

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by Senator August "Gus" Bogina at
Chairperson

11:00 a.m./p.m./on February 21, 1985 in room 123-S of the Capitol.

All members were present except:

Senators Doyen, Johnston and Talkington

Committee staff present:

Research Department: Richard Ryan, Ed Ahrens, Mary Galligan, Robin Hunn
Revisor's Office: Norman Furse
Committee Office: Judy Bromich, Doris Fager

Conferees appearing before the committee:

John Hipp, State Architect
Senator Jack Steineger
Senator Eric Yost
Senator Joe Warren
Art Griggs, Chief Attorney, Department of Administration
James Cobler, Director, Division of Accounts and Reports
Duane Johnson, State Librarian

INTRODUCTION OF BILL

The Chairman explained that Mr. Hipp had requested introduction of a bill eliminating the Architectural Services Recovery Fund. Mr. Hipp then explained the reasons for his request. (See Attachment A) There were questions from committee members.

Motion was made by Senator Gaines and seconded by Senator Werts to introduce the bill requested by Mr. Hipp (Attachment A). The motion carried by voice vote.

SB 216 - Creating a joint revenue review committee of the Legislature

Senator Steineger appeared to explain reasons for introduction of SB 216. He suggested it might be labeled a priority appropriations process. He said the present appropriations process in Kansas is like a citizen going to the supermarket, filling his basket, and then looking to see if he has enough money to pay for his choices.

Senator Steineger said he felt that a combination of SB 216 and SB 217 could be a workable bill. Following questions from committee members, Senator Steineger stressed the need for SB 216 or a similar proposal.

No action was taken on SB 216.

SB 217 - Fixing limitation on appropriations from the State General Fund

Senator Yost distributed Attachment B and made reference to its contents in his presentation. He stressed that charts in this attachment indicate spending increases in the State of Kansas have amounted to more than increases in the cost of living. He suggested that the concept of SB 217, which ties expenditures of state government to the cost of living index, might be tried for four or five years. He expressed concern that, when times are bad, taxes are raised; and when times are good, the Legislature looks for ways to spend the excess funds raised by those taxes.

When asked by Senator Werts if he had determined the impact of school district funding on the graph in Attachment B, Senator Yost said he had not specifically noted that; but his theory is that the big ticket items, such as school district aid, are increased when there is money in the bank.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p.m. on February 21, 1985

SB 217 - Continued

Senator Yost said he had considered the possibility that the Governor might veto SB 217, but felt he might sign the measure since it was tied to the cost of living. During the ensuing discussion, he admitted there may be problems with the effect of decreasing federal programs when arriving at figures for future appropriations measures.

Senator Steineger asked to comment on Senator Yost's bill. He stressed that he did not feel the bill locks the Legislature into fixed amounts of ending balances, and he agreed that there should be no specific limitation. He said he felt that a pause on the seventieth day of the session instead of the eightieth day might give the entire Legislature more time to adopt a revised estimate of expenditures.

No action was taken on SB 217.

SB 254 - Establishing the joint committee on revenue estimates and expenditures

Senator Warren appeared to answer questions and explain the measure to the committee. There was limited discussion concerning the bill.

No action was taken on SB 254.

HB 2127 - Payment of educational expenses of certain personnel of state agencies

Mr. Griggs explained the contents of HB 2127 to the committee. He said that currently some agencies are requiring employees to first take a class and pass it with a particular grade before the employees are reimbursed for tuition and books. He said the present statute authorizes only one method of payment--that to the educational institution. By elimination of the language in lines 29 to 31 of HB 2127, the state agencies could legally impose the above requirement.

In response to a question from Senator Bogina, Mr. Griggs said there has been a problem in some instances of people taking certain courses which are pre-paid by a state agency, and having no intention of completing them.

There was discussion by Mr. Cobler concerning employees' ability to pay for courses which they are required to take. He said HB 2127 would give agencies an option to pay the employee who is required to enroll in a certain course of study.

A conceptual motion was made by Senator Werts and seconded by Senator Gaines to amend HB 2127 to provide that payment of tuition and other expenses for employees of state agencies be in accordance with policies and procedures of the Department of Administration. The motion carried by voice vote.

