

Approved 2-23-84  
Date

MINUTES OF THE House COMMITTEE ON Ways and Means

The meeting was called to order by Bill Bunten at  
Chairperson

1:30 ~~xx~~ a.m./p.m. on Thursday, February 16, 1984 in room 514-S of the Capitol.

All members were present except: Representaives Lowther and Bussman (both excused)

Committee staff present: Ed Ahrens, Legislative Research  
Lyn Goering, Legislative Research  
Gloria Timmer, Legislative Research  
Sherry Brown, Legislative Research  
Mary Galligan, Legislative Research  
Dave Hanzlick, Administrative Assistant  
Nadine Young, Committee Secretary

Conferees appearing before the committee:  
Representative Patterson

Others present (Attachment I)

Chairman called the meeting to order at 1:50 p.m.

Representative Patterson appeared before the committee and made a brief statement with regard to the Emergency Supplemental Bill (SB 577) as it relates to Wolf Creek. He said that for every \$1 the auditors for the SCC comes up with in making a study, that the utility companies or contractors, etc. will spend another dollar. As a result, when additional expenditures of this nature are authorized, we should at least double it as part of the rate base.

Chairman turned to consideration of Subcommittee Reports

HB 2680, Section 4, BANK COMMISSIONER -- Reported on by Representative Meacham. Subcommittee concurs with the Governor's recommendation with three exceptions (Attachment II). Representative Meacham moved the report be adopted. Seconded by Representative Louis. Motion carried.

HB 2680, Section 7, BOARD OF HEALING ARTS -- Reported on by Representative Hamm. Subcommittee concurs with the Governor's recommendation for FY 84. Subcommittee made a slight adjustment to the Governor's recommendation for FY 85. (Attachment III). Representative Hamm moved the report be adopted. Seconded by Representative Miller. Motion carried.

HB 2680, Section 13, CONSUMER CREDIT COMMISSIONER -- Reported on by Representative Solbach. Subcommittee concurs with the Governor's recommendation with several exceptions (Attachment IV). Representative Solbach moved the report be adopted. Seconded by Representative Luzzati. Motion carried.

HB 2680, Section 9, CREDIT UNION DEPARTMENT -- Reported on by Representative Hoy. Subcommittee concurs with the Governor's recommendation with four exceptions (Attachment V). Representative Hoy moved the report be adopted. Seconded by Representative Meacham. Motion carried.

HB 2680, Section 19, OFFICE OF THE SECURITIES COMMISSIONER -- Reported on by Representative Heineman. He pointed out the differences in Agency Request and Governor's recommendation and moved that the report be adopted. (Attachment VI). Representative Shriver made a subsequent motion to amend the report and recommend legislation be introduced to make it a state agency. Seconded by Representative Rolfs. Chairman asked for discussion. After considerable discussion, Representative Duncan moved that the report be adopted as amended. Seconded by Representative Shriver. Motion carried.

HB 2703, Section 5, BOARD OF PHARMACY FY 84 and HB 2680, Section 16, BOARD OF PHARMACY FY 85 -- This section reported on by Representative Duncan. Subcommittee concurs with Governor's recommendation with a few exceptions (Attachment VII). Representative Duncan moved the report be adopted. Seconded by Representative Louis. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,  
room 514-S, Statehouse, at 1:30 ~~xx~~ p.m. on Thursday, February 16, 1984

HB 2680, Section 14, BOARD OF NURSING -- Representative Miller reported on this section. Subcommittee made several adjustments to the Governor's recommendation (Attachment VIII). Representative Miller moved the report be adopted. Seconded by Representative Hamm. Motion carried.

