

Approved 2-16-87 Ivan Sand
Date

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Ivan Sand at
Chairperson

1:30 ~~am~~/p.m. on February 12, 1987 in room 521-S of the Capitol.

All members were present except:

Committee staff present:

Mike Heim, Legislative Research Dept.
Bill Edds, Revisor of Statutes' Office
Sharon Green, Committee Secretary

Conferees appearing before the committee: Representative Cliff Campbell

Chairman Sand called the meeting to order.

Representative Campbell made a request to the committee to introduce legislation dealing with deadlines for payment of property taxes. Rep. Campbell asked the committee to specify that if the deadline for payment falls on a Saturday or Sunday, that the deadline be postponed until the following Monday.

Motion was made by Representative Mollenkamp and seconded by Representative Dean to introduce legislation dealing with postponement of deadlines for payment of property taxes when the deadline falls on a weekend. The motion carried.

Motion was made by Representative Johnson and seconded by Representative Miller to amend HB 2172 by grandfathering in those employees living outside the city limits and to make it retroactive. The motion carried.

Motion was made by Representative Dean and seconded by Representative Francisco to amend HB 2172 by conceptually amending the bill to define "municipality" to mean city, county and school district, and to favorably pass HB 2172. The motion carried.

Bill Edds presented the committee members with a balloon of HB 2032. Mr. Edds explained the amendments to the bill. (Attachment 1)

Chairman Sand pointed out that the procedure to form a multi-county district is not yet outlined in the bill amendments. He also stated that extension councils of each county should recommend multi-county districts to the Board of County Commissioners, and that the Board of County Commissioners then had the authority to approve multi-county districts.

Motion was made by Representative Bowden and seconded by Representative Francisco to re-insert Sec. 1 of the balloon on HB 2032; to strike "June 30" in line 24, and insert "August 1"; and, to strike lines 45, from the word "except" through line 48, to the comma, and to adopt the rest of the balloon amendments, and to introduce this as a new committee bill. The motion carried.

The minutes of February 11 were adopted as presented.

Meeting adjourned.

HOUSE BILL No. 2032

By Special Committee on Ways and Means

Re Proposal No. 41

12-16

0017 AN ACT concerning county extension programs; relating to
 0018 ~~budget and~~ program approval and priorities; appointment of
 0019 agents; programs and personnel jointly funded by two or more
 0020 counties; amending K.S.A. 2-615 and 2-616 and K.S.A. 1986
 0021 Supp. ~~2-610~~ and repealing the existing sections.

election of members of councils;

extension districts;

2-611

0022 *Be it enacted by the Legislature of the State of Kansas:*

0023 ~~Section 1. K.S.A. 1986 Supp. 2-610 is hereby amended to~~
 0024 ~~read as follows: 2-610. (a) On or before June 30 each year, the~~
 0025 ~~executive board of the county extension council shall file with~~
 0026 ~~the county commissioners in the office of the county clerk:~~

0027 ~~(a) (1) A list of current members of the county extension~~
 0028 ~~council and its executive board; (b)~~

0029 ~~(2) a certification of election of officers as provided in sub-~~
 0030 ~~section (c) of K.S.A. 2-611, and amendments thereto; (c)~~

0031 ~~(3) a certificate by the director of extension of Kansas state~~
 0032 ~~university of agriculture and applied science that the county~~
 0033 ~~extension council is properly functioning and entitled to receive~~
 0034 ~~the appropriations provided by law; and (d)~~

0035 ~~(4) a budget prepared in cooperation with the board of county~~
 0036 ~~commissioners and the director of extension of Kansas state~~
 0037 ~~university of agriculture and applied science for the ensuing~~
 0038 ~~calendar year.~~

0039 ~~(b) The budget so prepared and filed shall clearly show all~~
 0040 ~~receipts from all sources. After the approval of such budget and~~
 0041 ~~shall be approved by (1) the board of county commissioners, (2)~~
 0042 ~~the director of extension of Kansas state university of agriculture~~
 0043 ~~and applied science or the director's duly authorized represent-~~
 0044 ~~ative, and (3) the chairperson of the executive board of the~~