Motion was made by Senator Gaines and seconded by Senator Gannon to report HB 2127 as amended favorably for passage. The motion carried by roll call vote.

HB 2132 - Prescribing certain accounting procedures for state tax levies for institutions

Mr. Griggs distributed Attachment C and explained to the committee the need for the provisions of HB 2132. During the ensuing discussion, it was revealed that certain contracts for buildings were not entered into and some payments were held up during past years because of problems with cash balances. Mr. Griggs, said the procedure provided by the bill in question is an accrual type of accounting, recognizing receipts which will be available. In essence, money will be borrowed from a pool of funds which is managed by the State Treasurer.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p.m. on February 21, 1985

HB 2132 - Continued

Senator Bogina indicated that the Joint Committee on State Building Construction had reviewed the problem being discussed, and that committee recommended there should be some flexibility in the funds available.

Motion was made by Senator Gaines and seconded by Senator Gannon to report HB 2132 favorably for passage. The motion carried by roll call vote.

HB 2032 - State librarian's power to appoint student assistants

Mr. Johnson appeared to explain the reasons for requesting passage of HB 2032. He indicated that it is convenient to relate to the Graduate School of Library Management at Emporia State University. The Library's Services to the Blind and Physically Handicapped was located on the Emporia State campus so that students could work in a meaningful working relationship with the kind of work for which they are being trained. Mr. Johnson added that it also helps that division of the Library to have those students involved in the work.

Under present law, according to Mr. Johnson, the Library is in conflict with the restriction of the law that allows the department to operate only within classified service. He added that HB 2032 would allow him to hire graduate students outside the classified service. He reminded the committee that the bill, if passed, would have state-wide application, wherever students are employed. However, the only place they are needed is on the Emporia State campus. He noted that if the committee feels the bill needs to be localized, he has no objections.

During a period of questioning by the committee, Mr. Johnson said there is some savings to the state in the provisions of HB 2032, because part time employees do not receive benefits, such as health insurance. He explained that the position in question is a full time position which is being divided between two part time employees.

Motion was made by Senator Gaines and seconded by Senator Gannon to report HB 2032 favorably for passage. The motion carried by roll call vote.

APPROVAL OF MINUTES

Motion was made by Senator Gaines and seconded by Senator Werts to approve committee minutes for February 14 and February 18. The motion carried by voice vote.

The meeting was adjourned by the Chairman.

STATE OF KANSAS



DEPARTMENT OF ADMINISTRATION
Division of Architectural Services

JOHN CARLIN,
Governor
JOHN B. HIPPI,
Director

625 Polk
Topeka, Kansas 66603
(913) 233-9367

February 20, 1985

The Honorable August Bogina, Jr.
Chairman, Senate Ways & Means Committee
Room 123-S, Statehouse
Topeka, Kansas

RE: Elimination of Architectural Services Recovery Fund

Dear Senator Bogina:

The attached bill draft would eliminate the Architectural Services Recovery Fund on July 1, 1986. It would remain in effect during FY 86 since project and salary budgets have been planned with the 1% fee in effect.

When the fee fund was conceived in the office of the Secretary of Administration, every effort was being made to reduce expenditures from the State General Fund. The 1983 Session passed the law although there was considerable opposition voiced by agencies whose capital improvement projects would be reduced by the 1% fee. At that time, the alternative was the loss of six positions in Architectural Services if neither the General Fund or the Recovery Fund was used for the approximately \$240,000 required.

The 1% fee has continued to be the source of discontent in agency capital improvement programs. Major projects sustain the larger fee amounts and agency personnel are at times recalcitrant to release the funds. If a project comes in above the budgeted construction cost wherein contingency funds can allow the project to be awarded, our 1% fee sometimes restricts that award. Additionally, there is always agency opposition to pay the fee when fee funds or private funds are involved although the law makes no exception.

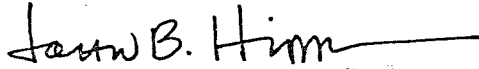
In fact, the Board of Regents has approved seeking legislation to exempt from the fee all projects where fee or private funds are used (Fred Bamlage Coliseum being the case in point since we will bill for approximately \$140,000).

