

FY 2012

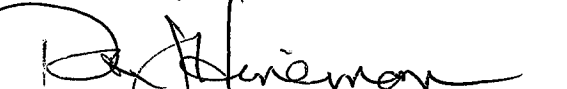
HOUSE GENERAL GOVERNMENT BUDGET COMMITTEE


Attorney General
Insurance Department
Judicial Branch
Judicial Council
Kansas Human Rights Commission
KPERS
Lieutenant Governor
Office of the Governor
Secretary of State


Representative Joe McLeland, *Chairperson*


Representative Pete DeGraaf, *Vice-Chair*

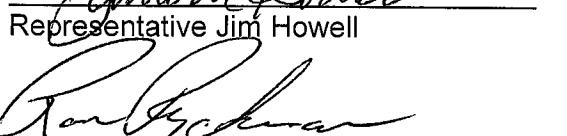

Representative Tom Burroughs



Representative Don Hineman


Representative Kyle Hoffman


Representative Jim Howell


Representative Ramon Gonzalez


Representative Ron Ryckman


Representative Nile Dillmore

Appropriations Committee

Date March 11, 2011

Attachment 10

Senate Subcommittee Report

Agency: Attorney General

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 1251

Budget Page No. 116

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 2,741,667	\$ 2,793,668	\$ 0
Other Funds	17,650,419	18,813,982	0
Subtotal	<u>\$ 20,392,086</u>	<u>\$ 21,607,650</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>\$ 20,392,086</u></u>	<u><u>\$ 21,607,650</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	110.0	131.4	0.0
Non FTE Uncl. Perm. Pos.	11.4	11.4	0.0
TOTAL	<u><u>121.4</u></u>	<u><u>142.8</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests The Attorney General requests an FY 2012 budget of \$20.4 million, a decrease of \$766,672, or 3.6 percent, below the revised current fiscal year estimate. The request includes State General Fund expenditures of \$2.7 million, a decrease of \$14,072, or 0.5 percent, below the revised current fiscal year estimate. The request includes 110.0 FTE positions, unchanged from the revised current year estimate.

Governor's Recommendation

The **Governor** recommends a total of \$21.6 million for the agency in FY 2012, including \$2.8 million from the State General Fund. The recommendation is an increase of \$1.7 million, or 8.6 percent, above the FY 2011 revised recommendation.

Most of the Governor's recommended increase is the result of the recommendation to merge the Kansas Human Rights Commission into the Office of the Attorney General. Expenditures recommended for the Human Rights Commission have been reflected in the Administration program for FY 2012. A total of \$1.6 million, including \$1.2 million from the State General Fund, and 22.0 FTE positions are associated with the move of the Commission.

Appropriations Committee

Date March 11, 2011

Attachment 10-2

Senate Subcommittee Recommendations

The **Subcommittee** concurs with the recommendations of the Governor, with the following observations:

1. The Subcommittee notes that the 2010 Legislature authorized the Attorney General to issue up to \$19.0 million in bonds for necessary expenditures related to interstate water litigation activities during FY 2011. While this was intended to offset the loss of funding from the Interstate Water Litigation Reserve account of the State General Fund, which was inadvertently lapsed, the Subcommittee believes it is not good public policy to fund ongoing operating expenditures with bond proceeds. The Subcommittee recommends that no language be included in the FY 2012 appropriations bill to continue that bonding authority.
2. The Subcommittee notes concerns with funding for domestic violence prevention grants and funding for Children's Advocacy Centers. Funding for these programs is currently divided between the Office of the Governor, and the Attorney General. The Subcommittee received testimony from a number of advocates who expressed concerns with continuing availability of the funding in the Attorney General's office. The Subcommittee recommends consideration be given at Omnibus to consolidating all of the funding for domestic violence prevention grants and Children's Advocacy Center grants in one agency.

Senate Committee Recommendation

The **Committee** concurs with the recommendations of the Subcommittee, with the following adjustment:

1. Change references in item number 2 above, to provide for review of the issue prior to conclusion of the mega appropriations bill.

Appropriations Committee
Date March 11, 2011
Attachment 10-3

House Budget Committee Report

Agency: Attorney General

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 1251

Budget Page No. 116

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 2,741,667	\$ 2,793,668	\$ 0
Other Funds	17,650,419	18,813,982	150,000
Subtotal	\$ 20,392,086	\$ 21,607,650	\$ 150,000
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 20,392,086	\$ 21,607,650	\$ 150,000
FTE positions			
FTE positions	110.0	131.4	0.0
Non FTE Uncl. Perm. Pos.	11.4	11.4	0.0
TOTAL	121.4	142.8	0.0

Agency Request

The **agency** requests a FY 2012 budget of \$20.4 million, a decrease of \$766,672, or 3.6 percent, below the revised current fiscal year estimate. The request includes State General Fund expenditures of \$2.7 million, a decrease of \$14,072, or 0.5 percent, below the revised current fiscal year estimate. The request includes 110.0 FTE positions, unchanged from the revised current year estimate.

Governor's Recommendation

The **Governor** recommends a total of \$21.6 million for the agency in FY 2012, including \$2.8 million from the State General Fund. The recommendation is an increase of \$1.7 million, or 8.6 percent, above the FY 2011 revised recommendation.

Most of the Governor's recommended increase is the result of the recommendation to merge the Kansas Human Rights Commission into the Office of the Attorney General. A total of \$1.6 million, including \$1.2 million from the State General Fund, and 22.0 FTE positions is associated with the move of the Commission.

