MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Marc Rhoades at 9:00 a.m. on January 13, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative David Crum - Excused

Committee staff present:

Jim Wilson, Office of the Revisor of Statutes
Nobuko Folmsbee, Office of the Revisor of Statutes
Alan Conroy, Kansas Legislative Research Department
J.G. Scott, Kansas Legislative Research Department
Jarod Waltner, Kansas Legislative Research Department
Shirley Morrow, Kansas Legislative Research Department
Cindy O'Neal, Administrative Assistant, Appropriations Committee
Kathy Holscher, Committee Assistant, Appropriations Committee

Others attending:

See attached list.

• Attachment 1

Governor's Budget Proposal

Representative Schwartz made a motion to introduce legislation regarding the regulation of motor carriers and exemptions for certain carriers. The motion was seconded by Representative Feuerborn. Motion carried.

Representative Feuerborn made a motion to introduce legislation regarding the repeal of the sales tax. The motion was seconded by Representative Carlin. Motion carried.

Chairman Rhoades asked committee members to provide a written summary of bills to be introduced in committee one day prior to the meeting. Committee members celebrating birthdays in January were recognized. Chairman Rhoades introduced Landon Fulmer, Director of Policy, The Office of the Governor.

Landon Fulmer, Director of Policy, Office of the Governor, presented an overview of the Governor's Budget Proposal, (Attachment 1). Mr. Fulmer stated that the Governor's budget proposal reflects preliminary steps for restructuring state government and balancing the demands on the FY 2011 and FY2012 budgets. He emphasized the need for collaboration between the Legislature and Governor's Office in order to identify solutions to address increased expenses in Medicaid, Kansas Public Employees Retirement System (KPERS), school finance, and Federal funds that peak in FY 2011 and will not be sustained in FY 2012. An estimated \$488 million will be needed for the SGF in FY 2012 in order to balance the budget, due to the replacement of stimulus and other federal dollars, increased human service caseloads and the state's obligation for KPERS contributions. The Governor's proposal represents a 6% increase in SGF and a 5.9 % decline in All Funds, which is due primarily to back-filling federal stimulus funds for Medicaid. As of July 1, 2012 the Federal Medical Assistance Percentage (FMAP) rate will increase from 30% to 42% state match. The elimination of over 2,000 budgeted but primarily unfilled positions would reduce the budget by 4.8%. The reorganization of eight state agencies for FY 2012 would save the state approximately \$9.2 million producing new models for providing services and enhanced coordination and efficiencies within state agencies. The base state aid per pupil will drop to \$3,780. In order to meet state obligations to KPERS, special education and debt payments on capital projects, state funding for school districts will increase \$129.3 million in FY 2012. The total state spending per pupil will increase from \$4,549 in FY 2011 to \$4,743 in FY 2012. He stated that funding for higher education should remain relatively stable, and a review of competitive and innovative matching grant programs geared to growing the economy followed. The Department of Corrections SGF was reduced by approximately \$3 million, and \$41.3 million in federal stimulus money has been restored with an equal amount of SGF for FY 2012. An additional \$2.5 million has been added to help with projected shortfalls A savings of over \$700,000 will be realized from Public Safety realignments by of prison space. transferring functions of the Kansas Parole Board and the consolidation of management positions within the Juvenile Justice Authority to the Department of Corrections. The Department of Transportation T-Works Program will continue as planned. Due to low bids and low inflation rates, the budget recommendation reflects a budget transfer of \$200 million from State Highway Funds to SGF for FY

CONTINUATION SHEET

Minutes of the House Appropriations Committee at 9:00 a.m. on January 13, 2011, in Room 346-S of the Capitol.

2012. A projected increase of \$166.3 million for Medicaid is anticipated due to the funding shifts from federal dollars as well as enrollment growth. Health care and entitlement programs represent and additional \$239 million from SGF and \$64 million for home and community based services.

The Governor proposes creating the Governor's Economic Council in the Department of Administration responsible for economic development, policy research, program evaluation and strategic planning for the state. Other restructuring or consolidating recommendations included: Kansas Technology Enterprise Corporation into the Department of Commerce; Kansas Commission of Disability Concerns into the Office of the Governor; Human Rights Commission and the Enhanced 911 grant into the Attorney General's Office; Experimental Program to Stimulate Competitive Research (EPSCor) into the Board of Regents; transitioning the Kansas Arts Council to become a 501(c)(3); Kansas Health Policy Authority into the Division of Health of the Kansas Department of Health and Environment; Kansas Parole Board into the Department of Corrections; administrative positions of the Juvenile Justice Authority into the Department of Corrections; reduce seven natural resource agencies into five that will merge into the Department of Agriculture; and Travel and Tourism from the Department of Commerce into the Department of Wildlife and Parks. A review of the charts included in the material distributed followed. The challenges of the FY 2012 budget calls for reform and identifying cost savings options through collaborative efforts with the Governor's Office and Legislators.