Attachment
2-12-87

0045 county extension council, acting as a body, *except that such*
0046 *approval shall include approval by a majority of all members of*
0047 *the board of county commissioners. Upon such approval of the*
0048 *budget, the board of county commissioners shall then make an*
0049 *appropriation and certify to the county clerk the amount of tax*
0050 *necessary to be levied on all tangible taxable property of the*
0051 *county sufficient to provide a program of county extension work*
0052 *and to pay a portion of the principal and interest on bonds issued*
0053 *under the authority of K.S.A. 12-1774, and amendments thereto,*
0054 *by cities located in the county, which levy shall not exceed the*
0055 *limitation prescribed by K.S.A. 79-1947, and amendments*
0056 *thereto.*

0057 Sec. 2. K.S.A. 2-615 is hereby amended to read as follows:

0058 2-615. (a) *Except as otherwise provided for jointly employed*
0059 *agents, the executive board of the county extension council and*
0060 *the director of extension, or the director's authorized represent-*
0061 *ative, shall appoint a county extension agent and determine the*
0062 *amount of the extension agent's compensation. The extension*
0063 *agent shall be under the general supervision of the executive*
0064 *board and the director of extension. The director of extension of*
0065 *Kansas state university of agriculture and applied science shall*
0066 *determine the qualifications of each county extension agent*
0067 *which qualifications shall be consistent with the program and*
0068 *service priorities, including the appointment or assignment of*
0069 *extension agents, prescribed by the county extension council.*

0070 *On and after July 1, 1987, any provision in any existing contract,*
0071 *memorandum of understanding or other document which was*
0072 *entered into by a county extension council and the director of*
0073 *extension of Kansas state university and which establishes pro-*
0074 *gram or service priorities, including priorities for appointment*
0075 *or assignment of extension agents, shall be subject to change by*
0076 *the county extension council which is a party to such document.*

0077 (b) The executive boards of two or more county extension
0078 councils and the director of extension, or the director's autho-
0079 rized representative, may enter into an agreement to jointly
0080 employ a county extension agent or agents under like conditions
0081 as the executive board of a single county and by. Any such

INSERT

INSERT

Section 1. K.S.A. 1986 Supp. 2-611 is hereby amended to read as follows: 2-611. (a) Except as otherwise provided in this section, the citizens of voting age residing in each of the county commissioner districts in each county in this state are qualified to participate in the meeting which shall be held in each such district in each year not earlier than September 1, and at least 10 days before the annual meeting of the county extension council upon a date and at a time and place determined and fixed by the executive board of the county extension council and shall elect annually from among their number ~~three~~ four members of the county extension council. In Leavenworth county, such election shall be held at the time of the annual Leavenworth county fair. Of the ~~three~~ four members, one shall be elected to represent agriculture and shall be actively engaged in agricultural pursuits, one shall be elected to represent home economics work and, one shall be elected to represent 4-H club and youth work, and one shall be elected to represent economic development. The county extension council executive board members of each county may choose to hold a countywide election meeting in lieu of holding a meeting in each district. Prior to adjournment of the countywide meeting the citizens of each county commissioner district shall separate into groups for the purpose of electing the county extension council members who shall represent the district on the county extension council. The countywide meeting shall be subject to the same conditions hereinabove provided for county commissioner district election meetings.

(b) The executive board of the county extension council, as provided for in subsection (f), may choose, as an alternate method of electing county extension council members, to mail a ballot to each citizen of voting age residing in the county at least three weeks before the annual meeting of the county extension council. The ballots shall contain the names and resident addresses of all persons who are candidates for county

extension council membership. The incumbent county extension council members shall select not less than two persons as candidates for each position to be filled. After the ballot has been marked, each voter shall mail or otherwise transmit the ballot to the county extension office of the county at least seven days prior to the annual meeting of the county extension council.

