

MINUTES OF THE House COMMITTEE ON Ways and MeansThe meeting was called to order by Bill Bunten at \_\_\_\_\_  
Chairperson1:30 ~~xxx~~/p.m. on Tuesday, March 26, 1985 in room 514-S of the Capitol.

All members were present except:

Committee staff present: Gloria Timmer, Legislative Research  
 Laura Howard, Legislative Research  
 Mary Galligan, Legislative Research  
 Lyn Goering, Legislative Research  
 Jim Wilson, Revisor's Office  
 Sharon Schwartz, Administrative Aide  
 Nadine Young, Committee Secretary

Conferees appearing before the committee:

Chairman Bunten called the meeting to order at 1:35 p.m.

Representative Louis requested introduction of a bill concerning capital improvement projects for buildings or major repairs. The Joint Building Construction Committee requested the bill which allows for three methods of bidding (Attachment A). Representative Rolfs moved for introduction of the bill. Representative Louis seconded. Motion carried.

Two draft bills were presented to the committee at the request of SRS. One relates to special project personnel employed by the department of social and rehabilitation services (Attachment B). The other concerns interpretation of statutory and regulatory provisions (Attachment C). Jim Wilson reviewed the bills for the committee. Representative Rolfs moved that the two bills be introduced. Seconded by Representative Wisdom. Motion carried.

Mary Galligan, staff analyst, gave an overview of systemwide issues relating to the Regents' institutions (Attachment D).

Refer to Fiscal Year 1986 Budget Analysis which contains individual analyses of all Regents' Institutions.

1. Supplementals and Fee Release (page 2-4)  
 Governor's recommendations does not include supplemental appropriations requested for PSU, FHSU, or KTI. Governor's recommendation was to shift financing of KU's budget in the amount of \$500,000 from SGF to fee fund. Senate's recommendation was to lapse \$500,000 from SGF and accept the Governor's recommendations. Chairman Bunten offered a motion that the subcommittees responsible for the four schools study the matter and make a decision. Seconded by Representative Chronister. Motion carried.
2. Enrollment Adjustments (page 2-11)  
 Representative Miller moved to concur with the Senate's action, which is to continue the existing policy of the Legislature. Seconded by Representative Louis. Motion carried.
3. Additional Student Fees (page 2-10)  
 Governor recommended expenditure of the additional fees that will be part of tuition beginning with the fall semester of 1985. The question here is a proposal to shift some expenditures from restrictive use funds to general use funds, (\$219,000). Senate concurred with Governor's recommendations. Representative Louis moved to allow them to spend the money systemwide, which is approximately \$219,000. Representative Mainey seconded. Motion carried.
4. Unclassified Salaries (page 2-15)  
 For Maintenance increases, Regents requested 7.0% increase of unclassified salary funding for FY 1986. Governor recommended 6.0% increase. Senate recommended 5.5% increase. Each percentage is approximately 2.2 million dollars.

TIAA - Regents request included additional 1% increase for employer's contributions to unclassified salaries (unclassified employee's retirement plan - TIAA) at approximate cost of \$1.7 million.

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Representative Heinemann offered a motion that the Maintenance Increase be set at 5.0%, take 1/2% of that money and put in TIAA, and that this committee concur with the Senate on Accumulated sick leave. Representative Chronister seconded. Essentially, it would mean taking \$1.1 million out of Maintenance Increase, then include funding for 1/2% increase (approximately \$ .85 million) in TIAFF. Representative Wisdom requested the motion be divided.

On the motion that this committee recommend an increase of 5% for unclassified salaries at the Regents's institutions, the motion carried.

On the motion that this committee recommend an increase of 1/2% of employer contributions for TIAA, the motion carried.

On accumulated sick leave, the motion is that this committee concur with the Senate's recommendation that we not put the money in. Governor recommended .2% of the unclassified base at a cost of \$323,764. Representative Heinemann offered a motion that this committee concur with the Senate, who did not recommend the expenditure. Representative Chronister seconded. Motion carried.

No. 6 - Student Salary Base (page 2-24)

a. Maintenance Increase

Governor recommended 6% increase at a cost of \$396,352. The Senate recommended a 5.5% increase. Representative Chronister offered a motion that this committee recommend 5.0% increase for the student salary base. Seconded by Representative Rolfs. Motion carried.