Landon Fulmer presented an overview of the FY 2011 Spending Freeze Bill. He stated that \$92 million in the education funding jobs bill was not included in the FY 2011 budget for K-12. These funds were received and distributed to the school districts in December, 2010. This bill would lapse \$85 million for K-12 in FY 2011 and capture that money to pay for increase caseload costs which would result in a \$35 million ending balance going into the next fiscal year. This would be a stair-step down approach to adjust for the loss of stimulus dollars and develop a stable and sustainable school finance plan for school districts going forward. It was noted that a compact disc will be placed in the House Chambers for each representative with the entire content of the bill.

Landon Fulmer responded to questions from committee members. Additional information will be provided to committee members that identifies major cost drivers effecting Medicaid, federal dollars that would be lost in the Animal Health Department, and additional information on the proposed Parole Board structure as compared to other states.

Representative Kelley made a motion to introduce into legislation the Freeze Bill. The motion was seconded by Representative Mast. The motion carried.

Chairman Rhoades thanked Landon Fulmer for appearing before the committee. He reviewed the committee agenda for the following week that will include presentations by secretaries from various state agencies.

The meeting was adjourned at 10:27 am.

Marc Rhoades, Chairman

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NAME	REPRESENTING
1706 Vancrun	Great KC Chambre
ROBIN CLEMENTS	
Jonathan Knieger	KBOR
Matt Casey	631
TERRY FORSYTH	KWEK
Mary Jane Stankiewicz	KARA
Mary Jane Stankiewicz Dodie Wellshear	AdAstra Group Capital strategies
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DENNIS WILLIAMS	KDOC
John a. Donley	Ks. Lusk. Assin.
John a. Donley Chid Austin	KHA
Stephanie Bunten	Judicial
LARRY R BAER	Ckm
NICK WOOD	BRC
Jane Carter	KO8E
Dennis Williams	Doc
TheStivel	KLS
Berend Koops	Hein Law Firm
Tim Wood	DRC

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Lois Weeks	SRS
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Doug Santa	SPC
MARK HEIM	KDA
Stan Ahleric	Kausas, Icc
ERIK SARTORIUS	City of Overland Park
Shannon Little	LGR
Mary Eller Conlee	United Way
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NAME Spuber Verson	Kansas Nother



phone: 785-296-3232 fax: 785-368-8788 governor@ks.gov

Sam Brownback, Governor

MEMORANDUM

TO:

House Committee on Appropriations

Senate Committee on Ways and Means

FROM:

Landon Fulmer, Director of Policy

DATE:

January 13, 2011

SUBJECT:

Governor's Budget

Thank you for the opportunity to offer comments on the Governor's budget proposals.

Although this is the first budget Governor Brownback has assembled, it takes some preliminary steps in restructuring our state government, and balances the budget despite the financial challenges we face.

The immediate task facing the Governor upon his election in November was to balance the demands placed on both the FY 2011 and the FY 2012 budgets. Over the longer term, the Governor recognizes that solutions must be found to address our state's expenses for Medicaid, the KPERS pension system, and school finance. He invites the Legislature to join him in tackling these enormous policy issues.

As you are well aware, this year's state budget is impacted by a wave of federal funds that peaks in FY 2011, but which cannot be sustained in FY 2012. While State General Fund tax receipts are projected to grow \$240.6 million next year, human service caseload estimates, the statutory KPERS rate increase, and replacement of stimulus and other federal monies used to balance the budget, all combine to require \$488.2 million more from the State General Fund. The tables on the next page explain where these additional SGF dollars are to be appropriated.

Appropriations Committee

Attachment /

State General Fund FY 2011				
(Dollars in Millions)				
Beginning Balance	\$	(27.1)		
Revenue:				
November Consensus Revenue Est.		5,785.2		
Use TANF for Earned Income Tax Credits		3.4		
Transfer from Investor Education Fund		0.8		
Transfer from KCPOST		0.5		
Total Available	\$	5,762.7		
Expenditures:				
Approved Budget (May 2010)		5,626.6		
Expenditure Authority Shifting from FY 10		138.3		
Education Jobs Money for K-12		(85.9)		
Human Services Consensus Estimate		98.0		
All Other Adjustments		(49.9)		
Total Expenditures	\$	5,727.1		
Ending Balance	\$	35.7		

State General Fund FY 2012 (Dollars in Millions)		
Beginning Balance	\$	35.7
Revenue:		
November Consensus Revenue Est.		5,810.6
Transfer from Highway Fund		200.0
Transfer Casino Revenues		18.0
Suspend Water Plan Fund Transfer		6.0
Transfer from EDIF		5.8
Transfer Other Funds		4.3
Total Available	\$	6,080.4
Expenditures:		
FY 2011 Budget		5,727.1
Eliminate One-Time Shifts in FY 2011		(138.3)
Human Services Consensus Estimate		245.6
SRS Fee Fund Replacement		11.0
KPERS Rate Increase		41.3
Replace K-12 Ed Jobs Funding		85.9
K-12 Special Ed Services		60.0
Corrections System		44.4
Regents Research Initiative		11.5
SGF Debt and Capital Expenditures		2.8
Judiciary		6.5
Legislative Agencies		(1.5)
Net of Other Adjustments		(23.5)
Total Expenditures	\$	6,072.9
Ending Balance	\$	7.5

As you can see, SGF expenditures are growing in the FY 2012 budget, compared to FY 2011 levels. This is due primarily to three factors, Medicaid, K-12 state aid to schools, and the state's obligations to make KPERS contributions for state and school employees.

