

ATTORNEY GENERAL

Expenditure	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Operating Expenditures:					
State General Fund	\$ 6,053,857	\$ 5,620,759	\$ 5,670,759	\$ 5,855,103	\$ 5,783,987
Other Funds	14,711,123	16,204,690	16,154,690	15,934,558	15,955,674
TOTAL	\$ 20,764,980	\$ 21,825,449	\$ 21,825,449	\$ 21,789,661	\$ 21,739,661
Capital Improvements:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0	0	0
TOTAL	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
GRAND TOTAL	\$ 20,764,980	\$ 21,825,449	\$ 21,825,449	\$ 21,789,661	\$ 21,739,661

Percentage Change:

Operating Expenditures					
State General Fund	1.7 %	(7.2) %	(6.3) %	4.2 %	2.0 %
All Funds	(3.2)	5.1	5.1	(0.2)	(0.4)
FTE Positions	118.0	118.4	118.4	119.4	119.4
Non-FTE Perm.Uncl.Pos.	17.0	14.5	14.5	13.5	13.5
TOTAL	135.0	132.9	132.9	132.9	132.9

AGENCY OVERVIEW

The Attorney General is a constitutional statewide elected official who is the chief legal officer of, and advocate for, the state, and serves as its chief law enforcement officer. The office is organized into eight programs: Administration, Criminal Litigation, Legal Opinions and Government Counsel, Consumer Protection, Civil Litigation, Crime Victims Compensation Board, Victim Services and Grants, and Medicaid Fraud and Abuse.

MAJOR ISSUES FROM PRIOR YEARS

The **2010 Legislature** added \$350,000, including \$200,000 from the State General Fund, for grants to domestic violence prevention programs and children's advocacy centers in FY 2011.

The **2010 Legislature** added language in FY 2011 to authorize the Attorney General to issue bonds, in amounts to be determined by the Attorney General, not to exceed an aggregate total of \$19.0 million, for necessary expenditures related to interstate water litigation activities, subject to State Finance Council approval. Bond repayments first came from any proceeds received as a result of interstate water litigation activities. 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 **2011 Legislature** added a total of \$550,000, all from special revenue funds, for domestic violence and sexual assault prevention programs in FY 2012.

The **2012 Legislature** transferred \$881,920, all from the Court Cost Fund, to the State General Fund in FY 2013 to be used for the Senior Care Act program in the budget of the Department for Aging and Disability Services.

The **2013 Legislature** deleted \$289,984, all from the State General Fund, in FY 2014 and \$290,091, all from the State General Fund, for FY 2015, to eliminate funding for the Internet Training Education for Kansas Kids program. The program provided grants for internet safety presentations through the Kansas Alliance of Boys and Girls Clubs.

The **2013 Legislature** added \$636,000, all from the State General Fund, and 2.0 FTE positions in FY 2014 to allow the agency to implement provisions of 2013 Senate Sub. for HB 2034, concerning human trafficking. The approved budget also included \$266,000, all from special revenue funds, and 2.0 FTE positions, in FY 2014 to allow the agency to implement provisions of the Roofing Contractor Registration Act. The Legislature also added funding, all from the County Law Enforcement Equipment Fund, in FY 2014 (\$191,140) and FY 2015 (\$30,100), to allow the agency to distribute grant funding to local law enforcement agencies.

The **2014 Legislature** deleted \$200,000 for a State General Fund reappropriation from FY 2013 to FY 2014.

The **2014 Legislature** added \$555,960, all from the Court Cost Fund, in FY 2014 to offset salaries and wages expenditure reductions directed by the 2013 Legislature. The Legislature also added \$559,286 from the Concealed Weapon Licensure Fund for background checks due to increased concealed weapon permit applications in FY 2014.

The **2014 Legislature** added \$62,383, all from the Home Inspector Registration Closure Fund, for a grant to the Kansas Association of Real Estate Inspectors in FY 2014. This was the remaining balance in the fund received as a transfer after the sunset of the agency.

The **2014 Legislature** added \$30,401 in FY 2014 and \$85,664 in FY 2015, all from the Roofer Registration Fund, and 1.0 FTE position to investigate roofing complaints.

The **2014 Legislature** added \$636,000, all from the State General Fund, to support the anti-human trafficking program for FY 2015.

The **2014 Legislature** added \$290,091, all from the State General Fund, for the Internet Training Education for Kids grant program, in FY 2015.

The **2014 Legislature** added \$174,393, including \$94,393 from the State General Fund, and 2.0 FTE positions in FY 2015. This funded two additional attorney positions to implement the provisions of 2014 SB 256 which allowed the Attorney General to handle criminal appeals for the counties and 2014 SB 310 which allowed grand juries to be empaneled by citizen petition.

The **2014 Legislature** transferred \$5.0 million from the Court Cost Fund to the State General Fund in FY 2015.

The **2015 Legislature** authorized the transfer of \$1.0 million from the unencumbered balance of the Medicaid Fraud Prosecution Revolving Fund to the State General Fund in FY 2015, FY 2016, and FY 2017. Additional authorized transfers from this fund included \$150,343 to the Domestic Violence Grant Fund in the Office of the Governor in FY 2016 and FY 2017, and \$33,348 to the Child Advocacy Center Grant Fund in the Office of the Governor in FY 2016 and FY 2017.

The **2015 Legislature** added, all from special revenue funds, \$150,000 in FY 2015 and \$250,000 for FY 2016 for labor litigation in the Civil Litigation program.

The **2015 Legislature** added \$125,000, all from special revenue funds, for office security enhancements for FY 2016.

The **2015 Legislature** appropriated the Attorney General's Open Government Fund with a no-limit expenditure authority for FY 2016 and FY 2017. (2015 HB 2256 created the fund to allow the Office of the Attorney General to collect all civil penalties, expenses, costs, and attorney fees awarded in an action brought by the Attorney General regarding the Kansas Open Records and Meetings Acts. Expenditures from the fund will be used to enforce the Kansas Open Records and Meetings Acts).

The **2015 Legislature** passed 2015 HB 2048 which established the Scrap Metal Theft Reduction Act. The agency now administers a database tracking scrap metal sales. Additionally, the agency collects fees, charges, and penalties charged under the act and uses these to administer the provisions of the law.

The **2015 Legislature** added *proviso* language to 2015 House Sub. for SB 112 to deposit the first \$2.0 million received from Nebraska under the case of Kansas v. Nebraska, No. 126, Original in the Supreme Court into the Interstate Water Litigation Fund, and to deposit the remaining amount into the Republican River Water Conservation Projects - Nebraska Moneys Fund of the Kansas Water Office, in FY 2015. Clarifying language was included in the *proviso* requiring the Director of Accounts to transfer any funds, above \$2.0 million, that have already been deposited in the Interstate Water Litigation Fund to the Republican River Water Conservation Projects - Nebraska Moneys Fund of the Kansas Water Office. This *proviso* language also included any funds deposited in FY 2016 and FY 2017.

BUDGET SUMMARY AND KEY POINTS

FY 2016 – Current Year. The **agency** requests a revised estimate totaling \$21.8 million, including \$5.6 million from the State General Fund, in FY 2016. This is an all funds increase of \$746,509, or 3.5 percent, above the amount approved by the 2015 Legislature. The increase is largely due to higher expenditures on salaries and wages, partially offset by reduced expenditures on contractual services. The revised estimate includes 118.4 FTE positions, a decrease of 1.6 positions from the approved amount.

The agency requests \$197,090, all from special revenue funds, and 2.0 FTE positions as supplementals in its FY 2016 budget request. The supplemental request includes; \$147,090 from the Court Cost Fund for two Child Crime Investigators, appropriation of the Scrap Metal Theft Reduction Fund, and a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator Expense Fund.

The **Governor** recommends \$21.8 million, including \$5.7 million from the State General Fund, in FY 2016. This is a special revenue funds decrease of \$50,000, but a State General Fund increase of \$50,000, from the agency's request. The Governor's recommendation includes 118.4 FTE positions, which is unchanged from the agency's revised estimate.

The special revenue funds decrease is due to the Governor not recommending the agency's supplemental request for a transfer from the State General Fund to the Sexually Violent Predator Expense Fund. The State General Fund increase is due to the Governor recommending supplemental funding for \$50,000 to the Attorney General in the event a lawsuit is necessary to protect the state from any federal government decision to transfer prisoners from the Guantanamo Bay prison to a prison in Kansas. The Governor concurs with the agency's request for the child crime scene investigators and related funding.

