

The bill would reduce the state aid computation percentage from 25% to 15% for contractual bond obligations incurred by a school district if the election at which the issuance is approved is held on or after July 1, 2010. If a school district issues bonds after July 1, 1992 and at least 10 years has lapsed since the time the qualified electors of the district last approved the issuance of bonds, the state aid computation would be 25%.

The state aid computation percentage for contractual bond obligations incurred by a school district prior to July 1, 1992, would remain at 5%.

The bill would require school districts which are less than 200 square miles in area and have an enrollment of less than 400 to advise and consult with the joint committee on state building construction prior to authorizing the issuance of bonds. If the joint committee recommends against the issuance and the district issues the bonds, the district would not be eligible for capital improvements state aid. Under current law, K.S.A. 75-2321 requires districts with an extraordinary declining enrollment (a decline during the preceding three school years at a rate of at least 5% per year or at least 50 pupils per year, whichever is greater) to advise and consult with the joint committee. If the joint committee recommends against the issuance and the district issues the bonds, the district would not be eligible for capital improvements state aid unless approved by the state board of education.

Finally, the bill would authorize school districts to transfer from the capital outlay fund to the contingency reserve fund any moneys which are attributable to transfers from the general fund which were made during school year 2008-2009. The transfer to the contingency reserve fund would have to be made during school year 2009-2010.

HB2280Expr.doc

STATE OF KANSAS



TOPEKA
—
HOUSE OF
REPRESENTATIVES

CLAY AURAND
REPRESENTATIVE, 109TH DISTRICT
REPUBLIC COUNTY

COURTLAND ADDRESS

2136 30 ROAD
COURTLAND, KANSAS 66939
(785) 361-4900

TOPEKA ADDRESS

STATE CAPITOL, ROOM 142-W
TOPEKA, KANSAS 66612
E-mail: Clay.Aurand@house.ks.gov
(785) 296-7672

COMMITTEE ASSIGNMENTS

HOUSE EDUCATION (CHAIRMAN)
HOUSE EDUCATION BUDGET (VICE CHAIR)
VISION 2020
VETERANS MILITARY AND HOMELAND SECURITY

LEGISLATIVE HOTLINE
1-800-432-3924

March 9, 2010

HB 2280 - School districts; capital improvement and capital outlay state aid

Chairman Emler and members of the Committee:

Thank you for the opportunity to provide written testimony as a proponent for **HB 2280** which is attached.

Representative Clay Aurand

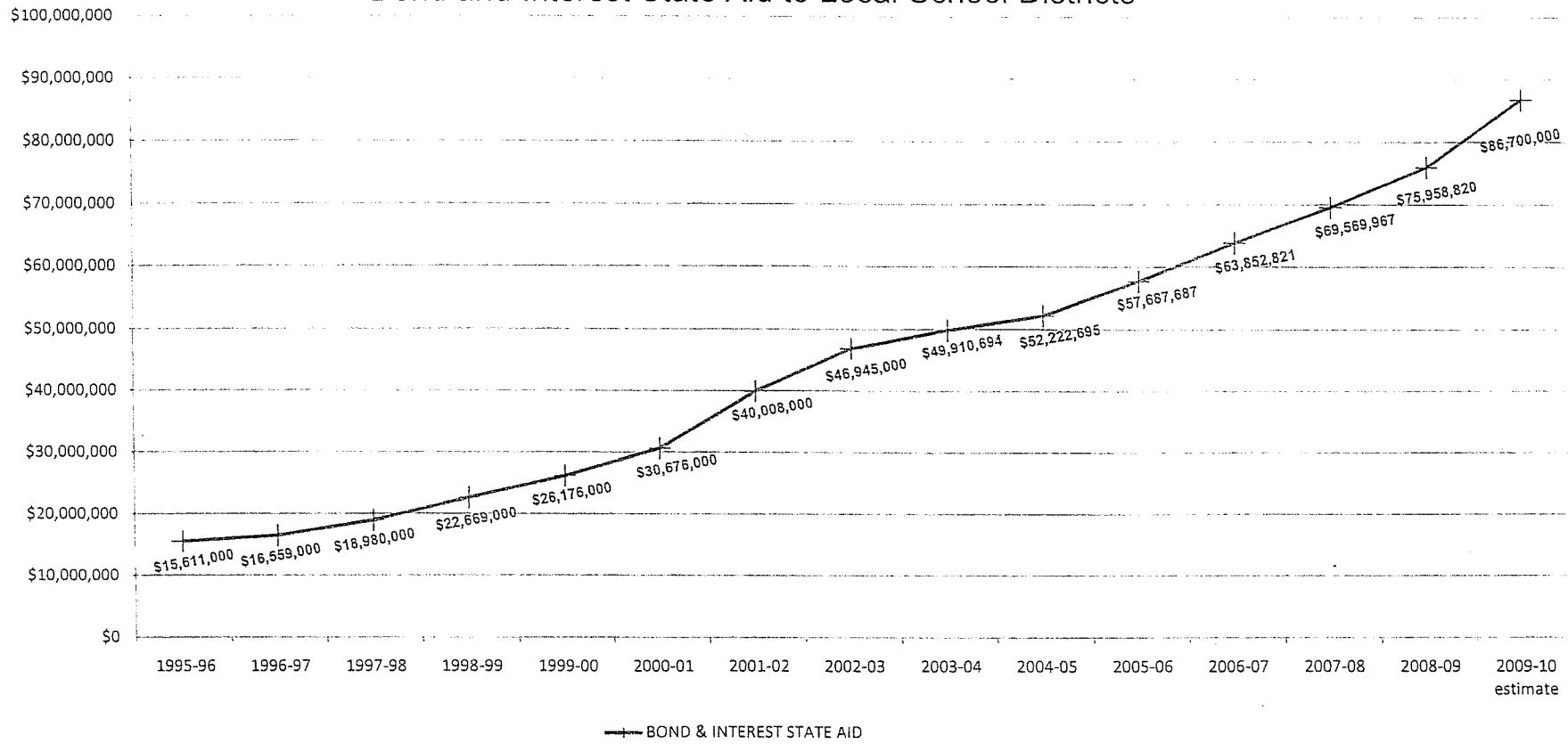
Senate Ways & Means Cmte

Date 3-09-2010

Attachment 2

2-2

Bond and Interest State Aid to Local School Districts





Kansas City, Kansas Public Schools

Unified School District No. 500

SENATE WAYS & MEANS COMMITTEE

HB 2280

March 9, 2010

HB 2280 would scale back a key component of the current school finance law in Kansas. The provision for state assistance on USD bond issuances was first implemented as part of the 1992 School Finance Law. When Kansas agreed to assist in the cost of bonding for new construction in low wealth districts, we were one of only a handful of states with similar programs. Today, a number of states have followed our lead!

In the recent *Montoy* case, the Kansas Supreme Court referenced this provision of our law as evidence of equity in our formula. How the Court might respond to a significant reduction of this provision is uncertain.

Another unknown is the potential reaction by the bond market to the reduction of state assistance. I won't hazard a guess how this proposed change might possibly impact bond interest rates, but I do believe that prudence would dictate a thorough study of these possible negative consequences before HB 2280 is seriously considered.

The Kansas City, Kansas District does not have any immediate plans for a bond election. We are currently benefiting, however, from state assistance on bonds approved by our voters several years ago for a renovation of many of our schools. (The average age of all of our schools is 56 years.) This last bond election was 11 years ago. Therefore, as amended in the House Education Budget Committee, HB 2280 would not affect our next bond issue. We remain opposed; however, to reducing state assistance to all USDs whose low district wealth currently ensures their eligibility.

There is another ominous caveat attached to the passage of HB 2280. I am fearful that the passage of HB 2280 would have a chilling affect on the passage of all new school construction projects except projects in wealthy USDs that do not qualify for state assistance. Creating an environment that reduces Kansas construction jobs is precisely the wrong approach for a nation (or a state) attempting to lift itself and its people out of the worst recession in more than a half century.

Finally, the Kansas City District believes that when funding cuts to schools are necessary to balance our state budget, all districts should share the pain. HB 2280 targets only the lower wealth districts for future cuts.

For these reasons, the Kansas City, Kansas Public Schools must oppose the passage of HB 2280.

Dr. Jill Shackelford, Superintendent

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 SW Arrowhead Road • Topeka, Kansas 66604-4024
785-273-3600

Testimony before the
Senate Ways and Means Committee
on
HB 2280

by
Tom Krebs, Governmental Relations Specialist
Kansas Association of School Boards

March 9, 2010

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify. For the record, many of these are the same comments we presented last session, when this bill received a hearing, but the amended language in the current version does warrant some new testimony.

HB 2280, as amended, creates two types of districts if they are eligible for capital improvement state aid, also known as bond and interest state aid. A district that had not passed a bond in the 10 years previous to July 1, 2010, and passed one AFTER that date would be eligible for the same state aid to which it is currently entitled. However, a district that passed a bond AFTER July 1, 2010, that had passed a bond in that 10-year period would receive state aid under a different formula. Rather than the starting point of the median size district receiving 25 percent, the starting point would be 15 percent. The effect would be some districts would reach no state aid sooner, and the poorest of districts would not receive as much under current law. KASB opposes this bill for the following reasons.

First, KASB strongly believes the quality of a child's education is the responsibility of the state as a whole. The physical plant and equipment of a school district affects the quality of education. Because of the vast disparities in the taxable wealth per student across Kansas districts, the reduction of state assistance will make educational quality and opportunity much less equal. We can think of no public policy served by this disparate treatment of Kansas students.

Senate Ways & Means Cmte

Date 3-09-2010

Attachment 4

Second, Kansas courts have repeatedly articulated these same principles under the Kansas Constitution, which says the responsibility for suitable finance for public education rests with the Legislature, and that responsibility is owed to each child under Article Six. State aid for bond payments was created following court cases in 1991-92. State aid for capital outlay was created after the *Montoy* decisions in 2005-06. In both cases, these actions were part of judicial settlements. To reduce these aid programs could invite litigation, and we believe it is highly likely the state would lose.

Third, reducing these programs would require higher property taxes in lower-wealth Kansas school districts in order to maintain current levels of capital outlay expenditures for technology, equipment, repair and remodeling; and to adopt future projects addressing concerns of growth, safety, energy-savings, consolidation and modernization. Shouldn't the state be *encouraging* these activities? Furthermore, at a time of growing concerns about the property tax burden, does it make sense to increase property tax reliance in many communities?

For example, in a previous session the Legislature passed a proviso directing all districts to conduct a tornado safety evaluation. That action – which imposed an additional unfunded mandate – certainly indicates the Legislature's concern over safety issues. Yet this bill would make it harder for many districts to address safety issues that have been identified.

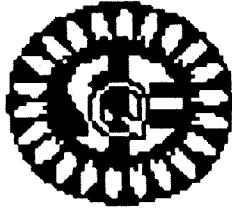
Fourth, if the reduction of state funding and corresponding property tax requirements reduce the ability of districts to finance the kind of projects identified above, it will reduce demand for construction and other capital purchases. Given the state's economic situation, this seems highly counterproductive. Shouldn't we be encouraging investments in infrastructure?

Fifth, there may be a tendency for some to take the position this bill will only affect other, less wealthy districts. We urge caution. Any district's circumstances can change over time. Your district may, in the future, find itself needing support from the state that will no longer be available if this bill passes.

Although the amended language is not as harsh as the previous version, it is still clearly at odds with KASB policies and resolutions approved by our Delegate Assembly.

On another part of the amended language, KASB stands as a proponent. The decision to transfer narrowly identified funds from the capital outlay fund back to the general fund is a permissive one. Given that districts thinking it was in their best interest to make the transfer could do so makes it a good flexibility tool. Districts that did not have the funds or think it was a wise decision could simply pass on the option.

Thank you for your consideration. I would be happy to respond to questions.



Testimony in Opposition to HB 2280

Senate Ways and Means Committee

Schools for Quality Education (SQE)

Beth Reust, Superintendent, Plainville

March 10, 2010

Mr. Chairman and members of the committee:

I appear before you today on behalf of Schools for Quality Education (SQE), an organization of 120 small, rural school districts in Kansas, to express our opposition to HB 2280. HB 2280 reduces the state's contribution to school district capital outlay projects and institutes a new requirement that applies only to small districts, as defined as 400 or fewer students with 200 or less square miles.

Funding of education has been a federal/state/local partnership that has resulted in educational excellence in Kansas. As our schools face reductions in state aid, it becomes more difficult to maintain the quality that we all want for Kansas children. While decreases in state aid receive the headlines, it is that action coupled with an assortment of other policies, that erode the state's investment in public education. This erosion often hits small districts the hardest. HB 2280 fits into this category. Although the bill does not remove the state's participation in maintaining school infrastructure, by reducing the investment from 25% to 15%, it is one more reduction in the investment that our schools need. This action may save the state money, but it certainly does not save Kansas taxpayers. In fact, it will place an even greater burden on local property taxpayers who must make up the difference.

The other troubling provision of HB 2280 is the disparate treatment of small school districts. Under this legislation small districts would have to receive permission from the Joint Committee on State Construction in order to receive the state's capital outlay contribution. This flies in the face of local control and the will of local voters. District size does not determine the merit of local bonding initiatives and making this distinction is incomprehensible.

There has been much discussion this session about consolidation of small schools. We believe that adoption of SB 2280 will have the opposite effect of discouraging voluntary consolidation because combining districts may result in the need for a new building to accommodate such action. By making it harder to finance such projects, a barrier to consolidation is created. The Legislative Post Audit's (LPA)

Senate Ways & Means Cmte
Date 3-09-2010
Attachment 5

report on reorganization recognized the importance of facilitating capital improvements as a means to voluntary consolidation and recommended more state participation in bonding initiatives. HB 2280 essentially reverses that recommendation.

Schools for Quality Education urge you to reject HB 2280 because it is an erosion of local control and shifts more of the burden to local property taxpayers. Thank you for your consideration.