Appropriations Committee

Date January 13, 2011
Attachment 12

Governor Brownback undertook his review of state agency budgets soon after his election on November 2, 2010. In that review, he decided to propose a number of agency reorganizations in order to reduce the size of state government, and also to organize agency programs in a manner that creates the greatest level of coordination and efficiencies. Some changes are also done with the intent of bolstering administrative support to programs. In total, \$9.2 million is saved in the budget.

Department of Administration

The Governor proposes abolishing Kansas, Inc. and creating the Governor's Economic Council in the Department of Administration. The Council will be the lead agency responsible for economic development policy research, program evaluation, and strategic planning of the State of Kansas.

Department of Commerce

The Governor recommends restructuring and consolidating the operations of the Kansas Technology Enterprise Corporation (KTEC) into the Department of Commerce in FY 2012. The Department of Commerce will become responsible for operating the grant programs previously managed by KTEC, including the Centers of Excellence, Entrepreneurial Centers, and Mid-America Manufacturing Technology Center (MAMTC). The Department of Commerce will be able to operate these programs with considerably lower overhead expenses, which will generate significant cost savings.

Five Centers of Excellence, which are university-based research centers that provide technical assistance to Kansas businesses, and seven Entrepreneurial Centers, which provide business development and financing to start-up technology-based businesses in Kansas, will each continue to receive operational support under the management of the Department of Commerce. MAMTC will continue to provide business assistance in improving manufacturers' technical capabilities and allow companies to become more competitive

through the adoption of advances in technological processes.

Office of the Governor

Within the Office of the Governor are the Kansas African American Affairs Commission and the Kansas Hispanic and Latino American Affairs Commission. These were moved eight years ago from the agency formerly known as the Department of Human Resources. At the same time, the Kansas Commission on Disability Concerns was moved to the Department of Commerce. The Governor now proposes relocating this Commission within his own office to offer disabled Kansans access to information about programs in all of state government. The Governor also will add a part-time staff person to serve the state's Native American community.

Savings Created from Reorganizations				
Agency or Program	Amount			
Public Broadcasting Comm.	\$ (1,670,202)			
Kansas, Inc.	(223,136)			
KTEC	(1,723,828)			
Human Rights Commission	(231,375)			
Arts Commission	(574,642)			
Kansas Health Policy Authority	(2,987,030)			
Juvenile Justice Authority	(305,944)			
Parole Board	(495,545)			
Animal Health	(497,972)			
Conservation Commission	(154,908)			
Ag. Marketing Program	(300,000)			
Total	\$ (9,164,582)			

Attorney General

Currently the Human Rights Commission is a separate state agency that strives to eliminate and prevent discrimination in the workplace, housing, and public accommodations throughout the state. In FY 2012 this agency will become part of the Attorney General's Office.

The Governor's Office currently administers the Enhanced 911 grant for the Department of

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Key Facts on the FY 2012 Budget

- All funds budget declines \$876.4 million in FY 2012, or 5.9 percent.
- State General Fund budget increases \$345.9 million (6.0 percent).
- Eliminate over 2,000 positions (2,049.73 total or 4.8 percent).
- Sunset eight state agencies, saving \$9.2 million.

Budget Totals (Dollars in Millions)					
	SGF	Percent Change	All Funds	Percent Change	
FY 2010 Actual	\$5,268.0		\$ 14,043.9		
FY 2011 Apprv. (May 2010)	5,626.6	6.8%	13,714.1	(2.3%)	
FY 2011 Apprv. with Shifts	5,765.2	9.4%	13,852.7	(1.4%)	
FY 2011 Gov. Est.	5,727.1	8.7%	14,777.6	5.2%	
FY 2012 Gov. Rec.	6,072.9	6.0%	13,901.1	(5.9%)	

Past Reliance on Federal Funding. This year's state budget is impacted by a wave of federal funds that peaks in the current year, and cannot be sustained in the next. While tax receipts are projected to grow \$240.6 million next year, human service caseload estimates, the statutory KPERS rate increase, and replacement of stimulus and other federal monies used to balance the budget, all combine to require \$488.2 million more from the State General Fund.

Over the longer term, solutions must be found to address expenses for Medicaid, the KPERS pension system, and school finance. The first task facing the Governor has been to meet the challenge of balancing the demands placed on the FY 2012 budget. To accomplish this, the Governor recommends additional spending reductions, replacing only part of the federal Recovery Act grants with State General Fund support, and adjusting transfers in and out of the State General Fund.

K-12 State Aid. The FY 2012 budget keeps funding for our schools in a steady state while weaning ourselves off of federal funding we will no long receive. Although base state aid will drop to \$3,780, state funding for school districts will increase \$129.3 million in FY 2012 to meet our obligations to KPERS and special education as well as making necessary debt payments on capital projects. From a school district's perspective, total state spending per pupil will increase from \$4,549 in FY 2011 to \$4,743 in FY 2012.

