

Approved 3-7-83
Date

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by BILL BUNTEN at
Chairperson

1:30 ~~XXXX~~ p.m. on Monday, February 28, 1983 in room 514-S of the Capitol.

All members were present except: Representatives Louis, Bussman and Solbach -- all excused

Committee staff present: Marlin Rein -- Legislative Research
Lyn Entrikin Goering -- Legislative Research
Bill Gilmore -- Legislative Research
Jim Wilson -- Office of the Revisor
LewJene Schneider -- Administrative Assistant
Charlene Wilson -- Committee Secretary

Conferees appearing before the committee:
Representative Erne on HB 2073
Mary VanBuren, Judicial Administrators Office
Judge Brookins
Judge Buck Lyle
Bill Sneed, Chief Attorney with Insurance Department

Others present: (Attachment I).

The meeting was called to order at 1:35 p.m.

House Bill No. 2073 -- "An Act concerning courts; relating to certain fees and their disposition and use; amending K.S.A. 1982 Supp 20-362, 38-1511, 38-1613 60-2001, 61-2501 and 61-2704 and repealing the existing sections."

Representative Erne was called upon by Chairman Bunten to review the provisions of HB 2073 for the committee, as well as to testify in support of the bill. (Attachment II). Representative Shriver questioned who this bill directly pertains to. Representative Erne indicated that this bill would relate to judges which would cover magistrate through the supreme court. Representative Erne added that one of the main functions he would like to see come out of this legislation is the time span of when a judge is appointed until the time he reaches the judges' college being escalated to a much shorter period of time. He doesn't feel that a judge should be on the bench for two years before he is allowed to go to the judges' college. Representative Heinemann expressed some concern with the area of docket fees being added to. Representative Erne indicated that he feels the cases that are filed is the reason for the number of judges in the state and the purpose for having the judges' training. He indicated that he feels if we didn't have the number of cases we have we would not need the judges and we in turn wouldn't have to give as many the training. He explained that he approached the area of increased docket fees that he did because that is the area that generate as close to the amount of money that has been used in the past plus some additional dollars, but added that he would have no problem with increasing the fees in other areas as well.

Mary VanBuren appeared in support of HB 2073. She indicated thak if this legislation is passed as a way to get extra money for the education of judges that they would be very much supportive of such legislation. She added that this is an area where they have had a reduction of funds since 1981, which was the last year they received any federal funds.

Judge Brookins was next to appear in support of HB 2073. He expressed the opinion that judges training would help the magistrate judges as much as anyone because at present they only are required to attend a three day seminar. He feels that the courses at Reno would be especially beneficial to the magistrates in helping them better perform in their duties.

Judge Lyle was the final conferee on HB 2073. He spoke very much in support of this bill from personal experience. He indicated that the training received at the judges' college has been very beneficial to him.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,
 room 514-S, Statehouse, at 1:30 ~~xxx~~ p.m. on Monday, February 28, 1983.

House Bill No. 2462 -- "An Act concerning the workers' compensation fund; relating to financing the expenses of administration; amending K.S.A. 1982 Supp. 44-566a and repealing the existing section."

Mr. Bill Sneed was called upon by Chairman Buntten to review the provisions of HB 2462 for the committee. He appeared in support of the bill. He indicated that the fund is funded by two major sources. The state contributed \$4 million per year and the department makes assessments on self-insurers and insurance companies for the balance of the funds. Representative Chronister moved that HB 2462 be reported favorable for passage. Seconded by Representative Miller. Motion carried.

The Chairman turned to consideration of subcommittee reports.

House Bill 2135, BOARD OF AGRICULTURE FY83.

Representative Arbuthnot reported on this agency. The subcommittee recommends that all expenditure savings be reappropriated to reduce the state general fund appropriations necessary for FY84. (Attachment III). With regard to item 10, Representative Shriver moved to restore the \$23,000.00 for data processing to the subcommittee report. Seconded by Representative Wisdom. Representative Arbuthnot opposed this motion indicating that the subcommittee felt that this was definitely a justified savings. Lyn Entrikin Goering indicated that this reduction was estimated by DISC only insofar as the extra amount that could not be spent by the end of this fiscal year. It was based on actual costs to date as well as the implementation of the terminal system that has been in service for the past couple of months. The motion lost.

Representative Arbuthnot moved that the subcommittee report be adopted. Seconded by Representative Luzzati. Motion carried.

House Bill 2107, Section 2, BOARD OF AGRICULTURE FY84.

Representative Arbuthnot reported on this section. The subcommittee concurs with the Governor's recommendation with some adjustments. A minority report was also submitted by Representative Hamm with this subcommittee report. (Attachments IV and V). The subcommittee recommended the introduction of legislation to address fees, item 32 of the subcommittee report. Representative Hamm moved to omit item 32, subsection C, from the subcommittee report. Seconded by Representative Holderman. Representative Mainey offered a substitute motion indicating that item 13 should be deleted from the subcommittee report. Representative Holderman seconded. Following committee discussion the motion lost. The Chairman referred back to consideration of the original motion of Representative Hamm regarding omitting item 32, subsection C, from the subcommittee report. The motion lost.

Representative Arbuthnot moved that the subcommittee report be adopted. Seconded by Representative Luzzati. Motion carried. By adoption of this subcommittee report, the legislation recommended by the subcommittee in item 32 will be submitted. (Attachment VI).

House Bill 2135, KANSAS WATER OFFICE FY 83.