The Honorable August Bogina, Jr.
February 20, 1985
Page Two

Also, the law now in effect does not allow for our 1% fee to be billed against engineering projects that are done by outside project engineers.

Goodwill, working relationships and project budgets all suffer under the law for the relatively small sum of \$240,000. I feel strongly the law should be abolished and I ask your support.

Sincerely,



JOHN B. HIPPI, AIA
Director

JBH:gk
Encl.

cc: Ray Hauke
Sherry Brown
Art Griggs
Dennis Williams
Warren Corman
Gary LaShell
Robert Hougland

AN ACT concerning the division of architectural services of the department of administration; eliminating certain fees for services; abolishing the architectural services recovery fund; amending K.S.A. 75-1269 and repealing the existing section.

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

Section 1. K.S.A. 75-1269 is hereby amended to read as follows: 75-1269. (a) Whenever the total cost of a capital improvement project for a state agency is expected to exceed \$250,000 or the secretary of administration provides architectural services for the project under K.S.A. 75-1254 and amendments thereto and the estimated construction cost of the project is more than \$10,000, the secretary shall charge and collect a fee for architectural services and management services provided for such project. The amount of the fee shall be fixed in each case by the secretary of administration and shall be equal to 1% of the estimated construction cost of the capital improvement project. Upon notification by the secretary of the amount of the fee for a capital improvement project, the state agency for which the project is being undertaken shall pay the fee from moneys appropriated for the project or available therefor.

(b) As used in this section:

(1) "Architectural services" has the meaning ascribed thereto by K.S.A. 75-1251 and amendments thereto;

(2) "management services" means management, consultation, direction, oversight, inspection and other services performed by the secretary of administration under K.S.A. 75-3740 to 75-3742, inclusive, 75-3783 to 75-3785, inclusive, and 75-1250 to 75-1268,

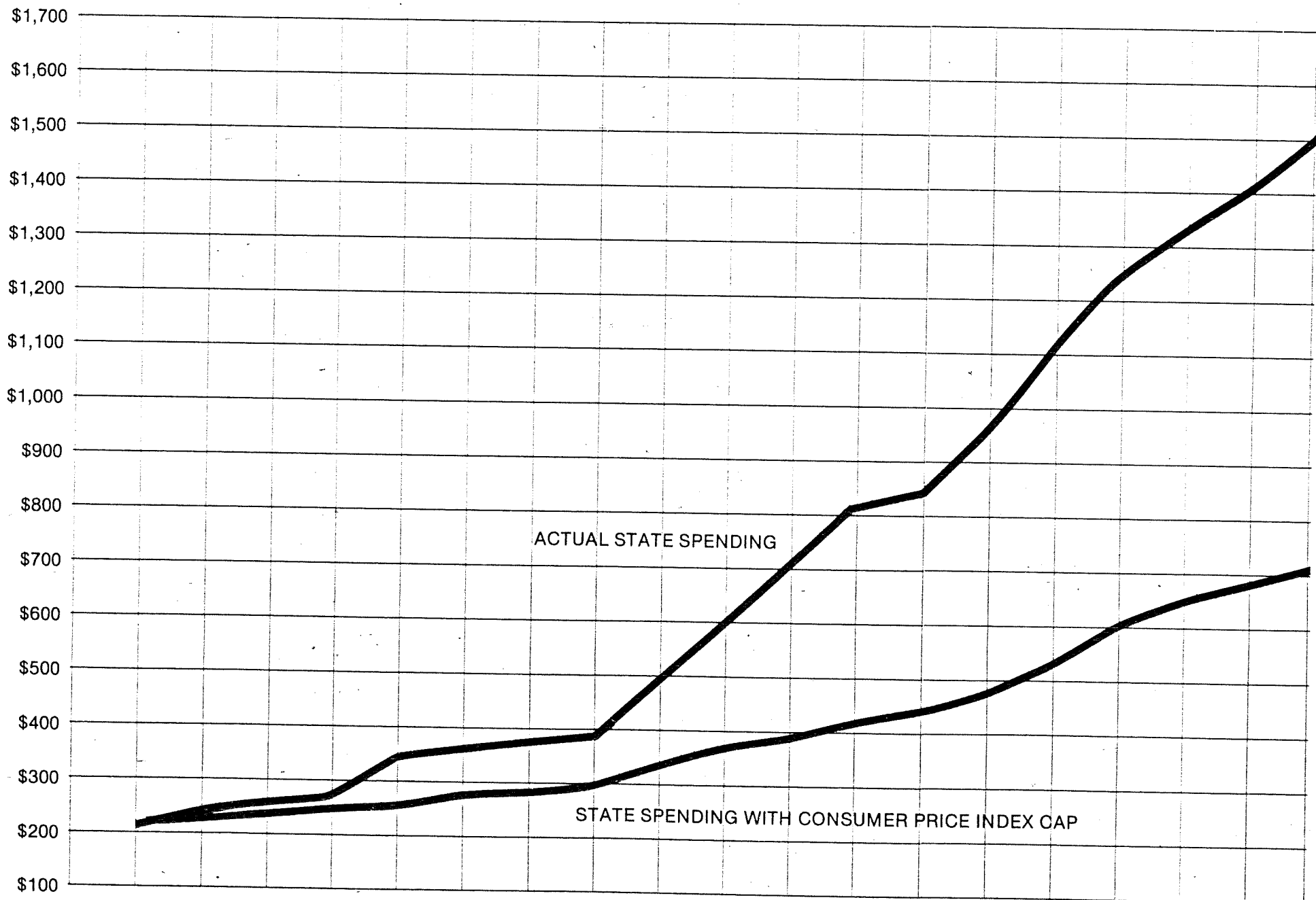
~~inclusive, and any amendments to such statutes.~~

