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SENATE WAYS AND MEANS COMMITTEE

Minutes of the Meeting
February 22, 1963

The meeting was called to order by the Vice-Chairman at 10:00 a.m., February 22, 1963, with all members present except Senator Lauterbach.

Mr. Raymond B. Harvey, secretary of the Corporation Commission, appeared with reference to the agency's budget requests. His comments follow:

1. The Commission has requested one additional Special Investigator which was not allowed in the Governor's recommendations. As the director's position in the rate division was not filled for six months of fiscal 1963, there are funds available to pay the salary if the position is allowed; but additional funds will be needed for fiscal year 1963. The amount is \$5,123 for salary and wages.

Mr. Wayne E. McCoy, assistant director, Mr. James J. Pritchard, secretary, Mr. Roltz Welch, chief of the budget and accounting section, and Mr. Graydon Luthey, attorney, appeared with reference to the budget requests of the Department of Revenue. Their comments follow: (See Attachment No. 1.)

1. The total requested budget was \$3,671,000; of which \$3,361,000 was recommended by the Governor. Items which were deleted by the Governor, and for which reinstatement is asked, are listed on Attachment No. 1.
2. Concerning requests for: \$1,000 for stationery and office supplies in the sales and compensating tax division; \$300 for office supplies in the cigarette and cereal malt beverage tax division; and \$2,000 postage for the income tax division, Mr. McCoy indicated they would go along with the Governor's budget in these requests. If needed, a supplemental appropriation will be requested next January.
3. The \$5,000 item requested (office supplies) for the income tax division is needed mainly for tabulating cards.
4. A request was included for four additional positions of Income Tax Examiners. The Governor allowed two additional, or a total of 52 positions. 50 positions are filled at this time. Mr. McCoy indicated that the additional four positions are needed to handle the workload of the division.

The hearing was set to be continued on Monday, February 25.

Senate Ways and Means Committee, Minutes of the Meeting,
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Senator Harper presented the subcommittee's report on the Director of Penal Institutions' budget requests. (See Attachment No. 2.) He made a motion, and Senator Ward seconded it, that the subcommittee's report be approved. Motion carried.

Senator Warren moved that an appropriation bill including appropriations to the penal director and penal institutions be introduced in the Senate. Senator Harper seconded the motion. Motion carried. (See Attachment No. 3.)

Senator Van Sickle moved, and Senator Sanborn seconded the motion, that bills be introduced placing the historical parks under the jurisdiction of the State Historical Society. Motion carried. (See Attachments Nos. 4 through 9.)

The meeting adjourned at 11:00 a.m.

Glee S. Smith, Vice-Chairman
Senate Ways and Means Committee

SENATE WAYS AND MEANS COMMITTEE
Session of 1963

Subcommittee Report on
Director of Penal Institutions

By Senators Ward, Harper, and Warren

Mr. Chairman:

Your subcommittee has examined the budget of the Director of Penal Institutions and approves the Governor's recommendations with the exception of the establishment of a book bindery. The total recommended operating budget is \$1,021,919.

After investigation of the subject, book bindery, including a visit to a book bindery, it is the opinion of the subcommittee that book binding work in private commercial business is done by women, not men, and that such an industry at our state penitentiary would not be in the best interest of the rehabilitation of our male prisoners. An unwanted or non-competitive skill is useless to a man who needs to make a living and resume his place in society. We believe this kind of prison industry is fraught with danger. For this reason, we recommend the item of \$35,700 be deleted from this budget.

Included in the budget of the Director of Penal Institutions is an item of \$120,000 for the planning of a new institution to house 400 to 600 inmates. Other capital improvement items recommended are as follows: construction of a vocational training building, \$90,040, and an addition to a tool and die shop, \$2,500.

The subcommittee is further of the opinion that the establishment of new prison industries should be left up to the Legislature for final determination through the budget process rather than giving blanket authority for such establishment.

Respectfully submitted,

Senator Wm. H. Ward

Senator Howard Harper

Senator Joe Warren

SENATE BILL No. 321

By COMMITTEE ON WAYS AND MEANS

AN ACT making appropriations for the fiscal year 1964 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, 1963, for the fiscal year ending June 30, 1964.

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 general revenue fund of the state of Kansas for the fiscal year ending June 30, 1964, the sums as set forth in section 2 to section 7, both inclusive, of this act, for the operation, maintenance, support and functioning of the following officers, employees, departments, boards, commissions, institutions, agencies and other activities of the state government of the state of Kansas.

SEC. 2. To the

402 INDUSTRIAL FARM FOR WOMEN

<i>Salaries and wages</i>	\$142,552
<i>Other operating expenditures</i>	76,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1963, is hereby reappropriated for fiscal year 1964. Any unencumbered balance as of June 30, 1963, in any of the following accounts is hereby lapsed: rewiring and replacing electrical fixtures; roof repair and replacement "B" cottage, barn, and Perry building.