Representative Luzzati reported on this agency. The subcommittee concurs with the Governor's recommendation with some adjustments. Representative Luzzati moved the adoption of the subcommittee report. Seconded by Representative Arbuthnot. Motion carried. (Attachment VII).

House Bill No. 2107, Section 8, KANSAS WATER OFFICE FY84.

Representative Luzzati reported on this section. She indicated that the Governor's Budget Memo referred to in the subcommittee report, dated February 4, should be dated February 10. The subcommittee concurs with the Governor's recommendation with some adjustments. Representative Luzzati moved the adoption of the subcommittee report. Seconded by Representative Arbuthnot. Motion carried. *Atch. VIII*

The Chairman asked for a motion on the minutes of February 21, 22, 23 and 24. Representative Miller moved that the minutes be approved as written. Seconded by Representative Chronister. Motion carried.

The meeting was adjourned at 3:30 p.m.

GUESTS

DATE 2-28-83

NAME	ADDRESS	REPRESENTING
1. William Sneed	Topeka	Ks Ins DEPT.
2. Alvin Brooks	Topeka	KBA
3. Mary Van Buren	Topeka	OJA
4. Jerry Inwell	"	KWD
5. JOE HARKINS	"	KWD
6. Harland Priddle	"	Ks 21st Bd of Cas
7. DON JACKA	TOPEKA	Ks STATE BOARD OF Agriculture
8. Jerry Sloan	"	Office of Judicial Admin
9. Laura Eder	"	Budget
10. Alan Couray	"	"
11. Walt Stolt	"	Assoc of Credit Unions
12. Virginia Lowther	Emporia	-
13. Wanda Gilkey	Henington	-
14. George A. Dyer	Kaplan Topeka	K. Capt. in KS-15
15. William F. Zyle	HUTCHINSON, KS,	27 th JUDICIAL DISTRICT
16. Janet Wake	Topeka	Rep Larry Eder
17. Evelyn Swann	Hickman, Mo.	-
18. John Klenz	Topeka	KAPE
19.		
20.		
21.		
22.		
23.		
24.		
25.		

Atch. 3

LARRY E. ERNE
 REPRESENTATIVE SEVENTH DISTRICT
 ROUTE 1
 COFFEYVILLE, KANSAS 67337



TOPEKA

TOPEKA ADDRESS
 STATE CAPITOL BUILDING
 TOPEKA, KANSAS 66612

HOUSE OF
 REPRESENTATIVES

Statement before the
 HOUSE COMMITTEE ON WAYS AND MEANS
 Monday, February 28, 1983

Mr. Chairman and members of the Committee, I am Larry Erne, Representative from the 7th District and I am the sponsor of HB 2073.

This bill will create a Judge's Education Fund to co-exist with our present judicial educational fund. The need for this new fund has arisen because of the loss of the LEAA funds. This fund will not replace our present judicial education fund, but will supplement it.

This bill raises funds by increasing a couple of the docket fees by one dollar. By doing this, we will be generating approximately \$105,000 a year. While there is additional revenue raised, there is no additional cost for the Office of Judicial Administration to administer the fund. There may be some additional cost at the district court level.

At the present time, \$133,000 is being spent on judicial education. This means that a priority system has to be used to determine which judges will attend the education programs. Right now about two-thirds of the education fund is spent on judges and one-third is spent on other court employees. District judges and associate district judges are presently given priority and, as funds permit, they are normally sent to the National Judicial College within their first year. Then district magistrate judges can be sent if funds permit. However, due to reduced funds this year, a number of new district and associate district judges have not received this training.

I think the ideal would be to send a judge to the National Judicial College in Reno within six months of his or her appointment to the bench. This bill will help provide the funds necessary to give our judges the proper training.

JUDICIAL EDUCATION FUND	
1981	\$180,000
	LEAA 163,500
	balance 10% match from State
1982	\$133,000
	all general fund money

Atch. II

SUBCOMMITTEE REPORT

Agency: Board of Agriculture Bill No. 2135 Bill Sec. NA
 Analyst: Goering Analysis Pg. No. 212 Budget Pg. No. 5-1

February 24, 1983

<u>Expenditure Summary</u>	<u>Agency Req. FY 83*</u>	<u>Governor's Rec. FY 83</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 6,306,613	\$ 6,103,208	\$ (113,397)
Other Funds	3,765,885	3,796,671	20,508
Total - All Funds	<u>\$ 10,072,498</u>	<u>\$ 9,899,879</u>	<u>\$ (92,889)</u>

* Includes Finance Council action on December 3, 1982; four supplemental requests submitted January 5, 1983; and two supplemental requests submitted January 27, 1983.

Agency Request/Governor's Recommendation

The Board of Agriculture requests supplemental State General Fund appropriations of \$52,656 to offset a projected deficit of an equal amount in revenues to the Weights and Measures Fee Fund, and \$31,143 to partially offset a projected deficit in the Water Appropriation Certification Fee Fund. Both requests for State General Fund expenditures are proposed to offset equal amounts of reduction in expenditures financed from the special revenue funds. The agency also requests supplemental State General Fund appropriations totalling \$37,347 to finance unanticipated one-time retirement costs for the present Chief Engineer of the Division of Water Resources and two other agency employees. The agency requests an additional State General Fund supplemental appropriation of \$6,290 to finance costs associated with lease of a terminal and use of the KIPPS and CASK information systems beginning August, 1982. Such costs were not included in the budget approved by the 1982 Legislature. Finally, the agency requests additional expenditure authority of \$6,933 in the current fiscal year for the Entomology Fee Fund, to allow the agency to expend federal grant funds made available to employ seasonal staff previously employed by the federal government. Due to federal hiring restrictions, the federal Animal and Plant Health Inspection Service (APHIS) has offered federal funds to Kansas to employ such personnel.

