

STATE AFFAIRS COMMITTEE

January 30, 1962

The meeting was called to order by the Chairman, and representatives Carlson, Mohler and Fatzer were introduced to discuss HCR 20. Mr. Carlson stated that by this proposed constitutional amendment, it is proposed to place water development in the same position as the highway programs. He states that it is the intent of such a proposal to require the beneficiaries of any water program, to be the ones to pay for it, rather than to establish perhaps a state-wide levy or tax.

Mr. Fribley and Mr. Doyen pointed out that the Legislative Council is presently making a study, and will be ready for a recommendation to the 1963 Legislature. Mr. Fatzer made a rather detailed statement in support of this resolution, emphasizing that this will let all the legislators speak their mind on the floor, and the Legislative Council will have the benefit of their feeling when they consider what recommendations will be made. After a lengthy discussion among the members of the Committee, it was moved by Mr. Fribley that the resolution be amended in line 13 by inserting after the word "no" the word statewide and inserting after the word "or", the word "statewide", which motion was seconded by Mr. Doyen and was unanimously carried.

Thereupon, Mr. Johnson moved to table HCR 20. Motion was seconded by Mr. Ford, with ten voting in favor of the motion, and no dissenting votes.

Senate Bill No. 21 was then brought before the Committee, with members questioning why State Affairs was concerned with it. The Chairman stated that we were to deal only with Section 7 on Page 4; that it came to the Committee because of a bill that passed through the committee during the last session, establishing the diagnostic center in discussion. It was pointed out that the Ways and Means Committee would deal with the other matters of the measure. It was then moved by Mr. Ford and seconded by Mr. Wallace that SB 21 be recommended favorably. Motion carried unanimously.

The Chairman stated that Senate Bill 28 is the same kind of a bill; with Committee interest only because of the original bill that came through the Committee on Civil Rights. Miss Jacquart stated that she knew the budget has been cut and that the Director was interested in getting more material printed for educational purposes, and she wondered why the cut was recommended. Mr. Underwood stated that he knew that the notices had been printed and sent out to employers and that there would be no need for duplication in that area. It was suggested to Miss Jacquart that she appear before Ways and Means; that they would be able to answer her questions in this regard. Thereupon, it was moved by Mr. Ford and seconded by Mr. Underwood that SB 28 be recommended favorably. Motion carried unanimously.

Meeting was adjourned.

House Concurrent Resolution No. 20

By MESSRS. CARLSON, MOHLER and FATZER

A PROPOSITION to amend section 9 of article 11 of the constitution of the state of Kansas restricting the right of the state to carry on works of internal improvements and authorizing certain exceptions.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein:

SECTION 1. The following proposition to amend the constitution of the state of Kansas is hereby submitted to the qualified electors of the state for their approval or rejection: That section 9 of article 11 of the constitution of the state of Kansas be amended to read as follows:

“SEC. 9. The state shall never be a party in carrying on any work of internal improvement except that: (1) It may adopt, construct, reconstruct and maintain a state system of highways, but no general property tax shall ever be laid nor general obligation bonds issued by the state for such highways; (2) it may be a party to flood control works and works for the conservation or development of water resources, ^{statewide} but no ~~general property tax shall ever be laid nor~~ ^{statewide} ~~general obligation bonds issued by the state for such works or development.~~”

SEC. 2. This proposition shall be submitted to the electors of the state at the general election in the year 1962 for their approval or rejection. The proposed amendment to the consti-

4 tution shall be published by the secretary of state and printed
5 on the ballot, and shall be voted for or against, as provided by
6 law.

SEC. 3. This resolution, if concurred in by two-thirds of the
2 members elected to the house of representatives and two-thirds
3 of the members elected to the senate shall be entered on the
4 journals, together with the yeas and nays, and the proposition
5 shall be published and submitted to the electors as provided
6 by law; and it shall also be published by the secretary of state
7 in the Budget Session Laws of Kansas for 1962, and be given
8 a chapter number therein.