Any unencumbered balance in excess of \$100 as of June 30, 1963, in the account, remodeling expense, including fence installation, to convert children's receiving home at Atchison to a women's prison, is hereby reappropriated for fiscal year 1964.

Total \$218,552

(Also see section 9)

SEC. 3. To the

405 STATE INDUSTRIAL REFORMATORY

Salaries and wages \$818,004

Provided, That any unencumbered balance as of June 30, 1963, is hereby reappropriated for fiscal year 1964: *Provided, however*, That the total expenditures from such reappropriated balance shall not exceed \$15,187 except upon approval of the state finance council.

Other operating expenditures 382,016

Provided, That any unencumbered balance as of June 30, 1963, is hereby reappropriated for fiscal year 1964: *Provided, however*, That the total expenditures from such reappropriated balance shall not exceed \$924 except upon approval of the state finance council.

Any unencumbered balance in excess of \$100 as of June 30, 1963, in any of the following accounts is hereby reappropriated for fiscal year 1964 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; new boiler and engine room building.

Construct superintendent's residence 20,000

Remodel second floor of administration building 6,000

Total \$1,226,020

(Also see section 10)

SEC. 4. To the

410 DIRECTOR OF PENAL INSTITUTIONS

Salaries and wages \$33,113

Other operating expenditures 6,856

Provided, That any unencumbered balance as of June 30, 1963, is hereby reappropriated for fiscal year 1964: *Provided, however*, That the total expenditures from such reappropriated balance shall not exceed \$507 except upon approval of the state finance council.

Payment of court costs 2,000

Provided, That any unencumbered balance in excess of \$100 as of June 30, 1963, is hereby reappropriated for fiscal year 1964.

To plan for a new prison facility to house 400-600 inmates 120,000

Any unencumbered balance in excess of \$100 as of June 30, 1963, in any of the following accounts is hereby reappropriated for the fiscal year 1964 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 \$161,969

(Also see section 11)

SEC. 5. To the

415 STATE BOARD OF PROBATION AND PAROLE

<i>Salaries and wages</i>	\$195,230
<i>Provided</i> , That any unencumbered balance as of June 30, 1963, is hereby reappropriated for fiscal year 1964: <i>Provided, however</i> , That the total expenditures from such reappropriated balance shall not exceed \$18,999 except upon approval of the state finance council.	
<i>Other operating expenditures</i>	43,156
<i>Provided</i> , That any unencumbered balance as of June 30, 1963, is hereby reappropriated for fiscal year 1964: <i>Provided, however</i> , That the total expenditures from such reappropriated balance shall not exceed \$14,781 except upon approval of the state finance council.	
Total	\$238,386

SEC. 6. To the

417 KANSAS STATE PENITENTIARY

<i>Salaries and wages</i>	\$1,411,973
<i>Provided</i> , That any unencumbered balance as of June 30, 1963, is hereby reappropriated for fiscal year 1964: <i>Provided, however</i> , That total expenditures from such reappropriated balance shall not exceed \$47,668 except upon approval of the state finance council.	
<i>Other operating expenditures</i>	1,087,471
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1963, is hereby reappropriated for fiscal year 1964.	
Any unencumbered balance in excess of \$100 as of June 30, 1963, in any of the following accounts is hereby reappropriated for fiscal year 1964 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; remodel and equip women's industrial farm as a minimum security institution; emergency diesel power unit for the water supply; modernization of guard towers; hospital improvements including fire escape, plumbing fixtures and electrical improvements.	
Any unencumbered balances as of June 30, 1963, in the following accounts are hereby lapsed: machine and truck shelters for farm; new elevator for administration building.	
<i>Construct and equip adjustment and treatment building</i>	200,000
<i>Grouting of penitentiary walls</i>	10,000
<i>Construct earthen vegetable storage</i>	4,850
<i>Construct new hay barn</i>	2,075
<i>Construct new access road from highway 75</i>	2,760
Total	\$2,719,129

(Also see section 12)

SEC. 7. To the

421 KANSAS STATE RECEPTION AND DIAGNOSTIC CENTER

<i>Salaries and wages</i>	\$391,954
<i>Provided</i> , That any unencumbered balance as of June 30, 1963, is hereby reappropriated for fiscal year 1964: <i>Provided, however</i> , That the total expenditures from such reappropriated balance shall not exceed \$103,421 except upon approval of the state finance council.	
<i>Other operating expenditures</i>	161,033
<i>Provided</i> , That any unencumbered balance in excess of \$100 as of June 30, 1963, is hereby reappropriated for fiscal year 1964.	
<i>Construct and equip trusties' dormitory</i>	65,400
<i>Raze Kansas technical institute boys' dormitory building</i>	4,500
Any unencumbered balance in excess of \$100 as of June 30, 1963, in any of the following accounts is hereby reappropriated for the fiscal year 1964 for the same use and purpose as originally appropriated: completion of remodeling and construction of reception and diagnostic center; installation of eight-inch water line; remodel superintendent's residence and staff cottages.	
Total	\$622,887