Building a Better Kansas Since 1934
200 SW 33rd St. Topeka, KS 66611 785-266-4015

**TESTIMONY OF
ASSOCIATED GENERAL CONTRACTORS OF KANSAS
BEFORE SENATE COMMITTEE ON WAYS AND MEANS
HB 2280**

March 9, 2010

By Eric Stafford, Associated General Contractors of Kansas, Inc.

Mister Chairman and members of the committee, my name is Eric Stafford. I am the Director of Government Affairs for the Associated General Contractors of Kansas, Inc. The AGC of Kansas is a trade association representing the commercial building construction industry, including general contractors, subcontractors and suppliers throughout Kansas (with the exception of Johnson and Wyandotte counties).

The AGC of Kansas opposes House Bill 2280 and asks that you do not recommend it favorably for passage.

When AGC testified in opposition to HB 2280 last March before the House Education Budget Committee, the construction industry in Kansas had not yet experienced the significant downturn seen in other parts of the country. However, the past 12 months have not been favorable toward the 250 AGC member companies.

The national unemployment rate for the construction industry sits higher than any other industry, now at 27% according to AGC of America economist Ken Simonson. General contractors, subcontractors and suppliers are counting on public construction to carry the industry through these tough times. Privately funded construction projects are virtually non-existent as lenders are unwilling to release funds because of increased regulations from the federal government. HB 2280 would be another blow to an already devastated industry that is responsible for a large portion of the Kansas economy.

A reduction of state aid for future K-12 capital outlay and capital improvement projects would surely impact the ability for school districts to make the repairs and improvements necessary to maintain a sound network of infrastructure, resulting in a backlog of maintenance and repair of construction projects.

Again, the AGC of Kansas respectfully requests that you do not recommend HB 2280 favorably for passage. Thank you for your consideration.

Senate Ways & Means Cmte
Date 3-09-2010
Attachment 6



AIA Kansas
*A Chapter of the American
 Institute of Architects*

- President
 J. Michael Vieux, AIA
 Leavenworth
- President Elect
 Nadia Zhiri, AIA
 Lawrence
- Secretary
 Gary Nevius, AIA
 Overland Park
- Treasurer
 Hans Nettelblad, AIA
 Overland Park

- Christie Carl, AIA
 Abilene
- Randle L. Clark, AIA
 McPherson
- Tim de Noble, AIA
 Manhattan
- Keith Diaz-Moore, AIA
 Lawrence
- Dale R. Duncan, AIA
 Olathe
- Gwenda S. Gigous, AIA
 Topeka
- David S. Heit, AIA
 Topeka
- Joshua Herrman, AIA
 Wichita
- Anthony Jacobs, AIA
 Wichita
- Alan Johnson, AIA
 Overland Park
- David Livingood, AIA
 Lawrence
- Craig Lofton, AIA
 Lindsborg
- Katherine Nichols, Assoc. AIA
 Lawrence
- Donald Norton, P.E.
 Wichita
- Charles Smith, AIA
 Topeka
- Daniel (Terry) Tevis, AIA
 Lenexa
- Jason VanHecke, AIA
 Wichita

March 9, 2010

TO: Senate Ways and Means Committee

FROM: Trudy Aron, Executive Director

RE: Opposition to HB 2280

Good Morning Chair Emler and Members of the Committee. I am Trudy Aron, Executive Director of the American Institute of Architects in Kansas (AIA Kansas.) Thank you for allowing me to testify in opposition to HB 2280.

AIA Kansas is a statewide association of architects and intern architects. Most of our 700 members work in over 120 private practice architectural firms designing a variety of project types for both public and private clients. Our members are designing tomorrow's building today. These buildings meet the triple bottom line: environment and energy efficient, healthy people and economy.

AIA Kansas strongly opposes HB 2280. This bill removes state funding for capital improvements and outlays to school districts. In these economic times, the passage of bond issues by citizens for improvements to their schools is difficult enough. The state portion of funding is used as an incentive to citizens in these districts to pass greatly needed school bond issues without huge increases in property taxes.

If this weren't bad enough for the school districts, this will have devastating effects on the communities where these projects would be located. These projects create much needed design and construction work. They will not create the jobs these communities were counting on. They will not create the turnover revenues created by each design and construction job. These school projects are economic development which is so greatly needed by our industry.

The State of Kansas needs the new and renovated schools these bond elections provide. Many of our schools are two or three generations old. They are totally inadequate for today's teaching methods and technology. In addition, these older schools use 30-50% more energy, costing the school district and the community funds that should be spent on giving our children a better education.

AIA Kansas asks you to not approve HB 2280 for passage. I will be happy to answer questions at the appropriate time.

Executive Director
 Trudy Aron, Hon. AIA, CAE
 info@aiaks.org

Senate Ways & Means Cmte

Date 3-09-2010

Attachment 7



**Olathe School District
Testimony provided by Dr. Gary George
House Bill 2280
March 9, 2010**

House Bill 2280 was amended in committee and on the House floor. I will focus my remarks on the bond and interest portion of the bill.

As currently written, all new bond elections will be reimbursed using 15 percent AVPP. The one exception is school districts which have not had an election in 10 years. Those districts would be reimbursed using the 25 percent AVPP formula. Additionally, districts with an area of less than 200 square miles and an enrollment of less than 400 would be required to consult the Joint Committee on State Building Construction and seek its permission prior to the bond election.

The Olathe School District has an enrollment of 27,241 (September 20, 2009). We have grown since that date. To address the massive enrollment growth in our district over the last several years, we have had to add approximately one new school each year and several of our schools have also required additions. This growth costs the district approximately 20 mills each year to address the bond and interest debt obligations.

We currently receive nine percent assistance using the 25 percent AVPP formula. If reimbursement is cut to 15 percent AVPP, which is a forty percent reduction, our assistance rate will be in the five percent range. This will mean a shift in taxes to our patrons. Since we have to build schools on a regular basis, we would not be eligible for the 10 year provision to secure reimbursement at 25 percent.

We are, therefore, opposed to House Bill 2280 for the following reasons:

- It penalizes high growth school districts.
- It penalizes districts that cannot utilize the 10 year exemption.

We believe the current law has served the state and local school district tax payers well. Adopting the provisions of House Bill 2280 will simply shift more burdens to local property tax payers. The patrons in the Olathe School District are already carrying a heavy tax burden.

We recommend that the current law remain in place.

Thank you.

Senate Ways & Means Cmte
Date 3-09-2010
Attachment 8

FY 2011

SENATE WAYS AND MEANS SUBCOMMITTEE

Kansas Department of Commerce
Kansas Technology Enterprise Corporation (KTEC)
Kansas, Inc.



Senator Ty Masterson, Chair



Senator Laura Kelly

Senate Ways & Means Cmte

Date 3-09-2010

Attachment 9

Senate Subcommittee Report

Agency: Department of Commerce

Bill No. 556

Bill Sec. 57

Analyst: Steiner

Analysis Pg. No. --

Budget Page No. 75

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	131,957,323	131,786,584	0
Subtotal	<u>\$ 131,957,323</u>	<u>\$ 131,786,584</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	160,000	160,000	0
Subtotal	<u>\$ 160,000</u>	<u>\$ 160,000</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 132,117,323</u></u>	<u><u>\$ 131,946,584</u></u>	<u><u>\$ 0</u></u>
FTE positions	314.8	314.8	0.0
Non FTE Uncl. Perm. Pos.	46.0	46.0	0.0
TOTAL	<u><u>360.8</u></u>	<u><u>360.8</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** is requesting FY 2011 operating expenditures of \$131,957,323, including \$16,564,779 from the Economic Development Initiatives Fund (EDIF). The agency is not requesting any State General Fund appropriations for FY 2011. The all funds request is a decrease of \$22.2 million, or 14.4 percent, and an EDIF increase of \$312,471, or 2.0 percent, above the agency's FY 2010 revised request. The all funds decrease is largely attributable to a reduction in federal funding and the EDIF increase is attributable to the agency's one enhancement package of \$150,000 to fund the Kansas Sesquicentennial Celebration in 2011.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$131,786,584, including \$15,594,040 from the Economic Development Initiatives Fund (EDIF). The Governor's FY 2011 recommendation does not contain any appropriations from the State General Fund. The Governor's recommendation is an all funds decrease of \$21,843,367, or 14.2 percent, and an EDIF decrease of \$658,268, or 4.1 percent, below the Governor's FY 2010 recommendation. The all funds decrease is largely attributable to the fact that the additional federal funds the agency received in FY 2010 did not continue to FY 2011.

The FY 2011 recommendation is an all funds decrease of \$170,739, or 0.1 percent, and an EDIF decrease of \$970,739, or 5.9 percent, below the agency's FY 2011 request. The EDIF decrease is a result of the Governor not recommending the agency's enhancement request of \$150,000, all from the EDIF, for the Kansas Sesquicentennial Celebration and accepting the agency's 5.0 percent reduced resources package of \$820,739. The all funds decrease is offset by an increase in the Kansas Economic Opportunity Initiatives Fund (KEOIF) of \$800,000. The KEOIF is funded through a transfer from the EDIF and for FY 2011 the agency requested \$1,250,000; however, the Governor recommended a transfer of \$2,050,000.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Kansas Technology Enterprise Corporation

Bill No. HB 2706

Bill Sec. 59

Analyst: Steiner

Analysis Pg. No. - -

Budget Page No. 75

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	12,464,950	7,854,950	(500,000)
Subtotal	<u>\$ 12,464,950</u>	<u>\$ 7,854,950</u>	<u>\$ (500,000)</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 12,464,950</u></u>	<u><u>\$ 7,854,950</u></u>	<u><u>\$ (500,000)</u></u>
FTE positions	14.7	14.7	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>14.7</u></u>	<u><u>14.7</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$12,464,950, including \$10,600,000 from the Economic Development Initiatives Fund. The request is an increase of \$2,388,121, or 23.7 percent, above the FY 2010 revised estimate. The request includes three enhancement packages totaling \$3,740,000. Without the enhancement packages, the request would be a decrease of \$1,351,879, or 13.4 percent, below, the FY 2010 revised estimate. The FY 2011 request includes a decrease of \$343,000, all from the Economic Development Initiatives Fund, for Entrepreneurial Centers, PIPELINE program, and EPSCoR.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$7,854,950, including \$5,990,000 from the Economic Development Initiatives Fund. The recommendation is a decrease of \$1,971,879, or 20.1 percent, below the Governor's FY 2010 recommendation and a decrease of \$4,610,000, or 37.0 percent, below the agency's FY 2011 request. The Governor reduced the agency's Product Investment Financing, or investments, program by \$600,000 for FY 2011. Additionally, the Governor reduced the agency's Commercialization Program by \$143,000 and imposed a further reduction of \$127,000 on agency expenditures for information technology expenses.

9-4

House Budget Committee Recommendations

The **Budget Committee** concurs with the Governor's recommendation with the following adjustments:

1. Delete \$500,000, all from the Economic Development Initiatives Fund (EDIF), for FY 2011.
2. Transfer \$173,250, all from the Economic Development Initiatives Fund (EDIF), to the Kansas Department of Agriculture for the following programs:
 - \$6,250 for the agency's membership in the Missouri River Association of State Tribes (MoRAST) in FY 2011. MoRAST is a regional interstate organization formed by joint resolution of the Governors of Wyoming, Montana, North Dakota, South Dakota, Nebraska, Iowa, and Kansas;
 - \$20,000 for the Agriculture Statistics Program in FY 2011 to fund two livestock market reports;
 - \$75,000 for the Grain Warehouse Program and Dairy Inspection Program for FY 2011; and
 - \$72,000 for the Dairy Inspection Program for FY 2011.
3. Transfer \$326,750, all from the Economic Development Initiatives Fund (EDIF), to the Interstate Water Litigation account of the State General Fund in the Kansas Attorney General's Office for FY 2011.

House Committee Recommendation

The **Committee** concurs with the House Budget Committee recommendations with the following adjustment:

1. Add \$500,000, all from the EDIF, for FY 2011 to restore funding to the agency. The restoration of the funding restores the funding deleted by the House Budget Committee.
-

Senate Subcommittee Report

Agency: Kansas Technology Enterprise Corporation

Bill No. 556

Bill Sec. 59

Analyst: Steiner

Analysis Pg. No. --

Budget Page No. 75

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	12,464,950	7,854,950	0
Subtotal	<u>\$ 12,464,950</u>	<u>\$ 7,854,950</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 12,464,950</u></u>	<u><u>\$ 7,854,950</u></u>	<u><u>\$ 0</u></u>
FTE positions	14.7	14.7	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>14.7</u></u>	<u><u>14.7</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$12,464,950, including \$10,600,000 from the Economic Development Initiatives Fund. The request is an increase of \$2,388,121, or 23.7 percent, above the FY 2010 revised estimate. The request includes three enhancement packages totaling \$3,740,000. Without the enhancement packages, the request would be a decrease of \$1,351,879, or 13.4 percent, below the FY 2010 revised estimate. The FY 2011 request includes a decrease of \$343,000, all from the Economic Development Initiatives Fund, for Entrepreneurial Centers, PIPELINE program, and EPSCoR.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$7,854,950, including \$5,990,000 from the Economic Development Initiatives Fund. The recommendation is a decrease of \$1,971,879, or 20.1 percent, below the Governor's FY 2010 recommendation and a decrease of \$4,610,000, or 37.0 percent, below the agency's FY 2011 request. The Governor reduced the agency's Product Investment Financing, or investments, program by \$600,000 for FY 2011. Additionally, the Governor reduced the agency's Commercialization Program by \$143,000 and imposed a further reduction of \$127,000 on agency expenditures for information technology expenses.

Senate Budget Committee Recommendations

The **Subcommittee** concurs with the Governor's recommendation.

9-7

House Budget Committee Report

Agency: Kansas, Inc.