(c) In any county having three county commissioner districts, the citizens may elect county extension council members at large or by county commissioner district as determined by the executive board of the county extension council for the county. In any county having other than three county commissioner districts, the citizens shall elect county extension council members at large. A county extension council elected at large shall also have a total elected membership of 27 36, with nine members elected to represent agriculture who shall be actively engaged in agricultural pursuits, with nine members elected to represent home economics, and nine members elected to represent 4-H club and youth work and nine members elected to represent economic development. When county extension council members are elected at large, nine shall be elected annually, three of whom shall represent agriculture, three of whom shall represent home economics, and three of whom shall represent 4-H club and youth work. County extension council members elected at large shall serve under the same conditions as county extension council members elected by county commissioner districts, except the provision that ~~three~~ four members of the executive board shall be elected from each county commissioner district shall not apply.

(d) The 27 36 members so elected in the three county commissioner districts, or at large, in any county shall constitute and be the county extension council, and it shall be the duty of the council to plan the educational extension programs of the county.

(e) At the annual meeting of the county extension council,

the council members elected to represent agricultural pursuits, home economics work or, 4-H club and youth work or economic development initiatives, may meet separately and elect a group chairperson. Each group shall meet as necessary for the purpose of developing educational program plans on extension work in agricultural pursuits, in home economics work or, in 4-H club and youth work, or economic development initiatives. All program plans shall be subject to final approval by the executive board of the county extension council.

(f) The county extension council shall meet annually not earlier than October 1, and not later than December 20, and shall elect from among its own members an executive board consisting of a chairperson, a vice-chairperson, a secretary and a treasurer and five eight additional members. The date, time and place of the annual meeting shall be determined and fixed by the executive board. No more than three members of the executive board shall be elected from any county commissioner district, and at least one member shall be elected from each county extension council member group namely, agricultural pursuits, home economics, and 4-H club and youth work and economic development initiatives. The executive board of the county extension council is authorized to transact all business of the council, shall have control of all the property of the council, and may employ and fix the compensation of such persons as are necessary for the conduct of the business of the council, except as herein otherwise expressly provided.

(g) Members of the county extension council and of the executive board shall receive no compensation for their services as members of the council or of the executive board. The members of the executive board, after their election and prior to entering upon the duties of their respective offices, shall take and sign the usual oath of public officers and the same shall be filed in the office of the county clerk.

(h) (1) The treasurer of the executive board after election as treasurer and before entering upon the duties of the office as

treasurer shall execute to the council a corporate surety bond, of 100% of the amount as nearly as can be ascertained that shall be in the treasurer's hands at any one time. All the bonds shall be conditioned to the faithful discharge of the duties of the office of treasurer. The amount and sufficiency of all bonds shall be determined by the county clerk, and upon the county clerk's approval endorsed on the bond, shall be filed with the county clerk, who shall immediately notify the secretary of the executive board and the county treasurer of the approval and filing. The cost of any corporate surety bond so furnished shall be paid by the executive board. In the event of the breach of any condition thereof, the chairperson of the executive board shall, and if the chairperson does not, any member of the county extension council may, cause a suit to be commenced thereon in the member's own name for the benefit of the council, in which suit it shall not be necessary to include the treasurer as a party to the suit and the money collected shall be applied to the use of the council, as the same should have been applied by the treasurer.

(2) Public notices of each annual election meeting or mail ballot election for county commissioner districts or at large, and the annual meeting of the county extension council provided for in this section shall be published once at least one week but not more than three weeks prior to the date fixed for such election or annual council meeting in a newspaper having general circulation in the county. The executive board shall call each of the annual election meetings and the annual meeting of the extension council and shall cause the notices of meetings to be published as herein required. The notices shall state the date, time and place of the meeting. The cost of publishing the notices shall be paid by the executive board of the county extension council.

(3) The elected officers and the members of the executive board shall hold office for one year and until their successors are elected and qualify. Vacancies in the membership of the

executive board shall be filled for the unexpired term from the remaining members of the county extension council by the executive board. Vacancies among the officers of the executive board shall be filled for the unexpired term by election from the members of the executive board. Each year not earlier than January 2, and not later than January 15, the retiring executive board shall meet with the newly elected executive board at a time and place designated by the chairperson of the retiring executive board. At the meeting the retiring executive board shall conclude all business of the past year and pay all lawful bills for the year in which it has served and provide the new executive board with all reports, records and other information which may be necessary to the operation of the county extension program during the ensuing year.