(Also see section 13)

TOTAL—General Revenue Fund

\$5,186,943

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, 1964, 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 8 the extent actually collected and available to be used as pro- 9 vided by law, but not to exceed the amounts set forth in such 10 sections.

SEC. 9. To the

402 INDUSTRIAL FARM FOR WOMEN

General fees	\$2,000
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(Also see section 2)

SEC. 10. To the

405 STATE INDUSTRIAL REFORMATORY

General fees	\$45,500
Emergency fund allocation—roof repairs due to hall damage	No limit
(Also see section 3)	

SEC. 11. To the

410 DIRECTOR OF PENAL INSTITUTIONS

Prison industries fund	No limit
Prison industries equipment replacement fund	\$138,456
<i>Provided</i> , That an amount not to exceed \$90,040 may be expended for construction of a vocational training building: <i>And provided further</i> , That an amount not to exceed \$2,500 may be expended for an addition to the tool and die shop.	
(Also see section 4)	

SEC. 12. To the

417 KANSAS STATE PENITENTIARY

General fees	\$91,681
(Also see section 6)	

SEC. 13. To the

421 KANSAS STATE RECEPTION AND DIAGNOSTIC CENTER

General fees	\$4,300
(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 1964 may not exceed the amounts 4 shown, except upon written application to the governor and 5 approval of the state finance council. Additional authorized 6 expenditures 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 1963, 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, 1964.

PART III—MISCELLANEOUS

SEC. 16. *Fixing of salaries.* Except as may be otherwise
2 fixed under the state civil service act or other applicable laws,
3 salaries or wages shall be fixed on an annual basis prior to
4 the beginning of each fiscal year by any state board for em-
5 ployees of institutions under its control, and by elected officials,
6 department heads or commissions for their authorized em-
7 ployees. When salaries or wages have been so fixed the con-
8 troller of the state department of administration shall be advised
9 in writing and he shall be guided by such advice in passing
10 payrolls for payment. Changes in such salaries made during
11 the fiscal year shall be reported to the state controller, in writ-
12 ing, for his guidance. Except as otherwise provided by law,
13 each employee of the state shall be paid for the proportion
14 of his annual salary earned each month as of the end of such
15 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 persons
3 having charge of such appropriation shall, in no case, by any
4 contract, act or proceeding attempt to obligate the state of
5 Kansas at any time to pay a larger sum or sums than that herein
6 specifically appropriated, and no larger sum or sums shall be
7 audited by the controller of the state department of adminis-
8 tration for the purpose herein mentioned than are herein appro-
9 priated, and in no case shall any appropriation herein provided
10 be used for any purpose or purposes except that specifically
11 stated herein; and no officer or employee of the state shall
12 purchase any article or service on the state's credit unless
13 specific appropriation has been 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
5 the chief executive officer of the state agency to which appro-
6 priations 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, 1963, and its publication in the
3 statute book.

SENATE BILL No. 323

By COMMITTEE ON WAYS AND MEANS

AN ACT relating to the Kansas frontier historical park on the Fort Hays military reservation, placing the custody and management thereof under the state historical society and the secretary of the state historical society; amending section 76-2007 of the General Statutes of 1949, and repealing said original section.

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

SECTION 1. Section 76-2007 of the General Statutes of 1949 is hereby amended to read as follows: Sec. 76-2007. The portion of said reservation so set aside and designated by the board of regents for park purposes, together with the strip of ground along Big creek in section 4, township 14, range 18, which has been heretofore set aside for park purposes, shall be known as the Kansas frontier historical park on the Fort Hays military reservation, and said park shall at all times be subject to the general supervision and control of the state board of regents, but the active custody and management thereof shall be vested in a board of managers, consisting of the chairman of the state board of regents, the secretary of the state historical society, the president of the Kansas state agricultural college, the president of the Kansas state teachers college at Hays, Kansas, and a fifth member to be appointed by the governor. Said board of managers *the state historical society. The secretary of the state historical society* may, subject to revision by the state board of regents, make all proper and needful rules and regulations for the use, preservation, improvement, control and maintenance of said

21 park and grounds and buildings thereon, and may permit such
22 use of the ground or any portion thereof, as is not inconsistent
23 with this act or with the purposes for which said grounds have
24 been set aside.

