

**SENATE BILL No. 459**

By Senator Hensley

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AN ACT requiring information regarding services for seniors and their families as part of budget estimates of state agencies and the governor's budget report; amending K.S.A. 2003 Supp. 75-3717 and 75-3721 and repealing the existing sections.

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

Section 1. K.S.A. 2003 Supp. 75-3717 is hereby amended to read as follows: 75-3717. (a) As provided in this section, each state agency, not later than October 1 of each year, shall file with the division of the budget its budget estimates for the next fiscal year, and all amendments and revisions thereof, except that, in lieu of such annual filing, each agency listed in subsection (f), not later than October 1, 2000, and every two years thereafter, shall file budget estimates for the next fiscal year and for the ensuing fiscal year thereafter. Each agency listed in subsection (f) may file adjustments to such agency's budget that was approved by the legislature during a prior fiscal year. All such budget estimates shall be in the form provided by the director of the budget. Each agency's budget estimates shall include:

(1) A full explanation of the agency's request for any appropriations for the expansion of present services or the addition of new activities, including an estimate of the anticipated expenditures for the next fiscal year and for each of the three ensuing fiscal years which would be required to support each expansion of present services or addition of new services as requested by the state agency; ~~and~~

(2) a listing of all programs of the agency that provide services for children and their families and the following information regarding each such program: Of the amount of the agency's request for appropriations to fund the program, that amount which will be spent on services for children or families with children and the number of children or families with children who are served by the program; *and*

(3) *a listing of all programs of the agency that provide services for seniors and their families and the following information regarding each such program: Of the amount of the agency's request for appropriations to fund the program, that amount which will be spent on services for seniors or families who provide caregiving for seniors and the number of*

1 *seniors or families who provide caregiving for seniors and the number of*  
2 *seniors or families who provide caregiving who are served by the*  
3 *program.*

4 (b) At the same time as each state agency submits to the division of  
5 the budget a copy of its budget estimate, and all amendments and revi-  
6 sions thereof, each such state agency shall submit a copy of such estimate,  
7 and all amendments and revisions thereof, directly to the legislative re-  
8 search department for legislative use.

9 (c) The director of the budget shall require the agencies to submit a  
10 sufficient number of copies of their budget estimates, and all amendments  
11 and revisions thereof, to the director's office to satisfy the requirements  
12 of such office and one additional copy for legislative use which shall be  
13 retained in the division of the budget until the budget of the governor is  
14 submitted to the legislature. On or before the day that such budget is  
15 submitted to the legislature such legislative use copy, posted to reflect  
16 the governor's budget recommendations, shall be submitted to the leg-  
17 islative research department for use by the ways and means committee  
18 of the senate and the committee on appropriations of the house of rep-  
19 resentatives. Following presentation of the governor's budget report to  
20 the legislature, the legislative research department may request and shall  
21 receive detailed information from the division of the budget on the gov-  
22 ernor's budget recommendations.

23 (d) The director of the budget may prepare budget estimates for any  
24 state agency failing to file a request.

25 (e) As used in this section, "services for children and their families"  
26 includes but is not limited to any of the following services, whether pro-  
27 vided directly or made accessible through subsidies or other payments:

28 (1) Financial support for children and families with children or en-  
29 forcement of the obligation to support a child or a family with one or  
30 more children;

31 (2) prenatal care, health care for children or immunizations for  
32 children;

33 (3) mental health or retardation services for children;

34 (4) nutrition for children or families with children or nutritional coun-  
35 seling or supplements for pregnant or nursing women;

36 (5) child care, early childhood education or parenting education;

37 (6) licensure or regulation of child care or early childhood education  
38 programs;

39 (7) treatment, counseling or other services to preserve families;

40 (8) care, treatment, placement or adoption of children without func-  
41 tioning families;

42 (9) services to prevent child abuse and to treat and protect child  
43 abuse victims;

- 1 (10) services for children who are pregnant, substance abusers or oth-  
2 erwise involved in high risk behavior;
- 3 (11) services related to court proceedings involving children; and
- 4 (12) youth employment services.
- 5 (f) *As used in this section, "senior" means an individual 60 years of*  
6 *age or older and "services for seniors and their families" includes, but is*  
7 *not limited to any of the following services, whether provided directly or*  
8 *made accessible through subsidies or other payments:*
- 9 (1) *Home and community-based services for seniors of relatives pro-*  
10 *viding caregiving services for seniors;*
- 11 (2) *transportation for seniors or relatives providing caregiving serv-*  
12 *ices for seniors;*
- 13 (3) *medicaid expenditures for seniors or relatives who provide care-*  
14 *giving for seniors;*
- 15 (4) *pharmacy expenditures or pharmacy assistance for seniors;*
- 16 (5) *nursing facility expenditures for seniors;*
- 17 (6) *ombudsman expenditures for seniors;*
- 18 (7) *health care for seniors or immunizations for seniors;*
- 19 (8) *mental health or retardation services for seniors;*
- 20 (9) *housing and housing assistance for seniors;*
- 21 (10) *nutrition for seniors or families who provide caregiving for sen-*  
22 *iors or nutritional counseling;*
- 23 (11) *regulation of senior education programs;*
- 24 (12) *treatment, counseling or other services to preserve families;*
- 25 (13) *services to prevent senior abuse and to treat and protect senior*  
26 *abuse victims;*
- 27 (14) *services for seniors who are substance abusers or otherwise in-*  
28 *olved in high-risk behavior;*
- 29 (15) *services related to court proceedings involving seniors; and*
- 30 (16) *senior employment services.*
- 31 (g) On a biennial basis, the following state agencies shall file budget  
32 estimates under the provisions of subsection (a): Abstracters' board of  
33 examiners, behavioral sciences regulatory board, board of accountancy,  
34 board of examiners in optometry, board of nursing, consumer credit com-  
35 missioner, Kansas board of barbering, Kansas board of examiners in fitting  
36 and dispensing of hearing aids, Kansas dental board, Kansas real estate  
37 commission, Kansas state board of cosmetology, office of the securities  
38 commissioner of Kansas, real estate appraisal board, state bank commis-  
39 sioner, state board of healing arts, state board of mortuary arts, state board  
40 of pharmacy, state board of technical professions, state board of veterinary  
41 examiners, governmental ethics commission and state department of  
42 credit unions.
- 43 Sec. 2. K.S.A. 2003 Supp. 75-3721 is hereby amended to read as