Chairman asked for a motion on HB 2680, an act making and concerning appropriations for the fiscal year ending June 30, 1985, for the abstracters' board of examiners, board of accountancy, state bank commissioner, board of barber examiners, behavioral sciences regulatory board, state board of healing arts, Kansas state board of cosmetology, state department of credit unions, Kansas dental board, state board of embalming, Kansas board of examiners in fitting and dispensing of hearing aids, consumer credit commissioner, board of nursing, board of examiners in optometry, state board of pharmacy, Kansas real estate commission, savings and loan department, office of the securities commissioner of Kansas, state board of technical professions and state board of veterinary examiners, authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts and disbursements and acts incidental to the foregoing.

Representative Duncan moved that HB 2680 be recommended favorable for passage, as amended. Seconded by Representative Shriver. Motion carried.

Chairman asked for a motion on the Minutes from February 6 and 8. Representative Louis pointed out one change in list of conferees of February 8 minutes. Scott Lambers is Administrative Assistant to City of Overland Park, Kansas. Representative Mainey moved the minutes be approved as amended. Seconded by Representative Louis. Motion carried.

HB 2718; an act amending the small claims procedure act; concerning the amount of a small claim; amending K.S.A. 61-2703, 61-2706 and 61-2713 and repealing the existing sections. (Attachment IX)

Chairman asked for final action on the bill. Representative Chronister moved that HB 2718 be reported favorable for passage as amended. Seconded by Representative Louis. Motion carried.

Meeting adjourned at 2:45 p.m.

GUESTS -- 1984

2-16-84

Name

Address

Representing

- 1. Jim Patterson
- 2. Keari Bottoff
- 3. E. Culbert
- 4. Dr. Lois R Scibella
- 5. Don Stool
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SUBCOMMITTEE REPORT

Agency: Bank Commissioner Bill No. 2680 Bill Sec. 4  
 Analyst: Galligan Analysis Pg. No. 4 Budget Pg. No. 1-87

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 1,689,587	\$ 1,691,805	\$ (151,199)
State General Fund	—	—	—
F.T.E. Positions	52.75	52.8	—

Agency Request/Governors Recommendation

The request for FY 1985 would maintain the current operations with no change in the number of staff or scope of activities. The request includes a 5 percent cost-of-living adjustment, funds to reclassify the examiners employed by the department and inflationary increases in most areas of other operating expenditures.

The Governor's recommendation would support the current level of staffing and includes other operating expenditures at the level requested by the Commissioner. The recommendation includes the proposed pay plan revision and the amount requested to reclassify the examiners.

House Subcommittee Recommendation

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

1. In accordance with Committee policy, deletion of \$77,057 budgeted for the pay plan revision.
2. The Subcommittee is sympathetic to the department's need to reclassify the financial examiners in order to reduce turnover in those positions. However, information provided to the Subcommittee indicates that the Division of Personnel Services has recommended classification changes effective January 18, 1984. Since none of the agencies that would be impacted by the personnel action have budgeted for it during the current fiscal year, the Subcommittee would strongly recommend against implementing any such plan with that effective date. Further, the Subcommittee recommends deletion of the \$74,142 included in the budget for the reclassifications, pending receipt of a budget amendment that includes the total cost of the changes proposed. The Subcommittee notes that no report was received from the Commissioner nor the Division of Personnel as requested by the Subcommittee a year ago. All of the information received in regard to the proposed personnel actions was received second hand, and late during this Subcommittee's review of the budget thus compounding the difficulty of determining the costs associated with the proposal.
3. Finally, the Subcommittee notes that the Commissioner is developing long-term plans for the department in light of the anticipated delegation of authority from the federal regulatory agencies. Among the changes contemplated are making the Commissioner a full-time state employee and increasing the number of examiners.