Representative Rolfs moved that a portion of the increase approved by the Legislature be allocated for the enhancement of student salaries. In conversations with the students, their argument is that the extra funding will only increase hours and not wage per hour. He offered a motion to insert a proviso that would instruct the institutions to utilize 2.5% for enhancement of student salaries. Seconded by Representative Wisdom. Motion carried.

Off-Campus Work-study

Governor's recommendation is a 6% increase over last year. Senate recommended expenditure of the same amount for FY 1986 as was budgeted for FY 1985, with any new appropriation offset by anticipated reappropriations. Representative Rolfs moved that the re-appropriation be dropped and that \$463,358 be appropriated for FY 1986. Seconded by Representative Miller. Motion carried.

Separate line item for off-campus program & student S&W

Senate recommended to leave both as separate line items with a proviso permitting expenditure for the off-campus program. Representative Rolfs moved that this committee concur with the Senate recommendation. Seconded by Representative Mainey. Motion carried.

No. 7. - GTA Stipends

Governor recommended 6.5% in addition to the maintenance increase of 6% at a cost of \$471,000. Senate did not recommend the expenditure. Representative Duncan moved that this committee concur with the Senate. This would give them a 5.0% increase. Representative Fuller seconded. Motion carried.

No. 8 - GTA

The Board requested the fee waiver for graduate teaching assistants be increased from \$60% to \$75%. Governor recommended the requested increase for an estimated reduction of fees by \$673,352. Senate Committee concurred with the Governor. The fiscal note is \$160,747. Representative Teagarden moved that this committee concur with the Senate. On the question of whether or not KUMC should be permitted to operate under the same fee waiver policy as other institutions, the Senate Committee included all of the campuses in it's recommendations. Representative Duncan moved that this committee concur with the Senate on both the fee waiver item and the question of including KUMC in the fee waiver policy.

After lengthy discussion, Representative Duncan offered a substitute motion

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to increase the fee waiver to 65% rather than the requested 75%. Seconded by Representative Miller. The motion would include the KU Med Center. Motion carried.

No. 9 - OOE

a. Maintenance increase (2-29)

The governor recommended a 6% increase at a cost of \$4,613,062. Senate committee recommended a 5.5% increase at a total cost of approximately \$4.2 million. Representative Guldner offered a motion that this committee recommend an increase of 4.3%. Seconded by Representative Hoy. Motion carried.

b. Library acquisitions (2-32)

Board of Regents requested \$750,000. Governor recommended \$693,000 for all institutions except for KTI, VMC and KUMC. Senate concurred with the Governor's recommendation, but did comment that the library acquisition funds be appropriated as a separate line item and that they be excluded from the operating expenditure base in order that further increases requested in the future can be easily identified.

c. Academic Computing (page 2-33)

All institutions did make a request, but all requested something slightly different. The Governor recommended \$321,000 earmarked for KU, KS, WS, and PS. The Senate's decision was to delegate each individual decision to the subcommittees for their review, then to appropriate any funds that might be approved by those subcommittees in separate line items. Their decision was however, to include for consideration by the subcommittee \$25,000 of the \$50,000 requested by KUMC. In addition to line iteming academic computing expenditures, the full committee did include a proviso that would prohibit the use of those funds in long term lease/purchase agreements. It was noted that of the amounts recommended by the full committee, the \$45,000 amount for K-State was not included by that subcommittee.

d. Instructional Equipment

Board of Regents requested \$1,271,000. Governor recommended \$567,500. Senate committee concurred in all except for \$100,000.

Chairman Bunten commented that in light of what we are trying to do with other programs in other institutions, that we should keep this expenditure in line with what we can do elsewhere, which is somewhere between 4.3 and 5.5 percent. He offered a motion that these three appropriations...Library acquisition, academic computing and instructional equipment...not be allowed; and that we go back and visit with the Senate and attempt to come up with a figure that is more in line. Seconded by Representative Chronister. Motion carried.

No. 10 - Utilities

The request for FY 1986, for all institutions, was \$3,405,505. The governor recommended an increase of 8.6%. Senate recommended no increase in FY 1986 over the previous year. The Senate committee also recommended continuation of the proviso that permits reappropriation of unexpended balances for energy conservation. Representative Lowther moved that this committee concur with the Senate recommendation. Seconded by Representative Solbach. Motion carried.