Appropriations Committee

Date March 1, 2011

Attachment 10-4

House Budget Committee Recommendation

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

1. Add \$150,000, all from the Crime Victims Assistance Fund, for domestic violence prevention program grants for FY 2012. This will maintain funding for the program at the FY 2011 level. The Budget Committee further notes its concerns with funding for domestic violence prevention grants. Funding for these programs is currently divided between the Office of the Governor, the Office of the Attorney General, and possibly other agencies. The Budget Committee wishes to further explore the issue of funding for domestic violence prevention programs and recommends consideration be given at Omnibus to consolidating all of the funding for domestic violence prevention grants in one agency.
2. The Budget Committee notes its continuing concerns with the availability of water litigation funding for the agency. In FY 2005, \$20.1 million of the money received from the state of Colorado pursuant to litigation over the Arkansas River was deposited into the Interstate Water Litigation Reserve Account of the State General Fund, with a \$0 expenditure limitation to maintain the full balance in the account. In FY 2006, the Legislature appropriated funding of \$1.0 million from the account for a loan to a groundwater management district. The funding was not utilized in FY 2006 and reappropriated to FY 2007. The Legislature approved the lapse of the \$1.0 million in funding at the end of FY 2007. The language in the appropriations bill, although it was intended to lapse only the \$1.0 million in expenditures, was written too broadly, and resulted in the entire balance in the account being lapsed at the end of FY 2007 and returned to the State General Fund. In essence, no money has been in the account since the end of FY 2007. The Attorney General indicates that there is sufficient funding available in the agency's special revenue Interstate Water Litigation Fund to meet the agency's needs for FY 2012, but the Budget Committee remains concerned with the issue.
3. The Budget Committee notes that the Governor's FY 2012 recommendation for the agency including transferring the responsibilities of the Kansas Human Rights Commission to the Office of the Attorney General. The agency's FY 2012 budget includes funding of \$1.6 million, including \$1.2 million from the State General Fund, and 22.0 FTE positions associated with the move of the Commission. No Executive Reorganization Order was ever submitted and to date, no legislation has been introduced to provide for this transfer. The Budget Committee notes that if no legislation passes to accomplish the transfer, consideration will have to be given at Omnibus to deleting the funding from the Attorney General's budget and restoring funding to the Kansas Human Rights Commission.

Appropriations Committee

Date March 11, 2011

Attachment 10-5

Senate Subcommittee Report

Agency: Kansas Insurance Department

Bill No. --

Bill Sec. --

Analyst: Hughes

Analysis Pg. No. 1223

Budget Page No. 134

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	31,608,368	31,608,368	(3,500,000)
Subtotal	\$ 31,608,368	\$ 31,608,368	\$ (3,500,000)
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	165,115	165,115	0
Subtotal	\$ 165,115	\$ 165,115	\$ 0
TOTAL	\$ 31,773,483	\$ 31,773,483	\$ (3,500,000)
FTE positions			
FTE positions	138.4	123.4	0.0
Non FTE Uncl. Perm. Pos.	3.6	3.6	0.0
TOTAL	142.0	127.0	0.0

Agency Request

The **agency** requests an operating budget of \$31,608,368, all from special revenue funds, for FY 2012, an increase of \$6,294,725, or 24.9 percent, above the revised FY 2011 estimate. This increase is due primarily to a \$5.0 million increase in Other Claims within the Workers' Compensation program. The agency currently has 625 claims under review by the Centers for Medicare and Medicaid Services (CMS), and at the conclusion of the review the agency estimates it will be required to reimburse CMS \$5.0 million for workers' compensation claims payments. The rest of the increase is due to health insurance costs and an anticipated increase in workers' compensation claims.

Governor's Recommendation

The **Governor** concurs with the agency request for expenditures with one adjustment. The Governor also recommends a reduction of 15.0 FTE positions, all of which are vacant.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation for FY 2012 with one exception.

Appropriations Committee

Date March 11, 2011

Attachment 10-6

1. Delete \$3.5 million from other assistance expenditures in the Workers' Compensation program. The agency has estimated that it may owe the Centers for Medicare and Medicaid Services (CMS) up to \$5.0 million due to claims audited under recently implemented federal regulations. The Subcommittee believes that \$1.5 million would be a more appropriate amount for this purpose in FY 2012. Any additional amounts could be considered by the 2012 Legislature as a supplemental request.

Senate Committee Recommendation

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

House Budget Committee Report

Agency: Kansas Insurance Department

Bill No. --

Bill Sec. --

Analyst: Hughes

Analysis Pg. No. 1223

Budget Page No. 134

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	31,608,368	31,608,368	0
Subtotal	\$ 31,608,368	\$ 31,608,368	\$ 0
Capital Improvements:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	165,115	165,115	0
Subtotal	\$ 165,115	\$ 165,115	\$ 0
TOTAL	\$ 31,773,483	\$ 31,773,483	\$ 0
FTE positions	138.4	123.4	0.0
Non FTE Uncl. Perm. Pos.	3.6	3.6	0.0
TOTAL	142.0	127.0	0.0

Agency Request

The **agency** requests an operating budget of \$31,608,368, all from special revenue funds, for FY 2012, an increase of \$6,294,725, or 24.9 percent, above the revised FY 2011 estimate. This increase is due primarily to a \$5.0 million increase in Other Claims within the Workers' Compensation program. The agency currently has 625 claims under review by the Centers for Medicare and Medicaid Services (CMS), and at the conclusion of the review the

Appropriations Committee

Date March 11, 2011

Attachment 10-1

agency estimates it will be required to reimburse CMS \$5.0 million for workers' compensation claims payments. The rest of the increase is due to health insurance costs and an anticipated increase in workers' compensation claims.

Governor's Recommendation

The **Governor** concurs with the agency revised estimate with one exception. The Governor recommends 123.4 FTE positions, which is a decrease of 15.0 FTE positions below the agency request.

House Budget Committee Recommendation

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

Appropriations Committee
Date March 11, 2011
Attachment 10-8

Senate Subcommittee Report

Agency: Judicial Branch

Bill No. --

Bill Sec. --

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 172

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 107,596,334	\$ 107,596,334	\$ 0
Other Funds	23,703,535	23,703,535	0
Subtotal	<u>\$ 131,299,869</u>	<u>\$ 131,299,869</u>	<u>\$ 0</u>
Capital Improvements			
State General Fund	\$ 199,499	\$ 199,499	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 199,499</u>	<u>\$ 199,499</u>	<u>\$ 0</u>
TOTAL	<u><u>\$ 131,499,368</u></u>	<u><u>\$ 131,499,368</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	1,858.3	1,858.3	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>1,858.3</u></u>	<u><u>1,858.3</u></u>	<u><u>0.0</u></u>

Agency Request

The **Judicial Branch** requests a FY 2012 operating budget of \$131.3 million, an all funds increase of \$6.3 million, or 5.1 percent, above the revised FY 2010 estimate. The request includes State General Fund expenditures of \$107.6 million, an increase of \$6.3 million, or 6.3 percent, above the revised FY 2011 estimate. The request would finance 1,858.3 FTE positions, an increase of 2.8 FTE positions above the revised FY 2011 estimate. The current Judicial Branch estimate assumes the \$5 surcharge on docket fees is extended into FY 2012, legislation would need to be enacted to effect that change. The agency chose not to submit the 14th Court of Appeals Judge or the e-filing program as enhancements because they are currently below their projected base budget due by maintaining an elevated shrinkage level.