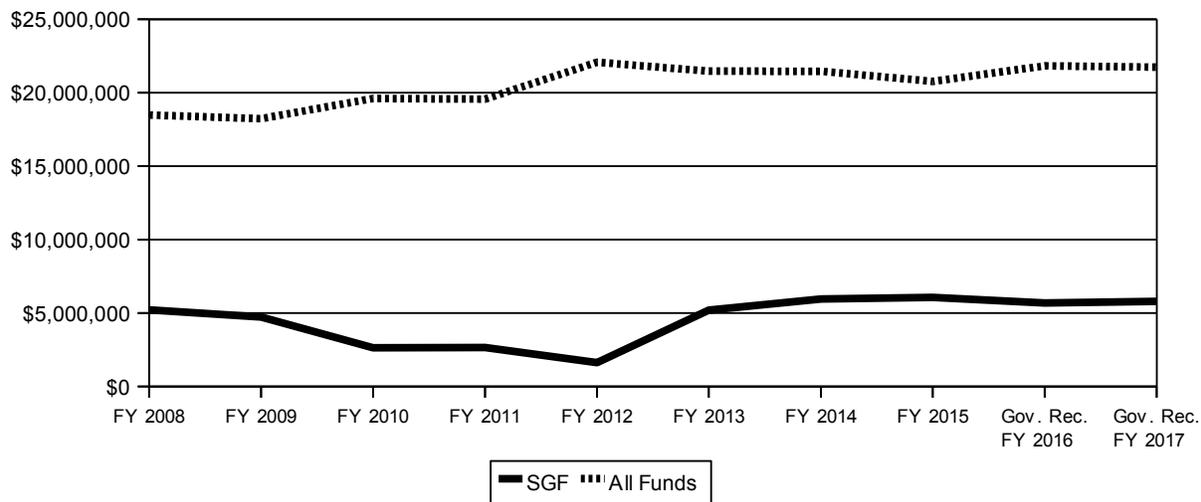
FY 2017 – Budget Year. The **agency** requests a revised estimate totaling \$21.8 million, including \$5.9 million from the State General Fund, for FY 2017. This is an all funds increase of \$783,955, or 3.7 percent, and a State General Fund increase of 71,116, or 1.2 percent, above the amount approved by the 2015 Legislature. The all funds increase is largely due to higher expenditures on salaries and wages, partially offset by reduced expenditures on contractual services. The revised estimate includes 119.4 FTE positions, which is a decrease of 0.6 FTE positions. The agency requests \$255,549, including \$71,116 from the State General Fund, and 2.0 FTE positions as FY 2017 supplemental requests. The supplemental request includes; \$134,433 from the Court Cost Fund for two Child Crime Investigators, appropriation of the Scrap Metal Theft Reduction Fund, a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator Expense Fund and \$71,116, all from the State General Fund, for nine months of funding to continue the on-going anti-racial profiling work assigned to the agency by the 2011 Legislature.

The **Governor** recommends \$21.7 million, including \$5.8 million from the State General Fund, for FY 2017. This is a net decrease of \$50,000, or 0.2 percent, and a State General Fund decrease of \$71,116, or 1.2 percent, below the agency's revised estimate. The Governor does recommend 119.4 FTE positions, which is unchanged from the agency's revised estimate.

For the supplemental requests, the Governor recommends \$134,433, all from special revenue funds, and 2.0 FTE positions for FY 2017 for Child Crime Investigator positions. The Governor also recommends that the Scrap Metal Theft Reduction Fund be appropriated to the agency and that the agency reduce its expenditures from the Court Cost Fund by \$75,000, and increase its expenditures by the same amount from the newly appropriated fund. The Governor does not recommend the agency's request for a transfer from the State General Fund to the Sexually Violent Predator Expense Fund or the agency's request for State General Fund expenditures to continue on-going anti-racial profiling work. Instead the Governor recommends that the agency use its Court Cost Fund to finance its on-going anti-racial profiling work.

BUDGET TRENDS

OPERATING EXPENDITURES FY 2008 – FY 2017



OPERATING EXPENDITURES FY 2008 – FY 2017

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2008	\$ 5,209,198	8.1 %	\$ 18,479,202	7.8 %	102.0
2009	4,726,465	(9.3)	18,227,135	(1.4)	108.0
2010	2,630,987	(44.3)	19,603,835	7.6	110.0
2011	2,644,520	0.5	19,558,850	(0.2)	102.0
2012	1,614,246	(39.0)	22,067,561	12.8	106.5
2013	5,195,188	221.8	21,462,873	(2.7)	115.0
2014	5,953,398	14.6	21,453,777	(0.0)	118.0
2015	6,053,857	1.7	20,764,980	(3.2)	118.0
2016 Gov. Rec.	5,670,759	(6.3)	21,825,449	5.1	118.4
2017 Gov. Rec.	5,783,987	2.0	21,739,661	(0.4)	119.4
Ten-Year Change Dollars/Percent	\$ 574,789	11.0 %	\$ 3,260,459	17.6 %	17.4

Summary of Operating Budget FY 2015 - FY 2017

Attorney General

	Actual 2015	Agency Estimate				Governor's Recommendation			
		Estimate FY 2016	Estimate FY 2017	Dollar Change from FY 16	Percent Change from FY 16	Rec. FY 2016	Rec. FY 2017	Dollar Change from FY 16	Percent Change from FY 16
By Program:									
Administration	\$ 1,088,066	\$ 1,131,847	\$ 1,031,083	\$ (100,764)	(8.9) %	\$ 1,131,847	\$ 1,031,083	\$ (100,764)	(8.9)%
Criminal Litigation	3,907,577	4,182,698	4,288,972	106,274	2.5	4,182,698	4,288,972	106,274	2.5
Legal Opinions & Government Counsel	694,050	735,599	760,299	24,700	3.4	735,599	760,299	24,700	3.4
Consumer Protection	2,075,610	2,483,771	2,519,471	35,700	1.4	2,483,771	2,519,471	35,700	1.4
Civil Litigation	5,166,333	4,678,144	4,499,999	(178,145)	(3.8)	4,678,144	4,449,999	(228,145)	(4.9)
Crime Victims Compensation Board	3,401,852	3,880,936	3,892,645	11,709	0.3	3,880,936	3,892,645	11,709	0.3
Victim Services and Grants	3,340,643	3,323,788	3,349,629	25,841	0.8	3,323,788	3,349,629	25,841	0.8
Medicaid Fraud and Abuse Unit	1,090,849	1,408,666	1,447,563	38,897	2.8	1,408,666	1,447,563	38,897	2.8
TOTAL	\$ 20,764,980	\$ 21,825,449	\$ 21,789,661	\$ (35,788)	(0.2) %	\$ 21,825,449	\$ 21,739,661	\$ (85,788)	(0.4)%
By Major Object of Expenditure:									
Salaries and Wages	\$ 8,883,316	\$ 10,384,115	\$ 10,780,071	\$ 395,956	3.8 %	\$ 10,384,115	\$ 10,780,071	\$ 395,956	3.8 %
Contractual Services	5,719,705	4,927,455	4,555,921	(371,534)	(7.5)	4,977,455	4,555,921	(421,534)	(8.5)
Commodities	96,367	131,603	131,603	0	0.0	131,603	131,603	0	0.0
Capital Outlay	164,612	201,276	141,066	(60,210)	(29.9)	201,276	141,066	(60,210)	(29.9)
Debt Service	0	0	0	0	--	0	0	0	--
Subtotal - Operations	\$ 14,864,000	\$ 15,644,449	\$ 15,608,661	\$ (35,788)	(0.2) %	\$ 15,694,449	\$ 15,608,661	\$ (85,788)	(0.5)%
Aid to Local Units	23,200	50,000	50,000	0	0.0	0	0	0	--
Other Assistance	5,877,780	6,131,000	6,131,000	0	0.0	6,131,000	6,131,000	0	0.0
TOTAL	\$ 20,764,980	\$ 21,825,449	\$ 21,789,661	\$ (35,788)	(0.2) %	\$ 21,825,449	\$ 21,739,661	\$ (85,788)	(0.4)%
Financing:									
State General Fund	\$ 6,053,857	\$ 5,620,759	\$ 5,855,103	\$ 234,344	4.2 %	\$ 5,670,759	\$ 5,783,987	\$ 113,228	2.0 %
Court Cost Fund	1,889,379	2,989,146	2,592,038	(397,108)	(13.3)	2,989,146	2,663,154	(325,992)	(10.9)
Interstate Water Litigation Fund	983	168,194	582,450	414,256	246.3	168,194	582,450	414,256	246.3
Medicaid Fraud Prosecution Revolving Fund	1,197,966	1,661,778	1,188,114	(473,664)	(28.5)	1,661,778	1,188,114	(473,664)	(28.5)
Federal Funds	2,835,943	3,013,234	3,119,251	106,017	3.5	3,013,234	3,119,251	106,017	3.5
All Other Funds	8,786,852	8,372,338	8,452,705	80,367	1.0	8,322,338	8,402,705	80,367	1.0
TOTAL	\$ 20,764,980	\$ 21,825,449	\$ 21,789,661	\$ (35,788)	(0.2) %	\$ 21,825,449	\$ 21,739,661	\$ (85,788)	(0.4)%

BUDGET OVERVIEW

A. FY 2016 – Current Year

Adjustments to Approved State General Fund Budget

The 2015 Legislature approved a State General Fund budget of \$5,617,781 for the Attorney General in FY 2016. One adjustment has subsequently been made to that amount:

- An increase of \$2,978 based on the reappropriation of FY 2015 funding which was not spent in FY 2015 and has shifted to FY 2016.