The Governor has made no recommendation with regard to any of the requested supplemental FY 1983 expenditure requests. The Governor's revised FY 1983 budget recommendation appears to have inadvertently excluded increased expenditures of \$25,192 approved by the State Finance Council on December 3, 1983.

House Subcommittee Recommendations

1. The Subcommittee acknowledges the difficulties caused by the shortage of revenues to two special revenue funds created pursuant to 1982 S.B. 877.

The Subcommittee notes that the projected deficit in revenues to the Water Appropriation Certification Fee Fund has been offset in part by holding vacant 4.0 F.T.E. positions of the 6.0 F.T.E. newly authorized for the Water Appropriation subprogram by the 1982 Legislature. The Subcommittee learned that the agency's revised projection of FY 1983 revenues to the fund of \$40,800 may be overly conservative given the fact that receipts totalled \$34,563 as of February 11, 1983. The Subcommittee anticipates that any deficit can be absorbed by holding the positions vacant for the remainder of the current fiscal year, and therefore recommends no action be taken with regard to the requested supplemental appropriation.

Atch. III

The Subcommittee is aware of the potential problem associated with a substantial deficit in revenues to the Weights and Measures Fee Fund. The Subcommittee takes no position with regard to the agency's request at this time, but would encourage the Governor to address the agency's request via submission of a budget amendment.

2. The Subcommittee recommends approval of the agency's request for \$6,933 in increased expenditure authority for the Entomology Fee Fund to allow expenditure of federal grant moneys for seasonal employees.
3. The Subcommittee recommends that no action be taken in response to the other supplemental State General Fund appropriations requested for retirement costs and costs associated with the KIPPS/CASK systems. The Subcommittee recommends that such costs be absorbed within the current FY 1983 budget as adjusted by the following recommendations:

Administrative and Statistical Services

1. Deletion of \$26,500 in State General Fund expenditures associated with printing the Board's Annual Report. The Subcommittee learned that the fall, 1982 publication of the report was financed from moneys encumbered during FY 1982. The amount appropriated for FY 1983 would have financed publication of the report during early FY 1984. The Subcommittee is of the opinion that such report should be published only every other year pursuant to K.S.A. 74-504. Further, the Subcommittee does not believe it necessary to appropriate moneys for such publication prior to the year in which the Division of Printing actually publishes the report.

Inspection and Regulation of Agricultural Supplies

2. Reduction of \$5,617 in expenditures financed from the Agricultural Chemicals Fee Fund for travel and subsistence costs in the Control subprogram.

Inspection and Regulation of Agricultural Products

3. Reduction of \$2,992 in State General Fund expenditures budgeted for freight and express costs of the Dairy Division.
4. Reduction of \$3,000 in State General Fund expenditures budgeted for professional supplies in the Dairy Division.
5. Reduction of \$6,000 in Egg Inspection Fee Fund expenditures budgeted for travel and subsistence in the Egg Inspection subprogram.

Inspection and Regulation of Weights and Measures

6. Reduction of \$6,666 in State General Fund expenditures for rental costs associated with storage space in the Mills Building which is not currently in use for the Division of Weights and Measures.

Water Resources

7. Reduction of \$4,700 in State General Fund expenditures budgeted for communications costs.
8. Deletion of \$1,250 in State General Fund expenditures budgeted for moving expenses of recruited personnel.
9. Reduction of \$2,000 in State General Fund expenditures budgeted for rental costs of copying equipment.
10. Reduction of \$23,739 in State General Fund expenditures for data processing costs, based on the evaluation submitted by the Division of Information Systems and Computing (DISC). This adjustment would allow expenditure of \$126,651 during FY 1983 for data processing activities related to processing water appropriation applications and permits and computerizing historical water use data.
11. Deletion of \$10,000 in State General Fund expenditures budgeted for microfilming oversized documents and maps associated with regulation of water structures.
12. Deletion of \$2,400 in State General Fund expenditures budgeted for developing a computerized methodology for estimating the effects of dam failures.
13. Reduction of \$3,150 in State General Fund expenditures budgeted for court reporter services.

Agricultural Market Development

14. Reduction of \$20,000 in State General Fund expenditures budgeted for travel and subsistence costs.
15. Restoration of \$10,192 in expenditures financed from the Marketing Fee Fund which were approved by the State Finance Council on December 3, 1982.

Regulation of Pesticides and Plant Pests and Diseases

16. Reduction of \$7,000 in State General Fund expenditures budgeted for travel and subsistence costs in the Pesticide Use subprogram.
17. Restoration of \$15,000 in expenditures financed from the Entomology Fee Fund which were approved by the State Finance Council on December 3, 1982.

The Subcommittee recommends all expenditure savings to be reappropriated to reduce State General Fund appropriations necessary for FY 1984.