Higher Education. State General Fund appropriations for the higher education system will increase \$10 million. Targeted financial support of research programs important to Kansas is provided with an eye to expanding the state's economy.

Public Safety. The state's public safety cannot be impaired by further budget reductions. Prisons should be staffed, prison beds contracted if needed, and recidivism programs kept in place (\$44.6 million SGF).

Transportation. KDOT's \$8 billion T-Works Program will continue as planned to keep our state's highways safe and free of congestion.

Medicaid. The state's regular medical Medicaid costs are expected to grow \$166.3 million or 44.4 percent—not only because of the funding shift to the state, but for enrollment growth as well (\$37.8 million of the SGF increase). For all of our health and human service caseload entitlement programs, \$239 million was added from the SGF, plus another \$64 million for our home and community based services to keep people in their communities.

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Administration that provides implementation, purchase, maintenance and training for public safety answering points. For FY 2012, the Governor recommends this responsibility be shifted to the Attorney General.

Board of Regents

The Governor recommends that the Board of Regents administer the Experimental Program to Stimulate Competitive Research (EPSCoR). The state support for this program is financed through the Economic Development Initiatives Fund and will match federal funding. The federal program encourages university partnerships with industry and stimulates sustainable science and technology infrastructure improvements in 19 states that historically received a disproportionately low per capita average of federal research dollars. This program has been administered by the Kansas Technology Enterprise Corporation. The relocation of the EPSCoR program to the Board of Regents will allow for greater management efficiencies.

Historical Society

The Kansas Historical Society currently serves as a conduit for funding provided by the State of Kansas to the Kansas Humanities Council and the Heritage Center in Dodge City, Kansas. For FY 2012, the Governor has recommended that the Kansas Arts Commission become a 501(c)(3) to function much like the Kansas Humanities Council. To support the Commission during its transition to becoming the Kansas Arts Council, the Governor recommends \$200,000 from the State General Fund. This funding will also be passed through the Kansas Historical Society to the Kansas Arts Council.

Department of Health & Environment

The goal of finding ways to reduce the cost of providing health services was the impetus for the Governor's reorganization that will merge the Kansas Health Policy Authority (KHPA) into the Division of Health of the Kansas Department of Health and Environment (KDHE). Each of the KHPA programs will be established as programs within the Division of Health with the exception of central administration

which will move to the existing Administration program at KDHE. As such, the Medical Program, Medicaid Program and Medicaid Assistance, Children's Health Insurance Program (CHIP) and CHIP Assistance, State Employees Health Benefits Program, Federal Grants and Assistance Programs, will be folded into the Division of Health. It is expected that the merger will produce administrative savings of \$1.0 million, as well as produce new models for providing services that also produce savings.

Department of Corrections

Under the Governor's FY 2012 budget recommendation, all of the responsibilities and functions of the Kansas Parole Board will be transferred to the Department of Corrections and the Kansas Parole Board will be abolished. This action will create savings of approximately \$495,545 from the State General Fund and eliminate the three board members. It is not recommended that the funds or the positions be moved to the Department.

additional operating To attain state agency efficiencies, a limited administrative consolidation of the Juvenile Justice Authority (JJA) and the Department of Corrections is recommended. monies or positions will be transferred from JJA to the Department, it is estimated that the consolidation will create salary and wage savings in JJA by eliminating upper management administrative duplicative, positions.

Department of Agriculture

The Governor has proposed a reorganization that will affect the natural resource agencies. Currently, there are seven agencies and the Governor's plan will reduce the number of agencies to five. Specifically, the Animal Health Department, the State Conservation Commission (SCC), and the Agriculture Marketing Program at the Department of Commerce will be merged into the Department of Agriculture. For both the SCC and Animal Health, the proposal will establish a new division within Agriculture. Both the Commission that governs the SCC and the two boards that govern the Animal Health Department will become advisory in nature. A recent Legislative Post Appropriations Committee

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Audit study was used as the blueprint for this natural resource agency reorganization. According to the audit, Kansas is one of only six states that does not place its animal health oversight or conservation grant functions within its Department of Agriculture and the merger will be likely to result in more efficient use of staff positions, management, and available technology. In addition to increased program management efficiency, it is planned that the reorganization will result in savings and reductions in FTE positions to each of the three programs accompanying their merger with the Department of Agriculture.

From the Animal Health Department there will be \$497,972 in savings from all funding sources, including \$192,083 from the State General Fund and a reduction of 8.00 FTE positions. For the SCC, there will be \$154,908 in savings from all funding sources, including \$137,697 from the State General Fund and a reduction of 3.00 FTE positions.

For the Agriculture Marketing Program from the Department of Commerce, there will be \$300,000 in savings from the Economic Development Initiatives Fund and a reduction of 2.75 FTE positions.

