

Approved March 2, 1983
Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at
Chairperson

1:35 ~~am~~/p.m. on February 24, 1983 in room 531N of the Capitol.

All members were present except:

Senator Gaines
Senator Roitz

Committee staff present:

Norm Furse - Revisor
Julian Efird - Legislative Research

Conferees appearing before the committee:

Mike Billinger - Ellis County Treasurer
Glenis Heldenbrand - Reno County Clerk
Adrian Farver - Kansas Sheriffs Assn.
Gene R. Kristenson - Harvey County Administrator
Bob Bacon - Johnson County Commissioner
Roy Allen - Saline County Commissioner
Keith Devenney - Geary County Commissioner
Kim Dewey - Sedgwick County

Mike Billinger addressed the committee on behalf of Senate Bill 46 and distributed charts showing results of surveys taken of the Kansas County Treasurers' Association on the concept of Senate Bill 46. He stated that something needs to be done to the statutes and pointed out a similar section in Senate Bill 832. On behalf of the Treasurers, Clerks and Register of Deeds he requested favorable consideration of Senate Bill 46. (Exhibit A)

Support in the passage of Senate Bill 46 was also expressed by Glenis Heldenbrand who stated that she felt she was responsible for her office and that she should have a choice in whom she hired and for whom she had responsibility. (Exhibit B)

Adrian Farver requested the committee to consider an amendment to this bill to include the Sheriff's Association. Several questions were raised but no action was taken.

Gene Kristenson submitted a list of 10 reasons why the Harvey County Commissioners opposed this bill citing loss of budget and personnel control as well as loss of efficiency in various offices. He answered questions from the committee and expressed interest in reviewing an amended version on the bill. (Exhibit C) Bob Bacon, Roy Allen, Keith Devenney and Kim Dewey also appeared in opposition and distributed copies of such testimony to the committee. (Exhibits D and E)

Written opinions from numerous other interested parties were distributed to members of the committee, copies of which are recorded and attached to the original minutes. (Exhibit F)

Attention was turned to Senate Bill 40 and Senator Francisco made a motion to amend line 26 to read "...1984". After some discussion this motion died for lack of a second.

Senator Hein made a motion to approve the minutes, Senator Gaar seconded, motion carried.

Meeting was adjourned at 2:30 p.m.

GUEST LIST

COMMITTEE: Senate Governmental Organization DATE: Feb. 24, 1983

NAME	ADDRESS	COMPANY/ORGANIZATION
Linda Jones	R. 5 Abilene	Dickinson County Register of Deeds
Gladys Jones	Enterprise	Dickinson County Treasurer
Mary Bolton	RR 3 Lyons	Rice County Clerk
Gladys Muek	Little River	Rice Co Reg of Deeds
Jack Hays	Newton	Harvey Co. Reg of Deeds
Rosa Mary Mann	Hutchinson	Reno Co Reg of Deeds
Alvin Haldybrand	Hutchinson	Reno Co. Clerk
Mary Ann Hollogg	Seneca	Nemaha Co Register of Deeds
Linda Fincham	Marysville	Marshall Co Register of Deeds
Nancy Rensvold	Heawatha	Brown Co Register of Deeds
Jessie Palmer	Leavenworth	Leav. Co Register of Deeds
Carol Bell	Topeka	Secretary of State
Walter L. Jackson	Topeka	Allen Co. Treasurer
Joseph M. Jackson	Topeka	Husband of Allen Co Treasurer
Virginia Lance	Heawatha	Co. Treasurer
Richard O. Davis	Lyndon	Co Treasurer
Wm E. O'Brien	Olathe	Jo. Co. Treasurer
Walter R. Krueger	Beurlingame	Kans Sheriff Assn.
Bob Bacon	JOHNSON COUNTY	COMMISSIONER
William E. Franklin	Johnson County	Commissioner
Carl O. Clark	mont co.	Commissioner
L. N. Rasmussen	Marshall co	commissioner
Edward Murphy	Nemaha Co	Commissioner
Robert Neis	Douglas county	Commissioner
Kim C. Dewey	Sedwick County	MT. GOV. COUNCIL

GUEST LIST

COMMITTEE: Senate Governmental Organization DATE: Feb. 24, 1983

NAME	ADDRESS	COMPANY/ORGANIZATION
Jim D. Browlee	Sabetha	Memphis Commerce
A. D. Waldgrave	Indef. K.	
Marilyn Chapman	Wichita	
Pat McDonald	Lyons	County Clerk
Wayle Landoll	Marionville	Marshall County Clerk
Dickens Riggs	Wheeler City	Shelburne County Clerk
Shirley Pursett	Well City	Shelburne County Treasurer
Randolph Richmond	Newton	Farm Producer
Willard W. Albert	Moundridge	
Annis E. Carlson	Smolan	Saline County Comm. Chairman
Joe F. Devenney	Seneca Co.	Seneca County Comm. - Clerk
P. W. Green	Shelburne Co.	COMMISSIONER
BENEZ R. KRISTENSON	HARVEY Co	ADMINISTRATOR
Bob Orcher	Harvey Co	Comm.
DANA COX	Harvey Co.	FARMER - KLA
Virginia Huzzog	Ellis Co	Register of Deeds
Emerg. J. Rome	Ellis Co.	County Clerk
Dennis Moez Kaiser	Dickinson Co	County Clerk

SB 832 Am. by H.

0310 county.

0311 New Sec. 15. On or before January 15 of each year, the
0312 county clerk shall prepare and furnish to the county appraiser a
0313 taxing unit map showing the number and metes and bounds of
0314 every taxing unit or any portion of a taxing unit located within
0315 the county as the same exists on December 31 of the preceding
0316 year. In any year that such map would be identical to the most
0317 recent map previously furnished to the county appraiser, the
0318 county clerk shall certify such fact on or before January 15 to the
0319 county appraiser in lieu of furnishing such map.

0320 New Sec. ~~16~~ ¹⁵ 16. The county appraiser shall show on each
0321 appraisal document record, the aggregate of which constitutes
0322 the appraisal roll, the taxing unit number corresponding to the
0323 location of the property appraised. In determining such taxing
0324 unit numbers, the county appraiser shall use the taxing unit map
0325 or maps furnished and constructed for the current taxing year by
0326 the county clerk.

0327 New Sec. ~~17~~ ¹⁶ 17. In any year during the month of April for
0328 real property and the month of May for personal property, the
0329 county appraiser may request the county board of equalization to
0330 order a change in the classification or the appraised valuation of
0331 property on the certified appraisal rolls. The county appraiser
0332 shall utilize the appraised value appeal form when making such
0333 requests.

0334 New Sec. ~~18~~ ¹⁷ 18. The county appraiser shall submit a
0335 budget to the board of county commissioners for their approval.

0336 The county appraiser shall appoint and dismiss any assistants
0337 necessary to carry out the duties of the office. The county ap-
0338 praiser shall supervise all such appointees in the performance of
0339 their duties.