This adjustment changes the FY 2016 approved State General Fund amount to \$5,620,759. That amount is reflected in the table below as the currently approved FY 2016 State General Fund amount.

	CHANGE FROM APPROVED BUDGET				
	Legislative Approved FY 2016	Agency Estimate FY 2016	Agency Change from Approved	Governor Rec. FY 2016	Governor Change from Approved
State General Fund	\$ 5,620,759	\$ 5,620,759	\$ 0	\$ 5,670,759	\$ 50,000
All Other Funds	15,458,181	16,204,690	746,509	16,154,690	696,509
TOTAL	\$ 21,078,940	\$ 21,825,449	\$ 746,509	\$ 21,825,449	\$ 746,509
FTE Positions	120.0	118.4	(1.6)	118.4	(1.6)

The **agency** requests a revised estimate totaling \$21.8 million, including \$5.6 from the State General Fund, in FY 2016. This is an all funds increase of \$746,509, or 3.5 percent, above the amount approved by the 2015 Legislature. The increase is largely due to higher expenditures on salaries and wages, partially offset by reduced expenditures on contractual services. The revised estimate includes 118.4 FTE positions, a decrease of 1.6 positions from the approved amount. Changes from the approved amount are detailed below.

- **Salaries and Wages.** Expenditures for salaries and wages total \$10.4 million, including \$4.2 million from the State General Fund, in FY 2016. This is an all funds increase of \$890,111, or 9.4 percent, and a State General Fund increase of \$3,067, or 0.1 percent, above the amount approved by the 2015 Legislature. The increase is largely due to higher expenditures on pay to unclassified employees (\$817,520) that occurred in the majority of the agency's programs; the largest of which were in the Criminal Litigation (\$360,080), Consumer Protection (\$244,202), and Civil Litigation (\$181,088) programs. The agency noted that it funded vacant positions in anticipation of filling them. A portion of the salaries and wages increase is due to the agency's supplemental request for \$106,164, all from special revenue funds, for 2.0 FTE Child Crime Investigators. The agency also reduced salaries and wages shrinkage by

\$331,532 to reflect current vacancies. Increases were partially offset by reduced expenditures on group health hospitalization (\$27,236).

Expenditures for salaries and wages from the Tort Claims Fund increase by \$918,429, or 100.0 percent, and from the Medicaid Fraud Prosecution Revolving Fund by \$642,126, or 216.0 percent, when compared to the approved amount. The agency noted that it shifted funding to the Tort Claims Fund for salaries and wages to pay individuals working in the Civil Litigation program for the work they do related to tort claims. Expenditures from the Medicaid Indirect Cost Federal Fund are estimated to decrease by \$364,299, or 100.0 percent.

- **Contractual Services.** Expenditures for contractual services total \$4.9 million, including \$197,778 from the State General Fund, in FY 2016. This is an all special revenue funds decrease of \$261,024, or 5.0 percent, below the amount approved by the 2015 Legislature. The reduction is primarily due to less expenditures on other fees (\$292,230); the majority of which are in the Criminal Litigation program due to reduced expenditures from the Concealed Weapon Licensure Fund. These expenditures largely include payments to the Kansas Bureau of Investigation for background checks related to the issuance of concealed carry permits. The decrease is partially offset by increased expenditures on meals and lodging (\$14,176) in the Criminal Litigation and Consumer protection programs and the State Buildings Operating Charge (\$12,349) in the Medicaid Fraud and Abuse Unit. A portion of the increase on meals and lodging (\$5,676) is due to the agency's supplemental request for 2.0 FTE Child Crime Investigators.

Expenditures for contractual services from the Concealed Weapons Licensure Fund are estimated to decrease by \$290,500, or 25.6 percent, when compared to the approved amount due to reduced expenditures related to the issuance of concealed carry permits.

- **Commodities.** Expenditures for commodities total \$131,603, including \$39,734 from the State General Fund, in FY 2016. This is an all special revenue funds increase of \$8,040, or 6.5 percent, above the amount approved. The increase is primarily due to increased expenditures on gasoline (\$6,940) included as part of the agency's enhancement request for 2.0 FTE Child Crime Investigators.
- **Capital Outlay.** Expenditures for capital outlay total \$201,276, including \$14,077 from the State General Fund, in FY 2016. This is an all funds increase of \$24,360, or 13.8 percent, but a State General Fund decrease of \$89, or less than 1.0 percent, from the amount approved by the 2015 Legislature. The all funds increase is largely due to higher expenditures on trucks (\$25,600) and professional and scientific equipment (\$23,810) in the Criminal Litigation program, and microcomputing equipment (\$15,550) in the Consumer Protection program. The increase in professional and scientific equipment is due entirely to the agency's supplemental request for 2.0 FTE Child Crime Investigators. The increase is partially offset by reduced expenditures on passenger cars (\$48,900) in the Criminal Litigation program.
- **Aid to Local Units.** Expenditures for aid to local units total \$50,000, all from the Sexually Violent Predator Expense Fund, in FY 2016. The increase is a 100.0 percent increase above the approved amount and is due to the agency's

supplemental request for a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator Expense Fund for use in the Civil Litigation program. The agency reimburses counties for costs related to determining whether a person may be a sexually violent predator and the civil commitment of a suspected sexually violent predator. The fund has no dedicated revenue source. Claims received over the amount available in the fund are referred to the Joint Committee on Claims Against the State.

- **Other Assistance.** Expenditures for other assistance total \$6.1 million, including \$1.1 million from the State General Fund, for in FY 2016. This is an all special revenue funds increase of \$38,000, or less than 1.0 percent, above the amount approved by the 2015 Legislature. The increase in expenditures is from the Children's Advocacy Center Fund which is used to provide child-focused forensic assessments to children, advocacy, and support for victims of sexual abuse or serious physical abuse, and support for their caregiver. Services often include counseling, in-home support, legal advocacy, court accompaniment, and interpretation services.

The **Governor** recommends \$21.8 million, including \$5.7 million from the State General Fund, in FY 2016. This is a special revenue funds decrease of \$50,000, but a State General Fund increase of \$50,000, from agency's request. The Governor's recommendation includes 118.4 FTE position, which is unchanged from the agency's revised estimate. The special revenue funds decrease is due to the Governor not recommending the agency's supplemental request for a transfer from the State General Fund to the Sexually Violent Predator Expense Fund. The State General Fund increase is due to the Governor recommending supplemental funding for \$50,000 to the Attorney General in the event a lawsuit is necessary to protect the state from any federal government decision to transfer prisoners from the Guantanamo Bay prison to a prison in Kansas.

Supplemental Detail

Supplementals	FY 2016 SUPPLEMENTALS					
	Agency Estimate			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Child Crime						
Investigators	\$ 0	\$ 147,090	2.0	\$ 0	\$ 147,090	2.0
Scrap Metal Theft						
Reduction Fund	0	0	0.0	0	0	0.0
Sexually Violent						
Predator Expense						
Fund	0	50,000	0.0	0	0	0.0
Guantanamo Bay						
Prisoner Transfer						
Lawsuit	0	0	0.0	50,000	0	0.0
TOTAL	\$ 0	\$ 197,090	2.0	\$ 50,000	\$ 147,090	2.0

The **agency** requests \$197,090, all from special revenue funds, and 2.0 FTE positions as supplementals in its FY 2016 budget request.

- **Child Crime Investigator Positions.** The agency requests \$147,090, all from the Court Cost Fund, and 2.0 FTE positions for Child Crime Investigators, in FY 2016. These positions would be a certified law enforcement officers housed at the Kansas Bureau of Investigation.

The Governor recommends this supplemental request in FY 2016.

- **Scrap Metal Theft Reduction Fund.** The agency requests that the Scrap Metal Theft Reduction Fund be appropriated with no-limit expenditure authority to the agency in FY 2016. The 2015 Legislature passed HB 2048 that created the Scrap Metal Theft Reduction Act which the Attorney General administers a database tracking scrap metal sales. Additionally, the agency collects fees, charges, and penalties charged under the act and uses these to administer the provisions of the law. HB 2048 passed after the conference committee on the appropriation bill had concluded its work; therefore, the fund was not appropriated to the agency.

The **Governor** recommends this supplemental request in FY 2016. Additionally, the Governor recommends that the agency reduce its expenditures from the Court Cost Fund by \$75,000, and increase its expenditures by the same amount from the newly appropriated fund.