Bill No. HB 2706

Bill Sec. 58

Analyst: Steiner

Analysis Pg. No. - -

Budget Page No. 76

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	576,438	558,180	0
Subtotal	<u>\$ 576,438</u>	<u>\$ 558,180</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 576,438</u></u>	<u><u>\$ 558,180</u></u>	<u><u>\$ 0</u></u>
FTE positions	4.5	4.5	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u><u>5.5</u></u>	<u><u>5.5</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests requests \$576,438 for FY 2011 operating expenditures, an increase of \$49,164, or 9.3 percent, above the FY 2010 estimate. The estimate includes \$365,162 from the Economic Development Initiatives Fund (EDIF) and \$211,276 from the Kansas, Inc. Private Fund.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$558,180, including \$346,904 from the Economic Development Initiatives Fund. The recommendation is an all funds reduction of \$18,258, or 3.2 percent, and an Economic Development Initiatives Fund reduction of \$18,258, or 5.0 percent, from the agency's FY 2011 request. The reduction is a result of increased shrinkage achieved by holding open the policy analyst position for FY 2011.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

FY 2011

SENATE WAYS AND MEANS SUBCOMMITTEE

Kansas Public Employees Retirement System (KPERs) Issues



Senator Ruth Teichman, Chair



Senator Jay Emler



Senator Laura Kelly



Senator John Vratil

Senate Ways & Means Cmte
Date 3-09-2010
Attachment 10

Senate Subcommittee Report

Kansas Public Employees Retirement System (KPERs) Issues

The Subcommittee heard testimony regarding SB 527 which would allow the agency to deduct up to \$3,000 to pay health and long term care insurance premiums for retired public safety officers. The bill is in response to the Federal Pension Protection Act of 2006 which allows a federal tax-free distribution from a pension plan of up to \$3,000 per year to pay premiums on health or long-term care insurance. As defined by the Act, qualified public safety officers include all retired members of the Kansas Police and Firemen's Retirement System, as well as those retired KPERs members who performed law enforcement duties, including corrections, probation, juvenile justice and parole officers, firefighters, or emergency medical technicians. To receive the tax-free distribution, retirees must elect to have the insurance premiums deducted from their retirement benefit and have the premium directly paid from the pension plan to the insurance provider.

The agency estimates that the bill would allow between 5,000 and 10,000 retired KP&F and KPERs public safety officers who do not participate in the state's health insurance plan to take advantage of the tax-free premium distributions. The agency would need to make significant changes to the benefit information systems and develop new enrollment and payment processing procedures and communication outreach to retirees. KPERs estimates the total cost to implement HB 2078 would be \$492,843 from the KPERs Fee Fund, which includes one-time information system costs of \$442,000 and \$50,843 for 1.00 additional FTE position for the additional workload.

The Subcommittee heard testimony from Glenn Deck, Executive Director of KPERs who was neutral. Additionally, the Subcommittee also heard testimony from Jane Carter, Executive Director of Kansas Organization of State Employees (KOSE) who testified in favor of the bill. There were no conferees who testified in opposition to the bill.

The Subcommittee took no action on SB 527.

FY 2011

SENATE WAYS AND MEANS SUBCOMMITTEE

Bank Commissioner
Department of Credit Unions
Securities Commissioner
Abstracters Board of Examiners
Board of Accountancy
Board of Barbering
Behavioral Sciences Regulatory Board
Board of Cosmetology
Dental Board
Board of Healing Arts
Board of Examiners in Fitting and Dispensing of Hearing Instruments
Board of Mortuary Arts
Board of Optometry
Board of Pharmacy
Real Estate Appraisal Board
Real Estate Commission
Board of Technical Professions
Board of Veterinary Examiners
Home Inspectors Registration Board
Office of Administrative Hearings



Senator Ty Masterson, Chair



Senator Janis Lee



Senator Pat Apple

Senate Ways & Means Cmte

Date 3-09-2010

Attachment 11

House Budget Committee Report

Agency: Office of the State Bank Commissioner

Bill No. --

Bill Sec. --

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 481

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	8,894,993	8,513,440	381,553
Subtotal	<u>\$ 8,894,993</u>	<u>\$ 8,513,440</u>	<u>\$ 381,553</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 8,894,993</u></u>	<u><u>\$ 8,513,440</u></u>	<u><u>\$ 381,553</u></u>
FTE positions	99.0	99.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u><u>100.0</u></u>	<u><u>100.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$8,894,993, all from special revenue funds, an increase of \$381,553, or 4.5 percent, above the FY 2011 approved amount. The increase is attributable an enhancement request for additional salaries and wages in both the Examination and the Consumer and Mortgage Lending Departments. The 2009 Legislature reduced the expenditure authority for FY 2011 below the amount approved for FY 2010 by \$267,536. The agency states that it will not be able to maintain operations without the enhancement funding. The request includes 99.0 FTE positions, the same level as the approved amount.

Governor's Recommendation

The **Governor** does not concur with the agency request, but recommends FY 2011 expenditures totaling \$8,513,440, the same level as the approved amount. The Governor does not recommend the enhancement for salaries and wages.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following recommendations:

1. Add \$381,553, all from the agency's special revenue funds, to fund enhancement requests for additional salaries and wages in the Examination and Consumer and Mortgage Lending Departments. The Budget Committee notes that the funding would come out of the agency's fee fund ending balance.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Office of the State Bank Commissioner

Bill No.

Bill Sec. --

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 481

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	8,894,993	8,513,440	0
Subtotal	<u>\$ 8,894,993</u>	<u>\$ 8,513,440</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 8,894,993</u></u>	<u><u>\$ 8,513,440</u></u>	<u><u>\$ 0</u></u>
FTE positions	99.0	99.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u><u>100.0</u></u>	<u><u>100.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$8,894,993, all from special revenue funds, an increase of \$381,553, or 4.5 percent, above the FY 2011 approved amount. The increase is attributable an enhancement request for additional salaries and wages in both the Examination and the Consumer and Mortgage Lending Departments. The 2009 Legislature reduced the expenditure authority for FY 2011 below the amount approved for FY 2010 by \$267,536. The agency states that it will not be able to maintain operations without the enhancement funding. The request includes 99.0 FTE positions, the same level as the approved amount.

11-3

Governor's Recommendation

The **Governor** does not concur with the agency request, but recommends FY 2011 expenditures totaling \$8,513,440, the same level as the approved amount. The Governor does not recommend the enhancement for salaries and wages.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Kansas Department of Credit Unions

Bill No. --

Bill Sec. --

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 489

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	910,296	895,096	15,200
Subtotal	\$ 910,296	\$ 895,096	\$ 15,200
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 910,296	\$ 895,096	\$ 15,200
FTE positions	12.0	12.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	12.0	12.0	0.0

Agency Request

The **agency** requests \$910,296, all from special revenue funds, an increase of \$15,200, or 1.7 percent, above the FY 2011 approved amount. The increase is attributable to an enhancement request of \$15,200 to replace a vehicle. The request includes 12.0 FTE positions, the same as the approved amount.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$895,096, all from special revenue funds, the same as the approved amount. The Governor does not recommend the agency's request to purchase a replacement vehicle.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following recommendations:

1. Add \$15,200, all from the agencies special revenue funds, to purchase one vehicle pursuant to the agency enhancement request.

11-5

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Kansas Department of Credit Unions

Bill No. SB 556

Bill Sec. --

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 489

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	910,296	895,096	0
Subtotal	<u>\$ 910,296</u>	<u>\$ 895,096</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 910,296</u></u>	<u><u>\$ 895,096</u></u>	<u><u>\$ 0</u></u>
FTE positions	12.0	12.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>12.0</u></u>	<u><u>12.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$910,296, all from special revenue funds, an increase of \$15,200, or 1.7 percent, above the FY 2011 approved amount. The increase is attributable to an enhancement request of \$15,200 to replace a vehicle. The request includes 12.0 FTE positions, the same as the approved amount.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$895,096, all from special revenue funds, the same as the approved amount. The Governor does not recommend the agency's request to purchase a replacement vehicle.

11-6

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-7

House Budget Committee Report

Agency: Office of the Kansas Securities Commissioner

Bill No. HB 2706 **Bill Sec.** 14

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 513

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	2,830,556	2,830,556	0
Subtotal	\$ 2,830,556	\$ 2,830,556	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 2,830,556	\$ 2,830,556	\$ 0
FTE positions	32.1	32.1	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	32.1	32.1	0.0

Agency Request

The **agency** requests \$2,830,556, all from special revenue funds, an increase of \$200, above the FY 2011 approved amount. The request includes an increase of \$52,979 in salaries and wages offset by a reduction of \$60,318 in contractual services from FY 2010 to FY 2011. The agency states that the shift is necessitated due to the promotion of one Special Investigator and one State Auditor resulting in higher salary costs; however, in June of 2010 the Commission will relocate their facilities saving approximately \$73,028 over the FY 2010 amount. The request includes 32.1 approved FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency request for FY 2011 operating expenditures of \$2,830,556, all from special revenue funds. The Governor further recommends the Legislature transfer \$1.25 million from the Investor Education Fund to the State General Fund from monies received from the multi-state settlement on auction rate securities.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Office of the Kansas Securities Commissioner

Bill No. SB 556 **Bill Sec.** 14

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 513

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	2,830,556	2,830,556	0
Subtotal	<u>\$ 2,830,556</u>	<u>\$ 2,830,556</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 2,830,556</u></u>	<u><u>\$ 2,830,556</u></u>	<u><u>\$ 0</u></u>
FTE positions	32.1	32.1	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>32.1</u></u>	<u><u>32.1</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$2,830,556, all from special revenue funds, an increase of \$200, above the FY 2011 approved amount. The request includes an increase of \$52,979 in salaries and wages offset by a reduction of \$60,318 in contractual services from FY 2010 to FY 2011. The agency states that the shift is necessitated due to the promotion of one Special Investigator and one State Auditor resulting in higher salary costs; however, in June of 2010 the Commission will relocate their facilities saving approximately \$73,028 over the FY 2010 amount. The request includes 32.1 approved FTE positions.

11-9

Governor's Recommendation

The **Governor** concurs with the agency request for FY 2011 operating expenditures of \$2,830,556, all from special revenue funds. The Governor further recommends the Legislature transfer \$1.25 million from the Investor Education Fund to the State General Fund from monies received from the multi-state settlement on auction rate securities.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Abstracters Board of Examiners

Bill No. HB 2706

Bill Sec. 8

Analyst: Allen

Analysis Pg. No. - -

Budget Page No. 475

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	23,407	23,407	0
Subtotal	\$ 23,407	\$ 23,407	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 23,407	\$ 23,407	\$ 0
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0

Agency Request

The **agency** requests \$23,407, all from the Abstracter's Fee Fund for operating expenditures for FY 2011. This is an increase of \$2,200, or 10.4 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of revised salary and wages calculations. The request does not include any FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's Recommendation.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Abstracters Board of Examiners

Bill No. SB 556

Bill Sec. 8

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 475

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	23,407	23,407	0
Subtotal	\$ 23,407	\$ 23,407	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 23,407	\$ 23,407	\$ 0
FTE positions			
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0

Agency Request

The **agency** requests \$23,407, all from the Abstracter's Fee Fund for operating expenditures for FY 2011. This is an increase of \$2,200, or 10.4 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of revised salary and wages calculations. The request does not include any FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Board of Accountancy

Bill No. HB 2706

Bill Sec. 9

Analyst: Gorges

Analysis Pg. No.

Budget Page No. 477

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	311,661	311,661	0
Subtotal	<u>\$ 311,661</u>	<u>\$ 311,661</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 311,661</u></u>	<u><u>\$ 311,661</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.0</u></u>	<u><u>3.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** estimates a revised FY 2011 budget totaling \$311,661, an increase of \$1,829, or 0.6 percent, above the amount approved by the 2009 Legislature. All expenditures would be made from special revenue funds. The request includes \$178,179 for salaries and wages, an increase of \$5,519, or 3.2 percent, above the amount approved for FY 2011. The increase is due to the agency's inclusion of \$1,829 to continue the state undermarket pay adjustment which began in FY 2010, and \$3,690 due to scheduled increases in the employers' contributions rate for Group Health Insurance benefits and KPERs benefits. The agency reduced contractual services by \$3,690, or 2.8 percent to partially offset increases in salaries and wages. The request also includes \$4,747 for commodities and 3.0 FTE positions, the same as the FY 2010 request.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

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

11-13

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Board of Accountancy

Bill No. 556

Bill Sec. 9

Analyst: Gorges

Analysis Pg. No.

Budget Page No. 477

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	311,661	311,661	0
Subtotal	\$ 311,661	\$ 311,661	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 311,661	\$ 311,661	\$ 0
FTE positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	3.0	3.0	0.0

Agency Request

The **agency** estimates a revised FY 2011 budget totaling \$311,661, an increase of \$1,829, or 0.6 percent, above the amount approved by the 2009 Legislature. All expenditures would be made from special revenue funds. The request includes \$178,179 for salaries and wages, an increase of \$5,519, or 3.2 percent, above the amount approved for FY 2011. The increase is due to the agency's inclusion of \$1,829 to continue the state undermarket pay adjustment which began in FY 2010, and \$3,690 due to scheduled increases in the employers' contributions rate for Group Health Insurance benefits and KPERS benefits. The agency reduced contractual services by \$3,690, or 2.8 percent to partially offset increases in salaries and wages. The request also includes \$4,747 for commodities and 3.0 FTE positions, the same as the FY 2010 request.

