

The following questions have come up over the course of meetings held by the Senate Committee on Ways and Means this session. The items listed below were sent to the Division of the Budget, and in response we have coordinated responses to these items. We hope that this responds to the questions posed by Committee members. If this is not the case, please let us know.

1. “Overflow hospital contracts will become unfunded at the end of the year (\$160,000); the Governor believed that deficit could be absorbed within the existing budget. Mr. Anderson indicated budget revisions have occurred since leadership at SRS has changed. Chairperson McGinn expressed her concern relating to funding for crisis beds as well. Additional information will be provided by Mr. Anderson.”

SRS is not projecting to be over budget on these contracts. While Larned State Hospital has frequently used the Newton facility, Osawatomie and Rainbow have not had to. If the need does increase the last few months of the fiscal year, SRS will find a way to cover the overage.

2. “When asked concerning the funding specifics of the training program at the Larned State Hospital facility for the Sexual Predator Treatment Program (\$213,805), Mr. Anderson could not respond. He will provide detailed information regarding for what purpose this money is designated (i.e., staffing, supplies, and other categories of expenditures). In addition, Mr. Anderson was asked to respond why the funding was allocated at this time instead of FY 2013.”

According to SRS, \$213,805 is budgeted entirely for salaries. The Sex Predator Treatment Program Unit had budgeted staff for 177 residents in FY 2012, the census in November was 218. The agency needed immediate funding for 19 additional staff to ensure safety, provide the rehabilitative services required by law, and meet the Joint Commission’s statutory requirements. This will be achieved by opening a 30-bed unit in the Isaac Ray Building.

3. “A committee member noted an increase in funding for the Office of the State Banking Commissioner, Mr. Anderson confirmed that fact and elaborated that investigation with representatives from the banking industry indicated quality banking regulators were being trained in Kansas and then hired by the private sector; therefore the Division of Budget increased the expenditure authority to this agency to bring banking regulator compensation up to similar levels in the marketplace in order to slow the migration of state employees to the private sector jobs. In follow-up, a Senator asked Mr. Anderson to contrast his statements with an appeal from the Board of Credit Unions to the Governor’s office to reinstate a position due to a voluntary retirement; the position was reinstated in FY 2012 but not for FY 2013. Mr. Anderson submitted that the voluntary retirement program was through the Department of Administration, the appeal process pre-dated the budget recommendations. The committee member emphasized the importance of dialogue between agencies, especially when timing of processes and programs conflict; a review of the situation was requested. Mr. Anderson will follow-up with committee members following his review.”

Bank regulators at the Office of the State Bank Commissioner have been hired away by the private sector, but a larger problem has been the higher salaries and wages that are being offered by federal regulatory agencies, especially in the Kansas City area. Federal agencies and the businesses that they regulate have had to hire a lot more employees to deal with the additional regulatory requirements of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010. The Governor's budget recommendation was to capture savings from the Voluntary Retirement Incentive Program (VRIP) in FY 2013. No dollar amounts or positions were reduced in the budget for FY 2012 from the VRIP for any agency. The Governor has since issued a Governor's Budget Amendment to restore the dollar amounts and FTE positions in FY 2013 that are associated with the VRIP for both the Department of Credit Unions and the Office of the State Bank Commissioner. The Division of the Budget attempted to coordinate these issues with the Department of Administration but for purposes of assembling a budget, some decisions had to be made absent complete information. This issue has since been corrected.

4. "A committee member indicated that she would provide Mr. Anderson with further information about funding promised to mental health clinics, only to discover, when the budget was released, the funding was excluded. Following receipt of the information from the senator, Mr. Anderson indicated he would review and respond to the issue."

Mental health managed care rate adjustments were done in the fall consensus meeting. Because SRS increased the rates after the fall consensus estimates were set, they do not yet appear in the budget. They will be reflected once the spring consensus estimates are done in April.

5. "When asked concerning the \$1.2 million funding to the State Wildlife and Parks, Mr. Anderson responded this is to replace lost fee revenue due to the drought, which was unanticipated. The funding is designated for contractual services, commodities and capital outlay; a committee member inquired what capital outlay projects were funding targets (which lakes and what projects). Mr. Anderson responded he would follow-up at a later time."