The following table depicts the impact of the Subcommittee adjustments on the Bank Commissioner Fee Fund:

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Gov. Rec. FY 1984</u>	<u>Subcommittee Adjustments FY 1985</u>
Beginning Balance	\$ 482,532	\$ 372,029	\$ 364,357
Net Receipts	1,288,542	1,506,400	1,639,705
Total Funds Available	\$ 1,771,074	\$ 1,878,429	\$ 2,004,062
Less Expenditures	1,399,045	1,514,072	1,540,097
Ending Balance	<u>\$ 372,029</u>	<u>\$ 364,357</u>	<u>\$ 463,965</u>

  
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Representative Mike Meacham  
Subcommittee Chairman

**SUBCOMMITTEE REPORT**

Agency: Board of Healing Arts Bill No. 2680 Bill Sec. 7

Analyst: Rampey Analysis Pg. No. 10 Budget Pg. No. 1-205

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 424,735	\$ 370,419	\$ (10,958)
State General Fund	—	—	—
F.T.E. Positions	8.0	8.0	—

House Subcommittee Recommendation


FY 1984. The Subcommittee concurs with the Governor's recommendation for FY 1984.

FY 1985. The Subcommittee makes the following adjustment to the Governor's recommendation:

1. Delete \$10,958 for the Governor's salary plan revision.

Based upon the Subcommittee's recommendation, the balance in the Healing Arts Fee Fund will be \$391,753 at the end of FY 1984 and \$442,874 at the end of FY 1985. The fee fund analysis is shown below:

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Estimated FY 1984</u>	<u>Estimated FY 1985</u>
Beginning Balance	\$ 201,715	\$ 328,859	\$ 391,753
Net Receipts	381,516	392,391	410,582
Total Funds Available	\$ 583,231	\$ 721,250	\$ 802,335
Less: Expenditures	254,372	329,497	359,461
Ending Balance	<u>\$ 328,859</u>	<u>\$ 391,753</u>	<u>\$ 442,874</u>

  
 Representative Lee Hamm  
 Subcommittee Chairman

III

SUBCOMMITTEE REPORT

Agency: Consumer Credit Commissioner Bill No. 2680 Bill Sec. 13  
 Analyst: Galligan Analysis Pg. No. 22 Budget Pg. No. 1-91

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 263,333	\$ 263,732	\$ (11,043)
State General Fund	—	—	—
F.T.E. Positions	8.0	8.0	—

Agency Request/Governor's Recommendation

The Commissioner's request for FY 1985 would maintain the same staffing levels approved for the current fiscal year and includes other operating expenditures at a level \$1,896 less than the amount estimated for FY 1984. The Commissioner has included continued transfer of \$65,000 to the Department of Education to support its Economic/Consumer Education program. The Commissioner's revenue estimate for FY 1985 is based upon a \$5 increase in notification fees and a \$50 increase in licensing fees that went into effect during the fall of the current fiscal year.

The Governor's recommendation for FY 1985 would fund the personnel and other operating expenditures at the level requested by the Commissioner. In addition the recommendation includes a net increase of \$399 in salaries and wages as a result of adjusting the group health insurance cost and including the pay plan adjustment. The recommendation includes \$65,000 for the Department of Education that would be transferred in two equal installments on July 1 and February 1.

House Subcommittee Recommendation

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

1. In accordance with Committee policy, deletion of \$11,043 budgeted for the salary adjustment.
2. The Subcommittee learned that the Economic and Consumer Education program conducted by the Department of Education and financed by a transfer from this department's fee fund is in need of restructuring to increase accountability and to include greater emphasis on credit education. In order to facilitate development of a program that more closely addresses the needs of Kansans for consumer credit information, the Subcommittee makes the following recommendations:
  - a. that the Consumer Credit Commissioner be authorized to enter into a contract with the Department of Education and/or the Board of Regents to plan and/or conduct a program of consumer credit education;

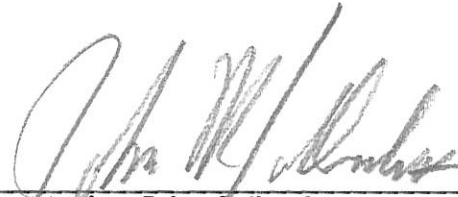


- b. that such contracts include specific tasks to be performed; measures of accountability; a system for follow-up evaluation of who is served, how many students receive information via the program and what information they receive; semi-annual reporting to the Subcommittee and the Consumer Credit Commissioner; and the cost of the services to be provided;
- c. that the activities performed during FY 1984 as part of the program be reported by January 1, 1985 to the Consumer Credit Commissioner and this Subcommittee; and
- d. that the elements of any contract between the Consumer Credit Commissioner and the Department of Education, including the dollar amount of such agreement, be presented to this Subcommittee and Senate Ways and Means Subcommittee reviewing this budget.