11-14

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-15

House Budget Committee Report

Agency: Board of Barbering

Bill No. - -

Bill Sec. - -

Analyst: Montgomery

Analysis Pg. No. - -

Budget Page No. 482

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	141,070	141,070	0
Subtotal	<u>\$ 141,070</u>	<u>\$ 141,070</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 141,070</u></u>	<u><u>\$ 141,070</u></u>	<u><u>\$ 0</u></u>
FTE positions	1.0	1.0	0.0
Non FTE Uncl. Perm. Pos.	0.5	0.5	0.0
TOTAL	<u><u>1.5</u></u>	<u><u>1.5</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$141,070, all from the Board of Barbering Fee Fund, which is the same as the approved FY 2010 amount. The request includes 1.0 FTE.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following notation:

1. The Committee recommends the Board of Cosmetology and the Board of Barbering prepare a report for the Committee identifying potential efficiencies that can be realized by sharing administrative functions, training and staffing. The Committee plans to review the report on May 3, 2010.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

11-16

Senate Subcommittee Report

Agency: Board of Barbering

Bill No. --

Bill Sec. --

Analyst: Montgomery

Analysis Pg. No. --

Budget Page No. 482

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	141,070	141,070	0
Subtotal	\$ 141,070	\$ 141,070	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 141,070	\$ 141,070	\$ 0
FTE positions	1.0	1.0	0.0
Non FTE Uncl. Perm. Pos.	0.5	0.5	0.0
TOTAL	1.5	1.5	0.0

Agency Request

The **agency** requests \$141,070, all from the Board of Barbering Fee Fund, which is the same as the approved FY 2010 amount. The request includes 1.0 FTE.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-17

House Budget Committee Report

Agency: Behavioral Sciences Regulatory Board

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 483

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	631,421	595,421	0
Subtotal	<u>\$ 631,421</u>	<u>\$ 595,421</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 631,421</u></u>	<u><u>\$ 595,421</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	8.0	8.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>8.0</u></u>	<u><u>8.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$631,421, all from the Behavioral Sciences Regulatory Board Fee Fund. The request is an increase of \$36,000, or 6.0 percent above the amount approved by the 2009 Legislature. The increase is attributed to an enhancement request of \$36,000 to replace computer workstations, laptops, and a server, as part of the agency's three-year Information Technology plan. The agency's request does not include \$5,682 in undermarket salary adjustments that were authorized by the 2009 Legislature for FY 2010, but not FY 2011. Absent the enhancement request, the agency's request would represent no change from the amount approved by the 2009 Legislature. The request funds 8.0 FTE positions.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$595,421, all from the Behavioral Sciences Regulatory Board Fee Fund. The recommendation is a decrease of \$36,000, or 5.7 percent below the agency's request. The Governor does not recommend the agency's enhancement request of \$36,000 to replace laptops. The Governor's recommendation represents no change from the amount approved by the 2009 Legislature. The recommendation funds 8.0 FTE positions.

11-18

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following notation:

1. Review the addition of \$36,000, all from the Behavioral Sciences Regulatory Board Fee Fund, at Omnibus. Computer workstations, laptops, and a server will be replaced as part of the agency's three-year Information Technology plan.
2. Review the addition of \$5,682, all from the Behavioral Sciences Regulatory Board Fee Fund, to fund undermarket salary adjustments that were included in the FY 2010 budget but not in the agency's FY 2011 budget request or the Governor's FY 2011 recommendation.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Behavioral Sciences Regulatory Board

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 483

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	631,421	595,421	0
Subtotal	\$ 631,421	\$ 595,421	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 631,421	\$ 595,421	\$ 0
FTE positions	8.0	8.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	8.0	8.0	0.0

11-19

Agency Request

The **agency** requests FY 2011 operating expenditures of \$631,421, all from the Behavioral Sciences Regulatory Board Fee Fund. The request is an increase of \$36,000, or 6.0 percent above the amount approved by the 2009 Legislature. The increase is attributed to an enhancement request of \$36,000 to replace computer workstations, laptops, and a server, as part of the agency's three-year Information Technology plan. The agency's request does not include \$5,682 in undermarket salary adjustments that were authorized by the 2009 Legislature for FY 2010, but not FY 2011. Absent the enhancement request, the agency's request would represent no change from the amount approved by the 2009 Legislature. The request funds 8.0 FTE positions.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$595,421, all from the Behavioral Sciences Regulatory Board Fee Fund. The recommendation is a decrease of \$36,000, or 5.7 percent below the agency's request. The Governor does not recommend the agency's enhancement request of \$36,000 to replace laptops. The Governor's recommendation represents no change from the amount approved by the 2009 Legislature. The recommendation funds 8.0 FTE positions.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Board of Cosmetology

Bill No. --

Bill Sec. --

Analyst: Montgomery

Analysis Pg. No. --

Budget Page No. 486

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	806,017	772,817	15,200
Subtotal	<u>\$ 806,017</u>	<u>\$ 772,817</u>	<u>\$ 15,200</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 806,017</u></u>	<u><u>\$ 772,817</u></u>	<u><u>\$ 15,200</u></u>
FTE positions			
FTE positions	12.0	12.0	0.0
Non FTE Uncl. Perm. Pos.	0.5	0.5	0.0
TOTAL	<u><u>12.5</u></u>	<u><u>12.5</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$806,017, all from the Board of Cosmetology Fee Fund, which is an increase of \$33,200, or 4.3 percent above the approved FY 2010 amount. Included in the request is one enhancement request of \$15,200 for replacement of one high millage vehicle. Absent the enhancement request, the agency requests \$790,817 for FY 2011 which is \$18,000, or 2.2 percent, above the amount approved for FY 2011. The \$18,000 difference is attributable to the agency budgeting for the inclusion of the software enhancement from the FY 2010 request. The request includes 12.0 FTE.

Governor's Recommendation

The **Governor** recommends \$772,817, all from the Board of Cosmetology Fee Fund, which is the same as the amount approved for FY 2011. The recommendation includes 12.0 FTE.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following adjustment notation:

1. Add \$15,200 for replacement of one high millage vehicle.

11-21

- The Committee recommends the Board of Cosmetology and the Board of Barbering prepare a report for the Committee identifying potential efficiencies that can be realized by sharing administrative functions, training and staffing. The Committee plans to review the report on May 3, 2010.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Board of Cosmetology

Bill No. 556

Bill Sec. --

Analyst: Montgomery

Analysis Pg. No. --

Budget Page No. 486

Expenditure Summary	Agency Estimate FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	806,017	772,817	0
Subtotal	\$ 806,017	\$ 772,817	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 806,017	\$ 772,817	\$ 0
FTE positions	12.0	12.0	0.0
Non FTE Uncl. Perm. Pos.	0.5	0.5	0.0
TOTAL	12.5	12.5	0.0

Agency Request

The **agency** requests \$806,017, all from the Board of Cosmetology Fee Fund, which is an increase of \$33,200, or 4.3 percent above the approved FY 2010 amount. Included in the request is one enhancement request of \$15,200 for replacement of one high millage vehicle. Absent the enhancement request, the agency requests \$790,817 for FY 2011 which is \$18,000, or 2.2 percent, above the amount approved for FY 2011. The \$18,000 difference is attributable

11-22

to the agency budgeting for the inclusion of the software enhancement from the FY 2010 request. The request includes 12.0 FTE.

Governor's Recommendation

The **Governor** recommends \$772,817, all from the Board of Cosmetology Fee Fund, which is the same as the amount approved for FY 2011. The recommendation includes 12.0 FTE.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Kansas Dental Board

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 489

<u>Expenditure Summary</u>	<u>Agency Request FY 2011</u>	<u>Governor Recommendation FY 2011</u>	<u>House Budget Committee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	370,799	370,799	0
Subtotal	<u>\$ 370,799</u>	<u>\$ 370,799</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 370,799</u></u>	<u><u>\$ 370,799</u></u>	<u><u>\$ 0</u></u>
FTE positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.0</u></u>	<u><u>3.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$370,799, all from the Dental Board Fee Fund. The request is an increase of \$4,025, or 1.1 percent above the amount approved by the 2009 Legislature for FY 2011. The increase is attributed to undermarket salary adjustments that were funded in the FY 2010 approved budget but not in the FY 2011 approved budget. The request funds 3.0 FTE positions. At the request of the 2009 Legislature, the agency is considering reductions in fees for administrative services to reduce the large surplus in the agency's fee fund. If the fee reductions are approved, the agency will reduce the FY 2010 revenue projections in the current legislative session, while reduced revenue in FY 2011 will be reflected in the next biennial budget cycle.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

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

11-24

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Kansas Dental Board

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 489

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	370,799	370,799	0
Subtotal	<u>\$ 370,799</u>	<u>\$ 370,799</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 370,799</u></u>	<u><u>\$ 370,799</u></u>	<u><u>\$ 0</u></u>
FTE positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.0</u></u>	<u><u>3.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$370,799, all from the Dental Board Fee Fund. The request is an increase of \$4,025, or 1.1 percent above the amount approved by the 2009 Legislature for FY 2011. The increase is attributed to undermarket salary adjustments that were funded in the FY 2010 approved budget but not in the FY 2011 approved budget. The request funds 3.0 FTE positions. At the request of the 2009 Legislature, the agency is considering reductions in fees for administrative services to reduce the large surplus in the agency's fee fund. If the fee reductions are approved, the agency will reduce the FY 2010 revenue projections in the current legislative session, while reduced revenue in FY 2011 will be reflected in the next biennial budget cycle.

11-25

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-26

House Budget Committee Report

Agency: Board of Healing Arts

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 493

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,004,385	3,885,857	0
Subtotal	<u>\$ 4,004,385</u>	<u>\$ 3,885,857</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 4,004,385</u></u>	<u><u>\$ 3,885,857</u></u>	<u><u>\$ 0</u></u>
FTE positions	45.0	45.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>45.0</u></u>	<u><u>45.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$4,004,385, all from the Board of Healing Arts Fee Fund. The request is an increase of \$168,037, or 4.4 percent above the amount approved by the 2009 Legislature. The agency requests an expenditure limitation increase of \$118,528 to cover the costs of relocating to a larger leased facility and increased rent for five months. The agency request also includes \$49,509 for undermarket salary adjustments that were approved by the 2009 Legislature for FY 2010, but not for FY 2011. The request funds 45.0 FTE positions.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$3,885,857, all from the Board of Healing Arts Fee Fund. The recommendation is \$49,598, or 1.3 percent above the amount approved by the 2009 Legislature. The Governor did not recommend \$118,528, all from the Board of Healing Arts Fee Fund, for moving expenses and prorated rent. The increase is attributed entirely to undermarket salary adjustments that were authorized by the 2009 Legislature for FY 2010 but not for FY 2011. The recommendation funds 45.0 FTE positions.

House Budget Committee Recommendation

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

11-27

1. The Budget Committee notes that the agency's fee fund will carry a high ending balance of approximately \$2.6 million if the Governor's FY 2011 recommendation is adopted. The agency testified that the high ending balance is a "snapshot" of its fee fund at one point in time and that the agency has its highest ending balances during the months of June, July, and August. The fee fund balance falls to its lowest point during April of each fiscal year, with approximately \$300,000 in the fund. The agency testified that in order for the agency to sustain itself, the agency must begin the fiscal year with as close to one-half of the appropriation as possible.

The Budget Committee notes that despite the high ending balance, the agency has had to borrow from the State General Fund in the past. During the 2004 and 2005 Legislative sessions, all fee-funded agencies had their fund balances reviewed for potential transfers to the State General Fund at the end of FY 2005. This resulted in the transfer of \$750,000 from the Healing Arts Fee Fund to the State General Fund. The agency stated that due to this transfer, it experienced cash flow problems by late February 2006 and had to borrow \$200,000 in fee fund revenues that were normally deposited into the State General Fund to cover its expenditures. In the appropriations bill for FY 2007, a proviso was included to allow the agency to borrow from the State General Fund during FY 2007, in case the agency experienced cash flow problems again. The agency did indeed experience cash flow problems in April 2007 (FY 2007) and borrowed \$100,000 from the State General Fund. Moneys borrowed were paid back to the State General Fund from the agency's fee fund at the end of FY 2006 and FY 2007. As a precaution, the agency testified it raised fees in FY 2007, FY 2008, and FY 2009 to cover the fee fund transfers, as well as costs associated with the 6.0 new FTE positions that were approved by the 2009 Legislature to address the agency's high case backlog.

2. Review the addition of \$118,528, all from the Healing Arts Fee Fund, for moving expenses and prorated rent at Omnibus. The agency stated its current lease will expire in January 2011 and the current landlord did not submit a bid. The agency stated that the Division of Facilities Management estimated total costs for the agency at \$118,528. Moving costs are estimated at \$83,250, calculated at the rate of \$1,850 per FTE position and the agency has 45.0 FTE positions. The remaining \$35,278 represents additional rent for the remainder of FY 2011 (from February to June 2011) that the new space will cost as compared the current rent.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Board of Healing Arts

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 493

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	4,004,385	3,885,857	0
Subtotal	<u>\$ 4,004,385</u>	<u>\$ 3,885,857</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 4,004,385</u></u>	<u><u>\$ 3,885,857</u></u>	<u><u>\$ 0</u></u>
FTE positions	45.0	45.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>45.0</u></u>	<u><u>45.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$4,004,385, all from the Board of Healing Arts Fee Fund. The request is an increase of \$168,037, or 4.4 percent above the amount approved by the 2009 Legislature. The agency requests an expenditure limitation increase of \$118,528 to cover the costs of relocating to a larger leased facility and increased rent for five months. The agency request also includes \$49,509 for undermarket salary adjustments that were approved by the 2009 Legislature for FY 2010, but not for FY 2011. The request funds 45.0 FTE positions.

Governor's Recommendation

The **Governor** recommends FY 2011 operating expenditures of \$3,885,857, all from the Board of Healing Arts Fee Fund. The recommendation is \$49,598, or 1.3 percent above the amount approved by the 2009 Legislature. The Governor did not recommend \$118,528, all from the Board of Healing Arts Fee Fund, for moving expenses and prorated rent. The increase is attributed entirely to undermarket salary adjustments that were authorized by the 2009 Legislature for FY 2010 but not for FY 2011. The recommendation funds 45.0 FTE positions.

11-29

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Kansas Board of Examiners in the Fitting
and Dispensing of Hearing Instruments

Bill No. --

Bill Sec. --

Analyst: Montgomery

Analysis Pg. No. --

Budget Page No. 496

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	32,726	31,352	
Subtotal	<u>\$ 32,726</u>	<u>\$ 31,352</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 32,726</u></u>	<u><u>\$ 31,352</u></u>	<u><u>\$ 0</u></u>
FTE positions	0.5	0.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>0.5</u></u>	<u><u>0.5</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$32,726, all from the Kansas Board of Examiners in the Fitting and Dispensing of Hearing Instruments Fee Fund. The request is an all funds increase of \$2,803, or 9.4 percent, above the FY 2011 approved amount. The increase is attributed to increased salary and contractual service expenditures which includes temporary assistance, rentals and mileage reimbursement. The request includes 0.48 FTE.