Representative Bob Arbuthnot
Subcommittee Chairman



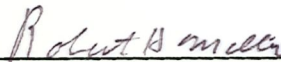
Representative Bill Buntin



Representative Lee Hamm



Representative Ruth Luzzati



Representative Robert H. Miller

SUBCOMMITTEE REPORT

Agency: Board of Agriculture Bill No. 2107 Bill Sec. 2

Analyst: Goering Analysis Pg. No. 212 Budget Pg. No. 5-1

February 24, 1983

<u>Expenditure Summary</u>	<u>Agency Req. FY84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 7,730,423	\$ 5,584,782	\$ (258,481)
Federal Funds	1,335,683	216,437	1,384,357
Other Funds	2,955,495	2,872,234	364,915
Total All Funds	<u>\$ 12,021,601</u>	<u>\$ 8,673,453</u>	<u>\$ 1,490,791</u>
 F.T.E. Positions	 315.0	 220.0	 74.0

House Subcommittee Recommendations

The Subcommittee concurs with the Governor's FY 1984 recommendations with the following adjustments:

Agency Wide Expenditures

1. Deletion of the 4 percent cost-of-living increase. The reduction, as adjusted to retain the Governor's recommended turnover savings percentages for each subprogram, is to be financed as follows:

\$174,099	State General Fund
9,347	Feeding Stuffs Fee Fund
10,973	Fertilizer Fee Fund
3,235	Egg Inspection Fee Fund
404	Corn Commission Fee Fund
942	Grain Sorghum Commission Fee Fund
577	Soybean Commission Fee Fund
<u>\$199,577</u>	Total Reduction

2. Restoration of \$46,498 in State General Fund expenditures, \$2,520 in Feeding Stuffs Fee Fund expenditures, and \$2,958 in Fertilizer Fee Fund expenditures for salaries and wages, or a total of \$51,976. This adjustment would reduce the turnover savings percentages recommended by the Governor from 2 percent to 1 percent, to allow the agency to absorb an unusually large amount of the one-time retirement costs anticipated during FY 1984.
3. Deletion of all amounts recommended by the Governor to finance one time retirement costs anticipated to be incurred during FY 1984. The Subcommittee is of the opinion that such costs should be absorbed within the agency's regular salaries and wages budget. In recognition of the substantial number of such retirements anticipated to occur during FY 1984, the Subcommittee recommends a decrease in turnover deduction percentages as noted under Recommendation Number 2. Deletion of retirement costs allows savings of \$73,142 for salary and fringe benefit costs, of which \$59,182 would be from State General Fund expenditures, \$6,422 from Feeding Stuffs Fee Fund expenditures, and \$7,538 from Fertilizer Fee Fund expenditures.

Atch. IV

4. Deletion of \$26,500 in State General Fund costs associated with publication of the agency's Annual Report. The Subcommittee notes that K.S.A. 74-504 authorizes the Board to issue a biennial report subject to availability of funds for such purpose. The Subcommittee notes that the budgeted sum would finance publication of the report in early FY 1985. Although the Subcommittee takes no position with regard to such publication during FY 1985, it does not recommend that moneys be appropriated to the year prior to the actual publication date.

Administrative and Support Services

5. Deletion of \$8,628 in State General Fund expenditures for reclassifications and salary upgrades associated with three existing employees. The Subcommittee takes no position with regard to the proposed reclassifications, but recommends that any salary increases resulting from reclassifications, pending approval by the Division of Personnel Services, be absorbed within the regular FY 1984 budget for salaries and wages.
6. Deletion of \$2,842 in State General Fund expenditures for seasonal and temporary employees' salaries and associated fringe benefits.
7. Deletion of \$1,781 in State General Fund expenditures for overtime pay and associated fringe benefits.
8. Deletion of \$586 in State General Fund expenditures for purchase of legal reference books.
9. Adjustments to the proposed plan for financing the subprogram to maximize the use of special revenue fund balances and offset an equal amount recommended by the Governor to be appropriated from the State General Fund. The shift in financing recommended by the Subcommittee is as follows:

Agricultural Liming Materials Fee Fund	\$ 31,895
Agricultural Chemicals Fee Fund	6,801
Feeding Stuffs Fee Fund	34,004
Fertilizer Fee Fund	2,823
Egg Inspection Fee Fund	82,644
Subtotal - Fee Funds	<u>\$ 158,167</u>
State General Fund	<u>\$ (158,167)</u>
Net Change in FY 1984 Budgeted Expenditures	<u>\$ 0</u>

The Subcommittee notes that \$24,000 in revenues to the Agricultural Liming Materials Fee Fund are assumed to be available over and above the revenue estimates approved by the Governor.

Statistical Services and Support

10. Adjustment in the plan for financing this subprogram to maximize expenditures from the Postage Reimbursable Fund and reduce \$9,000 in State General Fund expenditures for postage costs.

Control

11. Deletion of \$4,000 in Agricultural Chemicals Fee Fund expenditures for repairs and servicing.

Seed Laboratory

12. Adjustment in the plan for financing to maximize expenditure of balances in the Seed Examination Fee Fund, offsetting \$12,189 in State General Fund expenditures.

Meat and Poultry Inspection

13. Restoration of \$1,927,029 in budgeted expenditures and 77.0 F.T.E. positions to continue state inspection of certain meat and poultry processing firms in Kansas. The Subcommittee's recommendation would continue this joint state-federal cooperative agreement with 4.0 F.T.E. fewer positions than are currently authorized. The deleted positions were vacant as of February 2, 1983, and the Board of Agriculture believes that a total staff of 77.0 F.T.E. positions will be sufficient to retain the status of a state whose regulatory activities in this area are deemed "equal to" those of the U.S. Department of Agriculture. The recommended budget for the Division of Meat and Poultry assumes continuation of present travel reimbursement rates, consistent with the Governor's recommendations for other programs in the agency. The recommendation assumes a 1 percent turnover rate and does not include amounts which would be required to finance a cost-of-living increase for state employees. An estimated \$61,418, of which half would be financed from federal funds and half from the State General Fund, would be required to finance a 4 percent cost-of-living increase. Any such amount would be in addition to the Subcommittee's recommendation.