On the question of whether to continue a separate line item for utilities, Representative Duncan commented that he believes this is a good year to put utilities back into OOE and not show it as a separate line item. Seconded by Representative Shriver. The Motion failed.

Representative Miller moved that the committee recommend showing utilities as a separate line item and that the institutions be allowed to reappropriate any unspent funds as a result of energy conservation. Seconded by Representative Lowther. Motion carried.

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No. 11 - Servicing New Buildings (page 2-39)

Board of regents requested additional staff and operating expenditures for new buildings that will be open on the campuses during FY 1986. (Refer to page 2-39 for formula used in making the individual requests.) Representative Rolfs moved that the requested amount be cut in half and that conferees be asked to study the formula and decide whether or not the request is valid. Regents must justify the request. Seconded by Representative Chronister. Motion carried.

No. 12 - Line Items in the Appropriation Bill

Senate committee recommended restoration of the line items included in last year's appropriation bill with the exception of Library and Academic computing. Representative Miller moved that this committee concur with the Senate. Seconded by Representative Hamm. Motion carried.

Chairman asked for a motion of the Minutes for March 19, 21 and 22. Representative Chronister moved they be approved as written. Seconded by Representative Mainey. Motion carried.

Representative Rolfs requested introduction of a bill relating to farmers, dealing with a dispute on how they should be taxed in instances where they do occasional work for their neighbors and that the bill be referred to Assessment and Taxation Committee. Seconded by Representative Heinemann. Motion carried.

Representative Lowther requested that Post Audit be directed to conduct a study on the Kansas Wheat Commission. Seconded by Representative Solbach. Motion carried.

Representative King brought up the subject of considering a new policy on tuition for foreign students at the regents' institutions. He commented that on the basis that the foreign student requires much more time in teaching, that perhaps they should be charged a higher rate of tuition.

Jim Wilson commented that a bill was introduced two years ago by Representative Dean that proposed a rate differential for foreign students. Chairman told Representative King, that if he has some specific thoughts on this matter, that he should draft a bill and bring it before the committee for introduction.

Meeting adjourned 3:35 p.m.

1985  
GUESTS

Date 3-26-85

Name	Address	Representing
Frank Laurinec	P.O. 307 macksville, KS	Macksville H.S. <sup>Gov't Class</sup>
Marjorie Van Buren	Topeka	OJA
Jay Scheck	Macksville, Ks.	Macksville H.S. <sup>Gov't Class</sup>
Orlando Urban	Seward, Ks	Macksville H.S. <sup>Gov't Class</sup>
Lorothy Spier	Wichita Ks	Gerontology WSK
Jennifer Day	Macksville, Ks	Macksville H.S. <sup>Gov't Class</sup>
Chris Haleman	Seward, Ks	Macksville H.S. <sup>Gov't Class</sup>
David Carrier	Radium, Ks	Macksville H.S. <sup>Gov't Class</sup>
Jim Barber	Seward Ks.	Macksville H.S. <sup>Gov't Class</sup>
Paul W. Blue	Topeka	AAUP
Mary Rice	"	John - A.G.S. office
Angela Conway	Topeka	"
Mark C. Callum	Topeka	ASK
Bill Hollenbeck	Pittsburg	PSU
Marvin Burris	Topeka	Bd of Regents
Dick Zbll	Macksville, Ks.	High School Principal
Paul Lamb	Mackville, Ks.	Student
Robert McMan	MACKVILLE Ks.	MACKVILLE, SURVIV
Randy Smith	Primer Rock	Macksville
Jacy Barstow	Mackville, Ks	Macksville
Paul Stetter	Macksville, Ks	Macksville
Lisa Ohnmacht	Larned, Ks.	Macksville
Jerlyn Paden	Macksville, Ks.	Macksville H.S.
Kristi Dolhan	Mont Bernal	Macksville Ks. <sup>Gov't Class</sup>

Rep. Louis

DRAFT BILL NO. \_\_\_\_\_

For Consideration by Committee on Ways and Means

AN ACT concerning capital improvement projects for buildings or major repairs or improvements; relating to solicitation of bids therefor; amending K.S.A. 75-3741 and repealing the existing section.