Governor's Recommendation

The **Governor** recommends \$31,352, all from the Kansas Board of Examiners in the Fitting and Dispensing of Hearing Instruments Fee Fund. The recommendation is an all funds increase of \$1,429, or 4.8 percent, above the FY 2011 approved amount. The increase is attributable to increased salary expenditures which includes temporary assistance, rentals and mileage reimbursement. The recommendation includes 0.48 FTE.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Kansas Board of Examiners in the Fitting and Dispensing of Hearing Instruments

Bill No. 556

Bill Sec. - -

Analyst: Montgomery

Analysis Pg. No. - -

Budget Page No. 496

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	32,726	31,352	
Subtotal	\$ 32,726	\$ 31,352	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 32,726	\$ 31,352	\$ 0
FTE positions	0.5	0.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.5	0.5	0.0

Agency Request

The **agency** requests \$32,726, all from the Kansas Board of Examiners in the Fitting and Dispensing of Hearing Instruments Fee Fund. The request is an all funds increase of \$2,803, or 9.4 percent, above the FY 2011 approved amount. The increase is attributed to increased salary and contractual service expenditures which includes temporary assistance, rentals and mileage reimbursement. The request includes 0.48 FTE.

Governor's Recommendation

The **Governor** recommends \$31,352, all from the Kansas Board of Examiners in the Fitting and Dispensing of Hearing Instruments Fee Fund. The recommendation is an all funds increase of \$1,429, or 4.8 percent, above the FY 2011 approved amount. The increase is

attributable to increased salary expenditures which includes temporary assistance, rentals and mileage reimbursement. The recommendation includes 0.48 FTE.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Board of Mortuary Arts

Bill No. HB 2706

Bill Sec. 12

Analyst: Montgomery

Analysis Pg. No. - -

Budget Page No. 500

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	275,039	271,510	
Subtotal	<u>\$ 275,039</u>	<u>\$ 271,510</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 275,039</u></u>	<u><u>\$ 271,510</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.0</u></u>	<u><u>3.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$275,039, all from the Board of Mortuary Arts Fee Fund. The request is an increase of \$3,529 all funds, or 1.3 percent, above the FY 2011 approved amount. The increase is attributable to salaries and wages adjustments. The request includes 3.0 FTE.

Governor's Recommendation

The **Governor** recommends \$271,510, all from the Board of Mortuary Arts Fee Fund. The request is an all funds increase of \$853, or 0.3 percent above the FY 2011 approved amount and includes 3.0 FTE.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Board of Mortuary Arts

Bill No. 556

Bill Sec. - -

Analyst: Montgomery

Analysis Pg. No. - -

Budget Page No. 500

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	275,039	271,510	
Subtotal	<u>\$ 275,039</u>	<u>\$ 271,510</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 275,039</u></u>	 <u><u>\$ 271,510</u></u>	 <u><u>\$ 0</u></u>
 FTE positions	 3.0	 3.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.0</u></u>	<u><u>3.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$275,039, all from the Board of Mortuary Arts Fee Fund. The request is an increase of \$3,529 all funds, or 1.3 percent, above the FY 2011 approved amount. The increase is attributable to salaries and wages adjustments. The request includes 3.0 FTE.

Governor's Recommendation

The **Governor** recommends \$271,510, all from the Board of Mortuary Arts Fee Fund. The request is an all funds increase of \$853, or 0.3 percent above the FY 2011 approved amount and includes 3.0 FTE.

Senate Budget Committee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-35

House Budget Committee Report

Agency: Board of Examiners in Optometry

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 503

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	140,310	140,310	0
Subtotal	<u>\$ 140,310</u>	<u>\$ 140,310</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 140,310</u></u>	<u><u>\$ 140,310</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	0.8	0.8	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>0.8</u></u>	<u><u>0.8</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$140,310, all from the Optometry Fee Fund. The request is an increase of \$333, or 0.2 percent above the amount approved by the 2009 Legislature. The increase is attributed to corrections made to compensation calculations for the Optometry Board members. The request funds 0.8 FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Board of Examiners in Optometry

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 503

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	140,310	140,310	0
Subtotal	<u>\$ 140,310</u>	<u>\$ 140,310</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 140,310</u></u>	 <u><u>\$ 140,310</u></u>	 <u><u>\$ 0</u></u>
 FTE positions	 0.8	 0.8	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>0.8</u></u>	<u><u>0.8</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 operating expenditures of \$140,310, all from the Optometry Fee Fund. The request is an increase of \$333, or 0.2 percent above the amount approved by the 2009 Legislature. The increase is attributed to corrections made to compensation calculations for the Optometry Board members. The request funds 0.8 FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-37

House Budget Committee Report

Agency: Board of Pharmacy

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 505

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	1,063,082	991,779	0
Subtotal	<u>\$ 1,063,082</u>	<u>\$ 991,779</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 1,063,082</u></u>	<u><u>\$ 991,779</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	11.0	11.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>11.0</u></u>	<u><u>11.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 expenditures of \$1,063,082, including \$821,379 from the Board of Pharmacy Fee Fund. The request is a decrease of \$143,017 or 11.9 percent below the agency's revised FY 2010 estimate. The agency's request includes enhancement requests of \$71,303, all from the Board of Pharmacy Fee Fund, for a replacement vehicle, salaries and wages for the prescription drug monitoring program, software maintenance, increased rent expense, and the agency's monumental surcharge payment. The agency also requests \$241,703 from the Harold Rogers Prescription Monitoring Program federal grant for the prescription drug monitoring program that was authorized by the 2008 Legislature in 2008 Substitute for Senate Bill 491. The federal grant will be used to pay for prescription drug monitoring software, a program administrator, an information technology position, and other implementation expenses. The agency's request does not include \$2,901, all from the agency's fee fund, for undermarket salary adjustments that were approved by the 2009 Legislature for FY 2010 but not for FY 2011. Absent all enhancement requests, the agency's FY 2011 request would be the same as the amount approved by the 2009 Legislature.

Governor's Recommendation

The **Governor** recommends FY 2011 expenditures of \$991,779, including \$750,076 from the Board of Pharmacy Fee Fund. The recommendation is a decrease of \$71,303, or 6.7 percent below the agency's request. The decrease is attributed to the Governor not recommending the agency's enhancements from its fee fund. The Governor recommends

11-38

\$241,703 from the Harold Rogers Prescription Monitoring Program federal grant to implement the prescription drug monitoring program. The Governor's recommendation does not include \$2,901, all from the agency's fee fund, for undermarket salary adjustments that were approved for FY 2010, but not for FY 2011.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's recommendation with the following notation:

1. The Budget Committee expresses growing concern about the accuracy of the agency's budget information that was presented to the Governor and to the Legislature. The Budget Committee is concerned about the agency's ability to develop a complete and accurate budget, due in part, to continuity issues at the agency. The Budget Committee notes that in the past four years, the agency has had a different staff person each year working on the budget.

The Budget Committee is also concerned with the agency's FY 2010 and FY 2011 net receipts into the agency's fee fund. Testimony presented by the agency differed greatly from the Governor's recommendation. The agency testified that net receipts increased from \$787,095 in FY 2008 to \$1,342,779 in FY 2009 due to a new class of licensees, an increase in the number of drug distributors registering, and some drug distributors inadvertently renewing twice in FY 2009. While the agency estimates net receipts of approximately \$1.4 million in FY 2010 and FY 2011, historical trends support the Governor's lower estimate of \$885,000 adjusted for the new receipts. Furthermore, the Budget Committee is concerned with the high ending balance in the agency's fee fund of at least \$1.1 million in FY 2011 or 152.3 percent of expenditures.

The Budget Committee requests the agency work with the Governor's Office or the appropriate authority to attain more training and familiarity with the budgeting process, so that a complete and accurate budget can be presented in future years to the Governor and the Legislature.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Board of Pharmacy

Bill No. --

Bill Sec. --

Analyst: Tang

Analysis Pg. No. --

Budget Page No. 505

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	1,063,082	991,779	0
Subtotal	<u>\$ 1,063,082</u>	<u>\$ 991,779</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 1,063,082</u></u>	 <u><u>\$ 991,779</u></u>	 <u><u>\$ 0</u></u>
 FTE positions	 11.0	 11.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>11.0</u></u>	<u><u>11.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2011 expenditures of \$1,063,082, including \$821,379 from the Board of Pharmacy Fee Fund. The request is a decrease of \$143,017 or 11.9 percent below the agency's revised FY 2010 estimate. The agency's request includes enhancement requests of \$71,303, all from the Board of Pharmacy Fee Fund, for a replacement vehicle, salaries and wages for the prescription drug monitoring program, software maintenance, increased rent expense, and the agency's monumental surcharge payment. The agency also requests \$241,703 from the Harold Rogers Prescription Monitoring Program federal grant for the prescription drug monitoring program that was authorized by the 2008 Legislature in 2008 Substitute for Senate Bill 491. The federal grant will be used to pay for prescription drug monitoring software, a program administrator, an information technology position, and other implementation expenses. The agency's request does not include \$2,901, all from the agency's fee fund, for undermarket salary adjustments that were approved by the 2009 Legislature for FY 2010 but not for FY 2011. Absent all enhancement requests, the agency's FY 2011 request would be the same as the amount approved by the 2009 Legislature.

Governor's Recommendation

The **Governor** recommends FY 2011 expenditures of \$991,779, including \$750,076 from the Board of Pharmacy Fee Fund. The recommendation is a decrease of \$71,303, or 6.7

11-40

percent below the agency's request. The decrease is attributed to the Governor not recommending the agency's enhancements from its fee fund. The Governor recommends \$241,703 from the Harold Rogers Prescription Monitoring Program federal grant to implement the prescription drug monitoring program. The Governor's recommendation does not include \$2,901, all from the agency's fee fund, for undermarket salary adjustments that were approved for FY 2010, but not for FY 2011.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Real Estate Appraisal Board

Bill No. --

Bill Sec. --

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 507

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	314,387	313,282	
Subtotal	\$ 314,387	\$ 313,282	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 314,387	 \$ 313,282	 \$ 0
 FTE positions	 2.0	 2.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	2.0	2.0	0.0

Agency Request

The **agency** requests \$314,387, all from the Appraiser Fee Fund. This is an increase of \$1,105, or 0.4 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of revised salary and wages calculations. The request includes 2.0 FTE positions.

Governor's Recommendation

The **Governor** recommends \$313,282, all from the Appraiser Fee Fund. This is a decrease of \$1,105 or less than 0.4 percent below the agency request. The recommendation is the same as the FY 2011 amount approved by the 2009 Legislature.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

11-42

Senate Subcommittee Report

Agency: Real Estate Appraisal Board

Bill No. --

Bill Sec. --

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 507

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	314,387	313,282	0
Subtotal	\$ 314,387	\$ 313,282	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 314,387	\$ 313,282	\$ 0
FTE positions			
FTE positions	2.0	2.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	2.0	2.0	0.0

Agency Request

The **agency** requests \$314,387, all from the Appraiser Fee Fund. This is an increase of \$1,105, or 0.4 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of revised salary and wages calculations. The request includes 2.0 FTE positions.

Governor's Recommendation

The **Governor** recommends \$313,282, all from the Appraiser Fee Fund. This is a decrease of \$1,105 or less than 0.4 percent below the agency request. The recommendation is the same as the FY 2011 amount approved by the 2009 Legislature.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-43

House Budget Committee Report

Agency: Kansas Real Estate Commission

Bill No. - -

Bill Sec. - -

Analyst: Allen

Analysis Pg. No. - -

Budget Page No. 509

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	1,269,953	1,223,438	0
Subtotal	\$ 1,269,953	\$ 1,223,438	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 1,269,953	\$ 1,223,438	\$ 0
FTE positions			
FTE positions	15.0	15.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	15.0	15.0	0.0

Agency Request

The **agency** requests \$1,269,953, for FY 2011 expenditures; \$1,161,078 is from the Real Estate Commission Fee Fund, \$69,825 is from the Background Investigation Fee Fund, and \$39,050 is from the Real Estate Revolving Recovery Fund. This is an increase of \$46,515, or 3.8 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is due to a \$46,515 enhancement request, all from the Real Estate Commission Fee Fund, that funds the reorganization of the Enforcement section to substitute 1.0 FTE Attorney position, 0.5 FTE Legal Assistant position and 0.5 FTE Office Specialist position for 1.0 FTE Special Investigator position, and 1.0 FTE Administrative Assistant position to address the backlog of audits. Without the enhancement the request is the same as the amount approved by the 2009 Legislature. The request includes 15.0 FTE positions.

Governor's Recommendation

The **Governor** recommends \$1,223,438 for FY 2011 expenditures, the same as the FY 2011 amount approved by the 2009 Legislature. This is a decrease of \$46,515, or 3.7 percent below the agency's request. The decrease is attributable to the Governor not recommending the enhancement request. The recommendation includes 15.0 FTE positions.

House Budget Committee Recommendation

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

11-44

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Kansas Real Estate Commission

Bill No. --

Bill Sec. --

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 509

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	1,269,953	1,223,438	0
Subtotal	\$ 1,269,953	\$ 1,223,438	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 1,269,953	\$ 1,223,438	\$ 0
FTE positions			
FTE positions	15.0	15.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	15.0	15.0	0.0

Agency Request

The **agency** requests \$1,269,953, for FY 2011 expenditures; \$1,161,078 is from the Real Estate Commission Fee Fund, \$69,825 is from the Background Investigation Fee Fund, and \$39,050 is from the Real Estate Revolving Recovery Fund. This is an increase of \$46,515, or 3.8 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is due to a \$46,515 enhancement request, all from the Real Estate Commission Fee Fund, that funds the reorganization of the Enforcement section to substitute 1.0 FTE Attorney position, 0.5 FTE Legal Assistant position and 0.5 FTE Office Specialist position for 1.0 FTE Special Investigator position, and 1.0 FTE Administrative Assistant position to address the backlog of audits. Without the enhancement the request is the same as the amount approved by the 2009 Legislature. The request includes 15.0 FTE positions.