- **Sexually Violent Predator Expense Fund.** The agency requests a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator Expense Fund in FY 2016. The agency reimburses counties for costs related to determining whether a person may be a sexually violent predator and the civil commitment of a suspected sexually violent predator. The fund has no dedicated revenue source. Claims received over the amount available in the fund are referred to the Joint Committee on Claims Against the State.

The **Governor** does not recommend this supplemental request in FY 2016.

The **Governor** recommends \$147,000, all from special revenue funds, and 2.0 FTE positions in FY 2016 for Child Crime Investigator positions. The Governor also recommends that the Scrap Metal Theft Reduction Fund be appropriated to the agency, and that the agency reduce its expenditures from the Court Cost Fund by \$75,000 and increase its expenditures by the same amount from the newly appropriated fund. The Governor does not recommend the agency's supplemental request for a transfer of \$50,000 from the State General Fund to the Sexually Violent Predator Expense Fund.

The Governor also recommends additional supplemental funding totaling \$50,000, all from the State General Fund, in the event a lawsuit is necessary to protect the state from any federal government decision to transfer prisoners from the Guantanamo Bay prison to a prison in Kansas.

B. FY 2017 – Budget Year

Adjustments to Approved State General Fund Budget

The 2015 Legislature approved a State General Fund budget of \$5,783,987 for the Attorney General in FY 2017. No adjustments have subsequently been made to that amount.

CHANGE FROM APPROVED BUDGET					
	Legislative Approved FY 2017	Agency Estimate FY 2017	Agency Change from Approved	Governor Rec. FY 2017	Governor Change from Approved
State General Fund	\$ 5,783,987	\$ 5,855,103	\$ 71,116	\$ 5,783,987	\$ 0
All Other Funds	15,221,719	15,934,558	712,839	15,955,674	733,955
TOTAL	\$ 21,005,706	\$ 21,789,661	\$ 783,955	\$ 21,739,661	\$ 733,955
FTE Positions	120.0	119.4	(0.6)	119.4	(0.6)

The **agency** requests a revised estimate totaling \$21.8 million, including \$5.9 million from the State General Fund, for FY 2017. This is an all funds increase of \$783,955, or 3.7 percent, and a State General Fund increase of \$71,116, or 1.2 percent, above the amount approved by the 2015 Legislature. The all funds increase is largely due higher expenditures on salaries and wages, partially offset by reduced expenditures on contractual services. The revised estimate includes 119.4 FTE positions, which is a decrease of 0.6 FTE positions. Changes from the approved budget are detailed below.

- Salaries and Wages.** Expenditures for salaries and wages total \$10.8 million, including \$4.4 million from the State General Fund, for FY 2017. This is an all funds increase of \$948,389, or 9.6 percent, and a State General increase of \$218,741, or 5.2 percent, above the approved amount. The increase is largely due to higher expenditures on pay to unclassified employees (\$871,467) that occurred in the majority of the agency's programs; the largest of which were in the Criminal Litigation (\$373,923), Consumer Protection (\$273,435), and Civil Litigation (\$190,748) programs. The agency noted that it funded vacant positions in anticipation of filling them. A portion of the salaries and wages increase is due to the agency's supplemental request for \$117,317, all from special revenue funds, for 2.0 FTE Child Crime Investigators. The agency also reduced salaries and wages shrinkage by \$339,137 to reflect current vacancies. Increases were offset by increased Medicare expenditures.

Expenditures for salaries and wages from the Tort Claims Fund increase by \$951,780, or 100.0 percent, and from the Medicaid Fraud Prosecution Revolving Fund by \$664,953, or 215.9 percent, when compared to the approved amount. The agency noted that it shifted funding to the Tort Claims Fund for salaries and wages to pay individuals working in the Civil Litigation program for the work they do related to tort claims. Expenditures from the Medicaid Indirect Cost Federal Fund are estimated to decrease by \$377,504, or 100.0 percent.

- **Contractual Services.** Expenditures for contractual services total \$4.6 million, including \$212,143 from the State General Fund, for FY 2017. This is an all funds reduction of \$261,024, or 5.4 percent, but a State General Fund increase of \$14,475, or 7.3 percent. The reduction is primarily due to less expenditures on other fees (\$292,340); the majority of which are in the Criminal Litigation program due to reduced expenditures from the Concealed Weapon Licensure Fund. These expenditures largely include payments to the Kansas Bureau of Investigation for background checks related to the issuance of concealed carry permits. The increase is partially offset by increased expenditures on meals and lodging (\$14,176) in the Criminal Litigation and Consumer protection programs and the State Buildings Operating Charge (\$12,575) in the Medicaid Fraud and Abuse Unit. A portion of the increase on meals and lodging (\$5,676) is due to the agency's supplemental request for 2.0 FTE Child Crime Investigators.

Expenditures for contractual services from the Court Cost Fund decrease by \$697,152, or 44.2 percent, and from the Concealed Weapon Licensure Fund by \$843,708, or 25.6 percent. Expenditures from the Interstate Water Litigation Fund are estimated to increase \$582,450, or 100.0 percent.

- **Commodities.** Expenditures for commodities total \$131,603, including \$40,559 from the State General Fund, for FY 2017. This is an all funds increase of \$8,040, or 6.5 percent, and a State General Fund increase of \$825, or 2.1 percent, above the amount approved by the 2015 Legislature. The net increase is largely due to higher expenditures on gasoline (\$6,940), as included in the agency's supplemental request for 2.0 FTE Child Crime Investigators, and stationary and office supplies (\$1,100).
- **Capital Outlay.** Expenditures for capital outlay total \$141,066, including \$14,490 from the State General, for FY 2017. This is an all funds increase of \$550, or less than 1.0 percent, and a State General Fund increase of \$324, or 2.3 percent, above the amount approved by the 2015 Legislature. The net increase is largely due to higher expenditures on trucks (\$25,600) in the Criminal Litigation program and computer equipment (\$17,550), partially offset by reduced expenditures on passenger cars (\$48,900) in the Criminal Litigation program.
- **Aid to Local Units.** Expenditures for aid to local units total \$50,000, all from the Sexually Violent Predator Expense Fund, for FY 2017. The increase is a 100.0 percent increase above the approved amount and is due to the agency's supplemental request for a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator Expense Fund for use in the Civil Litigation program. The agency reimburses counties for costs related to determining whether a person may be a sexually violent predator and the civil commitment of a suspected sexually violent predator. The fund has no dedicated revenue source. Claims received over the amount available in the fund are referred to the Joint Committee on Claims Against the State.
- **Other Assistance.** Expenditures for other assistance total \$6.1 million, including \$1.1 million from the State General Fund, for FY 2017. This is an all other funds increase of \$38,000, or less than 1.0 percent, above the amount approved by the 2015 Legislature. The increase in expenditures is from the Children's Advocacy Center Fund which is used to provide child-focused forensic assessments to children, advocacy, and support for victims of sexual abuse or serious physical

abuse, and support for their caregiver. Services often include counseling, in-home support, legal advocacy, court accompaniment, and interpretation services.

The **Governor** recommends \$21.7 million, including \$5.8 million from the State General Fund, for FY 2017. This is a net decrease of \$50,000, or 0.2 percent, and a State General Fund decrease of \$71,116, or 1.2 percent, below the agency's revised estimate. The Governor recommends 119.4 FTE positions, which is unchanged from the agency's revised estimate. The State General Fund decrease results from the Governor not recommending the agency's supplemental request for State General Fund expenditures for nine months of funding to continue the on-going anti-racial profiling work assigned to the agency by the 2011 Legislature. Instead the Governor recommends that the agency finance the supplemental request through its Court Cost Fund. Lastly, the Governor did not recommend the agency's request for a transfer from the State General Fund to the Sexually Violent Predator Expense Fund.

Supplemental Detail

Supplementals	FY 2017 SUPPLEMENTALS					
	Agency Estimate			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Child Crime Investigators	\$ 0	\$ 134,433	2.0	\$ 0	\$ 134,433	2.0
Scrap Metal Theft Reduction Fund	0	0	0.0	0	0	0.0
Sexually Violent Predator Expense Fund	0	50,000	0.0	0	0	0.0
Racial Profiling Program Funding	71,116	71,116	0.0	0	71,116	0.0
TOTAL	\$ 71,116	\$ 255,549	2.0	\$ 0	\$ 205,549	2.0

The **agency** requests \$255,549, including \$71,116 from the State General Fund, and 2.0 FTE positions as FY 2017 supplemental requests. The requests and the Governor's recommendation are detailed below.

- **Child Crime Investigator Positions.** The agency requests \$134,433, all from the Court Cost Fund, and 2.0 FTE positions for Child Crime Investigators, for FY 2017. These positions would be a certified law enforcement officers housed at the Kansas Bureau of Investigation.

The Governor recommends this supplemental request for FY 2017.