~~(e) All moneys received by the secretary of administration under this section shall be credited to the architectural services recovery fund, which is hereby created in the state treasury. All expenditures from the architectural services recovery fund shall be for operating expenditures of the division of architectural services in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of administration or by a person or persons designated by the secretary. On July 1, 1986, the director of accounts and reports shall transfer all moneys in the architectural services recovery fund to the state general fund. On July 1, 1986, all liabilities of the architectural services recovery fund are hereby imposed on the state general fund and the architectural services recovery fund is hereby abolished.~~

Sec. 2. K.S.A. 75-1269 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after July 1, 1986, and its publication in the statute book.

IN MILLIONS



	1966	1967	1968	1969	1970	1971	1972	1973	1974	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984
CONSUMER PRICE INDEX	0	3.1	3.3	4.8	5.9	5.2	3.6	4.0	9.0	11.1	7.1	5.8	6.7	9.4	13.3	11.6	8.7	4.3	3.7
ACTUAL SPENDING RATE	0	7.8	8.1	7.6	23.3	3.4	3.2	5.5	26.5	22.3	17.1	16.5	3.0	14.9	15.1	13.3	5.9	5.5	6.9

B
2-21

	C.P.I. + 5.2% (Carlin Proposal)		C.P.I. + 2%		C.P.I.		Total Freeze (House Proposal)	
	FY '86 (9.2%)	FY '87 (9.2%)	FY '86 (6.0%)	FY '87 (6.0%)	FY '86 (4.0%)	FY '87 (4.0%)	FY '86 (0.0%)	FY '87 (0.0%)
beginning balance	128.8	40.5	128.8	93.3	128.8	126.2	128.8	192.1
projected revenues	1710.0	1795.5	1710.0	1795.5	1710.0	1795.5	1710.0	1795.5
cash on hand	1838.8	1836.0	1838.8	1888.8	1838.8	1921.7	1838.8	1987.6
expenditures	1798.3	1963.7	1745.5	1850.2	1712.6	1781.1	1646.7	1646.7
ending balance	40.5	(127.7)	93.3	38.6	126.2	140.6	192.1	340.9
spending increase from current levels	151.6	165.4	98.8	104.7	65.9	68.5	-0-	-0-
surplus or (deficit)	(88.3)	(168.2)	(35.5)	(54.7)	(2.6)	14.4	63.3	148.8