In order to implement this recommendation, the Subcommittee recommends deletion of Section 6(c) of 1984 H.B. 2684 that provides for automatic transfer of \$65,000 from the Consumer Credit Fee Fund to the Department of Education and addition of a proviso to Section 13 of 1984 H.B. 2680 that would authorize the Consumer Credit Commissioner to enter into contracts as specified above and provide that transfers to state agencies pursuant to those contracts be made outside the department's expenditure limitation to a maximum of \$65,000. Finally, the Subcommittee recommends that the House Ways and Means Subcommittee reviewing the Department of Education's budget consider adding a proviso to Section 6(b) following line 225 of 1984 H.B. 2684 that would specify that transfers from the Consumer Credit Fee Fund would be placed in the Economic and Consumer Education Fund.

3. The Subcommittee learned that subsequent to presentation of the Governor's budget recommendations, the Division of Personnel Services prepared a proposal for expanding and upgrading the classifications of Financial Examiners, five of which are employed by the department. Implementation of this personnel action is predicted to have a fiscal impact of \$16,848, plus benefits for FY 1985. The Subcommittee makes no recommendation in this regard until a Governor's budget amendment is presented for review.
4. The Subcommittee notes that the fee fund balance will be higher than the amount reflected in the budget due in part to the increase of licensure and notification fees during the current fiscal year. The Subcommittee encourages the Commissioner to reexamine the fee structure in light of this increase and to adjust fees if necessary during FY 1985.



A handwritten signature in black ink, appearing to read "John M. Solbach". The signature is written in a cursive style with a large initial "J" and "M".

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Representative John Solbach  
Subcommittee Chairman

Agency: Credit Union Department Bill No. 2680 Bill Sec. 9

Analyst: Galligan Analysis Pg. No. 15 Budget Pg. No. 1-107

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations: All Funds	\$ 309,511	\$ 310,141	\$ (17,378)
F.T.E. Positions	9.0	9.0	—

#### Agency Request/Governor's Recommendation

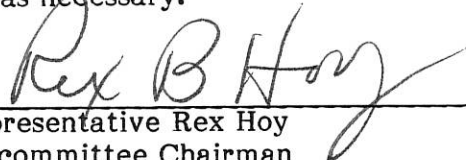
The request for FY 1985 would maintain the current staffing level and allow for examination of 175 state-chartered credit unions. The estimate of receipts for the current fiscal year is based upon actual revenue received early in the fiscal year. The anticipated receipts for FY 1985 are equal to the amount received in FY 1984.

The Governor's recommendation for FY 1985 is \$630 more than the amount requested. The increase is attributable to the pay plan adjustment proposed for all state employees. The Governor's recommendation includes anticipated revenue of \$340,000 during FY 1985 which is \$17,760 more than the amount included in the budget request.

#### House Subcommittee Recommendations

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

1. In accordance with Committee policy, deletion of \$13,378 budgeted for the pay plan adjustment.
2. Deletion of \$4,000 from travel and subsistence. This reduction will allow expenditure of \$36,450 during FY 1985 which is 11.5 percent more than actual expenditures during FY 1983. The Subcommittee is of the opinion that this amount of increase will allow for the increase in state car expense that is anticipated for FY 1985.
3. The Subcommittee learned that a proposal is being considered by the Department of Administration to reclassify the financial examiners employed by this and similar agencies. The Subcommittee does not recommend any upgrade of the positions in this department.
4. The Subcommittee notes that the estimate of receipts for FY 1985 included in the Governor's budget recommendation is higher than that included in the department's request. If the actual revenue during FY 1985 meets or exceeds that projection, the Subcommittee would urge a close examination of the fee structure and adjustment as necessary.