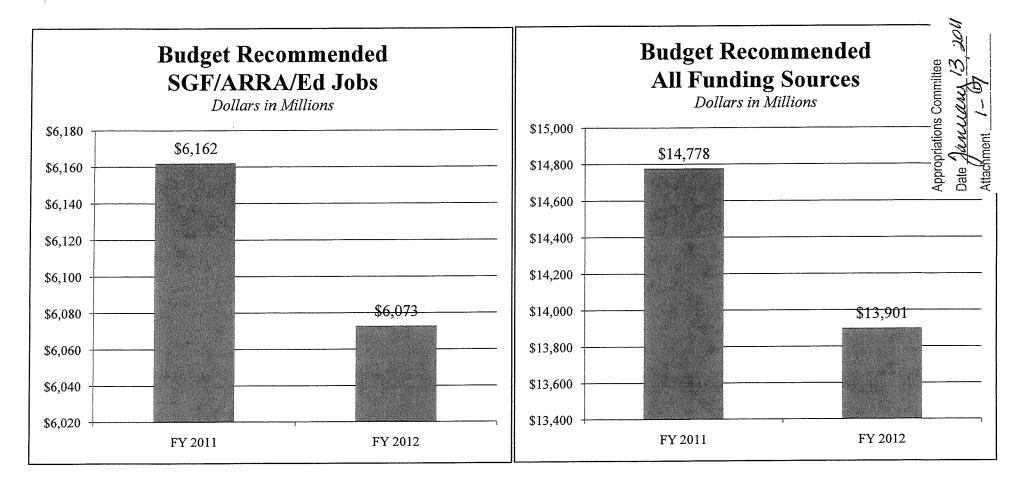
Department of Wildlife & Parks

In order to consolidate services and renew focus, the Governor recommends moving the Travel and Tourism program out of the Department of Commerce and into the Department of Wildlife and Parks. The resources moving over will be added to the marketing program in place within the Department. In total, this move shifts 13 staff members, with \$4,333,429 in total funding, including \$1,856,487 from the Economic Development Initiatives Fund and \$2,421,014 from the program fee fund. Moving this program over will unify efforts already underway in each agency to promote Kansas as an outdoor destination.