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

Section 1. K.S.A. 75-3741 is hereby amended to read as follows: 75-3741. (a) Subject to the applicable provisions of K.S.A. 75-3739 and 75-3740, and amendments thereto, all contracts for the construction of buildings or for major repairs or improvements to buildings which are specifically authorized by the legislature for the use and benefit of any state agency shall be let by the director of purchases to the lowest responsible bidder based on plans and specifications prepared for the project and approved by the secretary of administration and administrative head of the state agency concerned.

(b) (1) Prior to the ~~preparation--of--contract--documents~~ solicitation of bids for a project for the construction of a building or for major repairs or improvements to a building under this section, it shall be determined in accordance with this paragraph (1) of subsection (b) if ~~plans-and-specifications--will--be--prepared--and~~ bids ~~let~~ shall be solicited (A) for the project as a whole ~~or-if-plans-and-specifications-will--be--prepared--and~~ ~~bids-let,~~ (B) independently for--(A) (i) electrical work portions of the project,--(B), (ii) mechanical work portions of the project, and (C) (iii) all other work required for completion of the project, or (C) both for the project as a whole and for each of the three specified portions of the project independently. If the total cost of the project is expected to exceed \$250,000, the secretary of administration, ~~with--the--advice--of--the--project~~

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(A)

~~architect-and-the-negotiating-committee-convened-for-the--project~~  
~~under-K.S.A.--75-1253,-and-amendments-thereto,-shall-determine-if~~  
~~plans--and-specifications-will-be-prepared-and shall solicit~~ bids  
~~let both~~ for the project as a whole ~~or~~ and for each of the three  
specified portions of the project independently. If the total  
cost of the project is not expected to exceed \$250,000 but a  
project architect will provide the architectural services for the  
project, the secretary of administration, with the advice of the  
project architect, shall determine if ~~plans--and--specifications~~  
~~will--be-prepared-and~~ bids ~~let~~ shall be solicited for the project  
as a whole ~~or,~~ for each of the three specified portions of the  
project independently or for both such ways. Whenever the  
architectural services for any project are provided by the state  
under K.S.A. 75-1254, and amendments thereto, the secretary of  
administration shall determine if ~~plans-and--specifications--will~~  
~~be--prepared-and~~ bids ~~let~~ shall be solicited for the project as a  
whole ~~or,~~ for each of the three specified portions of the project  
independently or for both such ways.

(2) Upon any project for which ~~plans-and-specifications-will~~  
~~be-prepared-and~~ bids ~~let~~ are solicited for the project as a  
whole, solely, or in conjunction with bids for the project for  
each of the three specified portions of the project  
independently, the general contractor shall submit with the bid  
the names and addresses of subcontractors in accordance with this  
paragraph (2) of subsection (b). The general contractor shall  
submit the name and address of the electrical subcontractor for  
the electrical work portions of the project and the name and  
address of the mechanical subcontractor for the mechanical work  
portions of the project, if the general contractor will be  
subcontracting for such work. If there are project alternates  
listed in the bid documents and the general contractor's choice  
of subcontractors is dependent upon the combination of project  
alternates the state chooses, the general contractor shall submit  
for each combination of project alternates under which any  
subcontractor would change from the one named in the base bid, at

the time such contractor submits such bid: (A) The name and address of the electrical subcontractor, if the general contractor will be subcontracting for the electrical work portions thereunder; and (B) the name and address of the mechanical subcontractor, if the general contractor will be subcontracting for the mechanical work portions thereunder. All changes and substitutions in listed subcontractors shall be subject to approval of the secretary of administration.