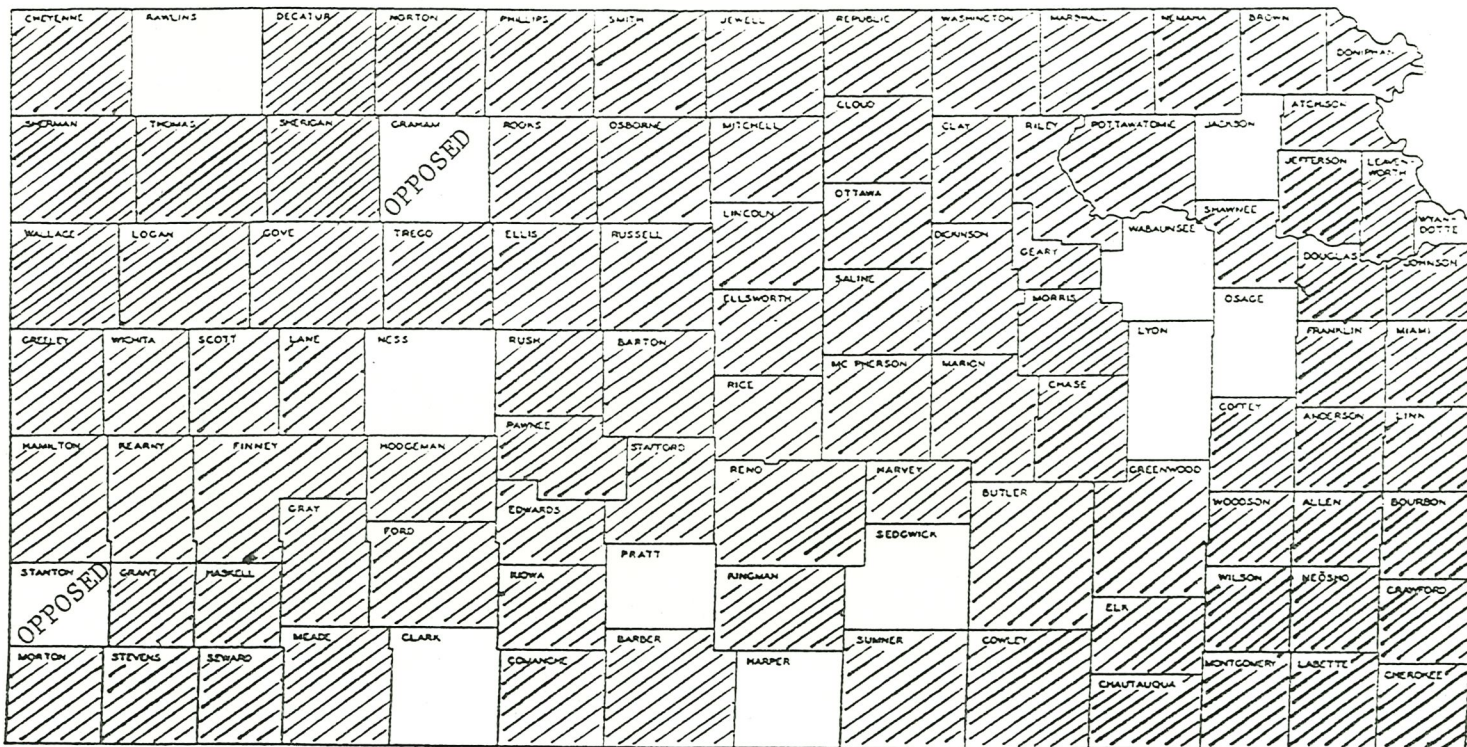
0340 The county appraiser shall be required to attend and may
0341 require others under such appraiser's supervision to attend ap-
0342 praisal schools conducted or prescribed by the director of prop-
0343 erty valuation.

0344 New Sec. ~~19~~ ¹⁸ 19. The county appraiser or the appraiser's
0345 designee shall attend meetings of the county board of equaliza-
0346 tion for the purpose of aiding such board in matters involving the

40/0
34/0
123/1
Wanda
913-776-8831

25/0 Senate
123/1 House

Ex. A



The League of Kansas Municipalities, publisher of Kansas Government Journal, Topeka, Kansas

Results of Survey Taken
of
Kansas County Treasurers' Association
On The Concept of Senate Bill 46

The shaded areas represent those Treasurers supporting (92 Treasurers) the concept of having the clarification of responsibilities and authority set out in the Kansas Statutes as per Senate Bill 46.

The unshaded areas represent those Treasurers opposing (2 Treasurers) the concept of Senate Bill 46, and those taking no stand or not returning the survey (10 Treasurers).

If additional information is needed please feel free to contact Mike Billinger, Ellis County Treasurer at 913-628-8249.

Clerks

Countries in
support

Mitchell

Montgomery

Morris

Morton

Osborne

Ottawa

Pawnee

Phillips

Pottawatomie

Pratt

Reno

Republic

Rice

Rooks

Rush

Russell

Saline

Sedgwick

Shawnee

Shenandoah

Sherman

Stafford

Stanton

Stevens

Thomas

Trego

Wabaunsee

Wallace

29 Washington

<u>Counties in Support</u>	<u>Counties that took no step</u>
Barton	Comanche
Cherokee	Ellsworth
Ellis	Harpur
Finney	Haskell
Greenwood	Kingman
Harvey	Memph
Jackson	
Lyon	
Ness	
Norton	
Osage	
Seward	
Scott	
Smith	
Wyandotte	
Allen	
Anderson	
Atchison	
Bourbon	
Barber	
Chase	
Chautauqua	
Cheyenne	
Clark	
Clay	
Cloud	
Coffey	
Cowley	

<u>Counties in Support</u>	<u>Counties Opposed</u>	<u>Counties that did not reply</u>
Crawford	none	
Decatur		Rawlins
Dickinson		Breeley
Doniphan		Lane
Douglas		Kearney
Edwards		Brown
Ford		Neosho
Franklin		Elk
Gene		Riley
Graham		Butler
Grant		Sumner
Gray		
Hamilton		
Hodgeman		
Jefferson		
Jewell		
Johnson		
Kiowa		
Labette		
Leavenworth		
Lincoln		
Linn		
Logan		
Marion		
Marshall		
McPherson		
Meade		
Miami		

Counties in

Support

Wichita

Wilson

Woodson

4 Deary (except budget responsibility)

E BILLINGER
COUNTY TREASURER

JERRY SCHMIDTBERGE
DEPUTY TREASURER

OFFICE OF
ELLIS COUNTY TREASURER
DRAWER 520
HAYS, KANSAS 67601

Telephone 913 628-8249

To: Ellis County Commissioners

From: Ellis County Treasurer

Subject: 1983 Proposed Budget

Included herein is the proposed and recommended 1983 budget for the Ellis County Treasurer's Office. It is hoped that through the budget presentation, consideration, review and ultimate approval, the Commission and County Treasurer will arrive at a thorough understanding of the goals and priorities of the County Treasurer's Office for 1983.