Additional information on Wildlife & Parks was submitted to the Committee on February 3, but to further elaborate, additional detail on the capital outlay piece is listed here. This information has not been parsed out to us by state park but by type of purchase. For FY 2012, the 2011 Legislature authorized \$460,413 from the agency's Parks Fee Fund for capital outlay expenditures for the 24 state parks. These expenditures included:

1. \$226,251 for lawn mowers, agriculture equipment, and tractor and mower parts and attachments;
2. \$120,000 for five pickup trucks;
3. \$35,700 to replace office equipment such as desks, chairs, filing cabinets, and bookcases;
4. \$2,000 for shop and plant equipment and tools;

5. \$61,000 for maintenance and repair of the camping facilities, including lights, electrical boxes, water hookups, and pads; and
6. \$15,462 for replacement and upgrade of computer hardware and software.

Because of the decrease in Parks Fee Fund revenues for FY 2012, the agency will instead use \$460,000 of the \$1.2 million in supplemental funding recommended by the Governor from the State General Fund for its capital outlay expenses.

6. “When asked concerning the lapse of funding (\$42,000) from the Children’s Cabinet, Mr. Anderson indicated he would follow up and provide from what program the funds were lapsed.”

Within the SRS budget, \$42,367 from the Children’s Cabinet Accountability Fund reappropriated from FY 2011 to FY 2012. The Children’s Cabinet did not budget to spend these funds in FY 2012 and so they were lapsed. This fund is used to contract with the KU Institute for Public Service and Educational Research to evaluate the performance and verify the accountability of spending in CIF programs. During the 2011 Legislative Session there was some question all the way to the end of session as to whether this funding would be reduced because of the ongoing issues with CIF shortfalls. Because of this uncertainty, the Cabinet took a conservative approach so as to not overspend the budget for this contract. The Family Centered Systems of Care Fund, Child Care Fund also had similar, very small reappropriations that SRS did not budget and were also recommended to be lapsed. The total CIF lapse in FY 2012 came to \$42,583.

7. “When asked concerning federal funding for the Kansas Arts Commission, Mr. Anderson indicated he would follow-up with the Kansas Arts Commission regarding whether or not a grant application was made to the National Endowment for the Arts.”

The Arts Commission applied for federal funds from the NEA twice in the past year and was turned down both times. We can provide copies of the letters if needed. Legislative Research staff has copies as well.

8. “With regard to the KBI lab and whether other labs in Kansas provide similar or like testing, additional information was requested on the number of cases/tests involved in other facilities. Mr. Anderson will furnish that information at a later time.”

The Director of the KBI lab, Mike VanStratton, has provided additional detail on forensic lab work in the state, which is outlined on the next page.

Cases per Forensic Laboratory

There are only three forensic science laboratories in Kansas. One being the state forensic laboratory at the KBI, the other two Johnson County Sheriff's Department Crime Lab and the Sedgwick County Forensic Science Center.

The administrators of the Sedgwick and Johnson County laboratories have provided their case numbers to me. I've also included the number of cases received each year from the KBI.

	Johnson Co. Lab	Sedgwick Co. Lab	KBI Lab	KBI Submissions
2005	2,577	NA	13,582	15,114
2006	2,852	6,690	14,058	15,692
2007	3,063	7,325	13,622	15,336
2008	2,818	6,245	12,447	14,026
2009	3,132	5,920	12,684	14,541
2010	3,178	5,626	13,066	15,041
2011	3,139	NA	12,522	14,336

Included in the chart is the number of submissions to the KBI laboratory. These are additional requests and evidence associated with a case which generally requires additional testing and reports.

If we look at the year 2010 in which we have case load data from all three laboratories it indicates that the KBI received 33% more cases than Johnson and Sedgwick Counties combined and with less staffing than the Johnson and Sedgwick Counties combined.

Forensic Services Provided by Each Laboratory

Forensic Discipline	Johnson Co.	Sedgwick Co.	KBI
Biology/DNA	X	X	X
Drug Testing	X	X	X
Firearms/Toolmarks	X	X	X
Questioned Documents			X
Trace Evidence	X	X	
Fire Debris	X	X	X
Autopsy		X	
Latent Prints/Footwear	X		X
Video Examines	X		
Toxicology	Yes as of 2012	X	X
Crime Scene	X		only when requested
DNA Databank			X