(3) Upon any project for which ~~plans-and-specifications-will be-prepared-and~~ bids ~~let~~ are solicited independently for each of the three specified portions of the work for the project, the contractor for one of the three specified portions of the project shall be designated as the prime contractor for the project in accordance with this paragraph (3) of subsection (b). If the total cost of the project is expected to exceed \$250,000, the secretary of administration, with the advice of the project architect and the negotiating committee convened for the project under K.S.A. 75-1253<sup>7</sup> and amendments thereto, shall designate the prime contractor for the project. If the total cost of the project is not expected to exceed \$250,000 but a project architect will provide the architectural services for the project, the secretary of administration, with the advice of the project architect, will designate the prime contractor for the project. Whenever the architectural services for any project are provided by the state under K.S.A. 75-1254<sup>7</sup> and amendments thereto, the secretary of administration shall designate the prime contractor for the project. The prime contractor shall be responsible for coordinating all work upon the project, and all other contractors and subcontractors shall provide work for the project in accordance with the direction of the prime contractor. In each case where a contractor or subcontractor for the project delays the work on the project or incorporates materials or work of unsatisfactory quality into the project, the prime contractor shall notify the secretary of administration, the project architect, the state agency concerned and such contractor or



subcontractor of such delay or unsatisfactory materials or work.

(4) The secretary of administration shall adopt, with the advice of the state building advisory commission, a standard contract for use in connection with projects upon which bids are let for the project as a whole and a separate standard contract for each of the portions of a project for which bids are let independently. No such standard contract adopted by the secretary of administration shall contain any provisions authorizing arbitration of any matters thereunder.

(5) The secretary of administration may adopt rules and regulations necessary for the implementation and administration of the provisions of this subsection (b).

(c) The project architect performing construction administration services as described in K.S.A. 75-1260<sup>7</sup> and amendments thereto, or, if there is no project architect, the secretary of administration or the agency architect for the project as provided in K.S.A. 75-1254<sup>7</sup> and amendments thereto shall have charge of the construction of all buildings and the major repairs or improvements to buildings for state agencies. The original construction contracts for such projects shall be changed only by written change order signed by the director of architectural services with the approval of the secretary of administration and upon the recommendation of: (1) The project architect or, if there is no project architect, at the direction of the secretary of administration or the agency architect for the project as provided in K.S.A. 75-1254<sup>7</sup> and amendments thereto; (2) the state agency for which the building construction project has been approved; and (3) the director of accounts and reports. In each case where a change order is competitively bid, the change order shall also be signed by the director of purchases.

(d) If the director of purchases believes there is collusion and combination involved in any bids received for any contract for the construction of a building or for major repairs or improvements to a building for the use and benefit of a state

agency, the director of purchases shall reject any and all such bids and shall solicit new bids for the contract. If after receiving new bids the director of purchases believes there is again collusion and combination and that such collusion and combination would not be avoided by again soliciting new bids, the director of purchases shall let the contract by direct negotiation, except that: (1) The cost thereof shall not exceed the lowest responsible bid that had been offered; and (2) such contract shall not be negotiated or entered into with any bidder believed by the director of purchases to have been involved to any degree in such collusion and combination.

(e) In the event of a disagreement between the project architect, the secretary of administration or the agency architect for the project as provided in K.S.A. 75-1254, and amendments thereto, and the administrative head of the state agency for which the project is to be completed, as to the administration of the provisions of this section, the secretary of administration shall submit the matter to the governor and the decision of the governor shall be final.

(f) The provisions of this section shall not be construed to prohibit the administrative head of any state agency from making any improvement or improvements when the same can be made by institutional labor or the use of material manufactured in any state institution.

Sec. 2. K.S.A. 75-3741 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the Kansas register.

SR5

3

\_\_\_\_\_ BILL NO. \_\_\_\_\_

By

AN ACT relating to special project personnel employed by the department of social and rehabilitation services; amending K.S.A. 75-2935, 76-12a08 and 76-12a20 and repealing the existing sections.

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

Section 1. K.S.A. 75-2935 is hereby amended to read as follows: 75-2935. The civil service of the state of Kansas is hereby divided into the unclassified and the classified services.

(1) The unclassified service comprises positions held by state officers or employees who are:

(a) Chosen by election or appointment to fill an elective office;

(b) members of boards and commissions, heads of departments required by law to be appointed by the governor or by other elective officers, and the executive or administrative heads of offices, departments, divisions and institutions specifically established by law;

(c) except as otherwise enlarged under this section, one personal secretary to each elective officer of this state, and in addition thereto, 10 deputies, clerks or employees designated by such elective officer;

(d) all employees in the office of the governor;

(e) officers and employees of the senate and house of representatives of the legislature and of the legislative coordinating council and all officers and employees of the office of revisor of statutes, of the legislative research department, of the division of legislative administrative services, of the division of post audit and the legislative counsel;