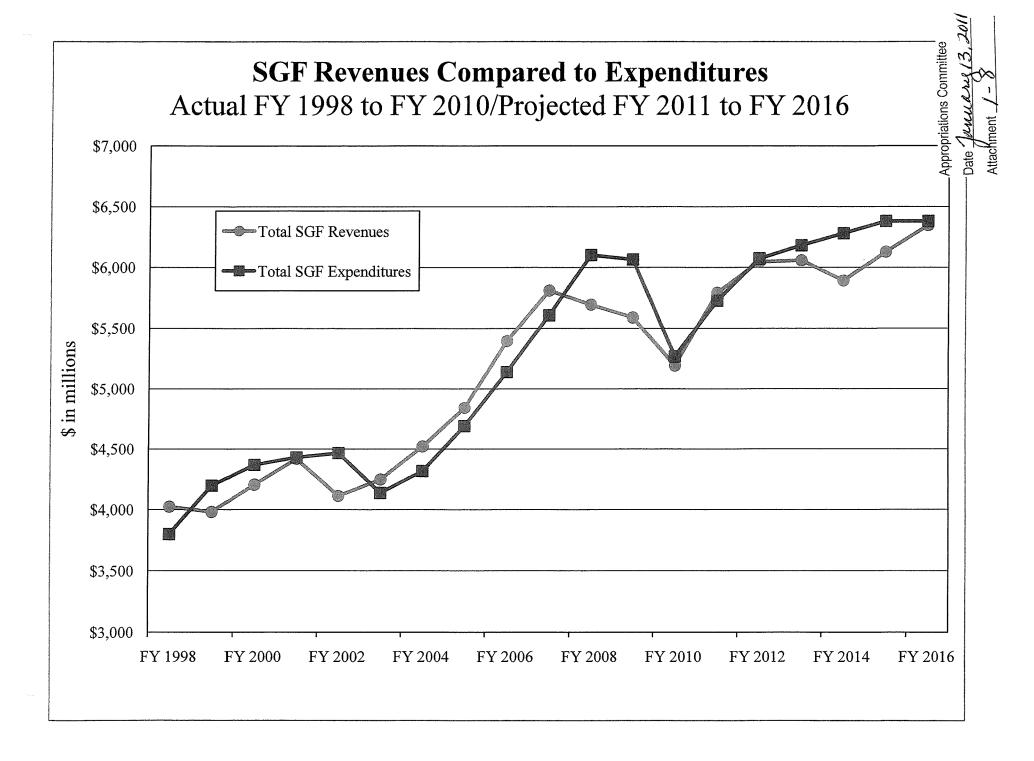
Appropriations Committee

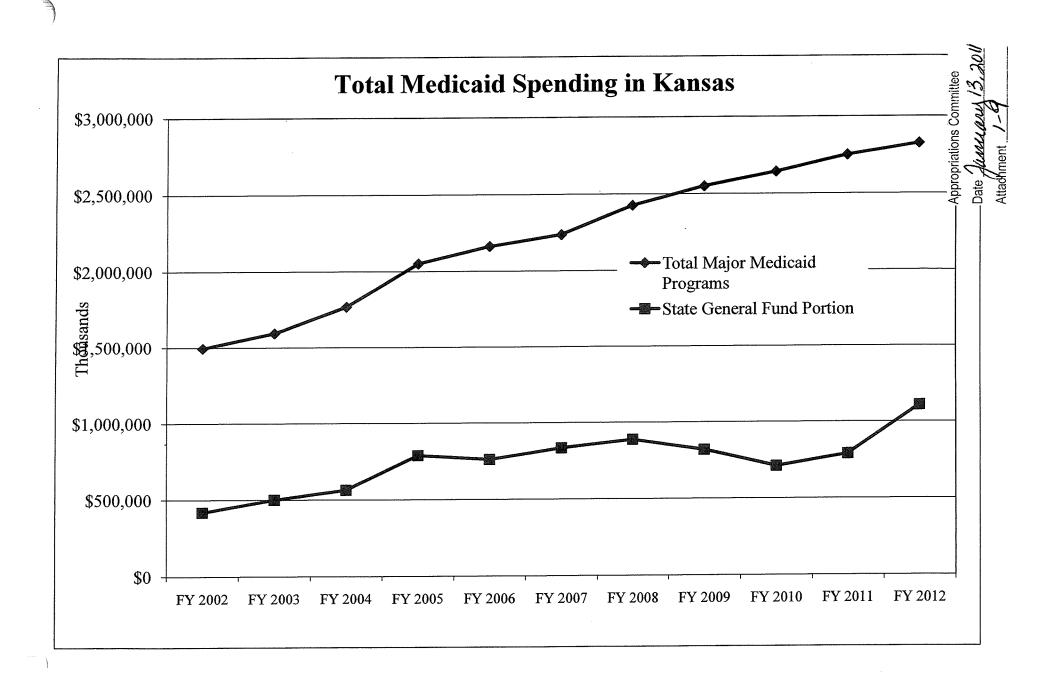
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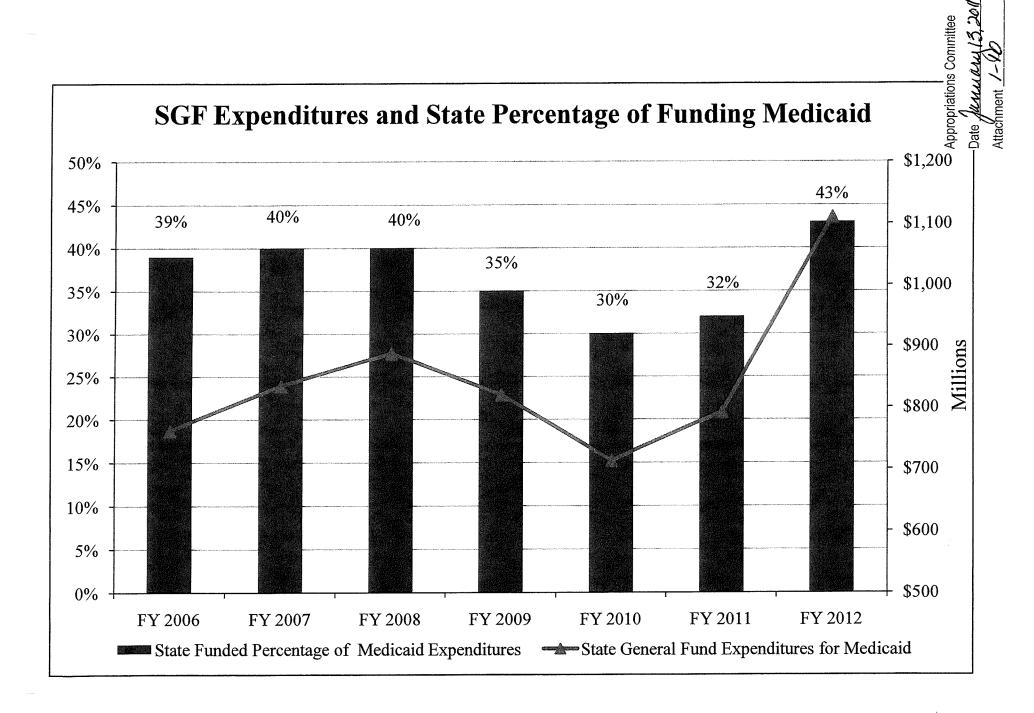
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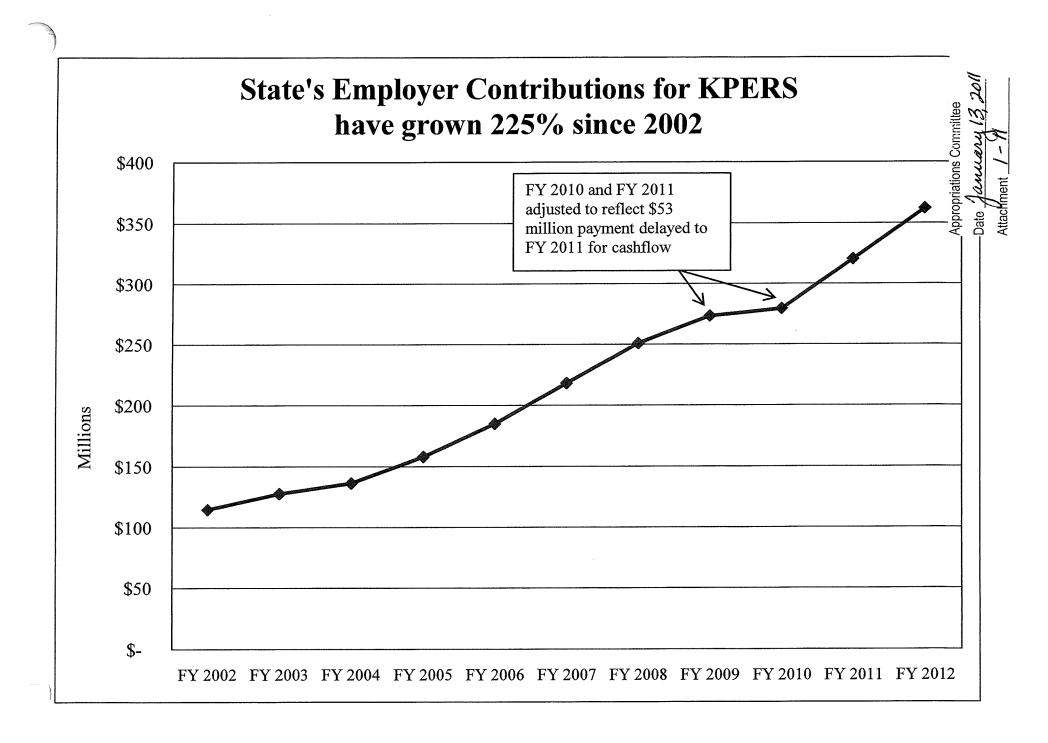