The restoration of the Division of Meat and Poultry Inspection is recommended to be financed as follows:

State General Fund	\$ 515,514
Federal Fund - June 30, 1983 Balance	398,000
Federal Fund - Expenditures from New Receipts for FY 1984	963,515*
Meat and Poultry Inspection Fee Fund	50,000
Total Recommendation — All Funds	<u>\$1,927,029</u>

* Projected FY 1984 revenues of \$994,224, assuming a 4 percent salary increase and 1 percent turnover savings, less 50 percent of the estimated amount necessary to finance the 4 percent cost-of-living increase (\$30,709).

Grade A Milk Inspection

14. Adjustment in the plan for financing to maximize expenditures financed from the Grade A Milk Inspection Fee Fund, allowing a reduction of \$48,800 in State General Fund expenditures. This adjustment assumes full expenditure of the \$30,000 ending balance projected for FY 1984 based on the Governor's estimate of revenues, plus an additional \$18,800 in revenues the Subcommittee anticipates to be available over and above the Governor's estimates for the two-year period. The Subcommittee notes that revenue projections based on the fee increases authorized by 1982 S.B. 877 appear to be understated by \$8,800 for the current fiscal year and \$10,000 for FY 1984.

Manufacturing Milk Inspection

15. Adjustment in the plan for financing to maximize expenditures financed from the Dairy Division Fee Fund, enabling a reduction of \$25,000 in State General Fund expenditures.

Division of Weights and Measures

16. Adjustment in the plan for financing to allow expenditure of \$35,000 of the projected balances in the Fertilizer Fee Fund for support of activities budgeted in this Division which relate to the regulation of anhydrous ammonia. The recommended adjustment would allow an equal reduction in the amount of State General Fund appropriations necessary for the support of the Division's FY 1984 operating costs.

Water Appropriations - Division of Water Resources

17. Deletion of 3.0 F.T.E. Engineering Technician V positions which are currently vacant, allowing savings of \$70,052 in expenditures for salaries and wages and \$5,000 for travel and subsistence. Both adjustments allow savings in State General Fund expenditures.
18. Reduction of \$16,372 in State General Fund expenditures for seasonal and temporary employees. Such an adjustment would provide the same level of seasonal staff assistance in FY 1984 as estimated for the current fiscal year.
19. Deletion of \$2,000 in State General Fund expenditures for copy machine rental costs, an adjustment which retains a reasonable amount for such purposes compared to actual costs in past years.
20. Deletion of \$1,200 in State General Fund expenditures budgeted for moving expenses incurred by personnel newly recruited for the subprogram.
21. Reduction of \$25,000 in State General Fund expenditures for contracting with private engineering firms to conduct field audits required for perfecting water rights.

Water Data Processing

22. Reduction of \$31,521 in State General Fund expenditures for data processing services. The recommended adjustment would provide a total of \$151,873 for data processing costs associated with water rights activities, an amount which is 20 percent more than the revised estimate of \$126,561 for FY 1983. The latter amount is estimated for the current fiscal year in the data processing evaluation released by the Division of Information Systems and Computing (DISC).

Dams, Levees, Channel Changes, Watershed and
Irrigation Districts

23. Deletion of \$2,400 in State General Fund expenditures for computerizing a methodology for estimating the effects of dam failure.

Agricultural Market Promotion and Development

24. Concurrence with the Governor's recommended deletion of a \$7,000 State General Fund request to finance the membership fee for participation in the Mid-America International Agri-Trade Council (MIATCO) during FY 1984. The Subcommittee suggests that appropriate sources of revenue to finance the membership fee would be the special revenue funds of the Corn Commission, the Grain Sorghum Commission, and the Soybean Commission.
25. Adjustment in the plan for financing to maximize expenditures to be financed from the Marketing Fee Fund, offsetting \$5,362 in expenditures financed by the State General Fund.
26. Similar adjustments to the plan for financing to support certain budgeted costs of the Division which are associated with egg inspection and certification activities from \$10,000 in Egg Inspection Fee Fund revenues, allowing an offsetting reduction of an equal amount from State General Fund expenditures.

Pesticide Use

27. Reduction of \$16,613 in State General Fund expenditures for salaries, wages, and fringe benefits associated with seasonal, temporary, and part-time intermittent employees. The adjustment would retain \$20,000, plus associated fringe benefits, to finance such costs in FY 1984. The Subcommittee is aware that the present renewal of pesticide certifications every third year creates a cyclic clerical workload for the agency. Nevertheless, the Subcommittee deletes the requested increase for seasonal and temporary salaries and suggests that the agency propose necessary changes to existing statutes to create an even workload by staggering the renewal of pesticide certifications.

28. Adjustment in the plan for financing to maximize expenditures financed from the Pesticide Use Fee Fund in order to allow savings of \$39,716 in costs financed from the State General Fund.
29. A similar adjustment in financing to increase expenditures supported by Federal Pesticide Enforcement Fund moneys, allowing an equal reduction of \$22,842 in expenditures financed by the State General Fund.
30. Reduction of \$1,000 in State General Fund expenditures for repairing and servicing miscellaneous equipment.


Entomology

31. Adjustment in the plan for financing to maximize expenditures financed from the Entomology Fee Fund, allowing an equal sum of \$9,641 to be reduced from State General Fund expenditures.