Governor's Recommendation

The **Governor** is statutorily required to submit the agency's budget as requested by the agency.

Senate Subcommittee

The **Senate Subcommittee** concurs with the agency request with the following notations:

Appropriations Committee

Date March 11, 2011

Attachment 10-9

1. The Senate Subcommittee notes that Senate Bill 97, currently in the Senate Judiciary Committee, extends the authority for the court to impose a \$10 surcharge on docket fees into FY 2012. The Judicial Branch budget is based on the assumption that the authority is extended into FY 2012 and if it is not passed the agency will need to reduce approximately \$9.0 million from the budget.
2. The Senate Subcommittee encourages the **Capital Improvements Subcommittee** to approve the expenditure of \$199,499, all from the State General Fund, to build a judicial suite for the 14th Court of Appeal judge and staff. The subcommittee recommends adoption of the agency request and Governor's recommendation to fund the addition of the judge as required by existing law.
3. The Senate Subcommittee notes that the Judicial Branch should not expect additional funding to support the 14th Court of Appeals Judge and staff in future fiscal years and should anticipate supporting the expenditures for the judge from existing resources after FY 2012.

House Budget Committee Report

Agency: Judicial Branch

Bill No. --

Bill Sec. --

Analyst: Dear

Analysis Pg. No. 1307

Budget Page No. 172

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 107,596,334	\$ 107,596,334	\$ (389,340)
Other Funds	23,703,535	23,703,535	0
Subtotal	\$ 131,299,869	\$ 131,299,869	\$ (389,340)
Capital Improvements			
State General Fund	\$ 199,499	\$ 199,499	\$ (199,499)
Other Funds	0	0	0
Subtotal	\$ 199,499	\$ 199,499	\$ (199,499)
TOTAL	\$ 131,499,368	\$ 131,499,368	\$ (588,839)
FTE positions	1,858.3	1,858.3	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	1,858.3	1,858.3	0.0

Appropriations Committee

Date March 11, 2011

Attachment 10-10

Agency Request

The **Judicial Branch** requests a FY 2012 operating budget of \$131.3 million, an all funds increase of \$6.3 million, or 5.1 percent, above the revised FY 2010 estimate. The request includes State General Fund expenditures of \$107.6 million, an increase of \$6.3 million, or 6.3 percent, above the revised FY 2011 estimate. The request would finance 1,858.3 FTE positions, an increase of 2.8 FTE positions above the revised FY 2011 estimate. The current Judicial Branch estimate assumes the \$5 surcharge on docket fees is extended into FY 2012, legislation would need to be enacted to effect that change. The agency chose not to submit the 14th Court of Appeals Judge or the e-filing program as enhancements because they are currently below their projected base budget due by maintaining an elevated shrinkage level.

Governor's Recommendation

The **Governor** is statutorily required to submit the agency's budget as requested by the agency.

House Budget Committee

The **Budget Committee** concurs with the agency request with the following adjustments and requests:

1. Delete \$588,839, all from the State General Fund, to remove the operating (\$389,340) and capital improvement (\$199,499) expenditures for implementation of the 14th Court of Appeals judge and staff. The Committee recommends the legislature introduce a bill allowing the Judicial Branch to delay implementation of the additional judge to FY 2013.
2. The Budget Committee recommends the suspension of the statutory requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts to the State General Fund for FY 2012. This would result in an estimated decrease of \$60,375 to the State General Fund for FY 2012.
3. The Budget Committee notes that Senate Bill 97, currently in the House Judiciary Committee, extends the authority for the court to impose a surcharge on docket fees into FY 2012. The Judicial Branch budget is based on the assumption that the authority is extended into FY 2012 and if it is not passed the agency will need to reduce approximately \$9.0 million from the budget.
4. The Budget Committee commends the Judicial Branch for implementation of the Pegasus Project to evaluate staffing levels and caseload in the courts. The Committee further approves of the decision to fund the project from within the existing resources of the Judicial Branch and Judicial Council.
5. The Budget Committee requests the Judicial Branch report to the General Government Budget Committee prior to Omnibus regarding the statutory distribution of docket fees. The Committee further recommends the agency explore the option of increasing docket fees in order to reduce the necessity for State General fund appropriations and report to the Committee on their findings.

Appropriations Committee

Date March 11, 2011

Attachment 104

Senate Subcommittee Report

Agency: Judicial Council

Bill No. --

Bill Sec. --

Analyst: Dear

Analysis Pg. No. --

Budget Page No. 180

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	1,375,387	1,375,387	(105,378)
Subtotal	<u>\$ 1,375,387</u>	<u>\$ 1,375,387</u>	<u>\$ (105,378)</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>\$ 1,375,387</u></u>	<u><u>\$ 1,375,387</u></u>	<u><u>\$ (105,378)</u></u>
FTE positions	7.0	7.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>7.0</u></u>	<u><u>7.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2012 operating expenditures of \$1,375,387, all from special revenue funds. The request is an increase of \$80,630, or 6.2 percent, above the revised FY 2011 estimate. The request includes funding for 7.0 FTE positions.

Governor's Recommendation

The **Governor** is statutorily required to submit the agency's budget as requested by the agency.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the agency request with the following adjustment:

1. Delete \$105,378, all from the agency's fees funds, due to the retirement of the executive director for the agency. The agency noted in testimony that the judicial performance assessment program is now fully operational and can operate with a reduced number of employees.