The proposed budget calls for \$156,095.98 an increase of \$19,143.72.

OFFICE OF
ELLIS COUNTY TREASURER
DRAWER 520
HAYS, KANSAS 67601

Telephone 913 628-8249

An analysis of the budget figures for 1983 compared to 1982 show the percent of increase as follows:

Personal Services

Amount		% Increase
115,495.98	Total	18%
(5,314.74)	Health	13%
(3,359.93)	Pay Plan Adj.	9%
(1,961.88)	Termination	7%

1983 Budget

Amount		% Increase
156,095.98	Total	14%
(5,314.74)	Health	10%
(3,359.93)	Pay Plan Adj.	8%
(1,961.88)	Termination	6%

A breakdown of changes for 1983 compared to 1982 are as follows:

Contractual Services

- (1) This reduction is a result of the shifting of \$750.00 to rent of equipment (postage meter & machine).
- (2) An estimated increase due to inflation.
- (3) An estimated increase due to inflation and increased printing.
- (4) An estimated increase due to inflation and increased volume.
- (5) An estimated increase due to inflation and additional statutory publications.
- (6) A shift from postage.

OFFICE OF
ELLIS COUNTY TREASURER
DRAWER 520
HAYS, KANSAS 67601

Telephone 913 628-8249

- (7) The estimated mileage for 1983 will be less than 1982 because of a change in banking arrangements.
- (8) A reduction of meeting expenses is anticipated.
- (9) Membership in several organizations offer publications to improve cash management programs in which the Treasurer is thinking of participating.
- (10) This increase is the result of possible contingency expenditures.

Commodities

- (1) A decrease of \$2,000.00 was the result of allocating certain expenditures to other categories which better describe these expenditures.

In conclusion, the Treasurer's Office feels a continuing responsibility to determine an appropriate compromise between available resources and the demand for various services. This has become an increasingly difficult problem over the past several years as inflation and statutory demands have intensified. The County Treasurer is mindful that the quality of services affect all taxpayers directly. However the role of cash manager for Ellis County is not a visable function and when budget limitations are imposed this function must be deminished. This is done in order to provide services to taxpayers, resulting in a loss of substantial revenue which when analyzed, interest income is more important to the General Fund than Ad Valorem Taxes.

PROPOSED BUDGET FOR YEAR 1983OFFICE OF TREASURERPERSONAL SERVICES

8110 SALARIES

	CURRENT SALARY GRADE & CLASS	PROPOSED SALARY GRADE & CLASS
DEPUTY TREASURER	¹²⁷⁷ <u>14,544.00</u>	<u>16,020.00</u>
TAX SUPERVISOR/EDP OPERATOR SUP	¹⁶⁷ <u>11,988.00</u>	<u>13,506.00</u>
EDP EQUIPMENT OPERATOR II	¹⁰ <u>11,114.16</u>	<u>12,252.00</u>
EDP EQUIPMENT OPERATOR I	¹²⁴ <u>10,968.00</u>	<u>12,252.00</u>
EDP EQUIPMENT OPERATOR I	¹⁴¹ <u>10,656.00</u>	<u>11,670.00</u>
ACCOUNT CLERK	¹¹¹ <u>10,656.00</u>	<u>11,670.00</u>
PART-TIME HELP & OVERTIME	<u>3,828.24</u>	<u>4,200.00</u>
MERIT ADJUSTMENTS & TERMINATION COMPENSATION	<u>-0-</u>	<u>3,200.00</u>
8120 SALARY		
ELECTED DEPARTMENT HEAD	<u>17,770.04</u>	<u>18,836.24</u>
8192 HEALTH INSURANCE	<u>5,000.00</u>	<u>10,314.74</u>
8199 LONGEVITY BONUS	<u>1,375.82</u>	<u>1,575.00</u>
<u>TOTAL PERSONAL SERVICES</u>	<u>97,900.26</u>	<u>115,495.98</u>

<u>CONTRACTUAL SERVICES</u>		1982 ADOPTED BUDGET	1983 PROPOSED BUDGET	
8201	POSTAGE	13,002.00	12,000.00	(1)
8202	TELEPHONE	2,600.00	3,000.00	(2)
8210	FREIGHT & EXPRESS	-0-	-0-	
8221	PRINTING & BINDING	4,500.00	5,200.00	(3)
8223	DUPLICATING ECT.	275.00	500.00	(4)
8224	ADVERTISING	3,000.00	5,000.00	(5)
8233	RENT OF EQUIPMENT	-0-	750.00	(6)
8235	RENTAL OF COMPUTER SYS. EQUIP.	-0-	-0-	
8243	REPAIR & SERVICE EQUIP.	-0-	-0-	
8247	REPAIR - D.P. EQUIP.	-0-	-0-	
8251	MILAGE	1,500.00	1,000.00	(7)
8257	TRAVEL - R.R., BUS, PLANE FAIR	-0-	-0-	
8258	SUBSISTENCE (INCLUDING ROOMS)	500.00	300.00	(8)
8263	DATA PROCESSING SERVICES	-0-	-0-	
8272	LEGAL FEES, ECT.	-0-	-0-	
8274	HOSPITALS	-0-	-0-	
8278	ACCOUNTANTS & AUDITORS	5,500.00	5,500.00	
8279	OTHER PROFESSIONAL FEES	-0-	-0-	
8291	DUES, MEMBERSHIPS ECT.	275.00	450.00	(9)
8296	SURETY & FIDELITY BOND	-0-	-0-	
8297	WITNESS & JURY FEES	-0-	-0-	
8298	OTHER ¹ / ₂ Motor Vehicle Tax	1,200.00	2,200.00	(10)
TOTAL CONTRACTUAL SERVICES		32,352.00	35,900.00	

<u>COMMODITIES</u>	1982 ADOPTED BUDGET	1983 PROPOSED BUDGET
8361 DRUGS	-0-	-0-
8369 OTHER MEDICAL SUPPLIES	-0-	-0-
8370 STATIONERY & OFFICE SUPPLIES	5,500.00	3,500.00 (1)
8399 OTHER SUPPLIES	-0-	-0-
TOTAL COMMODITIES	5,500.00	3,500.00

CAPITAL OUTLAY

8403 OFFICE FURNITURE & EQUIP.	1,200.00	1,200.00
8404 PROFESSIONAL & SCIENTIFIC EQUIP.	-0-	-0-
8411 BOOKS & LIBRARY MATERIAL	-0-	-0-
8415 COMPUTER SYSTEMS EQUIP.	-0-	-0-
8418 COMPUTER SYSTEMS - SOFTWARE	-0-	-0-
8490 OTHER	-0-	-0-
TOTAL CAPITAL OUTLAY	1,200.00	1,200.00
DEPARTMENT TOTAL	136,952.26	156,095.98