Fee Legislation

32. The Subcommittee recommends introduction of legislation to effectuate the following:
 - a. Repeal of K.S.A. Chapter 2, Article 18 regarding the registration, labeling, and testing of agricultural binder twine. Passage of such legislation would result in elimination of the Binder Twine Fee Fund, to which less than \$1,000 in revenues are credited annually.
 - b. An increase in the inspection fee assessed pursuant to K.S.A. 2-1004 on feeding stuffs tonnage sold from 8 cents to 10 cents. Such legislation would result in an estimated increase in fee fund revenues of \$65,000 annually.
 - c. Revision of K.S.A. 65-6a34(b) to provide for increases in the fees assessed for registration of packing houses, sausage plants, or poultry packing plants from \$100 to \$200 annually, and for slaughterhouses or poultry dressing plants from \$75 to \$150 annually. Passage of such legislation would increase revenues to the Meat and Poultry Inspection Fee Fund by an estimated \$31,400 annually, allowing an equal amount of savings in State General Fund appropriations necessary to match federal funds supporting the Division of Meat and Poultry.

Upon passage of such legislation, the Subcommittee recommends that additional adjustments in financing the agency be considered for inclusion in the Omnibus Bill.



Representative Bob Arbuthnot
Subcommittee Chairman

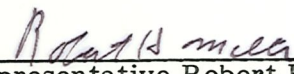


Representative Bill Bunten

Representative Lee Hamm



Representative Ruth Luzzati



Representative Robert H. Miller

SUBCOMMITTEE REPORT

Agency: Board of Agriculture Bill No. 2107 Bill Sec. 2
 Analyst: Goering Analysis Pg. No. 212 Budget Pg. No. 6-1


<u>Expenditure Summary</u>	<u>Agency</u> <u>Req. FY</u>	<u>Governor's</u> <u>Rec. FY</u>	<u> </u>
----------------------------	---------------------------------	-------------------------------------	-----------------------------

Minority Report
FY 1984 Recommendation

I concur with the Subcommittee recommendations with the following exception:

I disagree with the Subcommittee's recommendation that legislation be introduced to double meat and poultry registration fees. In my opinion, the inspection of meat and poultry processing operations is an activity conducted in the interest of consumer safety and protection, and should be financed primarily from State General Fund appropriations and federal grant moneys. I do not believe that the concept of maximizing "user fees" should be interpreted to result in an increase in the fee paid by regulated processing operations. On the contrary, the primary "user" of the state's inspection activities in the area of meat and poultry processing is the public, whose taxes support the State General Fund. Because I consider the state's meat and poultry inspection program as primarily a benefit and a protection to the public, I believe it is inappropriate to ask the regulated plants to support the program by imposing increased annual registration fees.

Furthermore, it was the intent of Congress, at the time of passage of the 1967 Wholesome Meat Act, that fees assessed to processing plants by states should not exceed \$100. In my opinion, increasing fees beyond \$100 annually would create a serious risk that our state-federal cooperative agreement may no longer be considered "equal to" the federal requirements. I do not agree with a recommendation which imposes such a risk for this important program.


 Representative Lee Hamm
 Subcommittee Member

Atch. 1

PROPOSED BILL NO. /

For Consideration by House Committee on Ways and Means

AN ACT concerning the state board of agriculture; relating to fees for commercial feeding stuffs inspections and meat and poultry plant annual registrations; amending K.S.A. 2-1004 and 65-6a34 and repealing the existing sections.

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

Section 1. K.S.A. 2-1004 is hereby amended to read as follows: 2-1004. ~~(1)~~ (a) Each manufacturer, importer, jobber, firm, association, corporation or person, manufacturing or selling any commercial feeding stuffs, shall pay to the secretary of the state board of agriculture an inspection fee of ~~eight cents--(8¢)~~ \$.10 per ton of ~~two-thousand-(2,000)~~ 2,000 pounds, or fraction thereof, for each commercial feeding stuffs sold, offered or exposed for sale or distributed in this state.

~~(2)~~ (b) Each manufacturer, importer, jobber, firm, corporation, association of persons or person shall make application to the secretary of the state board of agriculture for a permit to report the tonnage of commercial feeding stuffs sold and shall pay the inspection fee on the basis of ~~said~~ such report.

~~(3)~~ (c) In the case of a commercial feeding stuffs which is distributed in the state in packages of ~~ten--(10)~~ 10 pounds or less, an annual fee of ~~twenty-five-dollars-(25)~~ \$25 shall be paid in lieu of the inspection fee.

~~(4)~~ (d) In the case of specialty pet foods which is distributed in the state in packages of one ~~(1)~~ pound or less, an annual fee of ~~fifteen-dollars-(15)~~ \$15 shall be paid in lieu of the inspection fee.

~~(5)~~ (e) The minimum inspection fee shall be ~~fifteen-dollars-(15)~~ \$15 and shall be paid semiannually.

Atch. VI

~~(6)~~ (f) The secretary may grant the permit upon condition that the applicant keep such records as may be necessary to indicate accurately the tonnage of commercial feeding stuffs sold, and as are satisfactory to the secretary, and granting the secretary or the secretary's duly authorized representative permission to verify the statement of tonnage. The report shall be filed in the office of the secretary of the state board of agriculture, and the report of tonnage and inspection fee shall be due semiannually on the first day of January and the first day of July, covering the tonnage of commercial feeding stuffs sold the preceding six months.