(4) Members of the county extension council shall hold office for a term of three years and until their successors are elected and qualify, and no member of the council shall hold office for more than two consecutive terms. Vacancies in the membership of the county extension council shall be filled by appointment by the executive board for the unexpired term of office.

0082 agreement *may* determine the amount of compensation to be
 0083 paid to the *each such* agent by each county extension council, the
 0084 program and service priorities that will be applicable to each
 0085 such agent and the time the *each such* agent is to spend in each
 0086 county. In any case where one or more county extension agents
 0087 are to be jointly employed pursuant to such an agreement, each
 0088 such agent may be employed and supervised by a multicounty
 0089 extension governing board and the director of extension, or the
 0090 director's authorized representative, in accordance with the
 0091 agreement entered into by the executive boards of the county
 0092 extension councils of the respective counties. Any such multi-
 0093 county extension governing board shall be composed of the
 0094 chairperson, vice-chairperson, secretary and treasurer of each
 0095 executive board entering into the agreement.

0096 (c) All accounts and all expenditures of funds of the county
 0097 extension council from whatever source derived shall be subject
 0098 to the approval of the executive board and the director of exten-
 0099 sion of Kansas state university of agriculture and applied science.

0100 Sec. 3. K.S.A. 2-616 is hereby amended to read as follows:
 0101 2-616. (a) The county extension council shall have for its sole
 0102 purpose the giving of instruction and practical demonstrations in
 0103 agriculture, marketing, home economics, 4-H club and youth
 0104 work, community and resource development, to all persons in
 0105 the county and the imparting to such persons of information on
 0106 said *those* subjects through practical demonstrations, meetings,
 0107 publications, or otherwise *in accordance with the program and*
 0108 *service priorities prescribed by the council.* Such councils shall
 0109 not engage in commercial or other private enterprises, legislative
 0110 programs, or other activities not authorized by this act and shall
 0111 not give preferred service to any individual, group or organiza-
 0112 tion.

0113 (b) County extension councils may collect fees for specific
 0114 services which require special equipment or personnel, such as a
 0115 soil testing laboratory, seed testing service or other educational
 0116 service, but they shall not collect membership dues nor shall
 0117 they collect dues for or pay dues to any local, state or national
 0118 organization or association: ~~Provided, That.~~ The furnishing of

County extension councils may elect to form an extension district. An extension district shall be composed of two or more counties that have agreed to combine the extension programs into one program serving the district. When districts are formed, the responsibility of the extension council and board for programs, staffing and management are those identified for a county. The council shall be elected on an at large basis. Funding and budget approval processes shall require approval as previously described by the county commissioners, extension board chairperson and director of extension or the director's duly authorized representative.

0119 supplies or services deemed necessary by the director of exten-
0120 sion and the executive board of the county extension council to
0121 the conduct of any educational program authorized under this act
0122 shall not be considered private enterprise or commercial activity
0123 within the meaning of this act.

0124 (c) Nothing in this act shall prevent the county extension
0125 council, or any multicounty extension governing board, or ex-
0126 tension agents employed by it such council [or] board from using
0127 or seeking opportunities to reach an audience of persons inter-
0128 ested in extension work through the help of interested farm
0129 organizations, civic organizations or any other group: *Provided,*
0130 ~~That.~~ In using or seeking such opportunities, the county exten-
0131 sion council, [or] any multicounty extension governing board, or
0132 agents employed by it such council [or] board, shall make avail-
0133 able to all groups and organizations in the county equal oppor-
0134 tunity to cooperate in the educational extension program. County
0135 extension agents, however, are prohibited from requiring shall
0136 not require uniform bylaws, rules, regulations and methods of
0137 procedure in groups, clubs or organizations wishing to do exten-
0138 sion work: *Provided,* ~~That.~~ This prohibition shall not prevent
0139 county extension agents from suggesting bylaws, regulations and
0140 methods of procedure for such groups, clubs or organizations.

0141 Sec. 4. K.S.A. 2-615 and 2-616 and K.S.A. 1986 Supp. [2-610]
0142 are hereby repealed.

0143 Sec. 5. This act shall take effect and be in force from and
0144 after its publication in the statute book.

or extension district

,

or district

extension district

,

or district

2-611