Appropriations Committee

Date March 11, 2011

Attachment 10-12

Senate Ways and Means Committee Recommendation

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

House Budget Committee Report

Agency: Judicial Council

Bill No. --

Bill Sec. --

Analyst: Dear

Analysis Pg. No. 1326

Budget Page No. 180

<u>Expenditure Summary</u>	<u>Agency Request FY 2012</u>	<u>Governor Recommendation FY 2012</u>	<u>House Budget Committee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	1,375,387	1,375,387	0
Subtotal	\$ 1,375,387	\$ 1,375,387	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 1,375,387	\$ 1,375,387	\$ 0
FTE positions	7.0	7.0	0.0
Non FTE Uncl. Perm. <u>Pos.</u>	0.0	0.0	0.0
TOTAL	7.0	7.0	0.0

Agency Request

The **agency** requests FY 2012 operating expenditures of \$1,375,387, all from special revenue funds. The request is an increase of \$80,630, or 6.2 percent, above the revised FY 2011 estimate. The request includes funding for 7.0 FTE positions.

Governor's Recommendation

The **Governor** is statutorily required to submit the agency's budget as requested by the agency.

Appropriations Committee

Date March 11, 2011

Attachment 10-13

Budget Committee Recommendation

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

Appropriations Committee
Date March 11, 2011
Attachment 10-14

Senate Subcommittee Report

Agency: Kansas Human Rights Commission **Bill No. --**

Bill Sec. --

Analyst: Weir

Analysis Pg. No. 1277

Budget Page No. 56

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,576,538	\$ 0	\$ 0
Other Funds	492,400	0	0
Subtotal	<u>\$ 2,068,938</u>	<u>\$ 0</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>\$ 2,068,938</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	34.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>34.0</u></u>	<u><u>0.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$2,068,938, including \$1,576,538 from the State General Fund, for operating expenditures for FY 2012. This is an all funds increase of \$302,545, or 17.1 percent, above the FY 2011 revised estimate and a State General Fund increase of \$136,326, or 9.5 percent, above the FY 2011 revised estimate. Fee funds comprise \$492,400 of the request, an increase of \$166,219, or 51.0 percent above the FY 2011 revised estimate. The increase is a result of a larger contract with the federal Equal Employment Opportunity Commission, which estimates 687 case resolutions, an increase of 149 cases. The commission estimates that the increase in federal funds will result in a FY 2011 carryover cash balance of \$116,333 in the Employment Discrimination Fund. This amount is scheduled to fund FY 2012 expenditures. The agency request maintains the 34.0 FTE position limitation.

Governor's Recommendation

The **Governor** recommends an Executive Reorganization Order for FY 2012 which includes the transfer of the duties and responsibilities of the Kansas Human Rights Commission, which has been a separate state agency, to the Office of the Attorney General.

The **Governor's** FY 2012 recommendation adds a total of \$1,627,111, including \$1,189,084 from the State General Fund, and 22.0 FTE positions to the Office of the Attorney General. This is an all funds decrease of \$441,827, or 21.4 percent, and a State General Fund

Appropriations Committee

Date March 11, 2014

Attachment 10-15

decrease of \$387,454, or 24.6 percent, and 12.0 FTE positions, below the amount requested by the Human Rights Commission for FY 2012. Changes from the amount requested by the agency and the amount recommended in the budget of the Attorney General include the following:

- **Enhancement Request.** The agency requested a total of \$138,553, all from the State General Fund, to fill 2.5 currently vacant FTE positions for FY 2012. The **Governor** does not recommend the enhancement.
- **Reduced Resources.** The agency's submitted budget for FY 2012 included reduced resources of \$71,899, all from the State General Fund, a 5.0 percent overall reduction to its request. The **Governor** concurs with this reduction.
- **Staff Reorganization.** The **Governor** recommends reorganizing agency staff, which is estimated to produce savings of \$231,375, including \$177,002 from the State General Fund. The Governor's recommendation eliminates 3.0 filled and funded FTE positions, including a 1.0 FTE Executive Director, a 1.0 FTE Attorney, and a 1.0 FTE Administrative Specialist, who serves as Secretary to the Executive Director. The **Governor** also recommends eliminating 9.0 vacant and unfunded FTE positions.

Senate Subcommittee Recommendation

The **Senate Subcommittee** concurs with the Governor's recommendation, but notes the following:

1. The Senate Subcommittee's concurrence is contingent upon approval of the Governor's Executive Reorganization Order, or passage of legislation that is comparable to the Governor's Executive Reorganization Order.
 - If the Governor's Executive Reorganization Order is not approved by the Legislature, and if no legislation comparable to the Governor's Executive Reorganization Order passes, then the Senate Subcommittee recommends funding the Kansas Human Rights Commission as an independent state agency, in the amount of \$1,627,111, including \$1,189,084 from the State General Fund, which is equal to the Governor's recommendation.
 - If the Governor's Executive Reorganization Order is not approved by the Legislature, the Senate Subcommittee recommends 23.0 FTE positions for FY 2012, an increase of 1.0 FTE position above the Governor's recommendation. The increase is to allow for 1.0 non-FTE, permanent, unclassified position to transfer to a classified, 1.0 FTE position.

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee's recommendation for FY 2012, and notes the recommendation to merge the Kansas Human Rights Commission into the Office of the Attorney General. Expenditures recommended for the Human Rights Commission have been reflected in the Office of the Attorney General Administration program for FY 2012. A total of \$1,627,111, including \$1,189,084 from the State General Fund, and 22.0 FTE positions are associated with the move of the agency.

Appropriations Committee

Date March 11, 2011

Attachment 10-16

Minority Report
FY 2012 Kansas Human Rights Commission

I do not agree with the Senate Subcommittee's recommendation of the Governor's recommendation to reorganize staff of the Kansas Human Rights Commission and reduce 3.0 non-vacant FTE positions, including a 1.0 FTE Executive Director, a 1.0 FTE Attorney, and a 1.0 FTE Administrative Specialist, in the transfer. I recommend the following:

1. I recommend a reduction of 2.5 non-vacant FTE positions, for a total of 22.5 FTE positions for FY 2012, an increase of 0.5 FTE positions above the Governor's recommendation. This amount would allow the agency to retain the Executive Director, classified Administrative Specialist, and Chief Legal Counsel identified for elimination in the Governor's Budget Recommendation, but would eliminate the funding and positions for a Staff Attorney (unclassified Attorney C) and a Special Investigator II, and make a classified Administrative Assistant a half-time position.
2. If the Executive Reorganization Order, or comparable legislation, is not approved, then I recommend funding the Kansas Human Rights Commission as an independent state agency, in the amount of \$1,748,853; including \$1,252,820 from the State General Fund, an all funds increase of \$121,742, and a State General Fund increase of \$63,736, above the Senate Subcommittee's recommendation. The increase in funds is adequate to cover the difference in staff salaries and wages.