11-45

Governor's Recommendation

The **Governor** recommends \$1,223,438 for FY 2011 expenditures, the same as the FY 2011 amount approved by the 2009 Legislature. This is a decrease of \$46,515, or 3.7 percent below the agency's request. The decrease is attributable to the Governor not recommending the enhancement request. The recommendation includes 15.0 FTE positions.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Board of Technical Professions

Bill No. HB 2706

Bill Sec. 15

Analyst: Allen

Analysis Pg. No. - -

Budget Page No. 513

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	586,103	586,103	0
Subtotal	\$ 586,103	\$ 586,103	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 586,103	\$ 586,103	\$ 0
FTE positions	5.0	5.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	5.0	5.0	0.0

Agency Request

The **agency** requests \$586,103, all from the Technical Professions Fee Fund. This is an increase of \$2,635, or 0.5 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of the agency calculating the undermarket increases from FY 2010 into the approved amount for FY 2011. The request includes 5.0 FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The **Budget Committee** concurs with the Governor's Recommendation.

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

11-47

Senate Subcommittee Report

Agency: Board of Technical Professions

Bill No. SB 556

Bill Sec. 15

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 513

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	586,103	586,103	0
Subtotal	\$ 586,103	\$ 586,103	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 586,103	\$ 586,103	\$ 0
FTE positions			
FTE positions	5.0	5.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	5.0	5.0	0.0

Agency Request

The **agency** requests \$586,103, all from the Technical Professions Fee Fund. This is an increase of \$2,635, or 0.5 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of the agency calculating the undermarket increases from FY 2010 into the approved amount for FY 2011. The request includes 5.0 FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-48

House Budget Committee Report

Agency: Board of Veterinary Examiners

Bill No. HB 2706

Bill Sec. 16

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 515

<u>Expenditure Summary</u>	<u>Agency Request FY 2011</u>	<u>Governor Recommendation FY 2011</u>	<u>House Budget Committee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	268,382	268,382	0
Subtotal	<u>\$ 268,382</u>	<u>\$ 268,382</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 268,382</u></u>	<u><u>\$ 268,382</u></u>	<u><u>\$ 0</u></u>
FTE positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.0</u></u>	<u><u>3.0</u></u>	<u><u>0.0</u></u>

Agency Estimate/Request

The **agency** requests \$268,382, all from the Veterinary Examiner's Fee Fund. This is an increase of \$1,676, or 0.6 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of revised salary and wages calculations. The request includes 3.0 FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

11-49

Senate Subcommittee Report

Agency: Board of Veterinary Examiners

Bill No. SB 556

Bill Sec. 16

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 515

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	268,382	268,382	0
Subtotal	\$ 268,382	\$ 268,382	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 268,382	\$ 268,382	\$ 0
FTE positions			
FTE positions	3.0	3.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	3.0	3.0	0.0

Agency Request

The **agency** requests \$268,382, all from the Veterinary Examiner's Fee Fund. This is an increase of \$1,676, or 0.6 percent above the FY 2011 amount approved by the 2009 Legislature. The increase is the result of revised salary and wages calculations. The request includes 3.0 FTE positions.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

House Budget Committee Report

Agency: Home Inspectors Registration Board

Bill No. HB 2706

Bill Sec. 11

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 497

Expenditure Summary	Agency Estimate FY 2010	Governor Recommendation FY 2010	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	36,020	36,020	0
Subtotal	<u>\$ 36,020</u>	<u>\$ 36,020</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 36,020</u></u>	<u><u>\$ 36,020</u></u>	<u><u>\$ 0</u></u>
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>0.0</u></u>	<u><u>0.0</u></u>	<u><u>0.0</u></u>

Agency Estimate

The **agency** estimates \$36,020, all from the Home Inspectors Registration Fee Fund for operating expenditures for FY 2010.

Governor's Recommendation

The **Governor** concurs with the agency's estimate.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Home Inspectors Registration Board

Bill No. SB 556

Bill Sec. 11

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 497

Expenditure Summary	Agency Estimate FY 2010	Governor Recommendation FY 2010	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	36,020	36,020	0
Subtotal	<u>\$ 36,020</u>	<u>\$ 36,020</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 36,020</u></u>	<u><u>\$ 36,020</u></u>	<u><u>\$ 0</u></u>
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>0.0</u></u>	<u><u>0.0</u></u>	<u><u>0.0</u></u>

Agency Estimate

The **agency** estimates \$36,020, all from the Home Inspectors Registration Fee Fund for operating expenditures for FY 2010.

Governor's Recommendation

The **Governor** concurs with the agency's estimate.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-52

House Budget Committee Report

Agency: Home Inspectors Registration Board

Bill No. HB 2706

Bill Sec. 11

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 497

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	35,750	35,750	0
Subtotal	\$ 35,750	\$ 35,750	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 35,750	\$ 35,750	\$ 0
FTE positions			
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	0.0	0.0	0.0

Agency Request

The **agency** requests \$35,750, all from the Home Inspectors Registration Fee Fund, for operating expenditures for FY 2011.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Home Inspectors Registration Board

Bill No. SB 556

Bill Sec. 11

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 497

<u>Expenditure Summary</u>	<u>Agency Request FY 2011</u>	<u>Governor Recommendation FY 2011</u>	<u>Senate Subcommittee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	35,750	35,750	0
Subtotal	<u>\$ 35,750</u>	<u>\$ 35,750</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 35,750</u></u>	<u><u>\$ 35,750</u></u>	<u><u>\$ 0</u></u>
FTE positions	0.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>0.0</u></u>	<u><u>0.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$35,750, all from the Home Inspectors Registration Fee Fund, for operating expenditures for FY 2011.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-54

House Budget Committee Report

Agency: Office of Administrative Hearings

Bill No. HB 2706

Bill Sec. 52

Analyst: Allen

Analysis Pg. No. - -

Budget Page No. 23

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	910,472	910,472	
Subtotal	\$ 910,472	\$ 910,472	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 910,472	\$ 910,472	\$ 0
FTE positions	13.0	13.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	13.0	13.0	0.0

Agency Request

The **agency** requests \$910,472, all from the Office of Administrative Hearings Fund, for operating expenditures in FY 2011. The request includes 13.0 FTE positions. This agency is a non-reportable, or off budget, agency. Expenditures made by this agency are reported in other state agency budgets.

Governor's Recommendation

The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

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

House Committee Recommendation

The **Committee** concurs with the Budget Committee recommendation.

Senate Subcommittee Report

Agency: Office of Administrative Hearings

Bill No. SB 556

Bill Sec. 52

Analyst: Allen

Analysis Pg. No. --

Budget Page No. 23

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	910,472	910,472	0
Subtotal	\$ 910,472	\$ 910,472	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Special Revenue Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 910,472	\$ 910,472	\$ 0
FTE positions			
FTE positions	13.0	13.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	13.0	13.0	0.0

Agency Request

The **agency** requests \$910,472, all from the Office of Administrative Hearings Fund, for operating expenditures in FY 2011. The request includes 13.0 FTE positions. This agency is a non-reportable, or off budget, agency. Expenditures made by this agency are reported in other state agency budgets.

Governor's Recommendation

The **Governor** concurs with the agency's request.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

11-56


FY 2011

SENATE WAYS AND MEANS SUBCOMMITTEE

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



Senator Jay Emler, Chair



Senator Laura Kelly

Senate Ways & Means Cmte

Date 3-09-2010

Attachment 12

Senate Subcommittee Report

Agency: Legislature

Bill No. SB 556

Bill Sec. 35

Analyst: Scott

Analysis Pg. No. 1421

Budget Page No. 157

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 17,601,584	\$ 15,955,987	\$ (351,074)
Other Funds	175,246	175,246	0
Subtotal	<u>\$ 17,776,830</u>	<u>\$ 16,131,233</u>	<u>\$ (351,074)</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 17,776,830</u></u>	<u><u>\$ 16,131,233</u></u>	<u><u>\$ (351,074)</u></u>
FTE positions	37.0	37.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>37.0</u></u>	<u><u>37.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests a FY 2011 budget of \$17,776,830, including \$17,601,584 from the State General Fund, an increase of \$458,963, or 2.7 percent, above the revised current year estimate. The State General Fund is an increase of \$383,717, or 2.2 percent, above the FY 2010 revised request. The increase mainly reflects fringe benefit increases in salaries and wages and the addition of 4.0 temporary FTE positions. Included in the FY 2011 agency request is funding in the amount of \$187,667 and 4.0 temporary FTE positions for redistricting activities that begin in the second half of FY 2011. The request would fund 37.0 FTE positions, the same as requested for the current year.

Governor's Recommendation

The **Governor** recommends \$16,131,233, including \$15,955,987 from the State General Fund. This is a reduction of \$200,448, or 1.2 percent, below the FY 2010 recommendation and a State General Fund reduction of \$275,694 or 1.7 percent, below the FY 2010 recommendation. The request reflects an increase of \$87,917, or 0.9 percent, above the FY 2010 recommendation in salary and wages. The increase is offset by reductions of \$277,032, or 4.1 percent, in contractual services, and a reduction of \$11,333, or 5.0 percent, in commodities.

Senate Subcommittee Recommendation

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

1. Delete \$125,000, all from the State General Fund, to continue limiting legislator postage (franking) privileges to 50 percent, and cap leadership postage (franking) privileges at \$2,500 annually. This would continue the limitation approved in the current year in HB 2222 (recission bill).
2. Delete \$97,100, all from the State General Fund, and add language to limit all interim joint committees and special committees, except Legislative Coordinating Council, Legislative Post Audit, Redistricting Advisory Group, Administrative Rules and Regulations, and Senate Confirmations, to a total of two days per committee during the 2010 interim period.
3. Delete \$66,399, all from the State General Fund, to eliminate file clerks. The Subcommittee notes that all bills and supplemental notes are available electronically. The Subcommittee would ask that the Director of Legislative Administrative Services explore options to provide copies of general order bills and supplemental notes on the chamber desks for those members that request a paper copy.
4. Delete \$62,775, all from the State General Fund, and add language to limit distribution of new statute books to only new legislators. This will allow supplements to the statutes to continue to be distributed to all legislators.
5. Delete \$61,098, all from the State General Fund, to eliminate newspaper clippers and newspaper subscriptions. The Subcommittee notes that most newspapers are now electronically available at no cost to any interested individual.
6. Delete \$33,702, all from the State General Fund, and add language to eliminate the distribution of permanent Journals to Legislators.
7. Add language to limit funding for leadership days to the following:
 - President/Speaker 30 days
 - Majority/Minority Leaders 20 days
 - Chairs Ways and Means/Appropriations 15 days
 - Vice President/Speaker Pro-tem 10 days
 - Assistant Majority/Minority Leader 5 days
 - All other leadership positions 0 days

Currently, legislative leaders may claim a leadership day for legislative leadership business without limit and receive pay, subsistence and mileage.

8. Add \$95,000, all from the State General Fund, in a separate line item to fund the required redistricting activities. This action would not fund the \$80,000 for the four temporary positions as requested by the Redistricting Advisory Group. The Subcommittee suggests that existing caucus staff should assist with redistricting activities. This would provide \$20,000 for training of existing staff and \$75,000 for a contract with the Secretary of State to provide revised census data. The funding will allow the agency to start redistricting activities to assist the Legislature in redrawing of legislative, State Board of Education, and congressional districts as required by the U.S. and Kansas Constitutions.

9. Add language to continue the 5.0 percent salary reduction to salaried officers of the state contained in Senate Substitute for HB 2222 with the following exception. Leadership staff would be divided into two categories. The salary of the chief of staff would continue to be reduced by 5.0 percent while the remaining leadership staff would have salaries reduced by 2.5 percent. The 5.0 percent salary reduction would continue to apply to statewide elected officials, Secretary of a department or chief executive officer, members of a board, council, or authority, legislators, legislative leadership, judges and justices and other positions authorized by statute. The Subcommittee also requests a bill introduction to accomplish this salary reduction.

Senate Subcommittee Report

Agency: Legislative Coordinating Council

Bill No. SB 556

Bill Sec. 34

Analyst: Scott

Analysis Pg. No. 1411

Budget Page No. 155

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 804,057	\$ 727,436	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 804,057</u>	<u>\$ 727,436</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
 TOTAL	 <u><u>\$ 804,057</u></u>	 <u><u>\$ 727,436</u></u>	 <u><u>\$ 0</u></u>
 FTE positions	 11.0	 11.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>11.0</u></u>	<u><u>11.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests a FY 2011 budget of \$804,057, all from the State General Fund, an increase of \$62, or less than 0.1 percent, above the revised current year estimate. The increase reflects fringe benefit increases in salaries and wages. The request would fund 11.0 FTE positions, the same as requested for the current year.

Governor's Recommendation

The **Governor** recommends \$727,436, all from the State General Fund, for a reduction of \$6,304, or 0.9 percent, below the FY 2010 recommendation taken all in salary and wages. The recommendation also is reduction of \$76,621, or 9.5 percent, below the agency request. This reflects a reduction of \$41,319, or 5.5 percent, below the revised request for salary and wages and a reduction of \$35,302, or 74.5 percent, in contractual services.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governor's recommendation.

12-5

Senate Subcommittee Report

Agency: Legislative Research Department

Bill No. SB 556

Bill Sec. 34

Analyst: Scott

Analysis Pg. No. 1432

Budget Page No. 159

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 4,066,423	\$ 3,420,862	\$ 263,811
Other Funds	0	0	0
Subtotal	<u>\$ 4,066,423</u>	<u>\$ 3,420,862</u>	<u>\$ 263,811</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 4,066,423</u></u>	<u><u>\$ 3,420,862</u></u>	<u><u>\$ 263,811</u></u>
FTE positions	40.0	40.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>40.0</u></u>	<u><u>40.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests a FY 2011 budget of \$4,066,423, all from the State General Fund, an increase of \$285,092, or 7.5 percent, above the revised current year estimate. The increase reflects the addition of \$225,820 for the second year of redistricting that is required by the U.S. and Kansas Constitutions. This includes 2.0 additional temporary FTE positions and associated operating expenditures. Absent the cost associated with required redistricting, the agency request would reflect an increase of \$59,272, or 1.6 percent. The increase reflects increases in longevity and fringe benefits. The request would fund 40.0 FTE positions, the same as requested for the current year.