SENATE BILL No. 21

By COMMITTEE ON WAYS AND MEANS

AN ACT making appropriations for the fiscal year 1963 for the operation, maintenance, support and functioning of activities of the industrial farm for women, state industrial reformatory, director of penal institutions, state board of probation and parole, Kansas state penitentiary and the Kansas state reception and diagnostic center; authorizing the fixing of salaries, restricting the expenditure of certain funds and authorizing appeals connected therewith; and reappropriating unencumbered balances as of June 30, 1962, for the fiscal year ending June 30, 1963.

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

PART I—STATE GENERAL REVENUE FUND APPROPRIATIONS

SECTION 1. There is hereby appropriated out of the state 2 general revenue fund of the state of Kansas for the fiscal year 3 ending June 30, 1963, the sums as set forth in section 2 to sec- 4 tion 7, both inclusive, of this act, for the operation, maintenance, 5 support and functioning of the following officers, employees, 6 departments, boards, commissions, institutions, agencies and 7 other activities of the state government of the state of Kansas.

SEC. 2. To the

376

INDUSTRIAL FARM FOR WOMEN

<i>Salaries and wages</i>	\$96,501
<i>Other operating expenditures</i>	69,092

Any unencumbered balance in excess of \$100 as of June 30, 1962, in any of the following accounts is hereby reappropriated for fiscal year 1963 for the same use and purpose as originally appropriated: rewiring and replacing electrical fixtures; roof repair and replacement "b" cottage, barn, and Perry building.

Any unencumbered balance as of June 30, 1962, in the following accounts are hereby lapsed: new locking system; salaries and wages and other operating expenditures.

Total	\$165,593
(Also see section 9)	

SEC. 3. To the

379 STATE INDUSTRIAL REFORMATORY

<i>Salaries and wages</i>	\$734,596
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Provided, That any unencumbered balance as of June 30, 1962, is hereby reappropriated for fiscal year 1963: *Provided, however*, That the total expenditures from such reappropriated balance during fiscal year 1963 shall not exceed \$21,460 except upon approval of the state finance council.

<i>Other operating expenditures</i>	357,228
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Provided, That any unencumbered balance as of June 30, 1962, is hereby reappropriated for fiscal year 1963: *Provided, however*, That the total expenditures from such reappropriated balance during fiscal year 1963 shall not exceed \$7,026 except upon approval of the state finance council.

Any unencumbered balance in excess of \$100 as of June 30, 1962, in any of the following accounts is hereby reappropriated for fiscal year 1963 for the same use and purpose as originally appropriated: install new roof on no. 1 cellhouse; remodel security towers; replace electric panels and wiring; construct and equip gymnasium; remodel drill hall for pre-release unit; remodel no. 1 cellhouse.

<i>New boiler and engine room building</i>	262,000
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Provided, That any unencumbered balance as of June 30, 1962, is hereby reappropriated for fiscal year 1963.

Any unencumbered balances as of June 30, 1962, in the following accounts are hereby lapsed: install toilets and lavatories in no. 4 cellhouse; resurface institutional roads.

Total	\$1,353,824
(Also see section 10)	

SEC. 4. To the

384 DIRECTOR OF PENAL INSTITUTIONS

<i>Salaries and wages</i>	\$31,072
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<i>Other operating expenditures</i>	6,041
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Provided, That any unencumbered balance as of June 30, 1962, is hereby reappropriated for fiscal year 1963: *Provided, however*, That the total expenditures from such reappropriated balance during fiscal year 1963 shall not exceed \$1,872 except upon approval of the state finance council.

<i>Payment of court costs</i>	1,734
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Provided, That any unencumbered balance as of June 30, 1962, is hereby reappropriated for fiscal year 1963: *Provided, however*, That the total expenditures from such reappropriated balance during fiscal year 1963 shall not exceed \$266 except upon approval of the state finance council.

Any unencumbered balance in excess of \$100 as of June 30, 1962, in any of the following accounts is hereby reappropriated for the fiscal year 1963 for the same use and purpose as originally

appropriated: furniture factory and equipment; reconstruction of upholstery shop and furniture factory, including service tunnel; remodeling dormitory building and library at old Kansas technical institute and to provide for the construction of security fence and towers.