SIGNED

OFFICER OR DEPARTMENT HEAD

APPROVED

CHAIRMAN OF BOARD OF COUNTY COMMISSIONERS

Financial Statement and Adopted Budget		1981	1982 Budget	BUDGET
General	FUND-Cont'd. Code	Actual	or Estimate	1983
RESOURCES AVAILABLE		1,981,783		
Expenditures:				
General Government:				
County Commission:				
Personal service		23,545	25,500	27,320
Contractual service		5,431	12,829	16,029
Commodities		145	400	800
Capital outlays		597	-	-
		29,718	38,729	44,149
County Clerk:				
Personal services		90,381	103,277	119,311
Contractual services		11,518	5,400	13,274
Commodities		2,853	12,951	5,400
Capital outlay		1,560	1,900	1,500
		106,312	123,528	139,485
County Treasurer:				
Personal services		90,890	97,900	115,496
Contractual services		41,125	5,500	35,900
Commodities		2,141	32,352	3,500
Capital outlays		991	1,200	1,200
Debt service		8	-	-
		135,155	136,952	156,096
County Attorney:				
Personal services		40,166	49,958	55,555
Contractual services		6,086	1,080	11,077
Commodities		1,389	10,793	1,080
Capital outlays		1,739	2,125	2,400
		49,380	63,956	70,112
Register of Deeds:				
Personal services		40,319	44,366	48,932
Contractual services		4,886	3,350	5,456
Commodities		4,360	5,199	3,484
Capital outlay		1,716	250	800
		51,281	53,165	58,672
Unified Courts:				
Contractual services		36,403	7,000	34,100
Commodities		11,792	34,100	12,000
Capital outlays		2,345	3,000	3,000
		50,540	44,100	49,100
Courthouse General Expense:				
Personal services		2,000	-	-
Contractual services		120,052	120,000	399,128
Commodities		6,091	15,000	15,000
Capital outlays		4,228	15,000	15,000
Grants, claims, shared revenue		1,250	-	-
		133,621	150,000	429,128
Union Contracts and Services:				
Personal services		1,535	-	-
Contractual services		3,965	7,500	9,000
		5,500	7,500	9,000
Data Processing:				
Capital outlay		-	-	100,000
Contractual services		14,132	33,130	40,000
Commodities		1,972	1,000	-
		16,104	34,130	140,000
Custodians:				
Personal services		27,447	30,630	33,311
Contractual services		301	5,205	842
Commodities		3,505	810	5,413
Capital outlays		1,402	1,080	1,123
		32,655	37,725	40,689
TOTAL GENERAL GOVERNMENT		610,266	689,785	1,136,431
TOTAL EXPENDITURES				
Unreserved Fund Balance, December 31,				xxxxxxxxxxxxxx
				TAX REQUIRED

Statement before the Senate Governmental Organization Committee
February 24, 1983

Ben E. Vidricksen, Chairman

Chairman Vidricksen and honorable members of this committee:

I am Glenis Heldenbrand, the Reno County Clerk from Hutchinson, Kansas. I would like to express my support in the passage of S.B.46. I have been in office since Nov. 1972 and have always hired and fired and was responsible for my employees, this bill is a clearer interpretation of our duties. A court case has proven that we already had this power.

I am already required by law to have a bond so I certainly feel I am responsible for my office and I feel I should have a choice in whom I hire and am responsible for. In my first year in office I fired 2 employees and with just reasons. I had a discrimination charge filed against me. I was the one that defended my position and won the case. We have a policy and procedure manual in Reno County and the Elected Officials, I would say, follow it probably more closely than some appointed department heads.

In the 1982 Session laws Chapter 391, New Sec. 18 reads "The county appraiser shall submit a budget to the board of county commissioners for their approval. The county appraiser shall appoint and dismiss any assistants necessary to carry out the duties of the office. The county appraiser shall supervise all such appointees in the performance of their duties. The county appraiser shall be required to attend and may require others under such appraiser's supervision to attend appraisal schools conducted or prescribed by the director of property valuation." The language is almost identical to this Senate Bill & I don't remember opposition when this was passed. In our county, the appraiser is appointed. We at least, are elected by the people. A statement has been made in our county concerning the offices being appointed and not elected. I'm sure you have that letter containing this statement.

I hope as elected legislators, you feel as strongly as I do that the people have the right to elect their officials.

Thank you for your time and consideration on this bill.

Ex. B

February 7, 1983

TO: SENATORS OF THE GOVERNMENTAL ORGANIZATION COMMITTEE

I write the following with regards to Senate Bill No. 46. In reviewing this bill, I respectfully urge you not to pass this bill for the following reasons:

1. Budget approval does not mean that the revenues will be collected to support the budget. Just this year the State of Kansas deferred payment of monies to counties which will cause for changes in county expenditures. Therefore, those who have the responsibility for budget approval should also have the control.

Senate Bill No. 46 would appear to take away that control from the Board of County Commissioners.

I am of the opinion that the legislation of the State of Kansas would not permit counties to spend State money without the State maintaining the control. Senate Bill No. 46 would tend to let Departments spend without County Commissioner's control. It would seem that something is not in proper perspective.

2. Senate Bill No. 46 would prevent personnel requirements and qualifications for employment and thus could drive the cost up of operating the County due to possible decrease in efficient personnel.

3. It would remove any job security, again causing costly turnover and expensive training and reduced efficiency.

4. The pay scale and merit increases would also seem to be in jeopardy. Instead of establishing a fair and uniform pay system it could be construed unequal. Thus causing department friction, again affecting efficiency in County operation. I'm sure you would find that each department will view their responsibility with a different set of standards.

5. During times of economic distress and high unemployment, budget adjustment must be made to make ends meet, so

Ex. c

those who have the responsibility for budget approval should also have control of its expenditure. Again, Senate Bill No. 46 is unclear in this matter.

6. With specific reference to Page 3 of Senate Bill No. 46, Item 15 at the top of the page, reads as follows: "No. 15. Counties may not exempt from or effect changes in K.S.A. 19-302, 19-502b, 19-503 or 19-1202."

Not being able to determine what the future of our county or the future of the State of Kansas, I am of the opinion that it is not fair to expect a county to operate in 1990 (and beyond) with 1983 laws anymore than we want to operate with 1950 laws today, as I see laws changed each year by the Kansas legislators. Attempting to have a law passed not subject to change is not healthy for Harvey County and I would not believe it to be in the best interest of the State of Kansas. We, in Harvey County, deserve better and it is my opinion that the State of Kansas does also.

7. I am of the opinion that each county should be allowed to best seek their own destiny. It is my opinion that the taxpayer of each county should have a say in its government. If we go astray, let the taxpayer handle it at the next election

8. Just this very year the State of Kansas passed legislation to defer payment of State money to counties long after our budget was approved. Harvey County did not make any waves to the State of Kansas for placing us in a state of budget distress. We immediately took steps to reduce our first half of the year expenditures so we could help do our part to help the State of Kansas and help ourselves. I assure you that this will not be an easy task. So you see we will need the budget control that Senate Bill No. 46 appears to take away.