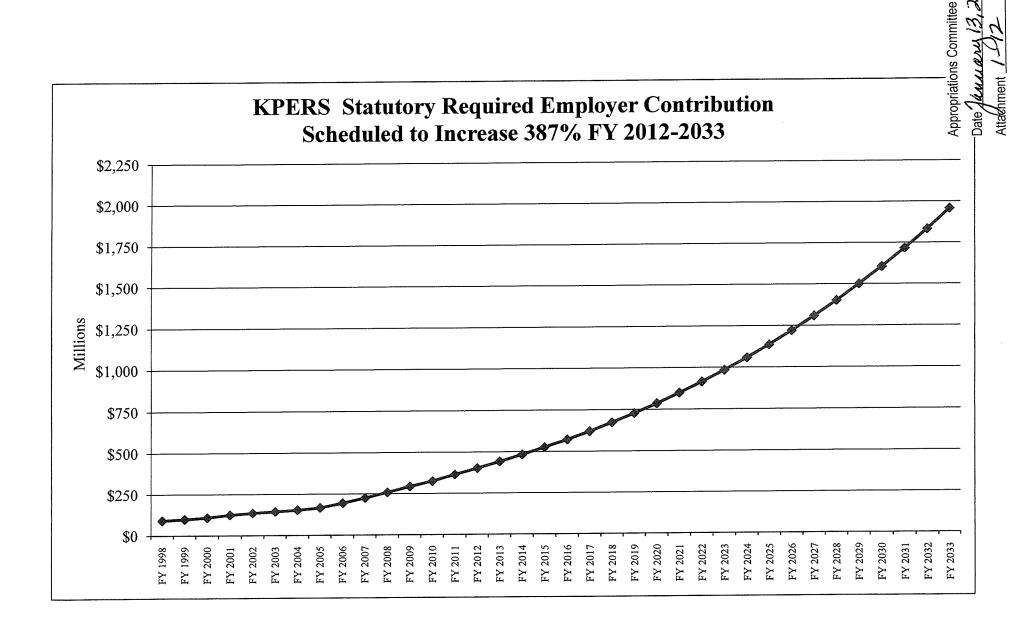
^{*}Amounts added to SGF from those programs where the federal funding was substituted for SGF from the following programs: State Fiscal Stabilization Fund, Special Education, Education Jobs, and Medicaid.