Total	\$38,847
(Also see section 11)	

SEC. 5. To the

388 STATE BOARD OF PROBATION AND PAROLE

<i>Salaries and wages</i>	\$159,129
<p><i>Provided</i>, That any unencumbered balance as of June 30, 1962, in the accounts "salaries and wages—administration" and "salaries and wages—parole agents" is hereby reappropriated to this account for fiscal year 1963: <i>Provided, however</i>, That the total expenditures from such reappropriated balance shall not exceed \$12,830 except upon approval of the state finance council.</p>	
<i>Other operating expenditures</i>	59,131
<p><i>Provided</i>, That any unencumbered balance as of June 30, 1962, in the accounts "other operating expenditures—administration" and "other operating expenditures—parole agents" is hereby reappropriated to this account for fiscal year 1963: <i>Provided, however</i>, That the total expenditures from such reappropriated balance shall not exceed \$593 except upon approval of the state finance council.</p>	
Total	\$218,260

SEC. 6. To the

390 KANSAS STATE PENITENTIARY

<i>Salaries and wages</i>	\$1,219,255
<p><i>Provided</i>, That any unencumbered balance as of June 30, 1962, is hereby reappropriated for fiscal year 1963: <i>Provided, however</i>, That total expenditures from such reappropriated balance during fiscal year 1963 shall not exceed \$35,361 except upon approval of the state finance council.</p>	
<i>Other operating expenditures</i>	939,284
<p><i>Provided</i>, That any unencumbered balance in excess of \$100 as of June 30, 1962, is hereby reappropriated for fiscal year 1963. Any unencumbered balance in excess of \$100 as of June 30, 1962, in any of the following accounts is hereby reappropriated for fiscal year 1963 for the same use and purpose as originally appropriated: renovate dairy building and steam lines and purchase and installation of pasteurization equipment; installation and construction of a switchgear station; addition of new units for the ice plant; outside warehouse; new wells; machine and truck shelters for farm; new elevator for administration building.</p>	
<i>Emergency diesel power unit for the water supply</i>	8,000
<i>Modernization of guard towers</i>	15,000
<p><i>Provided</i>, That any unencumbered balance as of June 30, 1962, in this account is hereby reappropriated for the same use and purpose as originally intended for fiscal year 1963.</p>	

<i>Hospital improvements including fire escape, plumbing fixtures and electrical improvements</i>	4,120
Any unencumbered balances as of June 30, 1962, in the following accounts are hereby lapsed: for repairs made necessary by settlement of ground including stabilization of area near paint factory and Oklahoma jail and repair to damaged utilities, purchase of equipment needed for repair operations, restoration of west half of Oklahoma jail and road construction and employment of necessary supervisors to carry out these projects; construction of connection to city of Leavenworth water system for standby purposes; construction of quonset buildings for corn storage; renewals and repairs, pipe, fittings for steam, hot and cold water return lines, valves and insulation.	
Total	\$2,185,659
(Also see section 12)	

SEC. 7. To the

394 KANSAS STATE RECEPTION AND DIAGNOSTIC CENTER

<i>Salaries and wages</i>	\$399,841
<i>Provided</i> , That any unencumbered balance as of June 30, 1962, is hereby reappropriated for fiscal year 1963: <i>Provided, however</i> , That the total expenditures from such reappropriated balance during fiscal year 1963 shall not exceed \$31,556 except upon approval of the state finance council.	
<i>Other operating expenditures</i>	181,364
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1962, is hereby reappropriated for fiscal year 1963.	
<i>Completion of remodeling and construction of reception and diagnostic center</i>	
<i>Provided</i> , That any unencumbered balance in this account as of June 30, 1962, is hereby reappropriated for fiscal year 1963 for the same use and purpose as originally appropriated.	
<i>Installation of 8-inch water line</i>	7,370
<i>Remodel superintendent's residence and staff cottages</i>	4,000
Total	592,575
(Also see section 13)	