~~(7)~~ (g) If the report is not filed and the inspection fee paid by the ~~thirtieth~~ 30th of the month following the due date, or if the report of tonnage be is false, the secretary may revoke the permit, ~~and~~. If the inspection fee be unpaid after the thirty-day grace period, the amount due shall bear interest at the rate of ~~eight percent~~ ~~(8%)~~ 8% per annum from the date the report and inspection fee were due, until paid, and shall constitute a debt and become the basis of a judgment. The sale of a commercial feeding stuffs in this state without reporting and paying the inspection fee within ~~thirty~~ ~~(30)~~ 30 days from the due date, shall constitute cause for cancellation and revocation of the registrations filed by ~~said~~ the manufacturer, importer, jobber, firm, association of persons, corporation, or person.

Sec. 2. K.S.A. 65-6a34 is hereby amended to read as follows: 65-6a34. (a) No person shall (1) engage in business, in or for intrastate commerce, as a meat broker, or animal food manufacturer, ~~or~~ (2) engage in business in such commerce as a wholesaler of any carcasses, or parts or products of the carcasses, of any cattle, sheep, swine, goats, horses, mules or other equines, domestic rabbits or poultry, whether intended for human food or other purposes, or (3) engage in business as a public warehouseman storing any such articles in or for such commerce, without first having registered with the secretary such person's name and the address of each place of business at which,

and all trade names under which such person conducts such business.

(b) No person shall engage in business or operate a packinghouse, sausage plant, poultry packing plant, slaughterhouse or poultry dressing plant without registering such person's name and place of business with the secretary, and paying the registration fee established by this section. An annual registration fee of ~~one--hundred-dollars~~ \$200 shall be charged for the registration of a packing house, sausage plant or poultry packing plant and such registration shall expire on December 31 of each year. An annual registration fee of ~~seventy-five-dollars~~ \$150 shall be charged for the registration of a slaughterhouse or poultry dressing plant and such registration shall expire on December 31 of each year.

Sec. 3. K.S.A. 2-1004 and 65-6a34 are hereby repealed.

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

PROPOSED BILL NO. 2

For Consideration by House Committee on Ways and Means

AN ACT repealing K.S.A. 2-1801, 2-1802, 28-1803 and 2-1804;
relating to the sale and distribution of agricultural binder
twine.

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

Section 1. K.S.A. 2-1801, 2-1802, 2-1803 and 2-1804 are
hereby repealed.

Sec. 2. This act shall take effect and be in force from and
after its publication in the statute book.

SUBCOMMITTEE REPORT

Agency: Kansas Water Office Bill No. 2135 Bill Sec. A
 Analyst: Goering Analysis Pg. No. 241 Budget Pg. No. 5-43

<u>Expenditure Summary</u>	<u>Agency Req. FY 83</u>	<u>Governor's Rec. FY 83*</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 3,069,178	\$ 2,985,041	\$ (78,968)
Aid to Local Units	6,150	6,150	—
TOTAL	<u>\$ 3,075,328</u>	<u>\$ 2,991,191</u>	<u>\$ (78,968)</u>
State General Fund:			
State Operations	\$ 3,051,963	\$ 2,967,826	\$ (78,968)
Aid to Local Units	6,150	6,150	—
TOTAL	<u>\$ 3,058,113</u>	<u>\$ 2,973,976</u>	<u>\$ (78,968)</u>
F.T.E. Positions	29.5	29.5	—

* Includes Governor's Budget Amendment No. 2, Item 4.

Agency Request/Governor's Recommendation

The agency's revised operating budget for FY 1983 includes requested expenditure of a total of \$17,215 in federal grant moneys which were not specifically approved for expenditure in the current fiscal year by the 1982 Legislature. However, legal authority to expend such funds was granted the agency by not specifying expenditure limitations on certain federal grant funds received in prior years.

The Governor concurs with the revised budget request to allow expenditure of remaining balances in these federal grant funds. In addition, the Governor amended his FY 1983 budget recommendation on February 10, 1983, to include an additional \$15,062 in State General Fund expenditures. The additional budget authority would finance expenses associated with relocating the Office from 503 Kansas to Mills Building space in close proximity to the Board of Agriculture's Division of Water Resources. The recommendation includes \$6,062 for moving expenses, \$8,000 for capital outlay costs to allow purchase of partitions for the new space, and \$1,000 to finance additional rent costs in the current fiscal year associated with use of 4,300 square feet of space in the new location. The Governor's Budget Amendment would require a supplemental appropriation to be included in H.B. 2135, since all other FY 1983 savings recommended by the Governor were lapsed in 1983 S.B. 54.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation with the following adjustments:

1. Reduction of \$3,659 in State General Fund expenditures budgeted for communications costs.
2. Reduction of \$2,680 in State General Fund expenditures budgeted for printing and advertising costs.