(f) chancellor, president, deans, administrative officers,

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(B)

student health service physicians, teaching and research personnel, and student employees in the institutions under the state board of regents, the executive officer of the board of regents and the executive officer's employees other than clerical employees, and, at the discretion of the state board of regents, directors or administrative officers of departments and divisions of the institution, except that this subsection (1)(f) shall not be construed to include the custodial, clerical, or maintenance employees, or any employees performing duties in connection with the business operations of any such institution, except administrative officers and directors;

(g) operations, maintenance and security personnel employed to implement agreements entered into by the adjutant general and the federal national guard bureau, and officers and enlisted persons in the national guard and the naval militia;

(h) persons engaged in public work for the state but employed by contractors when the performance of such contract is authorized by the legislature or other competent authority;

(i) persons temporarily employed or designated by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination or installation;

(j) officers and employees in the office of the attorney general and special counsel to state departments appointed by the attorney general, except that officers and employees of the division of the Kansas bureau of investigation shall be in the classified or unclassified service as provided in K.S.A. 75-711 and amendments thereto;

(k) all employees of courts;

(l) patient and inmate help in state charitable, penal and correctional institutions;

(m) all attorneys for boards, commissions and departments;

(n) the secretary of the Kansas state historical society;

(o) physician specialists employed by the commissioner of mental health and retardation services and assigned by the

commissioner to a position in mental health and retardation services or any institution under the supervision of the state department of social and rehabilitation services;

(p) physician specialists employed at any institution under the supervision of the secretary of corrections;

(q) student employees enrolled in public institutions of higher learning;

(r) administrative officers, directors and teaching personnel of the state board of education and the state department of education and of any institution under the supervision and control of the state board of education, except that this subsection (1)(r) shall not be construed to include the custodial, clerical or maintenance employees, or any employees performing duties in connection with the business operations of any such institution, except administrative officers and directors;

(s) all officers and employees in the office of the secretary of state;

(t) one personal secretary and one special assistant to the following: The secretary of administration, the secretary of aging, the secretary of corrections, the secretary of economic development, the secretary of health and environment, the secretary of human resources, the secretary of revenue, the secretary of social and rehabilitation services and the secretary of transportation;

(u) one personal secretary and one special assistant to the chancellor and presidents of institutions under the state board of regents;

(v) one personal secretary and one special assistant to the executive vice chancellor of the university of Kansas medical center;

(w) civil service examination monitors;

(x) the secretary of the state corporation commission;

(y) specifically designated by law as being in the unclassified service;i

(2) special project personnel employed by the state department of social and rehabilitation services or by any institution under the supervision of the state department of social and rehabilitation services in positions funded by grants or gifts for a specific purpose.

(2) The classified service comprises all positions now existing or hereafter created which are not included in the unclassified service. Appointments in the classified service shall be made according to merit and fitness from eligible lists prepared upon the basis of examination which so far as practicable shall be competitive. No person shall be appointed, promoted, reduced or discharged as an officer, clerk, employee or laborer in the classified service in any manner or by any means other than those prescribed in the Kansas civil service act and the rules adopted in accordance therewith.

(3) For positions involving unskilled, or semiskilled labor, the secretary of administration, as provided by law, shall establish rules concerning certifications, appointments, layoffs and reemployment which may be different from the rules established concerning these processes for other positions in the classified service.

(4) Officers authorized by law to make appointments to positions in the unclassified service, and appointing officers of departments or institutions whose employees are exempt from the provisions of the Kansas civil service act because of the constitutional status of such departments or institutions shall be permitted to make appointments from appropriate registers of eligibles maintained by the division of personnel services.

Sec. 2. K.S.A. 76-12a08 is hereby amended to read as follows: 76-12a08. (a) Whenever any money is granted or given by any person, firm, corporation or association, or by the United States or any department, instrumentality or agency thereof, to any institution, the state, the secretary or ~~the division of~~ mental health and retardation services, which money is granted or given for a specific use or purpose, the secretary ~~on behalf of~~

~~himself or herself, the institution, the state or the division of mental health and retardation services,~~ may accept or reject any such grant or gift and may enter into contracts or agreements necessary or expedient to the acceptance or management of the grant or gift. Any grant or gift so accepted and the program therefor shall be known as a special project.