Total—General Revenue Fund

\$4,554,758

PART II—SPECIAL REVENUE FUNDS APPROPRIATIONS

SEC. 8. There is hereby appropriated out of the following

- 2 special revenue funds for the fiscal year ending June 30, 1963,
- 3 all moneys now on deposit with the state treasurer to the credit
- 4 of, or as may hereafter be collected by, or for, to each of the
- 5 following state agencies or activities of the state as set forth
- 6 in section 9 to section 15, both inclusive, of this act, as now
- 7 provided by law or as may hereafter be provided by law, to the

8 extent actually collected and available to be used as provided
9 by law, but not to exceed the amounts set forth in such sections.

SEC. 9. To the

376	INDUSTRIAL FARM FOR WOMEN	
General fees	.....	\$1,200
	(Also see section 2)	

SEC. 10. To the

379	STATE INDUSTRIAL REFORMATORY	
General fees	.....	\$36,714
	(Also see section 3)	

SEC. 11. To the

384	DIRECTOR OF PENAL INSTITUTIONS	
Prison industries fund	.....	No limit
Prison industries equipment replacement fund	.....	\$52,631
	<i>Provided</i> , That an amount not to exceed \$37,000 may be expended for the relocation and addition to solvent tank storage.	
Prison industries equipment replacement fund	.....	No limit
	<i>Provided</i> , That an amount not to exceed \$5,000 may be expended for the remodeling of barn no. 1 at the penitentiary for the use as a prison industries warehouse.	
	(Also see section 4)	

SEC. 12. To the

390	KANSAS STATE PENITENTIARY	
General fees	.....	\$64,050
	(Also see section 6)	

SEC. 13. To the

394	KANSAS STATE RECEPTION AND DIAGNOSTIC CENTER	
General fees	.....	\$6,000
	(Also see section 7)	

SEC. 14. *Appeals to exceed limitation.* Total expenditures
2 (including encumbrances) from the special revenue funds listed
3 above for the fiscal year 1963 may not exceed the amounts
4 shown, except upon written application to the governor and
5 approval of the state finance council. Additional authorized ex-
6 penditures shall be made from funds in the respective special
7 revenue funds on hand and available, exclusive of that portion
8 credited to the state general revenue fund.

SEC. 15. *Reappropriation.* Subject to the conditions and 2 limitations of this act, any unencumbered balance as of June 30, 3 1962, in any special revenue fund or funds heretofore appro- 4 priated is hereby reappropriated for the same use and purpose 5 as originally appropriated for the ensuing fiscal year ending 6 June 30, 1963.

PART III—MISCELLANEOUS

SEC. 16. *Fixing of salaries.* Except as may be otherwise fixed 2 under the state civil service act or other applicable laws, salaries 3 or wages shall be fixed on an annual basis prior to the beginning 4 of each fiscal year by any state board for employees of institu- 5 tions under its control, and by elected officials, department heads 6 or commissions for their authorized employees: *Provided*, That 7 all salaries not fixed by the state civil service act or set by statute 8 shall be submitted to the state finance council for approval or 9 modification. When salaries or wages have been so fixed the 10 controller of the state department of administration shall be 11 advised in writing and he shall be guided by such advice in 12 passing payrolls for payment. Changes in such salaries made 13 during the fiscal year shall be reported to the state controller, 14 in writing, for his guidance. Except as otherwise provided by 15 law, each employee of the state shall be paid for the proportion 16 of his annual salary earned each month as of the end of such 17 month and as soon as is practicable after the end of each month.

SEC. 17. *Cash basis.* In all cases in which appropriations 2 are made by the provisions of this act, the officer or person having 3 charge of such appropriation shall, in no case, by any contract, 4 act or proceeding attempt to obligate the state of Kansas at any 5 time to pay a larger sum or sums than that herein specifically 6 appropriated, and no larger sum or sums shall be audited by the 7 controller of the state department of administration for the pur-

8 poses herein mentioned than are herein appropriated, and in no
9 case shall any appropriation herein provided be used for any
10 purpose or purposes except that specifically stated herein; and
11 no officer or employee of the state shall purchase any article or
12 service on the state's credit unless specific appropriation has been
13 made therefor.