1 follows: 75-3721. (a) On or before the eighth calendar day of each regular  
2 legislative session, the governor shall submit the budget report to the  
3 legislature, except that in the case of the regular legislative session im-  
4 mediately following the election of a governor who was elected to the  
5 office of governor for the first time, that governor shall submit the budget  
6 report to the legislature on or before the 21st calendar day of that regular  
7 legislative session.

8 (b) The budget report of the governor shall be set up in three parts,  
9 the nature and contents of which shall include the following:

10 (1) Part one shall consist of a budget message by such governor, in-  
11 cluding the governor's recommendations with reference to the fiscal pol-  
12 icy of the state government for the current fiscal year and the ensuing  
13 fiscal year, describing the important features of the budget plan for each  
14 of the fiscal years included, embracing a general budget summary setting  
15 forth the aggregate figures of the budget so as to show the balanced  
16 relation between the total proposed expenditures and the total anticipated  
17 income for the current fiscal year and the ensuing fiscal year, with the  
18 basis and factors upon which the estimates were made, and the means of  
19 financing the budget plan for the each of the fiscal years included, com-  
20 pared with the corresponding figures for at least the last completed fiscal  
21 year, and the director of the budget shall prepare the figures for the  
22 governor for such comparisons.

23 (A) The budget plan shall not include (i) any proposed expenditures  
24 of anticipated income attributable to proposed legislation that would pro-  
25 vide additional revenues from either current or new sources of revenue,  
26 or (ii) any proposed expenditures of moneys in the ending balance in the  
27 state general fund required by K.S.A. 75-6702, and amendments thereto.

28 (B) The general budget summary may be supported by explanatory  
29 schedules or statements, classifying the expenditures contained therein  
30 by state agencies, objects, and funds, and the income by state agencies,  
31 funds, sources and types. The general budget summary shall include all  
32 special or fee funds as well as the state general fund, and shall include  
33 the estimated amounts of federal aids, for whatever purpose provided,  
34 together with estimated expenditures therefrom.

35 (2) Part two shall embrace the detailed budget estimates for each of  
36 the fiscal years included, both of expenditures and revenues, showing the  
37 requests of the state agencies, if any, and the incoming governor's rec-  
38 ommendations thereon. It shall also include statements of the bonded  
39 indebtedness of the state, showing the actual amount of the debt service  
40 for at least the last completed fiscal year, and the estimated amount for  
41 the current fiscal year and for each of the ensuing fiscal years included,  
42 the debt authorized and unissued, and the condition of the sinking funds.

43 (3) Part three shall consist of a draft of a legislative measure or meas-

1 ures reflecting the incoming governor's budget for all of the fiscal years  
2 included in the budget report.

3 (c) The division of the budget shall compile a children's budget doc-  
4 ument consisting of the information contained in agency budget estimates  
5 regarding programs that provide services for children and their families.  
6 Such document shall be provided to the ~~Kansas commission on children,  
7 youth and families, established by the governor's executive order number  
8 91-145~~ *Kansas children's cabinet established by K.S.A. 38-1901, and  
9 amendments thereto*, and other persons or entities on request.

10 (d) The division of the budget, upon request, shall furnish the gov-  
11 ernor or the legislature with any further information required concerning  
12 the budget.

13 (e) Nothing in this section shall be construed to restrict or limit the  
14 privilege of the governor to present supplemental budget messages or  
15 amendments to previous budget messages, which may include proposals  
16 for expenditure of new or increased sources of revenue derived from  
17 proposed legislation.

18 (f) The budget estimate for the judicial branch of state government  
19 as submitted to the director of the budget pursuant to K.S.A. 20-158, and  
20 amendments thereto, shall be included in the governor's budget report.

21 (g) *The division of the budget shall compile a seniors' budget docu-  
22 ment consisting of the information contained in agency budget estimates  
23 regarding programs that provide services for seniors and their families.  
24 Such document shall be provided to the senate committee on public health  
25 and welfare, the house of representatives committee on health and human  
26 services, and to the department on aging, and the department on social  
27 and rehabilitation services and to other persons and entities on request.*

28 Sec. 3. K.S.A. 2003 Supp. 75-3717 and 75-3721 are hereby repealed.

29 Sec. 4. This act shall take effect and be in force from and after its  
30 publication in the statute book.

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