(b) The secretary ~~and superintendent of each institution~~ shall remit all moneys received ~~by or for either of them,~~ for any special project to the state treasurer at least monthly. Upon receipt of any such remittance the state treasurer shall deposit the entire amount thereof in the state treasury. The entire amount of any such deposit shall be credited to the mental health and retardation services special projects fund. All expenditures from such fund shall be made in accordance with appropriation acts and any applicable contract or agreement upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the ~~director~~ secretary or by a person or persons designated by ~~him or her~~ the secretary.

~~(c) All persons having professional, technical or unusual qualifications employed for any special project including the director of each special project shall be appointed by the director (or the superintendent of the institution when so designated by the director) and shall be in the unclassified service of the Kansas civil service act and shall receive salaries fixed by the secretary and approved by the state finance council. Other special projects personnel shall be in the classified service of the Kansas civil service acts.~~

Sec. 3. K.S.A. 76-12a20 is hereby amended to read as follows: 76-12a20. Employees of each institution shall be appointed by the superintendent or director of the institution. All employees so appointed shall be in the classified service under the Kansas civil service act, except physicians and employees in positions funded by grants or gifts for a specific use or purpose who shall be in the unclassified service under the Kansas civil service act.

Sec. 4. K.S.A. 75-2935, 76-12a08 and 76-12a20 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.



SRS

\_\_\_\_\_ BILL NO. \_\_\_\_\_

By

AN ACT concerning social welfare; relating to interpretation of statutory and regulatory provisions; amending K.S.A. 39-701 and repealing the existing section.

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

Section 1. K.S.A. 39-701 is hereby amended to read as follows: 39-701. (a) It is hereby declared the purpose and policy of the state in supervising the directing of the welfare work therein, to provide an effective uniform system of welfare work for the state; to promote efficiency in the work; and to comply with the conditions provided for obtaining federal grants for welfare work as set forth in federal laws and federal rules and regulations. It is not the policy of the state to discourage or interfere with the universally recognized moral obligations of kindred to provide, when possible, for the support of dependent relatives, but rather it is the policy of the state to assist the needy and where necessary, the relatives in providing the necessary assistance for dependents.

(b) Any section or provision of article 7 of chapter 39 of the Kansas Statutes Annotated, or the rules and regulations adopted thereunder, which may be susceptible to more than one construction shall be interpreted in favor of the construction most likely to satisfy federal laws, or the rules and regulations adopted thereunder, which entitle this state to receive federal matching funds or other funds for the various assistance programs covered by article 7 of chapter 39 of the Kansas Statutes Annotated.

Sec. 2. K.S.A. 39-701 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

3/26/85 (C)

3/26/85

HOUSE COMMITTEE SYSTEMWIDE DECISIONS

<u>Item</u>	<u>Concur with Senate</u>	<u>Non-concur/ Decision</u>
1. Supplementals and Fee Release (Supplementals for PSU, FHSU and KTI. Fee release for KU. None were recommended by the Governor. Senate Committee adjusted each.)		
2. Enrollment Adjustments (Concurrence would continue the existing policy of the Legislature)		
3. Additional Student Fees (The Governor recommended expenditure of the additional fees that will be part of tuition beginning with the fall semester of 1985. The question here is whether the Legislature wishes to approve expenditure of the funds as proposed by the Universities.)		
4. Unclassified Salaries		
a. Maintenance Increase (The Governor recommended approximately \$13.2 million for a 6% increase. Each 1% is approximately \$2.2 million. The Senate Committee recommended a 5.5% increase at a cost of \$12.1 million.)		
b. Additional 1% for TIAA (The Governor recommended the increase at an approximate cost of \$1.7 million. The change would require legislation. The Senate Committee recommended the increase but removed the money pending passage of the legislation (S.B. 350) that is to be on General Orders 3-25-85.)		
c. Accumulated sick leave (The Governor's recommendation is approximately .2% of the unclassified base at a cost of \$323,764. The Senate Committee did not recommend the expenditure, but indicated that the institutions could request supplementals if necessary after the payments are made.)		

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(D)

5. Classified Salaries

- a. Accumulated Sick Leave (Governor's recommendation is approximately .06% of the salary base at a cost of \$62,932. Senate Committee's decision on this item is the same as for unclassified staff.)