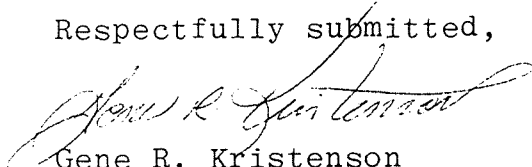
9. We must stop taking the "Band-Aid" approach to county government every time there appears to be a difference of opinion

in some county. Eventually county government will be impossible to manage.

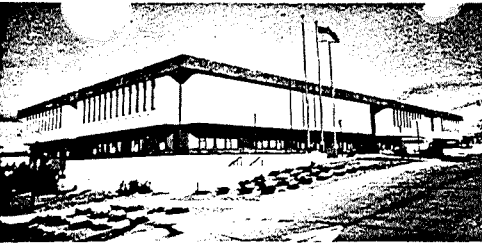
10. In summary, I again respectfully urge you not to pass Senate Bill No.46. Please let us determine our own destiny within the guidelines of our local taxpayers request. We all have the same goals in mind, and that is to meet the needs of the taxpayer in the most efficient and cost effective manner possible within the limit of revenues taxable.

Thank you.

Respectfully submitted,



Gene R. Kristenson
County Administrator



SALINE COUNTY—CITY OF SALINA—SALINA BOARD OF EDUCATION
300 West Ash
Salina, Kansas 67401—2396

SALINE COUNTY

Board Meetings—Monday, Tuesday, Friday
Meeting Room 209—Office Room 213—300 W. Ash
Salina, Kansas 67401—2396
Phone (913) 827-1961
Phone (913) 823-3746

Dan S. Gels
First District

Roy W. Allen
Second District

Dennis E. Carlson
Third District

Chairman Hein and Committee Members:

My name is Roy Allen, Vice Chairman of The Saline County Commission, I am accompanied by Dennis Carlson, Chairman of The Saline County Commission.

We are appearing today to voice our objections to certain sections of Senate Bill 46.

As presently written certain responsibilities of The County Commissioners would be lost.

First The Counties would loose their authority for "Home Rule". We feel that this right should be maintained since due to economic conditions and other reasons a county may need to exempt themselves for certain statutes not uniformly followed by all counties.

Second we feel that the section of Senate Bill 46, that would authorize the Elected Officials to appoint and promote without County Commission approval would take away our budgetary controls and uniformity of pay within all county departments. Since we have work agreements with the employees and Union we would not be able to agree for wage adjustments that will be fair to all employees.

In summary we feel the County Commissioners should retain Home Rule Authority. We should also have the authority to authorize the addition of persons to the various departments and approve any promotion recommended. Only then can we approve and control budgets within the resources available.

We respectfully request that you consider these changes to Senate Bill 46. If the changes can be made we have no objection to the Elected Official controlling the day to day operation of their departments.

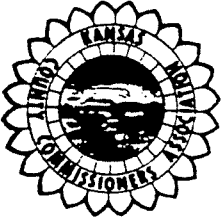
BOARD OF SALINE COUNTY COMMISSIONERS

Dennis E. Carlson
Dennis E. Carlson, Chairman

Roy W. Allen
Roy W. Allen, Vice Chairman

Dan S. Gels
Dan S. Gels, Commissioner

Ex. D



Kansas County Commissioners Association

(ESTABLISHED IN 1912)

Member: KANSAS OFFICIAL COUNCIL

Official Publication: KANSAS GOVERNMENT JOURNAL

HEADQUARTERS: 112 WEST SEVENTH STREET, SUITE D, TOPEKA, KANSAS 66603

PHONE: 913 233-2271

Executive Committee

Pres., Paul Weidner, Haskell County
V. Pres., Keith F. Devenney, Geary County
Sec.-Treas., John O. Delmont, Cherokee County
Dir., G. Everett Murphy, Nemaha County
Dir., Tom Scott, Sedgwick County
Dir., Roy L. Voss, Graham County

February 10, 1983

To: Senate Governmental Organization Committee
From: The Kansas County Commissioners Association
Re: SB46 Duties of Certain County Officers

My name is Keith Devenney. I am a Commissioner of Geary County and Vice-President of the Kansas County Commissioner's Association, speaking for that organization on behalf of President Paul Weidner, Commissioner of Haskell County who is unable to be here today.

We wish to state that the Association does not advocate interference with any other county officer or the performance of their statutory duties. However, the authority of Commissioners as a County Governing Board is extremely limited and this measure would further erode that authority.

Most counties have some kind of a personnel-fringe benefits policy applicable uniformly to all employees that is necessary to maintain a degree of harmonious cooperation among those employees.

There is no question that the County Governing Board is held responsible in the courts for the actions of all county officers and employees -- We must be allowed some input into their actions.



SEDGWICK COUNTY, KANSAS

DEPARTMENT OF ADMINISTRATION

FOREST TIM WITSMAN
COUNTY ADMINISTRATOR

COUNTY COURTHOUSE, • 525 N. MAIN, • WICHITA, KANSAS 67203-3703 • TELEPHONE 268-7575

Testimony of Kim C. Dewey - Sedgwick County
Senate Governmental Organization Committee - SB 46
February 24, 1983

The Board of Sedgwick County Commissioners are very concerned with the impact of SB 46 in its present form. The heart of the issue is one responsibility and authority. In effect, SB 46 removes all personnel authority from the governing body of the county, yet leaves the county commission with full responsibility and liability for the personnel actions of other elected officials.

We have an established personnel policy for all elected and appointed department heads in Sedgwick County. We feel that the Commissioners have the right to establish such guidelines pursuant to their budgetary authority and responsibility contained in K.S.A. 19-229 and K.S.A. 19-212. We know that the Commissioners are responsible for the actions of the elected officials pursuant to the Tort Claims Act, K.S.A. 75-6101. In effect, we are saying that the decision of the Ellis County District Court and various Attorney General Opinions are misdirected in not recognizing that personnel authority is a vital and integral part of effective budgetary control. We do, however, concur that this is somewhat of a gray area, lacking a specific statutory reference to personnel authority of the county commission.

SB 46 would certainly remove any doubt, but in its present form it would do so to the detriment of the efficient and effective operation of the county organization. We offer a suggested amendment to SB 46 which would clearly establish the authority of the county commission to establish and enforce reasonable personnel policy, for all county officials. The suggested amendment is attached, and would be inserted following Lines 108, 140, and 156.

Personnel policies are not designed to dictate to any elected or appointed official who they may hire or dismiss in pursuit of the effective operation of their office. They are meant to establish basic guidelines and procedures for personnel actions, which minimize the potential liability of the taxpayers for wrongful or improper actions. We urge the Committee to amend SB 46 as suggested and report the Bill favorably.

Ex. E

The appointments, promotions, demotions and dismissals of
all deputies and assistants shall be made in accordance with
federal and state civil rights laws and reasonable personnel
policies which have been established by the Board of County
Commissioners for all county employees.