- **Scrap Metal Theft Reduction Fund.** The agency requests that the Scrap Metal Theft Reduction Fund be appropriated with no-limit expenditure authority to the agency for FY 2017. The 2015 Legislature passed HB 2048 that created the Scrap Metal Theft Reduction Act which the Attorney General administers a database tracking scrap metal sales. Additionally, the agency collects fees, charges, and penalties charged under the act and uses these to administer the provisions of the law. HB 2048 passed after the conference committee on the

appropriation bill had concluded its work; therefore, the fund was not appropriated to the agency.

The Governor recommends this supplemental request for FY 2017.

- **Sexually Violent Predator Expense Fund.** The agency requests a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator Expense Fund for FY 2017. The agency reimburses counties for costs related to determining whether a person may be a sexually violent predator and the civil commitment of a suspected sexually violent predator. The fund has no dedicated revenue source. Claims received over the amount available in the fund are referred to the Joint Committee on Claims Against the State.

The **Governor** does not recommend this supplemental request for FY 2017. Additionally, the Governor recommends that the agency reduce its expenditures from the Court Cost Fund by \$75,000, and increase its expenditures by the same amount from the newly appropriated fund.

- **Racial Profiling Program Funding.** The agency requests \$71,116, all from the State General Fund, for nine months of funding to continue the on-going anti-racial profiling work assigned to the agency by the 2011 Legislature. In 2012, the agency received a federal grant to finance the hiring of one employee to handle racial-profiling related tasks. Grant funding for the position will end in September 2016.

The **Governor** does not recommend a transfer from the State General Fund, but instead that the agency use its Court Cost Fund to finance the supplemental request for FY 2017.

The **Governor** recommends recommends \$134,433, all from special revenue funds, and 2.0 FTE positions for FY 2017 for Child Crime Investigator positions. The Governor also recommends that the Scrap Metal Theft Reduction Fund be appropriated to the agency and that the agency reduce its expenditures from the Court Cost Fund by \$75,000, and increase its expenditures by the same amount from the newly appropriated fund. The Governor does not recommend the agency's request for a transfer from the State General Fund to the Sexually Violent Predator Expense Fund or the agency's request for State General Fund expenditures to continue on-going anti-racial profiling work. Instead the Governor recommends that the agency use its Court Cost Fund to finance its on-going anti-racial profiling work.

Funding Sources

Funding Source	Agency Est. Percent of Total FY 2017	Gov. Rec. Percent of Total FY 2017
State General Fund	26.9 %	26.6 %
Court Cost Fund	11.9	12.3
Interstate Water Litigation Fund	2.7	2.7
Medicaid Fraud Prosecution Revolving Fund	5.5	5.5
Federal Funds	14.3	14.3
All Other Funds	38.8	38.7
TOTAL	100.0 %	100.0 %

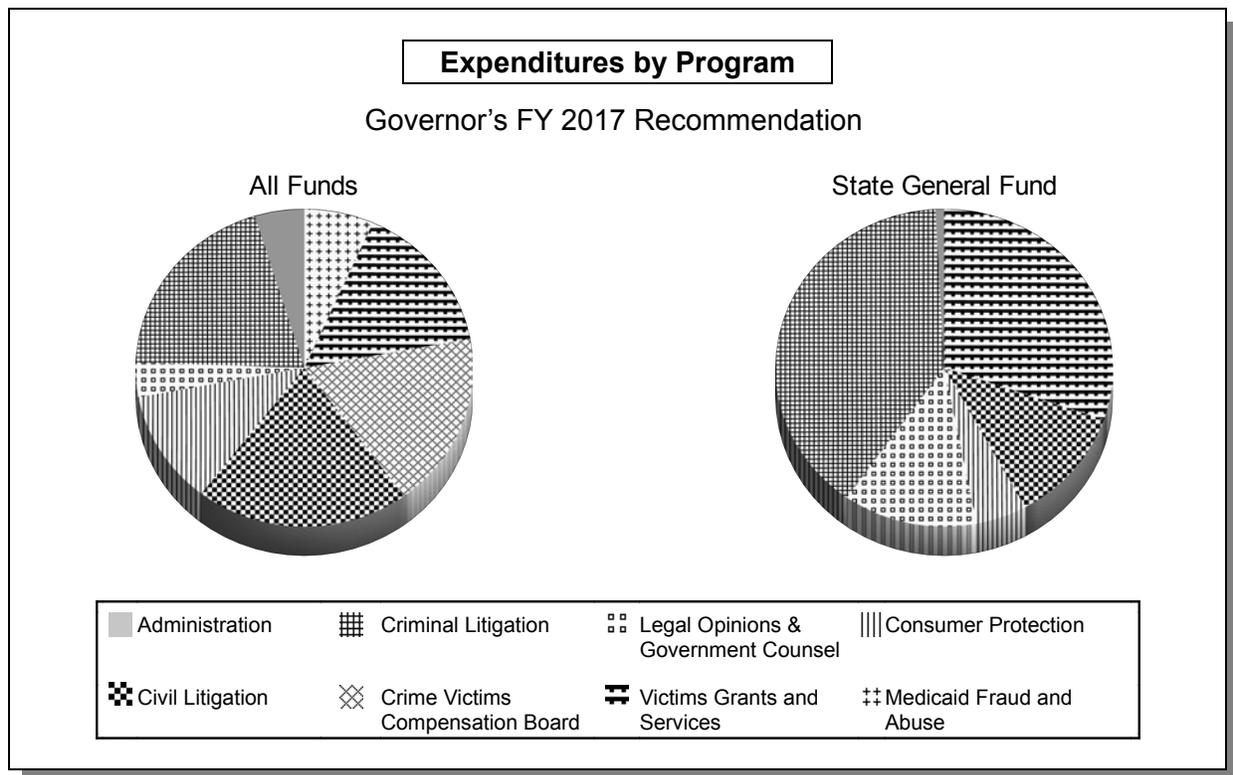
Note: Details may not add to totals due to rounding.

Court Cost Fund Fee Fund Analysis

The Court Cost Fund recovers fees and expenses of investigators and lawyers in the Consumer Protection program. The main source of revenue to this fund is from large multi-state actions. As a smaller state, Kansas has little control over these cases and must generally depend on other states to take the lead. The agency deposits these receipts consistent with the related court order for use in consumer protection matters. Receipts vary from year to year.

Resource Estimate	Actual FY 2015	Agency Estimate FY 2016	Gov. Rec. FY 2016	Agency Estimate FY 2017	Gov. Rec. FY 2017
Beginning Balance	\$ 2,401,334	\$ 3,833,123	\$ 3,833,123	\$ 2,578,977	\$ 2,578,977
Revenue	3,269,252	1,650,000	1,650,000	1,650,000	1,650,000
Transfers in	406,916	85,000	160,000	85,000	160,000
Total Funds Available	\$ 6,077,502	\$ 5,568,123	\$ 5,643,123	\$ 4,313,977	\$ 4,388,977
Less: Expenditures	1,889,379	2,989,146	2,989,146	2,592,038	2,663,154
Transfers Out	355,000	0	75,000	0	75,000
Off Budget Expenditures	0	0	0	0	0
Ending Balance	\$ 3,833,123	\$ 2,578,977	\$ 2,578,977	\$ 1,721,939	\$ 1,650,823
Ending Balance as Percent of Expenditures	202.9%	86.3%	86.3%	66.4%	62.0%

PROGRAM DETAIL



Program	Gov. Rec. All Funds FY 2017	Percent of Total	Gov. Rec. SGF FY 2017	Percent of Total
Administration	\$ 1,031,083	4.7 %	\$ 48,553	0.8 %
Criminal Litigation	4,288,972	19.7	2,276,050	39.4
Legal Opinions & Government Counsel	760,229	3.5	746,113	12.9
Consumer Protection	2,519,471	11.6	281,878	4.9
Civil Litigation	4,449,999	20.5	679,648	11.8
Crime Victims Compensation Board	3,892,645	17.9	0	0.0
Victims Grants and Services	3,349,629	15.4	1,751,745	30.3
Medicaid Fraud and Abuse	1,447,563	6.7	0	0.0
TOTAL	\$ 21,739,591	100.0 %	\$ 5,783,987	100.0 %

FTE POSITIONS BY PROGRAM FY 2015 – FY 2017					
Program	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Administration	7.47	7.10	7.10	7.30	7.30
Criminal Litigation	30.86	30.40	30.40	30.40	30.40
Legal Opinions & Government Counsel	6.00	6.00	6.00	6.80	6.80
Consumer Protection	22.10	22.90	22.90	22.90	22.90
Civil Litigation	20.32	21.17	21.17	21.17	21.17
Crime Victims Compensation Board	6.00	5.87	5.87	5.87	5.87
Victim Services and Grants	10.25	9.95	9.95	9.95	9.95
Medicaid Fraud and Abuse Unit	15.00	15.00	15.00	15.00	15.00
TOTAL	118.00	118.39	118.39	119.39	119.39

A. Administration

The Administration program provides accounting, budgeting, purchasing, information technology, and human resources functions for the agency. Additionally, the administrative program provides training and resources for school-based police. This includes training for the state-wide Drug Abuse Resistance Education (D.A.R.E) program.