SEC. 2. Section 76-2007 of the General Statutes of 1949 is
2 hereby repealed.

SEC. 3. This act shall take effect and be in force from and
2 after July 1, 1963, and its publication in the statute book.

SENATE BILL No. 324

By COMMITTEE ON WAYS AND MEANS

AN ACT relating to the historic pony express station situated near Hanover in Washington county, Kansas, and placing the custody, control and management of said express station under the secretary of the state historical society.

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

SECTION 1. On and after July 1, 1963, the custody, control and management of the historic pony express station, situated near Hanover in Washington county, Kansas, shall be vested in the state historical society, said society to have the power to make such rules and regulations relating to the use, preservation, improvement, control and maintenance of said historic pony express station as it shall deem advisable.

SEC. 2. This act shall take effect and be in force from and after July 1, 1963, and its publication in the statute book.

SENATE BILL No. 325

By COMMITTEE ON WAYS AND MEANS

AN ACT relating to the Marais des Cygnes massacre memorial park, placing the management and control of said park under the state historical society and providing for an advisory board of trustees; amending section 76-2022 of the General Statutes of 1949, and repealing said original section.

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

SECTION 1. Section 76-2022 of the General Statutes of 1949 is hereby amended to read as follows: Sec. 76-2022. Said tract of land is hereby designated as the Marais des Cygnes Massacre Memorial Park, and *the same shall be under the control and management of the state historical society.* The governor is authorized and directed to appoint ~~a~~ *an advisory* board of trustees who shall ~~have charge~~ *serve in an advisory capacity to the secretary of the state historical society with respect to the management, care and operation* of said park. Said board shall consist of five (5) members, four (4) of whom shall be residents of Linn county, Kansas, and one (1) shall be the secretary of the state historical society. Each of said trustees shall hold his office for a term of three (3) years or until his successor shall be appointed. The trustees shall serve without compensation.

SEC. 2. Section 76-2022 of the General Statutes of 1949 is hereby repealed.

SEC. 3. This act shall take effect and be in force from and after July 1, 1963, and its publication in the statute book.

SENATE BILL No. 326

By COMMITTEE ON WAYS AND MEANS

AN ACT designating the land on which Pawnee Rock is located and the roadway from it to the town of Pawnee Rock as the Pawnee Rock historical state park and placing the management and control thereof under the state historical society.

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

SECTION 1. The land on which Pawnee Rock is located and 2 the roadway from it to the town of Pawnee Rock, which property 3 was accepted by the governor of the state of Kansas for and on 4 behalf of the state of Kansas in accordance with chapter 87 of the 5 1908 Special Session Laws of Kansas, is hereby designated 6 and known as the "Pawnee Rock historical state park." Said 7 park shall be under the control and management of the state 8 historical society, said society to have the power to make such 9 rules and regulations relating to the use, preservation, improve- 10 ment, control and maintenance of said Pawnee Rock historical 11 state park as it shall deem advisable.

SEC. 2. This act shall take effect and be in force from and 2 after July 1, 1963, and its publication in the statute book.

SENATE BILL No. 327

By COMMITTEE ON WAYS AND MEANS

AN ACT relating to the John Brown memorial park; placing the management and custodianship of the same under the state historical society; providing for an advisory board of trustees; amending section 76-2002 of the General Statutes of 1949, and repealing said original section.

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

SECTION 1. Section 76-2002 of the General Statutes of 1949 2 is hereby amended to read as follows: Sec. 76-202. The ~~control~~ 3 *custody and management* of this park shall be vested in *the state* 4 *historical society*. A board of trustees composed of three ~~(3)~~ 5 members whose term of office shall be for a term of four (4) years 6 or until their successor shall be appointed *shall serve in an ad-* 7 *visory capacity to the secretary of the state historical society* 8 *with respect to the management, care and operation of said park.* 9 Two of such members shall be women, one of whom is to be 10 appointed by the governor upon the recommendation of the 11 W. R. C., department of Kansas, and one of whom is to be 12 appointed by the governor upon the recommendation of the 13 Native Daughters of Kansas; and one member of said board 14 shall be a man who shall be appointed by the governor upon the 15 recommendation of the Grand Army of the Republic and the 16 American Legion, departments of Kansas. The ~~board of trust-~~ 17 ~~ees are~~ *secretary of the state historical society* is hereby author- 18 ized to appoint a caretaker for said park, but said caretaker

19 shall not be a member of said board of trustees. The trustees
20 shall serve without compensation, but may be allowed their
21 actual expenses.

SEC. 2. Section 76-2002 of the General Statutes of 1949 is
2 hereby repealed.

SEC. 3. This act shall take effect and be in force from and
2 after July 1, 1963, and its publication in the statute book.