ASSUMPTIONS:

- 1) no tax increases
- 2) C.P.I. for FY '86 = 4.0%
- 3) C.P.I. for FY '87 = 4.0%
- 4) Revenue growth for FY '86 = 1.8%
- 5) Revenue growth for FY '87 = 5.0%

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Room 545-N — Statehouse

Phone 296-3181

February 11, 1985

TO: SENATOR ERIC YOST

Office No. 355-E

RE: REQUESTED BRIEF OF PROPOSED BILL

At your request, I have prepared the following brief of proposed bill 5RS0491, a copy of which you provided for this purpose.

This bill, effective upon publication in the Kansas Register, provides that, beginning in FY 1986, the Legislature shall not make any appropriations which would cause total expenditures and demand transfers from the State General Fund to increase over such expenditures in the preceding fiscal year (including expenditures from supplemental appropriations) by more than a percentage increase equal to the net percentage increase in the United States average consumer price index over the period of the calendar year immediately preceding the current legislative session. For fiscal year 1986, however, the foregoing limitation shall be adjusted to allow for the increased costs of certain new or expanded programs authorized prior to the current session of the Legislature, which costs will be significantly greater in FY 1986 than in FY 1985. The unencumbered cash balance at the end of a fiscal year shall not be less than 7 percent of the estimated total expenditures and demand transfers from the State General Fund in the next fiscal year.

The bill creates a Joint Committee of five senators and five representatives which is given certain duties designed to implement the provisions of the bill. Among other things, the Joint Committee would be responsible for introducing a concurrent resolution, within ten days following the effective date of the act in 1985 and thereafter within ten days following the Governor's Budget Report to the Legislature, setting forth (a) estimates of receipts to the State General Fund, (b) preliminary estimates of expenditures in the current fiscal year, (c) the expenditure ceiling for the next ensuing fiscal year, and (d) the estimated cash balance remaining in the fund at the end of the current and ensuing fiscal years. Neither house would be allowed to take final action on a bill appropriating money from the fund for the next fiscal year prior to the adoption of this first resolution. Not later than the 80th day of each regular session, the Joint Committee shall introduce another concurrent resolution revising the estimates contained in the first resolution.

If the various appropriations bills approved by the Legislature would cause expenditures greater than allowed under the ceiling adopted in the second resolution, it would be the duty of the Joint Committee to introduce a bill to reduce appropriations previously approved in order that the total amount from the fund does not exceed the ceiling. Such a bill, as well as both of the concurrent resolutions discussed above, would have to be referred to the Ways and Means Committee of the house considering the bill or resolution prior to their consideration by the full house.

We hope this information is helpful to you. If we may serve you further please let us know.



Edmund G. Ahrens
Chief Fiscal Analyst

EGA/aem

<u>YEAR</u>	<u>C.P.I. RATE</u>	<u>SPENDING AFTER C.P.I.</u>	<u>ACTUAL RATES OF INCREASE</u>	<u>ACTUAL SPENDING</u>
1966		221.9		221.9
1967	3.1	228.8	7.8	239.3
1968	3.3	236.3	8.1	258.6
1969	4.8	247.7	7.6	278.3
1970	5.9	262.3	23.3	343.2
1971	5.2	275.9	-3.4	354.8
1972	3.6	285.9	3.2	366.1
1973	4.0	297.3	5.5	386.4
1974	9.0	324.0	26.5	488.8
1975	11.1	360.0	22.3	597.9
1976	7.1	385.6	17.1	700.4
1977	5.8	407.9	16.5	815.7
1978	6.7	435.3	-3.0	840.1
1979	9.4	476.2	14.9	965.4
1980	13.3	539.5	15.1	1110.8
1981	11.6	602.1	13.3	1258.2
1982	8.7	654.5	5.9	1332.5
1983	4.3	682.6	5.5	1405.9
1984	3.7	707.9	6.9	1503.4
TOTAL	219 %	+486.0	578 %	+1281.5