SEC. 18. *Approval of expenditures.* The controller of the
2 state department of administration is hereby authorized to draw
3 his warrant on the state treasurer upon the presentation of pay-
4 rolls or vouchers duly itemized and approved in the name of the
5 chief executive officer of the state agency to which appropria-
6 tions are by this act made available.

SEC. 19. *Effective date.* This act shall take effect and be in
2 force from and after July 1, 1962, and its publication in the
3 statute book.

SENATE BILL No. 28

By COMMITTEE ON WAYS AND MEANS

AN ACT making appropriations for the fiscal year 1963 for the operation, maintenance, support and functioning of activities of the commission on civil rights; authorizing the fixing of salaries, restricting the expenditure of certain funds and authorizing appeals connected therewith; and reappropriating unencumbered balances as of June 30, 1962, for the fiscal year ending June 30, 1963.

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

PART I—STATE GENERAL REVENUE FUND APPROPRIATIONS

SECTION 1. There is hereby appropriated out of the state
2 general revenue fund of the state of Kansas for the fiscal year
3 ending June 30, 1963, the sums as set forth in section 2 of this
4 act for the operation, maintenance, support and functioning of
5 the commission on civil rights.

SEC. 2. To the

67 COMMISSION ON CIVIL RIGHTS

<i>Salaries and wages</i>	\$31,679
<i>Other operating expenditures</i>	14,870

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1962, is hereby reappropriated for fiscal year 1963; *Provided, however*, That expenditures from such reappropriated balance during fiscal year 1963 shall not exceed \$548 except upon approval of the state finance council.

Total	\$46,549
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PART II—MISCELLANEOUS

SEC. 3. *Fixing of salaries.* Except as may be otherwise fixed
2 under the state civil service act or other applicable laws, salaries
3 or wages shall be fixed on an annual basis prior to the beginning
4 of each fiscal year by any state board for employees of institu-

5 tions under its control, and by elected officials, department
6 heads or commissions for their authorized employees: *Provided,*
7 That all salaries not fixed by the state civil service act or set
8 by statute shall be submitted to the state finance council for ap-
9 proval or modification. When salaries or wages have been so
10 fixed the controller of the state department of administration
11 shall be advised in writing and he shall be guided by such ad-
12 vice in passing payrolls for payment. Changes in such salaries
13 made during the fiscal year shall be reported to the state con-
14 troller, in writing, for his guidance. Except as otherwise pro-
15 vided by law, each employee of the state shall be paid for the
16 proportion of his annual salary earned each month as of the
17 end of such month and as soon as practicable after the end of
18 each month.

SEC. 4. *Cash basis.* In all cases in which appropriations are
2 made by the provisions of this act, the officer or person having
3 charge of such appropriations shall, in no case, by any con-
4 tract, act or proceeding attempt to obligate the state of Kansas
5 at any time to pay larger sum or sums than that herein spe-
6 cifically appropriated, and no larger sum or sums shall be
7 audited by the controller of the state department of adminis-
8 tration for the purposes herein mentioned than are herein ap-
9 propriated, and in no case shall any appropriation herein
10 provided be used for any purpose or purposes except that spe-
11 cifically stated herein; and no officer or employee of the state
12 shall purchase any article or service on the state's credit unless
13 specific appropriation has been made therefor.

SEC. 5. *Approval of expenditures.* The controller of the
2 state department of administration is hereby authorized to draw
3 his warrant on the state treasurer upon the presentation of pay-

4 rolls or vouchers duly itemized and approved in the name of
5 the chief executive officer of the state agency to which appropri-
6 ations are by this act made available.

SEC. 6. *Effective date.* This act shall take effect and be in
2 force from and after July 1, 1962, and its publication in the
3 statute book.