Senator Marci Francisco

Appropriations Committee

Date March 11, 2011

Attachment 10-17

House Budget Committee Report

Agency: Kansas Human Rights Commission Bill No. --

Bill Sec. --

Analyst: Weir

Analysis Pg. No. 1277

Budget Page No. 56

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,576,538	\$ 0	\$ 0
Other Funds	492,400	0	0
Subtotal	\$ 2,068,938	\$ 0	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 2,068,938	\$ 0	\$ 0
FTE positions	34.0	0.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	34.0	0.0	0.0

Agency Request

The **agency** requests \$2,068,938, including \$1,576,538 from the State General Fund, for operating expenditures for FY 2012. This is an all funds increase of \$302,545, or 17.1 percent, above the FY 2011 revised estimate and a State General Fund increase of \$136,326, or 9.5 percent, above the FY 2011 revised estimate. Fee funds comprise \$492,400 of the request, an increase of \$166,219, or 51.0 percent above the FY 2011 revised estimate. The increase is a result of a larger contract with the federal Equal Employment Opportunity Commission, which estimates 687 case resolutions, an increase of 149 cases. The commission estimates that the increase in federal funds will result in a FY 2011 carryover cash balance of \$116,333 in the Employment Discrimination Fund. This amount is scheduled to fund FY 2012 expenditures. The agency request maintains the 34.0 FTE position limitation.

Governor's Recommendation

The **Governor** recommends an Executive Reorganization Order for FY 2012 which includes the transfer of the duties and responsibilities of the Kansas Human Rights Commission, which has been a separate state agency, to the Office of the Attorney General.

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The **Governor's** FY 2012 recommendation adds a total of \$1,627,111, including \$1,189,084 from the State General Fund, and 22.0 FTE positions to the Office of the Attorney General. This is an all funds decrease of \$441,827, or 21.4 percent, and a State General Fund decrease of \$387,454, or 24.6 percent, and 12.0 FTE positions, below the amount requested by the Human Rights Commission for FY 2012. Changes from the amount requested by the agency and the amount recommended in the budget of the Attorney General include the following:

- **Enhancement Request.** The agency requested a total of \$138,553, all from the State General Fund, to fill 2.5 currently vacant FTE positions for FY 2012. The **Governor** does not recommend the enhancement.
- **Reduced Resources.** The agency's submitted budget for FY 2012 included reduced resources of \$71,899, all from the State General Fund, a 5.0 percent overall reduction to its request. The **Governor** concurs with this reduction.
- **Staff Reorganization.** The **Governor** recommends reorganizing agency staff, which is estimated to produce savings of \$231,375, including \$177,002 from the State General Fund. The Governor's recommendation eliminates 3.0 FTE positions including 1.0 FTE Executive Director, 1.0 FTE Attorney, and 1.0 FTE Administrative Specialist, who serves as Secretary to the Executive Director. The **Governor** also recommends eliminating 9.0 vacant and unfunded FTE positions.

House Budget Committee Recommendation

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

1. The Budget Committee notes the Governor's FY 2012 recommendation for transferring the agency to the Office of the Attorney General. The agency's budget has been eliminated, and funding of \$1.6 million, including \$1.2 million from the State General Fund, and 22.0 FTE positions, is reflected in the Office of the Attorney General budget. No Executive Reorganization Order was ever submitted, and to date, no legislation has been introduced to provide for the transfer. The Budget Committee notes that, if no legislation passes to accomplish the transfer, then consideration will have to be given at Omnibus to deleting the funding from the Attorney General's budget and restoring funding to the Kansas Human Rights Commission.

Appropriations Committee

Date March 11, 2011

Attachment 10-19

Senate Subcommittee Report

Agency: Kansas Public Employees Retirement System

Bill No. --

Bill Sec. --

Analyst: Steiner

Analysis Pg. No. 1409

Budget Page No. 86

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 3,210,092	\$ 3,210,092	\$ 0
Other Funds	48,065,010	48,065,010	0
Subtotal	<u>\$ 51,275,102</u>	<u>\$ 51,275,102</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>\$ 51,275,102</u></u>	<u><u>\$ 51,275,102</u></u>	<u><u>\$ 0</u></u>
FTE positions	87.3	86.3	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u><u>88.3</u></u>	<u><u>87.3</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2012 operating expenditures of \$51,275,102, including \$3,210,092 from the State General Fund. The estimate is an all funds increase of \$1,462,027, or 2.9 percent, and a State General Fund decrease of \$3,656, or 0.1 percent from agency's FY 2011 estimate. The State General Fund appropriation is attributable to the agency servicing both the debt principal and debt interest on the KPERS 13th Check bonds. The all other funds increase is largely due to an increase in professional fees associated with KPERS investment activities. Investment expenses are developed based upon the current market portfolio and as investments have increased there has been a corresponding increase in professional fees associated with the management of KPERS investments.

Governor's Recommendation

The **Governor** concurs with the agency's FY 2012 request for operating expenditures. The Governor did eliminate 1.0 vacant FTE position for FY 2012.

Senate Subcommittee Recommendation

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

Appropriations Committee

Date March 11, 2011

Attachment 10-20

Senate Committee Recommendation

The **Senate Committee** concurs with the recommendation of the Senate Subcommittee.