367-77 Greenhouses Const.	974,000												974,000
367- Chem/Biochem						1,200,000							1,200,000
367- Weber Hall	2,000,000												2,000,000
379- Plumb Hall Life Safety	250,000												250,000
653- Telephone System	160,000												160,000
68201- Haworth Hall Add.	638,625												638,625
68201- Const/Equip Science Lib	650,000												650,000
68201- Renovate Snow Hall	180,000												180,000
68202- Applegate Energy Ctr.	1,180,000												1,180,000
715- Ablah Library	2,900,000												2,900,000
715- Remodel College of Busines	321,700												321,700

Total New Encumbrances	9,979,225	196,461	196,460	196,460	196,460	0	1,200,000	0	0	0	0	0	0	11,965,066
Deduct: Payments	1,344,572	1,686,070	1,383,577	982,702	1,106,183	917,702	849,705	1,034,934	1,034,934	1,014,934	870,444	886,160	886,160	13,111,917
Encumbrance cancellations												100	100	

Encumbrances - end period	9,781,604	8,291,995	7,104,878	6,318,636	5,408,913	4,491,211	4,841,506	3,806,572	2,771,638	1,756,704	886,260	0	0	
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Unencumbered Cash Balance	(4,707,001)	(4,867,551)	(4,849,439)	(4,924,701)	1,813,991	1,813,991	751,343	751,343	943,043	943,043	1,192,043	968,143	968,143	
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Appropriation Lapses													100	100
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Unencumbered Balance of Appropriations	1,985,841	1,789,380	1,592,920	1,396,460	1,200,000	1,200,000	0	0	0	0	0	0	0	
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Ad Valorem and Motor Vehicle tax collections are required by statute to be remitted by the counties on March 5, May 20, July 20, September 5, October 31 and January 20 of each year.

5-5

State of Kansas
 Kansas Educational Building Fund--Forecast of Transactions
 Fiscal Year 1986