HARVEY COUNTY, KANSAS

COUNTY ADMINISTRATOR

COURTHOUSE
P.O. BOX 687
NEWTON, KANSAS 67114

316-283-6900

February 8, 1983

TO: SENATORS OF THE GOVERNMENTAL ORGANIZATION COMMITTEE

In stating my opposition to Senate Bill No. 46, along with strong opposition by the Board of Harvey County Commissioners to the bill as well, I feel the need to explain what is working in Harvey County and why we feel Senate Bill No. 46 needs to be killed.

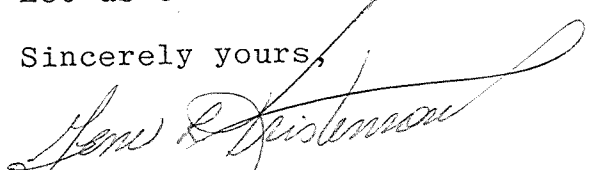
During the years of 1981, 1982, and 1983, I believe we have accomplished some very outstanding things.

Through some strong budget guidelines, evaluating expenditures and cross-training of our employees, Harvey County has saved over \$600,000 in three years. This is not only important to the governing body but to the taxpayer of Harvey County. We cannot afford to lose that kind of savings. I believe that if a county the size of Harvey County can develop that kind of savings (and not cut a service) multiply that by 105, that becomes a very sizeable sum.

But we must have the right to determine our own needs through a cooperative effort.

Again we respectfully urge you not to pass Senate Bill No. 46. Let us continue to produce savings for our taxpayers.

Sincerely yours,



Gene R. Kristenson
County Administrator

Ex. F

County Commissioners

FIRST DISTRICT
E. J. BRUBACHER
NEWTON

SECOND DISTRICT
CHARLES M. BENJAMIN
NORTH NEWTON

THIRD DISTRICT
DAVE FRIESEN
BUHLER

BOARD OF COMMISSIONERS

HARVEY COUNTY

NEWTON, KANSAS 67114

MEMORANDUM

February 7, 1983

Representative Thomas Walker
Kansas Legislature
State House
Topeka, KS 66612

COPY

Dear Representative Walker:

We write to you today with regard to Senate Bill No. 46 introduced in this legislative session by Senator Norvell. We are deeply disturbed by this proposed legislation, particularly Sections 2, 4 and 5. These Sections would grant County Clerks, Treasurers, and Register of Deeds the unlimited power to appoint and supervise as many "deputies" as those officials desire while removing budgetary power from Boards of County Commissioners. In Harvey County, we are in the beginning stages of implementing employee cross-training procedures which will allow us to staff all departments in the Courthouse as the need arises. We believe these procedures will enable all elected and appointed county officials to carry out their statutory and other duties while saving up to \$100,000 per year in costs to the taxpayers of Harvey County. This is a vital part of our attempts to cope with the loss of revenues removed from local governments in 1983 and beyond due to the actions of the Kansas legislature and courts in 1982. We conservatively estimate that Harvey County government alone will lose \$320,000 per year and county wide the loss to all local taxing entities will be over 1,000,000.

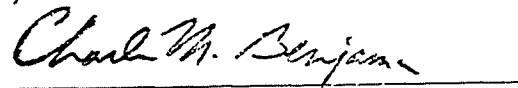
Representative Thomas Walker
Page 2
February 7, 1983

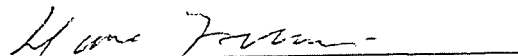
In our opinion, the passage of Senate Bill No. 46 would be a step backward to county courthouses, characterized by cronyism, nepotism and empire building. Surely the taxpayers of the State of Kansas deserve better. We strongly urge you to do everything in your power to defeat this bill.

Sincerely,

BOARD OF HARVEY COUNTY COMMISSIONERS


E. J. Brubacher


Charles Benjamin


Dave Friesen

- COPY -

Representative Harold Dyck
Kansas Legislature
State House
Topeka, KS 66612

Senator Joseph Harder
Kansas Legislature
State House
Topeka, KS 66612



Harvey County Farm Bureau

P.O. Box 704 / 305 S. Meridian / Newton, Kansas 67114 / (316) 283-2090

February 16, 1983

Senator Joe Harder
Kansas Senate
%the Statehouse
Topeka, Kansas 66612

Dear Joe:

You are aware of the changes being made in County Government, the cross training of personnel and the "holding of the line" on the budget. An improved efficiency and a much improved productivity in government is the result-and at a lower cost to the taxpayers.

Senate Bill 46, concerning the powers of county officers, will in effect stop any improvements being planned and will stop cross training, etc; but more important, it will take the budget out of the hands of the County Commissioners. The Harvey County Board of Directors have voted to oppose this bill as now written. Your support, in our opposition, would be appreciated.

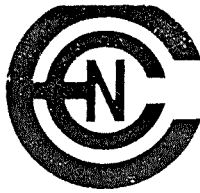
Sincerely,

Marion Nattier

Marion Nattier, Policy Chairman

HARVEY COUNTY FARM BUREAU ASSOCIATION

NEWTON AREA



CHAMBER OF COMMERCE

229 Main Street P.O. Box 424

Newton, Kansas 67114-0424 Phone 316 283-2560

People-Pride-Progress

February 9, 1983

Representative Thomas Walker
House of Representatives
State of Kansas
State Capital, Room 171-W
Topeka, Kansas 66612

Dear Tom;

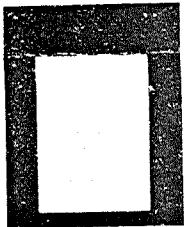
You are aware of the changes being made in County Government, the cross training of personnel and the "holding of the line" on the budget. An improved efficiency and a much improved productivity in government is the result - and at a lower cost to the taxpayers.

Senate Bill 46, concerning the powers of county officers, will in effect stop any improvements being planned and will stop cross training, etc.; but more important, it will take the budget out of the hands of the County Commissioners. The Chamber's Governmental Affairs Committee and the Board of Directors have voted to oppose this bill as now written. Your support, in our opposition, would be appreciated.

Cordially,

Richard Chamberlain, CCE
President & Chief Executive Officer

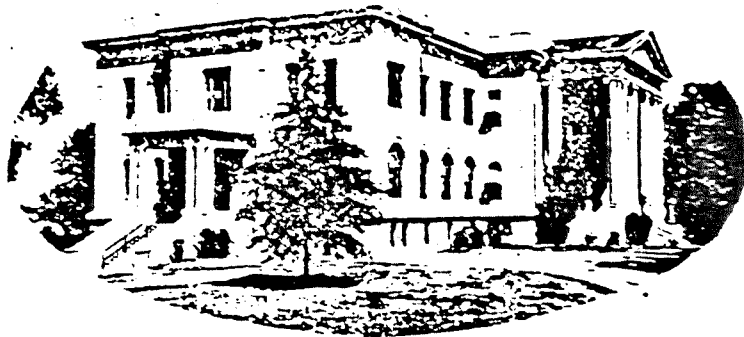
RC/slh



ACCREDITED
CHAMBER OF COMMERCE

COUNTY OF LEAVENWORTH

COURTHOUSE
4TH & WALNUT
LEAVENWORTH, KANSAS 66048
AREA CODE 913-882-7611 ext. 205



COUNTY COMMISSIONERS
DOLLIE SCHELLER, Chairman
Third District

DON AARON
First District

JOHN F. DENNEY
Second District

February 10, 1983

To: The Senate Governmental Organization Committee

From: The Leavenworth County Commission,
Dollie Scheller, Chairman

Re: SB 46 Duties of Certain County Officers

I thought the Board of County Commissioners was to be the governing body of the county.