House Budget Committee Report

Agency: Kansas Public Employees Retirement System

Bill No. --

Bill Sec. --

Analyst: Steiner

Analysis Pg. No. 1409

Budget Page No. 86

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 3,210,092	\$ 3,210,092	\$ 0
Other Funds	48,065,010	48,065,010	0
Subtotal	<u>\$ 51,275,102</u>	<u>\$ 51,275,102</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>\$ 51,275,102</u></u>	<u><u>\$ 51,275,102</u></u>	<u><u>\$ 0</u></u>
FTE positions	87.3	86.3	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	<u><u>88.3</u></u>	<u><u>87.3</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests FY 2012 operating expenditures of \$51,275,102, including \$3,210,092 from the State General Fund. The estimate is an all funds increase of \$1,462,027, or 2.9 percent, and a State General Fund decrease of \$3,656, or 0.1 percent from agency's FY 2011 estimate. The State General Fund appropriation is attributable to the agency servicing both the debt principal and debt interest on the KPERS 13th Check bonds. The all other funds increase is largely due to an increase in professional fees associated with KPERS investment activities. Investment expenses are developed based upon the current market portfolio and as investments have increased there has been a corresponding increase in professional fees associated with the management of KPERS investments.

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Governor's Recommendation

The **Governor** concurs with the agency's FY 2012 request for operating expenditures. The Governor did eliminate 1.0 vacant FTE position for FY 2012.

House Budget Committee Recommendation

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

1. The Budget Committee notes that the Legislature has not provided adequate funding to KPERs resulting in a \$7.7 billion unfunded actuarial liability.
2. The Budget Committee notes that the House Committee on Pensions and Benefits is reviewing a variety of solutions to help solve the funding issue. Those solutions include increasing both the employer and employee contribution rates, adjusting the multiplier, switching new employees to a defined contribution plan, and adjusting the retirement age.
3. The Budget Committee notes that in 2010 the agency paid the interest portion only, \$638,812, all from the State General Fund, for the 13th Check Bond Payment. The 13th Check Bond was used to help fund a closed group of KPERs state retirees and beneficiaries. The Principal portion was not paid as the bonds were refinanced which allowed greater savings to the State General Fund. The agency paid both interest and principal amounts in FY 2011 and the Governor's recommendation for FY 2012 includes paying both the interest and principal for the 13th Check Bond.

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Senate Subcommittee Report

Agency: Office of the Lieutenant Governor **Bill No. --**

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 1173

Budget Page No. 114

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 195,551	\$ 185,773	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 195,551</u>	<u>\$ 185,773</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>\$ 195,551</u></u>	<u><u>\$ 185,773</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	3.5	3.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.5</u></u>	<u><u>3.5</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$195,551, all from the State General Fund, for FY 2012, an increase of \$3,198, or 1.7 percent, above the revised current year estimate. Requested increases in expenditures for other operating expenditures are partially offset by a decrease in requested salaries and wages expenditures. The request includes 3.5 FTE positions, the same as requested for the current fiscal year. No enhancement funding is requested.

Governor's Recommendation

The **Governor** recommends a total of \$185,773, all from the State General Fund, for FY 2012. The recommendation is a reduction of \$6,580, or 3.4 percent, below the revised current year recommendation. The recommendation reduces the agency's request by 5.0 percent.

Senate Subcommittee Recommendation

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

Senate Committee Recommendation

The **Committee** concurs with the recommendations of the Subcommittee.

Appropriations Committee

Date March 11, 2011

Attachment 10-23

House Budget Committee Report

Agency: Office of the Lieutenant Governor Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 1173

Budget Page No. 114

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 195,551	\$ 185,773	\$ 0
Other Funds	0	0	0
Subtotal	<u>\$ 195,551</u>	<u>\$ 185,773</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>\$ 195,551</u></u>	 <u><u>\$ 185,773</u></u>	 <u><u>\$ 0</u></u>
 FTE positions	 3.5	 3.5	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>3.5</u></u>	<u><u>3.5</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests \$195,551, all from the State General Fund, for FY 2012, an increase of \$3,198, or 1.7 percent, above the revised current year estimate. Requested increases in expenditures for other operating expenditures are partially offset by a decrease in requested salaries and wages expenditures. The request includes 3.5 FTE positions, the same as requested for the current fiscal year. No enhancement funding is requested.

Governor's Recommendation

The **Governor** recommends a total of \$185,773, all from the State General Fund, for FY 2012. The recommendation is a reduction of \$6,580, or 3.4 percent, below the revised current year recommendation. The recommendation reduces the agency's request by 5.0 percent.

House Budget Committee Recommendation

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

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Senate Subcommittee Report

Agency: Office of the Governor

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 1158

Budget Page No. 112

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 6,824,528	\$ 6,762,611	\$ 0
Other Funds	10,304,531	10,304,531	0
Subtotal	\$ 17,129,059	\$ 17,067,142	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 17,129,059	\$ 17,067,142	\$ 0
FTE positions			
FTE positions	43.5	43.1	(3.5)
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	44.5	44.1	(3.5)

Agency Request

The **agency** requests The agency requests a FY 2012 budget totaling \$17.1 million, a decrease of \$174,246, or 1.0 percent, below the revised FY 2011 estimate. A reduction of \$202,508 in requested expenditures from federal funds is partially offset by an increase of \$28,262 in requested State General Fund expenditures. The request includes 43.5 FTE positions, unchanged from the revised current year estimate.

Governor's Recommendation

The **Governor** recommends FY 2012 expenditures of \$17.1 million, including \$6.8 million from the State General Fund. The recommendation is a decrease of \$241,163, or 1.4 percent, below the revised current year recommendation, and a decrease of \$61,917, or 0.4 percent, below the agency's FY 2012 request. The Governor's recommendation includes:

- A 5.0 percent State General Fund reduction from the agency's existing programs (\$341,227);
- The transfer of the Commission on Disability Concerns (\$184,310, all from the State General Fund, and 2.0 FTE positions) from the Department of Commerce to the Office of the Governor;

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- The addition of \$95,000, all from the State General Fund, to augment the salary of the Lieutenant Governor, who will also be overseeing health issues relating to the Kansas Department of Health and Environment, the Department on Aging and the Department of Social and Rehabilitation Services. (The same amount of funding has been reduced in the budget of the Department of Health and Environment.); and
- The transfer of responsibility for administration of the nonreportable E-911 grant program (including 2.4 FTE positions) from the Office of the Governor to the Office of the Attorney General.