  
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Representative Rex Hoy  
Subcommittee Chairman

SUBCOMMITTEE REPORT

Agency: Office of the Securities Commissioner Bill No. 2680 Bill Sec. 19

Analyst: Galligan Analysis Pg. No. 34 Budget Pg. No. 1-169

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 702,734	\$ 589,683	\$ (12,455)
State General Fund	—	—	—
F.T.E. Positions	18.0	16.0	—

Agency Request/Governor's Recommendation

The Commissioner's request for FY 1985 includes three additional positions in the enforcement program, funds to purchase new office equipment, provide training for staff and to move to a larger office.

The Governor's recommendation includes the addition of one position in the enforcement program, funds for a larger office and some of the requested office equipment. The requested funds for staff training were not included in the recommendation.

House Subcommittee Recommendations

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

1. In accordance with Committee policy, deletion of \$24,575 budgeted for the salary plan revision.
2. Addition of \$9,620 to provide training for staff. This amount includes travel as well as registration costs.
3. Addition of \$2,500 to provide training for employees of the state's financial regulatory agencies who need to become conversant with securities law. The Subcommittee notes that the Commissioner did not request funds for this purpose, but that information about certain aspects of securities regulation may be increasingly necessary for financial examiners since more banks and savings and loan associations are providing brokerage services. The Commissioner is encouraged to work closely with the relevant departments to develop appropriate curricula for the training. The Subcommittee intends that this training be provided at no cost to the other agencies for FY 1985. This would not preclude charges being made in the future if the activity were to be continued. The Subcommittee recommends that the Securities Commissioner provide an evaluation to this Subcommittee during the 1985 Session regarding the training activities.



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Representative David Heinemann  
Subcommittee Chairman



Agency: Board of Pharmacy Bill No. 2680 Bill Sec. 16  
 Analyst: Stanfield Analysis Pg. No. 28 Budget Pg. No. 1-213

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 235,729	\$ 237,292	\$ (11,693)
F.T.E. Positions	6.0	6.0	—

House Subcommittee Recommendations

FY 1985. The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$7,693 recommended for the cost-of-living increase.
2. Delete \$1,000 in printing.
3. Delete \$3,000 in travel, which will allow for a 10 percent increase over FY 1984.
4. The Subcommittee wishes to note that all of the moneys collected under K.A.R. 68-7-18, an amount of \$325, has been refunded. The Board agreed to return the moneys when it was determined that there was no statutory authority for the Board to charge a registration fee to health departments or not-for-profit family planning clinics.
5. The Subcommittee concurs with the Governor's recommended amount for legal services. Further, the Subcommittee understands that the agency is very satisfied with the service as well as the rate of compensation; and the Subcommittee has been assured that this rate of compensation will continue to be used after the Board's office is relocated to Topeka.

Based on the Subcommittee's adjustments in fiscal years 1984 and 1985, the Fee Fund Analysis, is summarized below:

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Estimated FY 1984</u>	<u>Estimated FY 1985</u>
Beginning Balance	\$ 111,290	\$ 87,840	\$ 81,768
Net Receipts	180,041	221,647	221,647
Total Funds Available	\$ 291,331	\$ 309,487	\$ 303,415
Less: Expenditures	203,491	227,719	225,599
Ending Balance	\$ 87,840	\$ 81,768	\$ 77,816

  
 Representative J. Santford Duncan  
 Subcommittee Chairman

VII

SUBCOMMITTEE REPORT

Agency: Board of Pharmacy Bill No. 2703 Bill Sec. 5  
 Analyst: Stanfield Analysis Pg. No. 28 Budget Pg. No. 1-213