VII

3. Reduction of \$4,000 in State General Fund expenditures budgeted for travel and subsistence costs.
4. Reduction of an additional \$68,629 in budgeted expenditures for financing billings for operating and maintenance costs associated with water releases from federal reservoirs during the current fiscal year. The Subcommittee learned that the agency's FY 1983 approved budget included amounts to pay such annual billings on October 1, 1982 for eight federal reservoirs. However, the state is not obligated to make payments for operating and maintenance costs until the state formally takes control of the state's share of water storage capacity for purposes of authorizing releases of water. Taking such control has not yet been necessary for three of the eight federal reservoirs, and the Subcommittee learned that the Office is not able to anticipate the exact dates on which formal control will be accepted. The Subcommittee acknowledges the fact that the Governor's FY 1983 budget recommendations included a reduction of \$29,154 for similar reasons, an amount which was lapsed in S.B. 54. The Governor's recommendation assumed specific dates in the current fiscal year on which the Office would accept control of water storage capacity and hence incur liabilities for operating and maintenance costs. Those assumed dates were anticipated by the agency in a memorandum dated October 26, 1982. At present, the uncertainty regarding actual need for water releases from the three reservoirs results in the Subcommittee's recommended deletion of remaining unexpended amounts budgeted for payment of operating and maintenance billings. The Subcommittee recommends reappropriation of such anticipated savings to reduce FY 1984 State General Fund appropriations. Such reappropriation would ensure legal availability of such funds in the current fiscal year, should the need arise for water releases prior to October 1, 1983, which is the next date on which regular billings for such costs are due.
5. The Subcommittee recommends that anticipated savings in communications, printing, and travel be reappropriated to reduce appropriations for other operating expenditures necessary for FY 1984. The Subcommittee also recommends reappropriation of any unexpended balance of the supplemental appropriation of \$15,062 recommended for relocation expenses. Although the Subcommittee's budget recommendations assume such costs will be incurred in the current fiscal year, the Subcommittee recommends such funds to remain available to the agency in FY 1984 should the actual relocation be deferred beyond June 30, 1983. The Subcommittee notes, however, that \$1,000 of the supplemental appropriation would finance additional rent costs associated with lease of space in the Mills Building for the last months of FY 1983. Should the move be delayed until July 1, 1983 or later, this amount of expenditure would not be necessary in FY 1984. Therefore, the Subcommittee recommends an FY 1984 expenditure limitation of \$14,062 on any balances reappropriated, to be used only for purposes of relocating the agency's office.



Representative Bob Arbuthnot
Subcommittee Chairman



Representative Bill Bunten



Representative Lee Hamm



Representative Ruth Luzzati



Representative Robert H. Miller

SUBCOMMITTEE REPORT

Agency: Kansas Water Office Bill No. 2107 Bill Sec. 8
 Analyst: Goering Analysis Pg. No. 241 Budget Pg. No. 5-43

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84*</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 3,614,286	\$ 3,175,347	\$ (32,253)
Aid to Local Units	56,000	—	—
TOTAL	<u>\$ 3,670,286</u>	<u>\$ 3,175,347</u>	<u>\$ (32,253)</u>
State General Fund:			
State Operations	\$ 3,614,286	\$ 3,175,347	\$ (32,253)
Aid to Local Units	56,000	—	—
TOTAL	<u>\$ 3,670,286</u>	<u>\$ 3,175,347</u>	<u>\$ (32,253)</u>
F.T.E. Positions	30.5	24.5	—

* Includes Governor's Budget Amendment No. 2, Item 4, and revised budget detail submitted February 4, 1983.

House Subcommittee Recommendation


The Subcommittee concurs with the Governor's amended budget recommendations with the following adjustments:

1. Deletion of \$29,382 associated with the recommended 4 percent cost-of-living salary increase.
2. Reduction of \$2,682 in per diem compensation and \$189 in associated fringe benefits for the 11 voting members of the Kansas Water Authority. The Subcommittee learned that the Governor's budget recommendation would finance payment of \$35 per day for activities which are not currently authorized in statute as eligible for such payment. The Subcommittee notes that S.B. 311 has been introduced by the Senate Committee on Energy and Natural Resources, and that passage of this or a similar amendment to current law would legally authorize payment of compensation for official business of the Authority, in addition to current statutory authorization only for compensation for regular and special meetings of the Authority. The Subcommittee's recommendation would delete the recommended increase from \$7,188 budgeted in the current fiscal year to \$9,870 proposed for FY 1984, pending passage of legislation to expand authorized payment of compensation, mileage and subsistence to include such activities as attendance at meetings of other water-related organizations and legislative hearings. The Subcommittee notes that the revised amount of \$7,188 per year for per diem compensation is substantially higher than actual expenditures during FY 1982 of \$3,605, allowing for additional regular and special meetings of the Authority during the current fiscal year.

Atch. VIII

3. Insertion of a proviso authorizing expenditure of \$250 for official hospitality, pursuant to the revised budget recommendation submitted on February 4, 1983.
4. Revisions to the structure of the appropriation bill to allow continuation of the traditional manner by which appropriations have been made to this agency. The Subcommittee recommends separate line item appropriations for salaries and wages and other operating expenditures.

The Subcommittee notes, with some reservations, its concurrence with the Governor's recommended full-time Special Project Worker staff person to be located in Wichita. The Subcommittee is aware that current statutes authorize the Kansas Water Office to employ only one unclassified staff person, that being the position of Director. The Subcommittee acknowledges that Special Project Worker positions are also considered unclassified, but general appointment authority for such positions is provided the Governor in a separate statute. The Subcommittee is of the opinion that the current staffing structure is operating smoothly and is facilitating progress in the resolution of serious problems in the management of water resources, which the Subcommittee views to be a high priority of the Legislature. Nevertheless, the Subcommittee does not intend the staffing arrangement recommended by the Governor for FY 1984 to be interpreted as establishing a precedent for similar arrangements in the future for this or any other state agency, board, or commission.



Representative Bob Arbuthnot
Subcommittee Chairman



Representative Bill Buntin



Representative Lee Hamm



Representative Ruth Luzzati



Representative Robert H. Miller