Senate Subcommittee Recommendation

The **Subcommittee** concurs with the recommendations of the Governor, with the following adjustment and observations.

1. Delete 3.5 FTE positions. The agency's revised FY 2011 current year estimate added 3.5 FTE positions above the number approved by the 2010 Legislature for FY 2011. These positions were related to federal grants. The Subcommittee would like more information on these positions and the specific grants involved before continuing them for FY 2012, and wishes to review this issue again during Omnibus.
2. The Subcommittee notes concerns with funding for domestic violence prevention grants and funding for Children's Advocacy Centers. Funding for these programs is currently divided between the Office of the Governor, and the Attorney General. The Subcommittee received testimony from a number of advocates who expressed concerns with continuing availability of the funding in the Attorney General's office. The Subcommittee recommends consideration be given at Omnibus to consolidating all of the funding for domestic violence prevention grants and Children's Advocacy Center grants in one agency.
3. The Subcommittee has lingering questions and concerns about the budget of the Office of the Governor, specifically related to two staffing items. The Subcommittee would like to continue to consider this issue and have the full Committee further review that information prior to completion of the mega appropriation bill. The Subcommittee is particularly concerned with two issues:
 - A total of \$95,000, all from the State General Fund, is added to the budget for FY 2012, presumably to augment the salary of the Lieutenant Governor, who will also be overseeing health issues relating to the Kansas Department of Health and Environment, the Department on Aging and the Department of Social and Rehabilitation Services. The same amount of funding has been reduced in the budget of the Department of Health and Environment under the Governor's recommendation for FY 2012. The Subcommittee was informed, however, that the Governor and the Lieutenant had reached an initial agreement under which the Lieutenant Governor would receive total compensation of \$60,000, plus fringe benefits. A subsequent agreement reduced that amount by 10 percent, to \$54,000, plus fringe benefits. The remaining funding appears to have been shifted to other planned uses within the Governor's office. The Subcommittee would like a more thorough accounting of how that funding is intended to be used, and is concerned with the lack of transparency when funding is moved around in this manner.

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- During the course of its review of that issue, the Subcommittee learned that a number of employees are performing duties for the Governor's office, while being compensated by other state agencies. Again, the Subcommittee is concerned with the transparency issues in this instance and the difficulties this creates in trying to get a clear picture of the spending involved, not only in this agency, but the other agencies impacted.

Senate Committee Recommendation

The **Committee** concurs with the recommendations of the Subcommittee, with the following adjustments:

1. Add back 0.5 FTE position, of the 3.5 FTE positions recommended for deletion by the Subcommittee. This will provide some additional flexibility to the agency as it further determines the role the Lieutenant Governor will play within the Office of the Governor.
 2. Modify the Subcommittee's recommendations to provide that items noted for Omnibus consideration will be considered prior to conclusion of the Committee's action on the mega appropriations bill.
 3. The Committee notes information provided by the Office of the Governor which indicates that the Lieutenant Governor's official title within the Governor's Office will be Coordinator of the Working Group on Health Policy.
 4. Modify the Subcommittee's recommendations to provide that items noted for Omnibus consideration will instead be considered prior to conclusion of the the mega appropriations bill.
-

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Attachment 10-27

House Budget Committee Report

Agency: Office of the Governor

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 1158

Budget Page No. 112

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 6,824,528	\$ 6,762,611	\$ 0
Other Funds	10,304,531	10,304,531	0
Subtotal	\$ 17,129,059	\$ 17,067,142	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
TOTAL	\$ 17,129,059	\$ 17,067,142	\$ 0
FTE positions	43.5	43.1	(3.5)
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
TOTAL	44.5	44.1	(3.5)

Agency Request

The **agency** requests a FY 2012 budget totaling \$17.1 million, a decrease of \$174,246, or 1.0 percent, below the revised FY 2011 estimate. A reduction of \$202,508 in requested expenditures from federal funds is partially offset by an increase of \$28,262 in requested State General Fund expenditures. The request includes 43.5 FTE positions, unchanged from the revised current year estimate.

Governor's Recommendation

The **Governor** recommends FY 2012 expenditures of \$17.1 million, including \$6.8 million from the State General Fund. The recommendation is a decrease of \$241,163, or 1.4 percent, below the revised current year recommendation, and a decrease of \$61,917, or 0.4 percent, below the agency's FY 2012 request. The Governor's recommendation includes:

- A 5.0 percent State General Fund reduction from the agency's existing programs request (\$341,227);

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- The transfer of the Commission on Disability Concerns (\$184,310, all from the State General Fund, and 2.0 FTE positions) from the Department of Commerce to the Office of the Governor;
- The addition of \$95,000, all from the State General Fund, to augment the salary of the Lieutenant Governor, who will also be overseeing health issues relating to the Kansas Department of Health and Environment, the Department on Aging and the Department of Social and Rehabilitation Services. (The same amount of funding has been reduced in the budget of the Department of Health and Environment.); and
- The transfer of responsibility for administration of the nonreportable E-911 grant program (including 2.4 FTE positions) from the Office of the Governor to the Office of the Attorney General.

House Budget Committee Recommendation

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

1. The Budget Committee notes concerns with funding for domestic violence prevention grants. Funding for these programs is currently divided between the Office of the Governor, the Office of the Attorney General, and possibly other agencies. The Budget Committee wishes to further explore the issue of funding for domestic violence prevention programs and recommends consideration be given at Omnibus to consolidating all of the funding for domestic violence prevention grants in one agency.

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Senate Subcommittee Report

Agency: Secretary of State

Bill No. --

Bill Sec. 24

Analyst: Robinson

Analysis Pg. No. 1184

Budget Page No. 146

Expenditure Summary	Agency Request FY 2012	Governor Recommendation FY 2012	Senate Subcommittee Adjustments
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	6,759,609	6,759,609	0
Subtotal	<u>\$ 6,759,609</u>	<u>\$ 6,759,609</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>\$ 6,759,609</u></u>	<u><u>\$ 6,759,609</u></u>	<u><u>\$ 0</u></u>
FTE positions			
FTE positions	54.0	51.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u><u>54.0</u></u>	<u><u>51.0</u></u>	<u><u>0.0</u></u>

Agency Request

The **agency** requests a FY 2012 budget of \$6.8 million, a decrease of \$1.3 million, or 16.6 percent, below the revised current fiscal year estimate. The request includes 54.0 FTE positions, the same number as currently authorized. No enhancement funding is requested for FY 2012. Most of the decrease is the result of one-time expenditures from federal Help America Vote Act (HAVA) funds in the current year, which are not budgeted to be repeated in FY 2012.