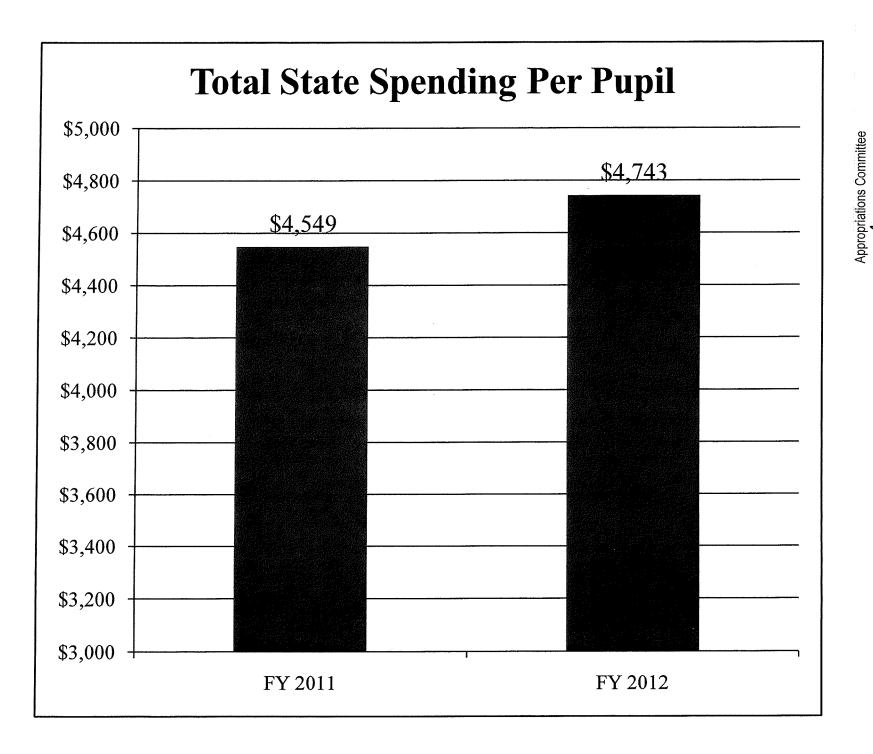












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Appropriations Committee Date January 13, 2011 Attachment 1-14

Outlook for the State General Fund Assuming No Structural Refo	rms
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(Dollars in Millions)

	FY 2010 Actual	FY 2011 Gov. Est.	FY 2012 Gov. Rec.	FY 2013 Projected	FY 2014 Projected	FY 2015 Projected	FY 2016 Projected
Beginning Balance	\$ 49.6	\$ (27.1)	\$ 35.7	\$ 7.5	\$ (74.5)	\$ (373.4)	\$ (532.5)
Revenues						- a=a .	6.450.6
Taxes	4,985.9	5,598.5	5,835.7	6,036.5	5,923.3	6,171.4	6,459.6
Interest	24.6	17.4	11.8	13.0	16.0	20.0	25.0
Agency Earnings	53.4	56.3	56.8	58.0	59.0	60.0	63.0
Transfers:							(1.2.2.2)
School Capital Improvement Aid	(87.7)	(97.2)	(100.0)	(105.0)	(110.0)	(115.0)	(120.0)
Regents Faculty of Distinction	(2.9)	(1.6)	(1.6)	(1.6)	(1.6)	(1.6)	(1.6)
Regents Research Corp Debt Service	(4.9)	(9.9)	(5.9)	(1.0)	(0.2)		
Biosciences Initiative	(35.0)	(35.0)	(35.0)	(35.0)	(35.0)	(35.0)	(35.0)
Business Incentives	(3.7)	(7.3)	(8.7)	(9.0)	(11.0)	(13.0)	(13.0)
Highway Patrol	36.0	36.0	32.7	35.0	37.0	38.0	38.0
Highway Fund	143.3	149.3	200.0				
State-Owned Casino Revenue**	29.5	33.2	18.0	74.3	75.8	77.3	80.0
All Other Transfers	<u>52.7</u>	50.1	41.0	30.8	30.8	<u>26.8</u>	26.8
Total Available	\$ 5,240.9	\$ 5,762.7	\$ 6,080.4	\$ 6,103.5	\$ 5,909.6	\$ 5,855.4	\$ 5,990.2
Expenditures							2.600.5
Aid to K-12 Schools	2,698.8	2,671.9	2,680.5	2,680.5	2,680.5	2,680.5	2,680.5
Higher Education	743.7	756.7	768.2	768.2	768.2	768.2	768.2
Human Services Caseloads	655.9	759.6	998.8	1,048.8	1,098.8	1,148.8	1,198.8
KPERS State/School (Employer)*	226.5	373.7	362.1	402.1	442.1	482.1	522.1
All Other Expenditures	943.2	1,165.2	<u>1,263.4</u>	1,278.4	1,293.4	1,308.4	1,323.4
Total Expenditures	\$ 5,268.0	\$ 5,727.1	\$ 6,072.9	\$ 6,177.9	\$ 6,282.9	\$ 6,387.9	\$ 6,492.9
Ending Balance	(\$27.1)	\$ 35.7	\$ 7.5	(\$74.5)	(\$373.4)	(\$532.5)	(\$502.7)
As Percentage of Expenditures	(0.5%)	0.6%	0.1%	(1.2%)	(5.9%)	(8.3%)	(7.7%)

Totals may not add because of rounding.

Out-year revenue assumptions: sales tax increase reverts to Highway Fund, effective FY 2014.

Out-year expenditure assumptions: Medicaid caseloads increase \$50 M each year; KPERS contribution increases \$40 M each year; and

^{*}Employer contributions to KPERS for state employees are estimated from the SGF.

[&]quot;all other" categories increase \$15 M each year to cover future inmate populations, tapped out fee funds, etc.

^{**}Casino revenue, by statute, is deposited in the ELARF for specified purposes, rather than be transferred to the SGF.