<u>Expenditure Summary</u>	<u>Agency Req. FY 84</u>	<u>Governor's Rec. FY 84</u>	<u>Subcommittee Adjustments</u>
State Operations: Supplemental Funding	\$ 11,707	\$ 8,000	\$ (2,000)

House Subcommittee Recommendations

FY 1984. The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$1,500 in communications, based on expenditures to date.
2. Delete \$500 in printing, based on historical patterns and expenditures to date.
3. The Subcommittee's recommendations will be reflected in the House Supplemental Bill, No. 2703 as an overall \$6,000 increase in the Board's expenditure limitation.



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 Representative J. Sanford Duncan  
 Subcommittee Chairman

11/11

SUBCOMMITTEE REPORT

Agency: Board of Nursing Bill No. 2680 Bill Sec. 14  
 Analyst: Rampey Analysis Pg. No. 24 Budget Pg. No. 1-209

<u>Expenditure Summary</u>	<u>Agency Req. FY 85</u>	<u>Governor's Rec. FY 85</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 474,863	\$ 452,788	\$ (16,538)
State General Fund	—	—	—
F.T.E. Positions	11.0	11.0	—

House Subcommittee Recommendations

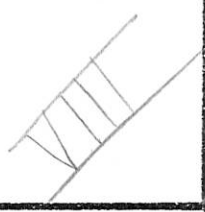
FY 1984. The Subcommittee concurs with the Governor's recommendation for FY 1984.

FY 1985. The Subcommittee makes the following adjustments to the Governor's recommendation:

1. Delete \$13,742 for the Governor's salary plan revision.
2. Delete \$2,796 for travel and subsistence. The effect of the Subcommittee's action is to recommend the expenditure of \$27,964 for travel and subsistence, which is the level approved for the current year.

Note:

- a. The Subcommittee concurs with the Governor's recommendation of \$1,350 for fees for data processing services. However, members of the Legislature should know that since FY 1981 the Department of Health and Environment has failed to bill the Board of Nursing for data processing services it provides to the Board in connection with the licensure renewal process for nurses. (The Department of Health and Environment maintains a master file of licensed nurses and generates lists and mailing labels for the Board's use for license renewal.) The Governor's recommendation would provide some funding for data processing services but, most likely, would not fully pay for the work. The Board of Nursing, the Department of Health and Environment, the Division of Information Systems and Computing (DISC), and the Division of the Budget are presently working together to negotiate an agreement between the Department and the Board to cover the cost for data processing services. It is possible an adjustment will have to be made to the Board of Nursing's budget.
- b. The Subcommittee concurs with the Governor's recommendation of \$2,400 for capital outlay, which does not include funding for a \$6,000 word processor requested by the Board. The Subcommittee understands the Board's desire to obtain more sophisticated office equipment. However, the Subcommittee believes less expensive alternatives exist which will serve the Board's purposes, such as electronic memory typewriters or services provided by DISC. The Subcommittee encourages the Board to




consider these alternatives and either report back to the appropriate committee during the 1984 Session or take the alternatives into account when its next budget is submitted.

- c. The Subcommittee notes that, at the request of the Executive Administrator of the Board of Nursing, a tour was made of vacant offices in Townsite Plaza into which the offices of the Board could be moved. The Subcommittee agrees that the space currently occupied by the Board at 503 Kansas Avenue is not structurally organized to promote office efficiency. The Division of Architectural Services objects to a Board move at this time. According to the Division, no tenant is available to move into the Board's present office, the result being that, if a move were made, the state would have to pay the rent at 503 Kansas Avenue for the vacant office. Secondly, all state agencies at 503 Kansas Avenue will be moving shortly in connection with the utilization of the Santa Fe building. The Subcommittee does not believe it is advisable for the Board to make a move now when another move is likely within the next few years.