Governor's Recommendation

The **Governor** recommends \$3,420,862, all from the State General Fund, for a reduction of \$77,109, or 2.2 percent, below the FY 2010 recommendation. The reduction totals \$49,511, or 1.5 percent, below the FY 2010 recommendation in salary and wages and \$27,598, or 20.1 percent, in contractual services. The recommendation also is reduction of \$645,561, or 15.9 percent, below the agency request. This reflects a reduction of \$405,948, or 11.0 percent, below the agency request for salary and wages, a reduction of \$124,798, or 53.2 percent, in contractual services, a reduction of \$57,475, or 74.2 percent, in commodities, and a reduction of \$57,340, or 100.0 percent, in capital outlay

12-6

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the Governors recommendation with the following adjustment:

1. Add \$263,811, all from the State General Fund, in a separate line item to fund the costs associated with redistricting, excluding additional computer equipment. This will allow the agency to continue redistricting activities to assist the Legislature in redrawing of legislative, State Board of Education, and congressional districts as required by the U.S. and Kansas Constitutions.

Senate Subcommittee Report

Agency: Revisor of Statutes

Bill No. SB 556

Bill Sec. 34

Analyst: Scott

Analysis Pg. No. 1443

Budget Page No. 163

Expenditure Summary	Agency Request FY 2011	Governor Recommendation FY 2011	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 3,451,541	\$ 3,215,664	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 3,451,541</u>	<u>\$ 3,215,664</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 3,451,541</u></u>	<u><u>\$ 3,215,664</u></u>	<u><u>\$ 0</u></u>
FTE positions	27.0	27.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>27.0</u></u>	<u><u>27.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests a FY 2011 budget of \$3,451,541, all from the State General Fund, an increase of \$20,174, or 0.6 percent, above the revised current year estimate. The increase is mainly in contractual expenditures (\$21,000, or 3.6 percent) which is partially offset by a reduction in salaries and wages (\$826, or less than 0.1 percent). The request would fund 27.0 FTE positions, the same as requested for the current year.

Governor's Recommendation

The **Governor** recommends \$3,215,664, all from the State General Fund, for a reduction of \$57,598, or 1.8 percent, below the FY 2010 recommendation. The reduction totals \$136,198, or 5.0 percent, below the FY 2010 recommendation in salary and wages and \$78,600, or 14.8 percent, above the recommendation in commodities. The recommendation also is a reduction of \$235,877, or 6.8 percent, below the agency request. This reflects a reduction of \$235,877, or 8.3 percent, below the agency request for salary and wages.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation.

12-8

Special City and County Highway Fund Repayment Options Repayment in 5 Years

County	Amount per Year	Quarterly Payment	FY 2008 Total Payment	Percent of FY 2008 Payment*	County	Amount per Year	Quarterly Payment	FY 2008 Total Payment	Percent of FY 2008 Payment*
Allen	\$ (15,356.49)	\$ (3,839.12)	\$ 538,742.24	-2.85%	Linn	\$ (15,088.86)	\$ (3,772.21)	\$ 448,539.04	-3.36%
Anderson	(11,831.91)	(2,957.98)	388,382.76	-3.05%	Logan	(4,678.30)	(1,169.57)	213,517.93	-2.19%
Atchison	(17,383.17)	(4,345.79)	493,036.89	-3.53%	Lyon	(32,946.93)	(8,236.73)	861,290.74	-3.83%
Barber	(7,255.04)	(1,813.76)	278,785.70	-2.60%	Marion	(14,726.09)	(3,681.52)	620,975.76	-2.37%
Barton	31,939.97	7,984.99	1,100,723.93	2.90%	Marshall	(15,512.66)	(3,878.16)	526,627.44	-2.95%
Bourbon	(11,783.91)	(2,945.98)	541,454.97	-2.18%	McPherson	(34,610.63)	(8,652.66)	964,355.28	-3.59%
Brown	(6,360.55)	(1,590.14)	513,331.19	-1.24%	Meade	(4,194.22)	(1,048.56)	300,592.59	-1.40%
Butler	387,749.07	96,937.27	1,843,532.48	21.03%	Miami	(42,805.79)	(10,701.45)	1,199,499.57	-3.57%
Chase	(5,458.14)	(1,364.53)	223,026.97	-2.45%	Mitchell	(13,867.15)	(3,466.79)	386,214.79	-3.59%
Chautauqua	(2,157.67)	(539.42)	215,513.24	-1.00%	Montgomery	(33,509.16)	(8,377.29)	1,129,768.48	-2.97%
Cherokee	(23,496.99)	(5,874.25)	820,561.85	-2.86%	Morris	(7,823.62)	(1,955.91)	311,486.44	-2.51%
Cheyenne	(5,271.35)	(1,317.84)	231,001.87	-2.28%	Morton	(4,802.44)	(1,200.61)	203,676.48	-2.36%
Clark	(3,029.27)	(757.32)	180,763.05	-1.68%	Nemaha	(15,098.97)	(3,774.74)	431,134.13	-3.50%
Clay	(3,874.16)	(968.54)	382,293.39	-1.01%	Neosho	(22,029.13)	(5,507.28)	643,045.10	-3.43%
Cloud	(11,098.72)	(2,774.68)	472,599.82	-2.35%	Ness	(3,967.07)	(991.77)	311,695.95	-1.27%
Coffey	(11,579.03)	(2,894.76)	436,742.14	-2.65%	Norton	(7,200.55)	(1,800.14)	321,294.71	-2.24%
Comanche	(1,786.50)	(446.63)	153,345.73	-1.17%	Osage	(9,311.72)	(2,327.93)	681,127.67	-1.37%
Cowley	(8,465.25)	(2,116.31)	1,145,736.05	-0.74%	Osborne	(7,530.90)	(1,882.72)	259,175.82	-2.91%
Crawford	(22,232.77)	(5,558.19)	1,056,679.64	-2.10%	Ottawa	(8,255.63)	(2,063.91)	374,193.49	-2.21%
Decatur	(6,460.58)	(1,615.14)	255,704.57	-2.53%	Pawnee	(7,208.34)	(1,802.08)	368,766.25	-1.95%
Dickinson	(24,095.98)	(6,023.99)	668,494.36	-3.60%	Phillips	(10,488.78)	(2,622.20)	349,240.59	-3.00%
Doniphan	(10,504.97)	(2,626.24)	352,941.95	-2.98%	Pottawatomie	(26,048.31)	(6,512.08)	777,884.23	-3.35%
Douglas	512,983.94	128,245.98	2,191,594.11	23.41%	Pratt	(8,748.63)	(2,187.16)	519,700.98	-1.68%
Edwards	(6,321.31)	(1,580.33)	252,848.68	-2.50%	Rawlins	(4,478.38)	(1,119.60)	236,897.90	-1.89%
Elk	(2,100.32)	(525.08)	190,005.25	-1.11%	Reno	(51,742.85)	(12,935.71)	1,913,441.16	-2.70%
Ellis	(35,097.84)	(8,774.46)	836,032.30	-4.20%	Republic	(9,089.25)	(2,272.31)	367,490.44	-2.47%
Ellsworth	(9,337.47)	(2,334.37)	333,606.04	-2.80%	Rice	(6,890.03)	(1,722.51)	486,213.83	-1.42%
Finney	(23,350.26)	(5,837.56)	1,117,721.87	-2.09%	Riley	(44,598.10)	(11,149.52)	1,207,351.64	-3.69%
Ford	(28,192.11)	(7,048.03)	1,006,302.12	-2.80%	Rooks	(9,010.05)	(2,252.51)	355,342.79	-2.54%
Franklin	(27,593.13)	(6,898.28)	768,898.10	-3.59%	Rush	(4,943.03)	(1,235.76)	269,093.74	-1.84%
Geary	(3,906.28)	(976.57)	697,335.78	-0.56%	Russell	(2,310.34)	(577.58)	388,685.50	-0.59%
Gove	(4,235.05)	(1,058.76)	229,808.32	-1.84%	Saline	(56,199.43)	(14,049.86)	1,441,232.08	-3.90%
Graham	(5,637.90)	(1,409.47)	233,552.22	-2.41%	Scott	(5,361.49)	(1,340.37)	300,571.10	-1.78%
Grant	(7,744.12)	(1,936.03)	375,956.01	-2.06%	Sedgwick	(468,507.62)	(117,126.91)	11,086,285.31	-4.23%
Gray	(9,420.99)	(2,355.25)	396,755.82	-2.37%	Seward	(17,954.68)	(4,488.67)	633,630.26	-2.83%
Greeley	(3,766.11)	(941.53)	174,316.59	-2.16%	Shawnee	1,069,424.81	267,356.20	4,208,078.19	25.41%
Greenwood	(10,805.14)	(2,701.29)	445,973.47	-2.42%	Sheridan	(7,144.43)	(1,786.11)	256,987.55	-2.78%
Hamilton	(4,242.83)	(1,060.71)	216,894.90	-1.96%	Sherman	(777.46)	(194.36)	312,780.20	-0.25%
Harper	(5,865.39)	(1,466.35)	355,787.39	-1.65%	Smith	(7,975.95)	(1,993.99)	297,926.28	-2.68%
Harvey	(31,453.85)	(7,863.46)	967,505.93	-3.25%	Stafford	(8,117.09)	(2,029.27)	364,097.18	-2.23%
Haskell	(5,341.57)	(1,335.39)	312,904.64	-1.71%	Stanton	(3,967.87)	(991.97)	196,770.30	-2.02%
Hodgeman	(3,836.80)	(959.20)	193,686.65	-1.98%	Stevens	(2,552.31)	(638.08)	342,857.90	-0.74%
Jackson	(18,590.70)	(4,647.67)	560,656.11	-3.32%	Sumner	(23,634.72)	(5,908.68)	910,010.26	-2.60%
Jefferson	(26,805.73)	(6,701.43)	728,420.67	-3.68%	Thomas	(13,553.75)	(3,388.44)	421,969.27	-3.21%
Jewell	(4,846.65)	(1,211.66)	291,413.25	-1.66%	Trego	(7,127.48)	(1,781.87)	227,380.17	-3.13%
Johnson	(463,790.87)	(115,947.72)	11,125,742.15	-4.17%	Wabaunsee	(9,416.39)	(2,354.10)	282,399.40	-3.33%
Kearny	(4,643.27)	(1,160.82)	268,911.14	-1.73%	Wallace	(3,977.31)	(994.33)	151,606.90	-2.62%
Kingman	(11,207.47)	(2,801.87)	507,088.06	-2.21%	Washington	(10,219.01)	(2,554.75)	379,954.30	-2.69%
Kiowa	(5,765.43)	(1,441.36)	267,822.19	-2.15%	Wichita	(5,335.67)	(1,333.92)	209,849.62	-2.54%
Labette	(22,253.01)	(5,563.25)	729,063.96	-3.05%	Wilson	(14,636.38)	(3,659.10)	450,533.74	-3.25%
Lane	(2,609.91)	(652.48)	169,650.41	-1.54%	Woodson	(4,859.59)	(1,214.90)	239,955.49	-2.03%
Leavenworth	223,064.89	55,766.22	1,526,142.09	14.62%	Wyandotte	(67,271.98)	(16,818.00)	3,107,386.29	-2.16%
Lincoln	(4,812.21)	(1,203.05)	235,281.16	-2.05%	TOTAL	\$ -	\$ -	\$ 83,251,654.42	

* Calculation is based on the annual repayment as a percentage of total payment in FY 2008.

Senate Ways & Means Cmte
Date 3-09-2010
Attachment 13

SENATE BILL No. 556

By Committee on Ways and Means

2-23

Senator Masterson
Proposed amendment 5 years
March 9, 2010

13-2

9 AN ACT making and concerning appropriations for the fiscal years ending
10 June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, June 30,
11 2014, and June 30, 2015, for state agencies; authorizing certain trans-
12 fers, capital improvement projects and fees, imposing certain restric-
13 tions and limitations, and directing or authorizing certain receipts, dis-
14 bursements and acts incidental to the foregoing; amending K.S.A. 2009
15 Supp. 2-223, 12-5256, 40-3403, 55-193, 72-8814, 75-2319, 75-6702,
16 76-775, 76-783, 76-7,107, 79-2959, 79-2964, 79-2978, 79-2979, 79-
17 3425i, 79-34,156, 79-34,171, 79-4801 and 82a-953a and repealing the
18 existing sections.

19

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

21 Section 1. (a) For the fiscal years ending June 30, 2010, June 30, 2011,
22 June 30, 2012, June 30, 2013, June 30, 2014, and June 30, 2015, appro-
23 priations are hereby made, restrictions and limitations are hereby im-
24 posed, and transfers, capital improvement projects, fees, receipts, dis-
25 bursements and acts incidental to the foregoing are hereby directed or
26 authorized as provided in this act.

27 (b) The agencies named in this act are hereby authorized to initiate
28 and complete the capital improvement projects specified and authorized
29 by this act or for which appropriations are made by this act, subject to
30 the restrictions and limitations imposed by this act.

31 (c) This act shall not be subject to the provisions of subsection (a) of
32 K.S.A. 75-6702, and amendments thereto.

33 (d) The appropriations made by this act shall not be subject to the
34 provisions of K.S.A. 46-155, and amendments thereto.

35 Sec. 2.

36

DEPARTMENT OF COMMERCE

37 (a) On the effective date of this act, of the \$14,019,902 appropriated
38 for the above agency for the fiscal year ending June 30, 2010, by section
39 54(b) of chapter 124 of the 2009 Session Laws of Kansas from the state
40 economic development initiatives fund in the operating grant (including
41 official hospitality) account, the sum of \$5,001 is hereby lapsed.