Exhibit B

As of 31-Jan-85

Transactions	July	August	September	October	November	December	January	February	March	April	May	June	Total
Resources - beginning period													
Unencumbered Cash	621,109	(6,892,793)	(6,028,293)	(5,213,263)	(5,076,521)	(5,068,022)	(5,068,022)	(2,411,359)	(1,126,289)	56,937	56,937	968,043	
Encumbrances	1,146,951	9,781,604	8,291,995	7,104,878	6,318,636	5,408,913	4,491,211	4,841,506	3,806,572	2,771,638	1,756,704	886,260	
Total Unexpended Cash	1,768,060	3,688,811	2,263,702	1,891,615	1,242,115	340,891	(576,811)	2,430,147	2,680,283	2,828,575	1,813,641	1,854,303	
Add: Revenue#													
Ad Valorem	2,870,208	225,050	796,918	212,004	109,807		3,719,311	1,285,070	991,526		662,106		10,872,000
Motor Vehicle	395,115	35,911	214,572	121,198	95,152		137,352		191,700		249,000		1,440,000
Total Revenue	3,265,323	260,961	1,011,490	333,202	204,959	0	3,856,663	1,285,070	1,183,226	0	911,106	0	12,312,000
Total Cash Available	5,033,383	3,949,772	3,275,192	2,224,817	1,447,074	340,891	3,279,852	3,715,217	3,863,509	2,828,575	2,724,747	1,854,303	
Projected Expenditures													
Misc. Enc. 7-1-85		11,318	11,317	11,317	11,317	11,317	6,187						62,773
Est. Expenditures Reappropriations		141,453	141,451	141,451	141,451	141,451	78,584						785,841
FY 1984 Construction Projects:													
682-02-55 E. B. Allen Hospital Phase III	274,739												274,739
FY 1985 Construction Projects:													
367-74 Chem/Biochem Bldg		138,481			138,481								276,962
385-92 Yates Roof Replacement	45,500	45,500	46,000	15,000									152,000
68201-61 Science Library PrePlan	35,377												35,377
715-81 Ablah Library	172,500	172,500											345,000
FY 1986 Construction Projects:													
246- Martin Allen Hall Renov		40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	40,000	26,910	42,990	429,900
367- Nichols Gym Equip		147,500	147,500										295,000
367- Greenhouses Const.	97,400	97,400	97,400	97,400	97,400	97,400	97,400	97,400	97,400	97,400			974,000
367- Chem/Biochem								270,000	270,000	270,000	270,000	120,000	1,200,000
367- Weber Hall	166,000	166,000	174,000	166,000	166,000	166,000	166,000	166,000	166,000	166,000	132,000	200,000	2,000,000
379- Plumb Hall Life Safety	50,000	50,000	50,000	50,000	50,000								250,000
653- Telephone System		20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000				160,000
68201- Haworth Hall Add.	212,875	212,875	212,875										638,625
68201- Const/Equip Science Lib	53,181	53,190	53,181	53,181	53,181	53,181	53,181	53,181	53,181	53,181	53,181	65,000	650,000
68201- Renovate Snow Hall		16,200	16,200	16,200	16,200	16,200	16,200	16,200	16,200	16,200	16,200	18,000	180,000
68202- Applegate Energy Ctr.		106,200	106,200	106,200	106,200	106,200	106,200	106,200	106,200	106,200	106,200	118,000	1,180,000
715- Ablah Library	237,000	238,500	238,500	237,000	237,000	237,000	237,000	237,000	237,000	237,000	237,000	290,000	2,900,000
715- Remodel College of Business		28,953	28,953	28,953	28,953	28,953	28,953	28,953	28,953	28,953	28,953	32,170	321,700
Total Expenditures	1,344,572	1,686,070	1,383,577	982,702	1,106,183	917,702	849,705	1,034,934	1,034,934	1,014,934	870,444	886,160	13,111,917
Projected Unexpended Cash Balance	3,688,811	2,263,702	1,891,615	1,242,115	340,891	(576,811)	2,430,147	2,680,283	2,828,575	1,813,641	1,854,303	968,143	
Encumbrances													
Encumbrance - beg. period	1,146,951	9,781,604	8,291,995	7,104,878	6,318,636	5,408,913	4,491,211	4,841,506	3,806,572	2,771,638	1,756,704	886,260	
Add: New Encumbrances													
Est. Enc/Expend Misc Reapprop		196,461	196,460	196,460	196,460								785,841
FY 1986 Construction Projects:													
246- Martin Allen Hall Renov	429,900												429,900
367- Nichols Gym Equip.	295,000												295,000
367-77 Greenhouses Const.	974,000												974,000
367- Chem/Biochem								1,200,000					1,200,000
367- Weber Hall	2,000,000												2,000,000

653-	Telephone System	160,000												160,000
68201-	Haworth Hall Add.	638,625												638,625
68201-	Const/Equip Science Lib	650,000												650,000
68201-	Renovate Snow Hall	180,000												180,000
68202-	Applegate Energy Ctr.	1,180,000												1,180,000
715-	Ablah Library	2,900,000												2,900,000
715-	Remodel College of Busines	321,700												321,700

Total New Encumbrances	9,979,225	196,461	196,460	196,460	196,460	0	1,200,000	0	0	0	0	0	0	11,965,066
Deduct: Payments	1,344,572	1,686,070	1,383,577	982,702	1,106,183	917,702	849,705	1,034,934	1,034,934	1,014,934	870,444	886,160	100	13,111,917
Encumbrance cancellations												100	100	

Encumbrances - end period	9,781,604	8,291,995	7,104,878	6,318,636	5,408,913	4,491,211	4,841,506	3,806,572	2,771,638	1,756,704	886,260	0		
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Unencumbered Cash Balance	(6,092,793)	(6,028,293)	(5,213,263)	(5,076,521)	(5,068,022)	(5,068,022)	(2,411,359)	(1,126,289)	56,937	56,937	968,043	968,143		
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Appropriation Lapses													100	100
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Unencumbered Balance of Appropriations	1,985,841	1,789,380	1,592,920	1,396,460	1,200,000	1,200,000	0	0	0	0	0	0		
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Ad Valorem and Motor Vehicle tax collections are required by statute to be remitted by the counties on March 5, May 20, July 20, September 5, October 31 and January 20 of each year.

FORM 101 - 11/11/83