6. Student Salary Base

a. Maintenance Increase

(The Governor's recommendation is 6% at a cost of \$396,352. 1% would be approximately \$66,058. The Senate recommended a 5.5% increase at a cost of approximately \$360,000. The amount would continue to be appropriated as a separate line item with a proviso that permits use of the funds for the off-campus work-study program.)

b. Base expansion

(The Governor did not recommend the increase. The request was for approximately 3% at a cost of \$182,210. The Senate Committee concurred with the Governor's recommendation.)

c. Off-Campus Work-Study

(The Governor's recommendation is a 6% increase over the '85 appropriation at a total cost of \$292,416 as included in SB 166. The Senate Committee recommended expenditure of the same amount for FY 1986 as the Universities budgeted for FY 1985, with any new appropriation offset by anticipated reappropriations. Thus, the \$350,000 approved expenditure will be financed by \$112,485 of reappropriations if the Universities only spend the amount estimated in the budgets.)

- d. Continue a separate student s&w line item? (Senate did so.) With a proviso permitting expenditure for the off-campus program? (Senate did so.) Separate line item for off-campus program? (Senate did so.) Any change in the match requirement for the off-campus program? (Senate provided for public, non-state employers to participate.)

*no re EP in SB*

7. GTA Stipends

(The Governor recommended 6.5% in addition to the maintenance increase of 6% at a cost of \$471,000. The total recommended 12.5% increase for GTAs would cost \$925,841. The Senate Committee did not recommend the expenditure.) Should KUMC also have the stipend increase?

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8. GTA fee waivers

a. Increase from 60% to 75%

(The Governor recommended the increase for an estimated reduction of fees by \$673,352. The amount attributable to the increased waiver is \$160,747. The Senate Committee concurred with the Governor.)

b. Should KUMC operate under the same fee waiver policy as the other institutions? (The Board did not include the amount of the increase for the GTAs on the Kansas City campus in the systemwide request. The Senate Committee included all of the campuses in its recommendation.)

9. OOE

a. Maintenance increase

(The Governor recommended a 6% increase at a cost of \$4,613,062. Each 1% increase would cost approx. \$768,844. The Senate Committee recommended a 5.5% increase at a total cost of approximately \$4.2 million.)

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b. Library acquisitions

(The Governor recommended \$693,395 in addition to any maintenance increase that would accrue to the libraries. The Senate Committee concurred with the Governor's recommendation and included the \$50,000 authorized by the Board for KUMC. The Committee recommended appropriation of the amount as a separate line item excluded from the OOE base so that future requests for increases can be reviewed separately.)

c. Academic computing

(The Governor's recommendation is \$321,000. The Senate Committee

delegated review of the requests and recommendations for expenditures to the individual Subcommittees. However, it did include in its decision, \$25,000 of the \$50,000 authorized by the Board of Regents for KUMC. The Committee also directed that any amount recommended for additional academic computing expenditures be appropriated as a separate line item with a proviso that would prohibit use of the funds for payment of long-term lease purchase agreements.)

- d. Instructional Equipment  
(The Governor's recommendation is \$567,500. The Senate Committee concurred.)

10. Utilities

- a. Maintenance increase  
(The Governor recommended 8% at a cost of \$1.8 million. Each 1% would cost \$227,006. The Senate Committee recommended that the same amount be appropriated for FY 1986 as expended during FY 1985. Since no supplementals had been approved by the time that the Committee made its decision, the recommendation for FY 1986 was equal to the base for FY 1985. The Committee recommended continuation of the proviso that permits reappropriation of unexpended balances for energy conservation. Finally, the Committee recommended that any reappropriated amounts be removed from the base.)
- b. Continue separate line item for utilities?
- c. Continue reappropriation language?  
If so, for what purpose?

11. Servicing New Buildings

(The Governor recommended a total of \$850,000 for KU, WSU, KTI, and KSU. The WSU request was withdrawn after the Governor made his recommendation. That request was for \$58,764. The Senate Committee concurred with the Governor's recommendation, except for

Wichita State.)

12. Line items in the appropriation bill.
  - a. The Senate Committee recommended restoration of the line items included in last year's appropriation bill with the exceptions noted above.