42 (b) There is appropriated for the above agency from the state economic
43 development initiatives fund for the fiscal year ending June 30, 2010, the

13-3

1 percentage reduction set forth in subsection (b) for the tax year of the
2 apportionment of such moneys to that county. The county treasurer shall
3 pay such amounts to the taxing subdivisions at the same time or times as
4 their regular operating tax rate mill levy is paid to them.

5 (e) Before January 31 of 2007 through 2013, the secretary of revenue
6 shall make a detailed report of amounts calculated as required pursuant
7 to subsection (b) for each individual county and in aggregate for all the
8 counties for the current year along with any projections for future years,
9 amounts distributed to the counties pursuant to this section, the amount
10 of ad valorem taxes on telecommunications machinery and equipment
11 and railroad machinery and equipment not included in the total of ad
12 valorem taxes for each tax year due to the fact that the tax liability of such
13 machinery and equipment was abated or exempted prior to July 1, 2006,
14 and the abatement or exemption expired after July 1, 2006, for each in-
15 dividual county and in aggregate for all counties and all other relevant
16 information related to the provisions of this section, and shall present
17 such report before such date to the house committee on taxation of the
18 house of representatives and the senate committee on assessment and
19 taxation of the senate for consideration by the legislature in making any
20 appropriate adjustments to the provisions of this section.

21 (f) (1) The maximum amount that may be transferred during the fiscal
22 year ending June 30, 2009, from the state general fund to the telecom-
23 munications and railroad machinery and equipment tax reduction assis-
24 tance fund pursuant to this section shall be equal to (A) the amount equal
25 to 93.5% of the aggregate amount determined under subsection (b)(2)
26 plus the amount equal to 93.5% of the aggregate amount determined
27 under subsection (b)(2) of K.S.A. 2009 Supp. 79-2978, and amendments
28 thereto, multiplied by (B) the result obtained by dividing the amount
29 equal to 93.5% of the aggregate amount determined under subsection
30 (b)(2) by the aggregate of the amount equal to 93.5% of the aggregate
31 amount determined under subsection (b)(2) plus the amount equal to
32 93.5% of the aggregate amount determined under subsection (b)(2) of
33 K.S.A. 2009 Supp. 79-2978, and amendments thereto.

34 (2) If a maximum amount is imposed under this subsection and the
35 aggregate amount transferred from the state general fund to the telecom-
36 munications and railroad machinery and equipment tax reduction assis-
37 tance fund during state fiscal year 2009 pursuant to this section is re-
38 duced, then the amount allocated to each county by the state treasurer
39 under subsection (b)(2) shall be reduced proportionately with respect to
40 aggregate reduction in the amount of such transfer from the state general
41 fund to the telecommunications and railroad machinery and equipment
42 tax reduction assistance fund during state fiscal year 2009.

43 Sec. 121. On July 1, 2010, K.S.A. 2009 Supp. 79-3425i is hereby

13-4

1 amended to read as follows: 79-3425i. (a) On January 15 and July 15 of
2 each year, the director of accounts and reports shall transfer a sum equal
3 to the total taxes collected under the provisions of K.S.A. 79-6a04 and
4 79-6a10, and amendments thereto, and credited to the state general fund
5 during the six months next preceding the date of transfer, from the state
6 general fund to the special city and county highway fund, created by
7 K.S.A. 79-3425, and amendments thereto, except that: (1) Such transfers
8 are subject to reduction under K.S.A. 75-6704, and amendments thereto;
9 ~~and (2) the amount of moneys transferred from the state general fund to~~
10 ~~the special city and county highway fund during state fiscal year 2009 on~~
11 ~~each such date shall not exceed \$3,330,543.50, and (3) no moneys shall~~
12 ~~be transferred from the state general fund to the special city and county~~
13 ~~highway fund during state fiscal year 2010; and (4) notwithstanding the~~
14 ~~provisions of K.S.A. 79-3425e and 79-3425i, and amendments thereto, or~~
15 ~~any other statute, the aggregate amount of \$6,661,087 of the moneys~~
16 ~~credited to the special city and county highway fund shall be paid on or~~
17 ~~before April 14, 2009, by the state treasurer in accordance with the fol-~~
18 ~~lowing to the following counties in the amounts specified respectively~~
19 ~~therefor with the requirement that the moneys received by each such~~
20 ~~county shall be deposited and administered in accordance with K.S.A. 79-~~
21 ~~3425e, and amendments thereto, including any redistributions provided~~
22 ~~for by that statute: Barton county, \$174,544.98, Butler county,~~
23 ~~\$890,898.90, Chautauqua county, \$7,293.76, Clay county, \$15,533.75,~~
24 ~~Comanche county, \$15,525.56, Cowley county, \$151,493.36, Douglas~~
25 ~~county, \$1,152,561.96, Finney county, \$38,376.16, Geary county,~~
26 ~~\$41,101.83, Grant county, \$11,827.23, Lane county, \$6,986.21, Leaven-~~
27 ~~worth county, \$655,874.14, Ness county, \$13,000.51, Rice county,~~
28 ~~\$9,780.91, Russell county, \$18,610.55, Shawnee county, \$3,299,659.69,~~
29 ~~Sherman county, \$20,689.72, Stevens county, \$7,532.41, Trego county,~~
30 ~~\$4,257.37, and Wyandotte county, \$116,537.47, which shall be for the~~
31 ~~purpose of providing such counties, cities and other local governmental~~
32 ~~entities the amounts that were not paid as directed by statute during state~~
33 ~~fiscal years 2006, 2007 and 2008 state fiscal year 2011 or state fiscal year~~
34 ~~2012. All transfers under this section shall be considered to be demand~~
35 ~~transfers from the state general fund except that all such transfers during~~
36 ~~the fiscal years ending June 30, 2010, and June 30, 2011, shall be consid-~~
37 ~~ered to be revenue transfers from the state general fund. Any transfers~~
38 ~~of moneys from the state general fund to the special city and county~~
39 ~~highway fund during the state fiscal year ending June 30, 2009, pursuant~~
40 ~~to the provisions of K.S.A. 79-3425i, and amendments thereto, or any~~
41 ~~other statute, that have been made prior to the effective date of this act~~
42 ~~shall be reversed by the director of accounts and reports and reversing~~
43 ~~entries shall be entered upon the accounting records of the state treasurer~~

1 therefor.

2 (b) During the state fiscal year ending June 30, 2010, on July 15, 2009,
3 and January 15, 2010, the director of accounts and reports shall transfer
4 \$2,515,916 from the state highway fund to the special city and county
5 highway fund, created by K.S.A. 79-3425, and amendments thereto.

6 Sec. 122. On July 1, 2010, K.S.A. 2009 Supp. 79-34,156 is hereby
7 amended to read as follows: 79-34,156. On April 1, 2007, the director of
8 accounts and reports shall transfer \$437,500 from the state economic
9 development initiatives fund to the Kansas qualified biodiesel fuel pro-
10 ducer incentive fund. If sufficient moneys are not available in the state
11 economic development initiatives fund for such transfer on April 1, 2007,
12 then the director of accounts and reports shall transfer on such date the
13 amount available in the state economic development initiatives fund in
14 accordance with this section and shall transfer on such date, or as soon
15 thereafter as moneys are available therefor, the amount equal to the in-
16 sufficiency from the state general fund to the Kansas qualified biodiesel
17 fuel producer incentive fund. On July 1, 2007, and quarterly thereafter,
18 the director of accounts and reports shall transfer \$875,000 from the state
19 economic development initiatives fund to the Kansas qualified biodiesel
20 fuel producer incentive fund, except: (a) That, *during the fiscal year end-*
21 *ing June 30, 2011*, on July 1, ~~2008 2010~~, October 1, ~~2008 2010~~, and
22 January 1, ~~2009 2011~~, and April 1, 2011, the director of accounts and
23 reports shall transfer ~~\$100,000~~ \$50,000 from the state economic devel-
24 opment initiatives fund to the Kansas qualified biodiesel fuel producer
25 incentive fund, and (b) that ~~on April 1, 2009~~, *if sufficient moneys are not*
26 *available in the state economic development initiatives fund for any such*
27 *transfer during the fiscal year ending June 30, 2011*, then the director of
28 accounts and reports shall transfer ~~\$74,000 from the amount available in~~
29 *the state economic development initiatives fund to the Kansas qualified*
30 *biodiesel fuel producer incentive fund on the date specified in the fiscal*
31 *year ending June 30, 2011*. If sufficient moneys are not available in the
32 state economic development initiatives fund for such transfer on July 1,
33 ~~2007 2011~~, and on the first day of any calendar quarter thereafter, in any
34 such fiscal year, then the director of accounts and reports shall transfer
35 on such date the amount available in the state economic development
36 initiatives fund in accordance with this section and shall transfer on such
37 date, or as soon thereafter as moneys are available therefor, the amount
38 equal to the insufficiency from the state general fund to the Kansas qual-
39 ified biodiesel fuel producer incentive fund; *except that no moneys shall*
40 *be transferred from the state general fund to the Kansas biodiesel fuel*
41 *producer fund during the fiscal year ending June 30, 2011*.

42 Sec. 123. On the effective date of this act, K.S.A. 2009 Supp. 79-34,171
43 is hereby amended to read as follows: 79-34,171. (a) On January 1, 2009,

and (3) (A) on each January 14, April 14, July 14 and October 14 of state fiscal years 2011, 2012, 2013, 2014 and 2015 the state treasurer shall determine the amount of money to be paid the counties and cities on such dates of such year, pursuant to K.S.A. 79-3425c, and amendments thereto, and make the following adjustments prior to the apportionment and payment specified in K.S.A. 79-3425c, and amendments thereto: (i) The following amounts shall be added to the apportionment and payment to be paid to the following counties: Barton county, \$7,984.99; Butler county, \$96,937.27; Douglas county, \$128,245.99; Leavenworth county, \$55,766.22; Shawnee county, \$267,356.20; and (ii) the following amounts shall be deducted from the apportionment and payment to the following counties: Allen county, \$3,839.12; Anderson county, \$2,957.98; Atchison county, \$4,345.79; Barber county, \$1,813.76; Bourbon county, \$2,945.98; Brown county, \$1,590.14; Chase county, \$1,364.54; Chautauqua county, \$539.42; Cherokee county, \$5,874.25; Cheyenne county, \$1,317.84; Clark county, \$757.32; Clay county, \$968.54; Cloud county, \$2,774.68; Coffey county, \$2,894.76; Comanche county, \$446.63; Cowley county, \$2,116.31; Crawford county, \$5,558.19; Decatur county, \$1,615.15; Dickinson county, \$6,024.00; Doniphan county, \$2,626.24; Edwards county, \$1,580.33; Elk county, \$525.08; Ellis county, \$8,774.46; Ellsworth county, \$2,334.37; Finney county, \$5,837.57; Ford county, \$7,048.03; Franklin county, \$6,898.28; Geary county, \$976.57; Gove county, \$1,058.76; Graham county, \$1,409.48; Grant county, \$1,936.03; Gray county, \$2,355.25; Greeley county, \$941.53; Greenwood county, \$2,701.29; Hamilton county, \$1,060.71; Harper county, \$1,466.35; Harvey county, \$7,863.46; Haskell county, \$1,335.39; Hodgeman county, \$959.20; Jackson county, \$4,647.68; Jefferson county, \$6,701.43; Jewell county, \$1,211.66; Johnson county, \$115,947.72; Kearny county, \$1,160.82; Kingman county, \$2,801.87; Kiowa county, \$1,441.36; Labette county, \$5,563.25; Lane county, \$652.48; Lincoln county, \$1,203.05; Linn county, \$3,772.22; Logan county, \$1,169.58; Lyon county, \$8,236.73; Marion county, \$3,681.52; Marshall county, \$3,878.17; McPherson county, \$8,652.66; Meade county, \$1,048.56; Miami county, \$10,701.45; Mitchell county, \$3,466.79; Montgomery county, \$8,377.29; Morris county, \$1,955.91; Morton county, \$1,200.61; Nemaha county, \$3,774.74; Neosho county, \$5,507.28; Ness county, \$991.77; Norton county, \$1,800.14; Osage county, \$2,327.93; Osborne county, \$1,882.73; Ottawa county, \$2,063.91; Pawnee county, \$1,802.09; Phillips county, \$2,622.20; Pottawatomie county, \$6,512.08; Pratt county, \$2,187.16; Rawlins county, \$1,119.60; Reno county, \$12,935.71; Republic county, \$2,272.31; Rice county, \$1,722.51; Riley county, \$11,149.53; Rooks county, \$2,252.51; Rush county, \$1,235.76; Russell county, \$577.59; Saline county, \$14,049.86; Scott county, \$1,340.37; Sedgwick county, \$117,126.91; Seward county, \$4,488.67; Sheridan county, \$1,786.11; Sherman county, \$194.37; Smith county, \$1,993.99; Stafford county, \$2,029.27; Stanton county, \$991.97; Stevens county, \$638.08; Sumner county, \$5,908.68; Thomas county, \$3,388.44; Trego county, \$1,781.87; Wabaunsee county, \$2,354.10; Wallace county, \$994.33; Washington county, \$2,554.75; Wichita county, \$1,333.92; Wilson county, \$3,659.10; Woodson county, \$1,214.90; Wyandotte county; \$16,818.00; (B) after determining and including such additions and deductions, the resulting apportionment and payment shall be paid by the state treasurer to the counties and cities prescribed therefor, notwithstanding the provisions of K.S.A. 79-3425c and amendments thereto, or any other statute, each January 14, April 14, July 14 and October 14 of state fiscal years 2011, 2012, 2013, 2014 and 2015, with the requirement that the additional moneys received by each such county shall be deposited and administered in accordance with K.S.A. 79-3425c, and amendments thereto, including any redistributions provided for by that statute, except that the state treasurer shall calculate the annual equalization payment to each county without considering the deductions or additions to quarterly distributions required by subsection (a)(3)(A); and (C) acceptance of the payments made pursuant to this subsection (a)(3) shall be deemed as payment in full and a release of any liability from the county to the state treasurer for payments from the special city and county highway fund for state fiscal years 2000 through 2009