ADMINISTRATION SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 583,294	\$ 663,964	\$ 663,964	\$ 687,800	\$ 687,800
Contractual Services	179,650	420,213	420,213	295,613	295,613
Commodities	8,861	5,670	5,670	5,670	5,670
Capital Outlay	75,970	32,000	32,000	32,000	32,000
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 847,775</i>	<i>\$ 1,121,847</i>	<i>\$ 1,121,847</i>	<i>\$ 1,021,083</i>	<i>\$ 1,021,083</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	240,291	10,000	10,000	10,000	10,000
TOTAL	\$ 1,088,066	\$ 1,131,847	\$ 1,131,847	\$ 1,031,083	\$ 1,031,083
Financing:					
State General Fund	\$ 395,785	\$ 48,663	\$ 48,663	\$ 48,553	\$ 48,553
All Other Funds	692,281	1,083,184	1,083,184	982,530	982,530
TOTAL	\$ 1,088,066	\$ 1,131,847	\$ 1,131,847	\$ 1,031,083	\$ 1,031,083
FTE Positions	7.5	7.1	7.1	7.3	7.3
Non-FTE Uncl. Perm. Pos.	0.9	0.7	0.7	0.5	0.5
TOTAL	8.4	7.8	7.8	7.8	7.8

The **agency** requests a revised estimate totaling \$1.0 million, including \$48,553 from the State General Fund, for the Administration program for FY 2017. This is an all funds increase of \$50,686, or 5.2 percent, but a State General Fund decrease of \$244,663, or 83.4 percent, from the amount approved by the 2015 Legislature. The all funds increase is largely due to higher expenditures on pay to unclassified employees (\$45,279) and employer contributions to KPERS (\$5,591), partially offset by reduced expenditures on group health hospitalization (\$5,185).

Expenditures for salaries and wages from Medicaid Fraud Prosecution Revolving Fund increase by \$672,853, or 4,501.6 percent, while expenditures from the Medicaid Indirect Cost Federal Fund decrease by \$377,504, or 100.0 percent, when compared to the approved amount.

The **Governor** concurs with the agency's revised estimate for the Administration program for FY 2017.

B. Criminal Litigation

The Criminal Litigation program provides legal advice, support, and aid to Kansas counties and district attorneys prosecuting those charged with violating the Kansas Criminal Code. The program also sustains appellate attorneys that represent the State in criminal direct appeals and collateral appeals before state and federal appellate courts. Additionally, the program provides representation for the State in civil commitment proceedings for those deemed to be sexually violent predators. The program investigates complaints of abuse of children in Department for Aging and Disability Services' institutions and Department of Corrections. Other duties of the program include establishing sharing agreements to receive revenues from federal forfeiture cases; investigating and licensing applicants for concealed carry weapons; providing licensing services and maintaining information on persons and agencies as private detectives and agencies; and, maximizing the use of the Kansas Intelligence Fusion Center that produces intelligence analysis of terrorism threats, biological threats, and cyber-warfare.

**CRIMINAL LITIGATION
SUMMARY OF EXPENDITURES FY 2015 – FY 2017**

Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 2,664,958	\$ 3,041,672	\$ 3,041,672	\$ 3,170,862	\$ 3,170,862
Contractual Services	1,155,927	1,006,401	1,006,401	1,007,295	1,007,295
Commodities	42,095	55,415	55,415	55,415	55,415
Capital Outlay	19,544	79,210	79,210	55,400	55,400
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 3,882,524</u>	<u>\$ 4,182,698</u>	<u>\$ 4,182,698</u>	<u>\$ 4,288,972</u>	<u>\$ 4,288,972</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	25,053	0	0	0	0
TOTAL	<u>\$ 3,907,577</u>	<u>\$ 4,182,698</u>	<u>\$ 4,182,698</u>	<u>\$ 4,288,972</u>	<u>\$ 4,288,972</u>
Financing:					
State General Fund	\$ 2,243,519	\$ 2,190,059	\$ 2,190,059	\$ 2,276,050	\$ 2,276,050
All Other Funds	1,664,058	1,992,639	1,992,639	2,012,922	2,012,922
TOTAL	<u>\$ 3,907,577</u>	<u>\$ 4,182,698</u>	<u>\$ 4,182,698</u>	<u>\$ 4,288,972</u>	<u>\$ 4,288,972</u>
FTE Positions	30.9	30.4	30.4	30.4	30.4
Non-FTE Uncl. Perm. Pos.	8.4	7.2	7.2	7.2	7.2
TOTAL	<u>39.3</u>	<u>37.6</u>	<u>37.6</u>	<u>37.6</u>	<u>37.6</u>

The **agency** requests a revised estimate totaling \$4.3 million, including \$2.3 million from the State General Fund, for the Criminal Litigation program for FY 2017. This is an all funds increase of \$196,906, of 4.8 percent, and a State General Fund increase of \$460,440, or 25.4 percent, above the amount approved by the 2015 Legislature. Increased expenditures on salaries and wages and commodities are offset by reduced expenditures on contractual services. The estimate includes 30.4 FTE and 7.2 non-FTE positions, which is a decrease of 1.5 FTE and 2.2 non-FTE positions from the approved number. Major changes are detailed below.

- **Salaries and Wages.** Expenditures on salaries and wages total \$3.2 million, including \$2.2 million from the State General Fund. This is an all funds increase of \$470,290, or 17.4 percent, and a State General Fund increase of \$460,440, or 27.0 percent, above the amount approved by the 2015 Legislature. A portion of the increase (\$117,317) is related to the agency's supplemental request for 2.0 FTE Child Crime Investigators. The remaining increase (\$352,973) is due to higher expenditures on pay to unclassified employees (\$286,702), and a salaries and wages shrinkage adjustment (\$163,048).
- **Contractual Services.** Expenditures on contractual services total \$1.0 million, including \$72,502 from the State General Fund. This is an all special revenue funds decrease of \$280,324, or 21.8 percent, below the approved amount, and is due to reduced expenditures from the Concealed License Weapon Licensure Fund. The decrease is offset by higher expenditures on training, lodging, and meals included as part of the agency's supplemental request for 2.0 FTE Child Crime Investigators.

- **Commodities.** Expenditures on commodities total \$55,415, including \$35,021 from the State General Fund. This is a special revenue funds increase of \$6,940, or 14.3 percent, and is due to increased expenditures on gasoline included as part of the agency's enhancement request for 2.0 FTE Child Crime Investigators.

The **Governor** concurs with the agency's revised estimate for the Criminal Litigation program for FY 2017.

C. Legal Opinions & Government Counsel

The Legal Opinions and Government Counsel program researches legal questions and provides technical assistance to legislators and public agencies. In addition, the program reviews proposed rules and regulations, bond issues, state contracts, and inter-local cooperation agreements. The program serves as general counsel for 28 boards and commissions, attends administrative board meetings and hearings, and drafts administrative orders. The program also investigates complaints concerning violations of the Open Meetings Act, Open Records Act, and Architectural Accessibility Act.

LEGAL OPINIONS & GOVERNMENT COUNSEL SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 559,873	\$ 662,056	\$ 662,056	\$ 686,516	\$ 686,516
Contractual Services	123,843	68,298	68,298	68,538	68,538
Commodities	1,978	2,545	2,545	2,545	2,545
Capital Outlay	8,356	2,700	2,700	2,700	2,700
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 694,050</i>	<i>\$ 735,599</i>	<i>\$ 735,599</i>	<i>\$ 760,299</i>	<i>\$ 760,299</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	<u>\$ 694,050</u>	<u>\$ 735,599</u>	<u>\$ 735,599</u>	<u>\$ 760,299</u>	<u>\$ 760,299</u>
Financing:					
State General Fund	\$ 612,515	\$ 721,653	\$ 721,653	\$ 746,113	\$ 746,113
All Other Funds	81,535	13,946	13,946	14,186	14,186
TOTAL	<u>\$ 694,050</u>	<u>\$ 735,599</u>	<u>\$ 735,599</u>	<u>\$ 760,299</u>	<u>\$ 760,299</u>
FTE Positions	6.0	6.0	6.0	6.8	6.8
Non-FTE Uncl. Perm. Pos.	1.0	0.8	0.8	0.0	0.0
TOTAL	<u>7.0</u>	<u>6.8</u>	<u>6.8</u>	<u>6.8</u>	<u>6.8</u>

The **agency** requests a revised estimate totaling \$760,299, including \$746,113 from the State General Fund, for the Legal Opinions & Government Counsel program for FY 2017. This is an all funds decrease of \$3,554, or less than 0.5 percent, but a State General Fund increase of \$90,807, or 13.9 percent, from the amount approved by the 2015 Legislature. The decrease is in salaries and wages expenditures, more specifically the agency anticipates lower pay to

unclassified temporary employees (\$41,197), partially offset by increased expenditures on unclassified regular employees (\$43,602). Funding for salaries and wage expenditures shifted from the Bond Transcript Review fund to the State General Fund.