Based upon the Subcommittee's recommendations, the balance remaining in the Board of Nursing Fee Fund will be \$97,430 at the end of FY 1984 and \$80,470 at the end of FY 1985. The fee fund analysis is shown below:

<u>Resource Estimate</u>	<u>Actual FY 1983</u>	<u>Estimated FY 1984</u>	<u>Estimated FY 1985</u>
Beginning Balance	\$ 95,656	\$ 57,716	\$ 97,430
Net Receipts	340,423	451,130	419,290
Total Funds Available	\$ 436,079	\$ 508,846	\$ 516,720
Less: Expenditures	378,363	411,416	436,250
Ending Balance	<u>\$ 57,716</u>	<u>\$ 97,430</u>	<u>\$ 80,470</u>

  
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Representative David Miller  
Subcommittee Chairman



## DRAFT AMENDMENTS TO H.B. NO. 2718

For Consideration by Committee on Ways and Means

"AN ACT amending the small claims procedure act; concerning the amount of a small claim; amending K.S.A. 61-2703, 61-2706 and 61-2713 and repealing the existing sections."

Be amended:

On page 1, in line 32, by striking "not" and inserting in lieu thereof "neither"; also in line 32, after "of" by inserting "nor under contract to"; following line 38, by inserting the following material to read as follows:

"Sec. 2. K.S.A. 61-2704 is hereby amended to read as follows: 61-2704. (a) An action seeking the recovery of a small claim shall be considered to have been commenced at the time a person files a written statement of the person's small claim with the clerk of the court if, within 90 days after the small claim is filed, service of process is obtained or the first publication is made for service by publication. Otherwise, the action is deemed commenced at the time of service of process or first publication. An entry of appearance shall have the same effect as service.

(b) Upon the filing of a plaintiff's small claim, the clerk of the court shall require from the plaintiff a docket fee of \$10, unless if the amount in controversy or claimed does not exceed \$500, or \$15, if the amount in controversy or claimed exceeds \$500, except that the judge may waive the docket fee for good cause shown ~~the-judge-waives-the-fee~~. The docket fee shall be the only costs required in an action seeking recovery of a small claim. No person may file more than five small claims under this act in the same court during any calendar year.";

And by renumbering sections 2 and 3 as sections 3 and 4, respectively;

On page 2, in line 51, preceding the comma by inserting "and

amendments thereto";

On page 3, in line 97, by striking "to" and inserting in lieu thereof "of";

On page 5, preceding line 211, by inserting the following material to read as follows:

"Sec. 4. K.S.A. 61-2501 is hereby amended to read as follows: 61-2501. (a) Docket fee. No case shall be filed or docketed pursuant to this chapter without the payment of a docket fee in the amount of (1) \$10<sup>7</sup> if the amount in controversy or claimed does not exceed \$500, (2) \$15 if the amount in controversy or claimed exceeds \$500 but does not exceed \$1,000, or (3) \$30<sup>7</sup> if the amount in controversy or claimed exceeds \$500 \$1,000. If judgment is rendered for the plaintiff, the court also may enter judgment for the plaintiff for the amount of the docket fee paid by the plaintiff.

(b) Poverty affidavit; additional court costs. The provisions of subsections (b), (c) and (d) of K.S.A. 60-2001 and amendments thereto shall be applicable to actions pursuant to this chapter.";

And by renumbering the remaining sections accordingly;

Also on page 5, in line 211, preceding "61-2703" by inserting "61-2501,"; also in line 211, preceding "61-2706" by inserting "61-2704,";

On page 1, in the title, in line 16, by striking "amending the small claims procedure act" and inserting in lieu thereof "relating to civil procedure for limited actions"; in line 17, preceding "amending" by inserting "adjusting certain docket fees in accordance therewith,"; also in line 17, preceding "61-2703" by inserting "61-2501,"; in line 17, after "61-2703," by inserting "61-2704,";

And the bill be passed as amended.