If the onslaught of legislation affecting counties continues, we will be reduced to the scapegoat or trying to be a magician.

With the status of the economy, valuations stay rather stagnant. In the last two years we have had new legislation that cost us revenue and a loss in valuation.

No matter what new laws or mandates we have to work with, the taxpayer is still looking to us to provide services and keep a reasonable tax levy. The department head still feels we must provide adequate funds for them to carry out the functions of their department. The employee sees us as the sole reason for raises or no raises. None of these people like to hear us recite the new statutes we have to work with, the lid limits, the budget laws, we don't know if revenue sharing will continue, etc. No one likes excuses for what we can't provide. We don't mind taking the heat for Board decisions, but it can get rather tiring taking the heat for what someone else's decisions does to our budgeting process.

The changes in Senate Bill #46 could force us to accept any amount of travel from several departments. Actually, that travel portion seems somewhat ambiguous. It says "they may attend and may require the deputies and any assistants to attend any meetings or seminars"... It also says they submit a budget to the Board of County Commissioners for approval. How will this be interpreted?

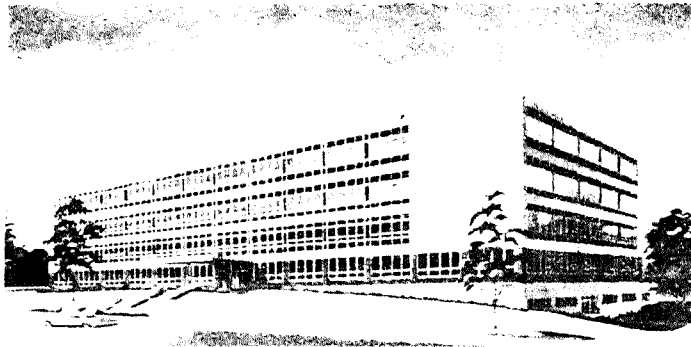
Senate Gov. Org. Comm., page two

Do we rubber stamp the budget no matter what the travel - because they may attend all meetings - or do we have the right to approve or disapprove any item in the budget?

As far as hiring and firing under complete control of the department head, we also see that as objectionable. We have a good personnel policy with the involvement of personnel, department heads and the commissioners and I am loathe to see that thrown out. We have a good balance that has resulted in favorable rulings for the county in cases of dismissals. Very few times have we overruled a dismissal by a department head. They are only overruled if we feel the county is being put in jeopardy. If there is good documentation for firing, we do not undermine the department head and we'll be behind them all the way through court if necessary. Where in SB #46 does it relieve the Board of County Commissioners and the County from lawsuits because only the department head has complete control of hiring, promoting and firing.

I caution, you are probably tampering with some good personnel and travel policies across the state. I'm also concerned of what the final interpretation could be and what new doors you are opening. How many other local government departments will be added later? Will lid limits be revoked and budget time become a free-for-all?

This bill undermines the Governing Board - as being the Governing Board. It does not take into consideration financial conditions. It does not recognize realities of lawsuits arising from discrimination, failure to promote or unjust dismissals.



SHAWNEE COUNTY
OFFICE OF COUNTY CLERK
Winifred L. "Winnie" Kingman

COUNTY CLERK

(913) 295-4155 CLERK

COURTHOUSE -- ROOM 107

(913) 295-4159 ACCOUNTING -

TOPEKA, KANSAS 66603

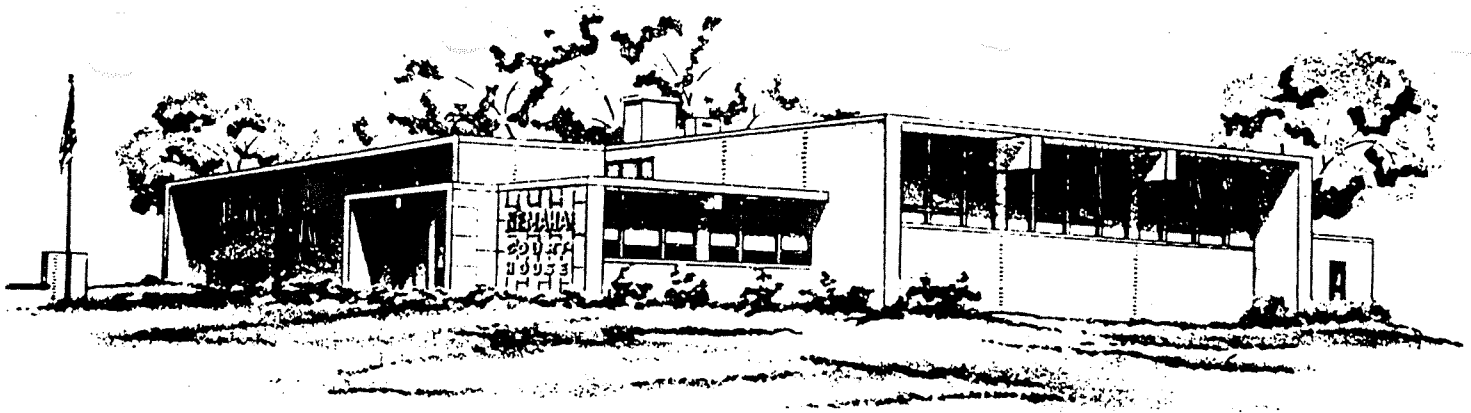
February 10, 1983

TO: GOVERNMENTAL ORGANIZATION COMMITTEE

FROM: WINIFRED L. KINGMAN, SHAWNEE COUNTY COMMISSIONER
PATSY A. MCDONALD, SHAWNEE COUNTY CLERK

We support the concept of Senate Bill No. 46. We believe this will create a harmonious relationship between all elected officials in County Government, especially between County Commissioners and other elected officials. Each elected official has statutory duties to perform and this would allow this to happen.

Please record this in your minutes. If you have any questions you would care to ask please contact Winnie Kingman - 295-4040 or Pat McDonald - 295-4111.



NEMAHA COUNTY
SENECA, KANSAS
66538

February 24, 1983

JIM D. BROWNLEE, FIRST DIST.
Rt. 3, Sabelha, Kansas 66534
H. F. NIEHUES
Corning, Kansas 66417
G. EVERETT MURPHY, THIRD DIST.
Rt. 2, Seneca, Kansas 66538

TO: Senate Governmental Organization Committee
FROM: G. Everett Murphy, Chairman of Nemaha County Commissioners
RE: S.B.#46 Duties of Certain County Officers

The Nemaha County Commissioners would like to express their opposition to S.B.#46. We believe the passage of this bill would set up three entities in each County, each trying to outdo the other.