The **Governor** concurs with the agency's revised estimate for the Legal Opinions & Government Counsel program for FY 2017.

D. Consumer Protection

The primary duty of the Consumer Protection program is to enforce the Kansas Consumer Protection Act. The program also enforces the Kansas Charitable Organizations and Solicitations Act, Kansas False Claims Acts, Kansas No-Call Act, the Kansas Brand Law, Kansas Roofing Registration Act, and Scrap Metal Theft Reduction Act. Additionally, the program enforces state and federal antitrust laws, racial or other bias-based policing laws, and aspects of criminal law, including identity theft and financial elder abuse. It also assists in the prevention of Social Security disability fraud.

CONSUMER PROTECTION SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 1,611,964	\$ 1,950,940	\$ 1,950,940	\$ 2,022,366	\$ 2,022,366
Contractual Services	390,817	455,204	455,204	455,878	455,878
Commodities	20,111	21,888	21,888	21,888	21,888
Capital Outlay	40,993	55,739	55,739	19,339	19,339
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 2,063,885</i>	<i>\$ 2,483,771</i>	<i>\$ 2,483,771</i>	<i>\$ 2,519,471</i>	<i>\$ 2,519,471</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	11,725	0	0	0	0
TOTAL	<u>\$ 2,075,610</u>	<u>\$ 2,483,771</u>	<u>\$ 2,483,771</u>	<u>\$ 2,519,471</u>	<u>\$ 2,519,471</u>
Financing:					
State General Fund	\$ 233,344	\$ 272,880	\$ 272,880	\$ 352,994	\$ 281,878
All Other Funds	1,842,266	2,210,891	2,210,891	2,166,477	2,237,593
TOTAL	<u>\$ 2,075,610</u>	<u>\$ 2,483,771</u>	<u>\$ 2,483,771</u>	<u>\$ 2,519,471</u>	<u>\$ 2,519,471</u>
FTE Positions	22.1	22.9	22.9	22.9	22.9
Non-FTE Uncl. Perm. Pos.	4.4	4.2	4.2	4.2	4.2
TOTAL	<u>26.5</u>	<u>27.1</u>	<u>27.1</u>	<u>27.1</u>	<u>27.1</u>

The **agency** requests a revised estimate totaling \$2.5 million, including \$352,994 from the State General Fund, for the Consumer Protection program for FY 2017. This is an all funds increase of \$200,518, or 8.6 percent, and a State General Fund increase of \$289,648, 457.2 percent, above the amount approved by the 2015 Legislature. The revised estimate includes 22.9 FTE and 4.2 non-FTE positions.

The largest increase (\$179,568) occurs in salaries and wages, which is 9.7 percent above the approved amount. The increase is due primarily to higher pay to unclassified employees (\$273,435) and Social Security (\$15,008).

The agency has two supplemental requests in this program, as detailed below.

- **Racial Profiling Program.** The agency requests \$71,116, all from the State General Fund, for nine months of funding to continue the on-going anti-racial profiling work assigned to the agency by the 2011 Legislature. In 2012, the agency received a federal grant to finance the hiring of one employee to handle racial-profiling related tasks. Grant funding for the position will end in September 2016.
- **Scrap Metal Theft Reduction Fund.** The agency requests that the Scrap Metal Theft Reduction Fund be appropriated with no-limit expenditure authority to the agency for FY 2017. The 2015 Legislature passed HB 2048 that created the Scrap Metal Theft Reduction Act which the Attorney General administers a database tracking scrap metal sales. Additionally, the agency collects fees, charges, and penalties charged under the act and uses these to administer the provisions of the law. HB 2048 passed after the conference committee on the appropriation bill had concluded its work; therefore, the fund was not appropriated to the agency.

The **Governor** concurs with the agency's revised estimate for the Consumer Protection program for FY 2017 with the following adjustment to its supplemental request for \$71,116, all from the State General Fund, for nine months of funding to continue the on-going anti-racial profiling work. Instead of a transfer from the State General Fund, the Governor recommends that the agency use its Court Cost Fund to finance the supplemental request. Regarding the Scrap Metal Theft Reduction Fund, the Governor recommends that the agency reduce its expenditures from the Court Cost Fund by \$75,000, and increase its expenditures by the same amount from the newly appropriated fund.

E. Civil Litigation

The Civil Litigation program is made up of trial lawyers in the office who initiate or defend civil and administrative actions in both the state and federal systems. The program assists other state agencies, officials, and employees by distributing pleadings to attorneys and offering assistance with civil litigation issues as well as educating the public on matters related to state liability and interstate water disputes. The program also enforces the 1999 Tobacco Master Settlement Agreement, Kansas Funeral and Cemetery Merchandise Agreements, Contracts, and Plans Act, Cemetery Merchandise Contracts Act, and Kansas Cemetery Corporation Acts. Since 2011, the program acts as counsel for the State in environmental litigation against the Environmental Protection Agency, and private litigants.

**CIVIL LITIGATION
SUMMARY OF EXPENDITURES FY 2015 – FY 2017**

Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 1,493,708	\$ 1,905,910	\$ 1,905,910	\$ 1,977,217	\$ 1,977,217
Contractual Services	3,424,000	2,400,524	2,450,524	2,151,072	2,151,072
Commodities	5,606	6,610	6,610	6,610	6,610
Capital Outlay	18,019	15,100	15,100	15,100	15,100
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 4,941,333</u>	<u>\$ 4,328,144</u>	<u>\$ 4,378,144</u>	<u>\$ 4,149,999</u>	<u>\$ 4,149,999</u>
Aid to Local Units	0	50,000	0	50,000	0
Other Assistance	225,000	300,000	300,000	300,000	300,000
TOTAL	<u>\$ 5,166,333</u>	<u>\$ 4,678,144</u>	<u>\$ 4,678,144</u>	<u>\$ 4,499,999</u>	<u>\$ 4,449,999</u>
Financing:					
State General Fund	\$ 973,389	\$ 656,273	\$ 706,273	\$ 679,648	\$ 679,648
All Other Funds	4,192,944	4,021,871	3,971,871	3,820,351	3,770,351
TOTAL	<u>\$ 5,166,333</u>	<u>\$ 4,678,144</u>	<u>\$ 4,678,144</u>	<u>\$ 4,499,999</u>	<u>\$ 4,449,999</u>
FTE Positions	20.3	21.2	21.2	21.2	21.2
Non-FTE Uncl. Perm. Pos.	0.3	0.7	0.7	0.7	0.7
TOTAL	<u>20.6</u>	<u>21.9</u>	<u>21.9</u>	<u>21.9</u>	<u>21.9</u>

The **agency** requests a revised estimate totaling \$4.5 million, including \$679,648 from the State General Fund, for the Civil Litigation program for FY 2017. This is an all funds increase of \$340,961, or 8.2 percent, but a State General Fund decrease of \$523,071, or 43.5 percent, from the amount approved by the 2015 Legislature. The increases are due to higher expenditures on salaries and wages and the agency's supplemental request, as detailed below.

- **Salaries and Wages.** The revised estimate includes \$1.98 million, including \$670,903 from the State General Fund. This is an all funds increase of \$290,961, or 17.3 percent, but a State General Fund decrease of \$523,071, or 43.8 percent, from the approved amount. The increase is attributable to higher expenditures on pay to unclassified employees (\$190,748) and the elimination of salaries and wages shrinkage (\$176,089), offset partially by reduced expenditure on group health hospitalization (\$20,222).

Expenditures for salaries and wages from the Tort Claims Fund increase by \$951,780, or 100.0 percent, when compared to the approved amount. The agency noted that it shifted funding to the Tort Claims Fund for salaries and wages to pay individuals working in the Civil Litigation program for the work they do related to tort claims.

- **Aid to Local Units.** The revised estimate includes \$50,000, all from the Sexually Violent Predator Expense Fund. This is a 100.0 percent increase above the approved amount and is due to the agency's supplemental request for a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator

Expense Fund. The agency reimburses counties for costs related to determining whether a person may be a sexually violent predator and the civil commitment of a suspected sexually violent predator. The fund has no dedicated revenue source. Claims received over the amount available in the fund are referred to the Joint Committee on Claims Against the State.

The **Governor** recommends \$4.4 million, including \$679,648 from the State General Fund, for the Civil Litigation program for FY 2017. This is a special revenue funds decrease of \$50,000, or 1.3 percent, below the agency's FY 2017 request. The Governor did not recommend the agency's supplemental request for a transfer of \$50,000, all from the State General Fund, to the Sexually Violent Predator Expense Fund.