Governor's Recommendation

The **Governor** concurs with the agency's FY 2012 request for expenditures. The Governor's recommendation, however, includes the deletion of 3.0 currently vacant FTE positions.

Senate Subcommittee Recommendation

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

1. The Subcommittee notes 2011 SB 128, currently referred to the Senate Ethics and Election Committee, delays the next scheduled Presidential Preference Primary from 2012 to 2016. Should this legislation not be enacted, the Secretary of State estimates expenditures of \$1.3 million, all from the State General Fund, will be required to cover

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the Secretary of State's costs and to reimburse counties for primary election related costs. No funding is included in the Governor's recommendation for the primary election costs. The Subcommittee recommends that the issue of funding be reviewed at Omnibus, after the outcome of the legislation to delay the Presidential Preference Primary has been determined.

2. The Subcommittee notes that a number of proposed Constitutional amendments have been introduced and under consideration by the Legislature. Currently, when a proposed amendment is going to appear on an election ballot, statutes require that the notice and text of the amendment must be published for three consecutive weeks in a newspaper of general circulation in each county in Kansas. Generally, the costs for this process are at least \$100,000 for each Constitutional amendment passed by the Legislature. The exact amount of this expense depends upon the length of the amendment and the rate charged by each newspaper. The Secretary of State estimates the publication costs of those amendments currently under consideration, should they be enacted, to be \$650,000, all from the State General Fund. The Subcommittee recommends reviewing the issue of funding for any proposed constitutional amendments that may be enacted by the Legislature during Omnibus.
3. The Subcommittee notes that while the Secretary of State is responsible for publication, sale and shipment of the *Session Laws of Kansas* and the *Kansas Administrative Regulations*, responsibilities for the *Kansas Statutes Annotated (KSAs)* are divided between the Revisor of Statutes and the Secretary of State. The Revisor of Statutes is responsible for publication of the KSAs, while the Secretary of State is responsible for their distribution. The Subcommittee believes it would be more consistent to consolidate the responsibilities for all of these items in one agency, and directs the Revisor of Statutes and the Secretary of State to develop a plan and report back at Omnibus with recommendations to accomplish that consolidation.

Senate Committee Recommendation

The **Committee** concurs with the recommendations of the Subcommittee.

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House Budget Committee Report

Agency: Secretary of State

Bill No. --

Bill Sec. --

Analyst: Robinson

Analysis Pg. No. 1184

Budget Page No. 146

<u>Expenditure Summary</u>	<u>Agency Request FY 2012</u>	<u>Governor Recommendation FY 2012</u>	<u>House Budget Committee Adjustments</u>
Operating Expenditures:			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	6,759,609	6,759,609	0
Subtotal	\$ 6,759,609	\$ 6,759,609	\$ 0
Capital Improvements			
State General Fund	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0
Subtotal	\$ 0	\$ 0	\$ 0
 TOTAL	 \$ 6,759,609	 \$ 6,759,609	 \$ 0
 FTE positions	 54.0	 51.0	 0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	54.0	51.0	0.0

Agency Request

The **agency** requests a FY 2012 budget of \$6.8 million, a decrease of \$1.3 million, or 16.6 percent, below the revised current fiscal year estimate. The request includes 54.0 FTE positions, the same number as currently authorized. No enhancement funding is requested for FY 2012. Most of the decrease is the result of one-time expenditures from federal Help America Vote Act (HAVA) funds in the current year, which are not budgeted to be repeated in FY 2012.

Governor's Recommendation

The **Governor** concurs with the agency's FY 2012 request for expenditures. The Governor's recommendation, however, includes the deletion of 3.0 currently vacant FTE positions.

House Budget Committee Recommendation

The **Budget Committee** concurs with the recommendations of the Governor, with the following observations:

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1. The Budget Committee notes that a number of proposed Constitutional amendments have been introduced and are under consideration by the Legislature. Currently, when a proposed amendment is going to appear on an election ballot, statutes require that the notice and text of the amendment must be published for three consecutive weeks in a newspaper of general circulation in each county in Kansas. Generally, the costs for this process are at least \$100,000 for each Constitutional amendment passed by the Legislature. The exact amount of this expense depends upon the length of the amendment and the rate charged by each newspaper. The Secretary of State estimates the costs of those amendments currently under consideration, should they be enacted, to be \$1.8 million, all from the State General Fund, although the funding would not be required until FY 2013. The 2011 Legislature required the agency to fund costs for two proposed amendments which appeared on the November 2010 general election ballot from existing resources, and the Budget Committee does not believe it is appropriate to require the agency to fund these costs out of its special revenue funds. The Budget Committee recommends that any future consideration for funding of costs related to proposed Constitutional amendments include funding from the State General Fund. The Budget Committee also notes that the *Kansas Constitution* limits the number of constitutional amendments that can appear on any one ballot to five. As of March 1, 2011, a total of nine proposed amendments are under consideration. In addition, if it is not included in the FY 2012 appropriations bill, the Budget Committee recommends continuation of the proviso first included in FY 2011 that requires the Secretary of State to prepare a report on the costs related to each proposed Constitutional amendment for the House Appropriations and Senate Ways and Means Committees.

2. The Budget Committee recommends the suspension of the statutory requirement to remit 20.0 percent up to a maximum of \$200,000 of the agency's fee receipts of its Uniform Commercial Code Fee Fund to the State General Fund for FY 2012. This would result in an estimated decrease of \$33,516 in revenue to the State General Fund in FY 2012. The Budget Committee recommends the agency consider pursuing private contractual arrangements to provide for services arranged previously or currently provided by the Department of Administration.

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Date March 11, 2011

Attachment 10-33