A majority of us were at the hearing last Thursday. We are of the opinion, from what we heard and have learned since, that most of the problems originated and are in Ellis County. If they need special legislation to settle their differences, then the Bill should address them and them only.

I personally realize that we may have people in some counties holding offices listed by this Bill, who were elected for popular appeal, politics or stands on a specific issue and not for their capabilities to completely fill the office. For this reason alone I am against this Bill. No legislation can create harmony in a County between all offices.

I suggest that, if this committee feels a problem exists statewide, then refer it to a joint committee composed of persons from or appointed by all four state organizations involved. They to meet together and come up with a suggested bill. Representatives from the State Legislature might also be invited as exofficio participants at the meeting.



The Board of County Commissioners

OF DOUGLAS COUNTY

NANCY B. HIEBERT, FIRST DISTRICT
ROBERT NEIS, SECOND DISTRICT
BEVERLY A. BRADLEY, THIRD DISTRICT

PHONE: (913) 841-7700

LAWRENCE, KANSAS
66044

February 24, 1983

Dear Senator Vidricksen and Committee Members:

The Douglas County Commission opposes Senate Bill 46 (Section 2, K.S.A. 19-302; Section 4, K.S.A. 19-503; and Section 5, K.S.A. 19-1202) relating to the authority of County Clerks, Treasurers, and Register of Deeds to dismiss employees.

We oppose the above Sections as stated in Senate Bill 46 because they would only magnify our current predicament relating to dismissal of county employees who work in the offices of an elected official. Already, as a Board of County Commissioners, we can be held accountable for personnel decisions of other county elected officials without having any authority in their decision-making process. For example, if an elected official should dismiss an employee in a discriminatory manner-and this has happened--a lawsuit can be brought against the County assets, and name the Board of County Commissioners as the defendants. Several weeks ago, I asked an Assistant Attorney General what we, as a Board of County Commissioners can do should an elected official violate fair employment standards in the dismissal of an employee. He said, "That's a tough one", and indicated that we should be in touch with a good attorney.

Soon, the Douglas County Commission will adopt a newly-revised comprehensive personnel policy. Numerous hours have gone into this revision in order to ensure uniform and fair treatment for all Douglas County employees. However, if Senate Bill 46 is passed, we feel it will weaken our efforts to guarantee non-discriminatory, equitable employee dismissal practices.

The members of the Douglas County Commission believe that Senate Bill 46 should not be passed unless amended to state specifically that any Clerk, Treasurer, or Register of Deeds who dismisses

an employee in a discriminatory manner will be held personally liable for any lawsuits resulting from such an inequitable employee dismissal, if an equal employment personnel policy had been adopted--
prior to the dismissal--by the Board of County Commissioners in the
elected official's County.

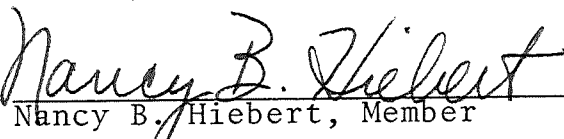
Presently, even though a Board of County Commissioners has adopted an equal employment personnel policy, an elected department head can ignore that policy and dismiss a pregnant employee simply because the elected department head does not wish to have pregnant women working in that department. It seems unfair that the county and the Board of County Commissioners should be held liable for the unjust dismissal. Unless elected department heads are held personally responsible for any inequitable employee dismissals they commit, it is the members of the Board of County Commission, as caretakers of the County assets, who will be legally liable. Ultimately, it is the tax-paying public, who contribute to the County assets, who lose.

We believe that passage of the above Sections of Senate Bill 46 would take away unity of county government by requiring accountability from the Board of County Commissioners while denying them final authority. It would put the Commissioners in the position of being responsible for the total County budget, yet lacking control of the County assets which can be diminished by damages paid to an employee who is dismissed without just cause by elected officials and by legal fees required to defend the actions of the elected official.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS


Robert Neis, Chairman


Beverly A. Bradley, Member


Nancy B. Hiebert, Member

Senator Vidricksen
Members of the Committee

Montgomery County States their opposition to Senate Bill #46.

We believe that the budget and financial affairs of the County by Kansas Statutes are the responsibility of the County Commissioners. See KSA 19-212 (2), KSA 19-212 (5) and KSA 19-212(6).

The General Fund which I have enclosed consists of 13 separate accounts plus the two items to disburse. In the past two years in Montgomery County we have taxed every dollar possible under the tax lid. The \$1,594,700.00 in our general fund by statute is limited to be spent not exceeding the budget of \$1,594,700 or the amount of Cash Flow, whichever is spent first. In other words if through loss of State Revenues or loss of Revenue from any source our cash flow amounted to \$1,500,000.00 rather than the budget of \$1,594,700.00, the lesser amount is all we have to spend.

We are opposed to Senate Bill 46 because we believe that it is not good business for the people of Kansas. The Clerks, Treasurers and Register of Deeds offices are actually offices that by Kansas Statutes are to record the true records of the County and collect the taxes and distribute such with the governing body to appoint someone to invest the County funds, hopefully a qualified Treasurer working with the governing body. They are required to be conversant with Kansas Statues. Therefore, we doubt that continuing education courses held in other States would benefit these officers in the performance of their prescribed duties or their amounts one year or six months in advance for all these different expenses that constitute the general fund budget.

Also we believe that if each department is at liberty to invade the general fund the Commissioners ability to budget prudently is seriously impaired. This is especially true when 13 departments have that ability.

For all of the foregoing reasons, we believe Senate Bill #46 in dealing with home rule power is not in the best interest of the people of Kansas.

Thank you for your consideration.

Carl C. Clark
Carl Clark,
Commissioner
Montgomery County, Kansas

DEPARTMENT BUDGET RECAP

AMT BUDGET

BUDGET BAL

UNEMCB CASH 02/16

1	COUNTY COMMISSIONERS	505,315.00	439,598.49	
2	COUNTY CLERK	107,763.00	99,357.98	
3	COUNTY TREASURER	117,040.00	106,323.70	
4	REGISTER OF DEEDS	67,133.00	63,228.03	
5	UNIFIED COURT	90,915.00	83,817.31	
6	COUNTY CORONER	7,840.00	7,644.83	
7	BUILDING MAINTENANCE	146,515.00	135,891.03	
8	COUNTY AUDITOR	6,240.00	6,240.00	
9	COUNTY ENGINEER	1,000.00	985.08	
10	COUNTY SHERIFF	377,938.00	349,554.14	
11	COUNTY ATTORNEY	130,103.00	119,883.56	
12	CIVIL DEFENSE	26,648.00	25,312.59	
13	VITAL STATISTICS	750.00	750.00	
14	SOIL CONSERVATION	7,500.00	7,500.00	
15	4-H AWARDS	2,000.00	2,000.00	
	GENERAL FUND	1,594,700.00	1,448,086.74	373,393.34