F. Crime Victims Compensation Board

The Crime Victims Compensation Board provides monetary compensation to the victims of crime. The Board also protects the Crime Victims Compensation Fund through the collection of court ordered restitution and fees paid by law offenders. The Executive Director and staff inform public officers and employees, health care providers, judges, attorneys, law enforcement officers, and the public about the Crime Victims Compensation program.

CRIME VICTIMS COMPENSATION BOARD SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 301,494	\$ 329,058	\$ 329,058	\$ 340,507	\$ 340,507
Contractual Services	109,872	147,078	147,078	147,338	147,338
Commodities	3,174	4,100	4,100	4,100	4,100
Capital Outlay	16,430	700	700	700	700
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 430,970</i>	<i>\$ 480,936</i>	<i>\$ 480,936</i>	<i>\$ 492,645</i>	<i>\$ 492,645</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	2,970,882	3,400,000	3,400,000	3,400,000	3,400,000
TOTAL	<u>\$ 3,401,852</u>	<u>\$ 3,880,936</u>	<u>\$ 3,880,936</u>	<u>\$ 3,892,645</u>	<u>\$ 3,892,645</u>
Financing:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	3,401,852	3,880,936	3,880,936	3,892,645	3,892,645
TOTAL	<u>\$ 3,401,852</u>	<u>\$ 3,880,936</u>	<u>\$ 3,880,936</u>	<u>\$ 3,892,645</u>	<u>\$ 3,892,645</u>
FTE Positions	6.0	5.9	5.9	5.9	5.9
Non-FTE Uncl. Perm. Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	<u>6.0</u>	<u>5.9</u>	<u>5.9</u>	<u>5.9</u>	<u>5.9</u>

The **agency** requests a revised estimate totaling \$3.9 million, all from special revenue funds, for the Crime Victims Compensation Board for FY 2017. This is a decrease of \$16,125, or less than 1.0 percent, below the approved amount. The decrease is largely attributable to

reduced expenditures on salaries and wages, specifically group health hospitalization (\$10,080), employer contributions to KPERS (3,703), and pay to unclassified employees (\$2,245).

The **Governor** concurs with the agency's revised estimate for the Crime Victims Compensation Board for FY 2017.

G. Victim Services and Grants

Responsibilities of the Victims Services program include: providing efficient and effective statewide coordination of local crime victim services and witness assistance programs; developing and administering crime victim assistance grant funds; and educating the legal and law enforcement communities and the general public on working with victims of crime.

The program is responsible for developing batterer intervention programs to increase domestic violence offender accountability and improve victim safety, and providing support to the Child Death Review Board. The program works to improve response to child abduction and human trafficking through the development and implementation of Child Abduction Response Teams, AMBER Alerts, and by providing information to communities and agencies to assist with prevention of and effective response to human trafficking.

The program is also charged with increasing recognition, reporting, and prosecution for cases of abuse, neglect, and exploitation of vulnerable adults and children.

VICTIM SERVICES AND GRANTS SUMMARY OF EXPENDITURES FY 2015 – FY 2017					
Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 740,236	\$ 728,490	\$ 728,490	\$ 754,107	\$ 754,107
Contractual Services	155,760	149,580	149,580	149,804	149,804
Commodities	7,604	11,991	11,991	11,991	11,991
Capital Outlay	9,014	12,727	12,727	12,727	12,727
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 912,614</u>	<u>\$ 902,788</u>	<u>\$ 902,788</u>	<u>\$ 928,629</u>	<u>\$ 928,629</u>
Aid to Local Units	23,200	0	0	0	0
Other Assistance	2,404,829	2,421,000	2,421,000	2,421,000	2,421,000
TOTAL	<u>\$ 3,340,643</u>	<u>\$ 3,323,788</u>	<u>\$ 3,323,788</u>	<u>\$ 3,349,629</u>	<u>\$ 3,349,629</u>
Financing:					
State General Fund	\$ 1,595,305	\$ 1,731,231	\$ 1,731,231	\$ 1,751,745	\$ 1,751,745
All Other Funds	1,745,338	1,592,557	1,592,557	1,597,884	1,597,884
TOTAL	<u>\$ 3,340,643</u>	<u>\$ 3,323,788</u>	<u>\$ 3,323,788</u>	<u>\$ 3,349,629</u>	<u>\$ 3,349,629</u>
FTE Positions	10.3	10.0	10.0	10.0	10.0
Non-FTE Uncl. Perm. Pos.	2.0	1.0	1.0	1.0	1.0
TOTAL	<u>12.3</u>	<u>11.0</u>	<u>11.0</u>	<u>11.0</u>	<u>11.0</u>

The **agency** requests a revised estimate totaling \$3.3 million, including \$1.8 million from the State General Fund, for the Victim Services and Grant program for FY 2017. This is an all funds increase of \$46,165, or 1.4 percent, but a State General Fund decrease of \$2,045, or 0.1 percent, from the amount approved by the 2015 Legislature. The revised estimate includes 10.0 FTE and 1.0 non FTE positions; a decrease of 0.3 FTE and 1.0 non-FTE positions from the approved amount. Changes from the approved budget are detailed below.

- **Salaries and Wages.** The revised estimate includes \$754,107, including \$603,905 from the State General Fund. This is an all funds increase of \$8,165, but a State General Fund decrease of \$2,045, from the approved amount. The increase is largely attributable to higher expenditures on employer contributions to KPERS (\$5,175) and pay to classified employees (\$3,518), offset partially by reduced expenditures on group health hospitalization (\$1,341).
- **Other Assistance.** The revised estimate includes \$2.4 million, including \$1.1 million from the State General Fund. This is an special revenues funds increase of \$38,000, or 1.6 percent, from the approved amount. The increase in expenditures is from the Children's Advocacy Center Fund which is used to provide child-focused forensic assessments to children, advocacy, and support for victims of sexual abuse or serious physical abuse, and support for their caregiver. Services often include counseling, in-home support, legal advocacy, court accompaniment, and interpretation services.

The **Governor** concurs with the agency's revised estimate for the Victim Services and Grant program for FY 2017.

H. Medicaid Fraud and Abuse Unit

The program is responsible for investigating and prosecuting, civilly or criminally, providers found to be committing fraud in the Kansas Medicaid program, to recover state and federal tax monies fraudulently received by Medicaid providers; and for reimbursing the appropriate state and federal agencies. In addition, the program investigates allegations of patient abuse, neglect, or misappropriation of patients' private funds committed by Medicaid providers.

**MEDICAID FRAUD AND ABUSE UNIT
SUMMARY OF EXPENDITURES FY 2015 – FY 2017**

Item	Actual FY 2015	Agency Est. FY 2016	Gov. Rec. FY 2016	Agency Est. FY 2017	Gov. Rec. FY 2017
Expenditures:					
Salaries and Wages	\$ 927,789	\$ 1,102,025	\$ 1,102,025	\$ 1,140,696	\$ 1,140,696
Contractual Services	179,836	280,157	280,157	280,383	280,383
Commodities	6,938	23,384	23,384	23,384	23,384
Capital Outlay	(23,714)	3,100	3,100	3,100	3,100
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 1,090,849</i>	<i>\$ 1,408,666</i>	<i>\$ 1,408,666</i>	<i>\$ 1,447,563</i>	<i>\$ 1,447,563</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	\$ 1,090,849	\$ 1,408,666	\$ 1,408,666	\$ 1,447,563	\$ 1,447,563
Financing:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	1,090,849	1,408,666	1,408,666	1,447,563	1,447,563
TOTAL	\$ 1,090,849	\$ 1,408,666	\$ 1,408,666	\$ 1,447,563	\$ 1,447,563
FTE Positions	15.0	15.0	15.0	15.0	15.0
Non-FTE Uncl. Perm. Pos.	0.0	0.0	0.0	0.0	0.0
TOTAL	15.0	15.0	15.0	15.0	15.0

The **agency** requests a revised estimate totaling \$1.4 million, all from special revenue funds, for the Medicaid Fraud and Abuse Unit for FY 2017. This is an all funds decrease of \$31,602, or 2.1 percent, below the approved amount. The decrease is all in salaries and wages expenditures with the largest decreases for pay to unclassified temporary employees (\$29,139) and group health hospitalization (\$8,617). These are offset by reduced expenditures on pay to unclassified regular employees (\$13,542).

The **Governor** concurs with the agency's revised estimate for the Medicaid Fraud and Abuse Unit for FY 2017.

PERFORMANCE MEASURES				
Measure	Gov. Rec. for FY 2015	Actual FY 2015	Gov. Rec. FY 2016	Gov. Rec. FY 2017
Criminal Litigation				
Criminal cases accepted from county and district attorneys	84	46	50	50
Legal Opinions & Government Counsel				
Number of formal written legal opinions	24	27	30	30
Civil Litigation				
Number of civil cases in defense of the state	1,678	1,579	1,600	1,600