

Approved 2-23-87 Juan Sand
Date

MINUTES OF THE House COMMITTEE ON Local Government

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

1:30 ~~XXX~~p.m. on February 19, 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:

John Magnuson, Chairman, Board of County Commissioners, McPherson County
Jack Alumbaugh, South Central Kansas Economic Development District
Bev Bradley, Kansas Association of Counties
Gerry Ray, Johnson County Board of Commissioners
Sam Brownback, Secretary of Agriculture
Dr. Walter Woods, Dean of Agriculture; Director of Extension, KSU

Chairman Sand called the meeting to order.

Chairman Sand asked Bill Edds to explain two requests for legislation that had been brought to the attention of Representative Sand.

Bill Edds stated that Representative Amos requested legislation to amend county coroner laws, dealing with authority for autopsies. (Attachment 1)

Motion was made by Representative Francisco and seconded by Representative Empson to introduce legislation requested by Representative Amos. The motion carried.

Bill Edds explained a request for legislation dealing with mortgage registration tax when property lies in more than one county. (Attachment 2)

Motion was made by Representative Fry and seconded by Representative Mollenkamp to introduce legislation dealing with mortgage registration tax. The motion carried.

The committee turned its attention to HB 2394, which amends the county extension council statutes to change the budget submission date to the county from June 30 to August 1; to expand the membership of councils (27 to 36 members) by nine added members to represent economic development and to establish a 12-member instead of a 9-member executive board; to permit the establishment of extension council districts comprised of two or more counties; and to permit the joint employment of extension council agents by more than one county.

John Magnuson testified in support with some reservation on HB 2394, stating that the budget filing date change is appropriate, and that the concept of shared staffing between counties is an appropriate tool for addressing the need for services. Mr. Magnuson stated that he was concerned that a majority of the County Commission was not needed to approve the extension budget. He also stated that he was concerned about a new program emphasis, economic development, and that local programming decisions should be left at the county level. (Attachment 3)

Jack Alumbaugh testified on HB 2394, stating that he has concerns about the bill but was not in support or opposed to the bill. He stated that county wide economic development was already in effect in several counties in Kansas, and that economic development was advocacy work.

Bev Bradley testified in support of HB 2394, stating that the August 1 date change for extension budget approval aligns with the other county budgets in the time frame for approval. She also stated that a smaller number of

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,
room 521-S, Statehouse, at 1:30 ~~am~~/p.m. on February 19, 1987

extension council members would be much more workable. (Attachment 4)

Gerry Ray testified in support of HB 2394, stating that the date change to August 1 for budget approval was appropriate, and that she was concerned that charging another agency with economic development might be overkill. She suggested that the activities of the economic development members might be better defined, or stipulated that the duties be strictly educational.

Sam Brownback testified in support of HB 2394, stating that there was a need for rural development and that educational programs are needed in the rural counties. He also stated that regionalizing is viable in this bill.

Dr. Walter Woods testified in support of HB 2394, stating that changing the date to August 1 is workable for budget approval, and that the change to allow counties to voluntarily share agents or create multi-county districts is strongly supported. He also stated that there was a consensus for need of economic development and that this bill will allow decisions to be made at the local level to see what needs to be emphasized. Dr. Woods stated that federal legislation mandates that extension is an educational role, not an advocacy role. (Attachment 5)

Bill Edds reviewed a balloon of HB 2394, explaining amendments to the bill. He stated that the amendments were mostly cosmetic and that the significant amendment changes the members of the county extension council to 24. (Attachment 6)

Motion was made by Representative Patrick and seconded by Representative Kennard to adopt the balloon except deleting any language relating to economic development. A division was called for. The motion failed, 6 members voting yes, and 11 members voting no.

Discussion was held on HB 2394 and its amendments. Dr. Woods stated that this bill would have no impact as to additional faculty at KSU, nor would it require additional resources to implement the economic development.

Motion was made by Representative Graeber and seconded by Representative Acheson to adopt the balloon amendments and favorably pass HB 2394. The motion carried.

Representatives Sawyer, Patrick and Dean wished to be recorded as voting no to the above motion.

The minutes of February 18 were approved as presented.

Meeting adjourned.

James G. Bridgens, M.D.

Forensic Pathology • Medical-Legal Consultation

7 Feb 87

The Honorable Eugene P. Amos
Representative, 18th District
State Capitol, Room 181-W
Topeka, KS 66612

Re: Amendments to Coroner Laws

Dear Gene:

The following are suggestions for amendments of the coroner's statutes as we discussed last Friday:

K.S.A. 19-1031 (See enclosed)

This relates to the notification of the coroner regarding deaths that are the result of violence, unlawful means, suicide, accident, when in apparent health, etc. There is nothing that relates directly or gives authority to coroners covering individuals in police custody, jail, prisons or other penal institutions. Some of these individuals are ill, under the care of a physician, but in the interests of the institution or agency it is almost mandatory that the coroner be notified and an autopsy be performed. The documentation of the cause and manner of death should be an essential part of such cases. This is a routine at KSP. Currently, there is no definite statute that spells this out. All such cases should be investigated and an autopsy be performed so as to avoid problems at a later date. There should be statutory authorization for such autopsies.


K.S.A. 1975 Supp. 19-1030, as amended by Chapter 124, Sec. 1 of the 1967 Session Laws. (See enclosed.)

The "shall" in the statute relating to inquests should be changed to "may". Most coroners do not hold inquests, thus are in violation of the law. The wording requires that inquests be held when "deaths appear to have been caused by unlawful means or when the circumstances relating to such deaths are unknown." In this day of scientific crime investigation the inquest is an unnecessary, out dated exercise that only allows investigative information to be made public. This public exposure of known facts might hinder the ongoing investigation. "Shall" is mandatory; "may" would grant the authority, but does not mandate that an inquest be held. This failure to hold an inquest frequently comes up in court when the defense attorney doesn't have much of a case.

*Attachment 1
2-19-87*

If you have any questions let me know.

Sincerely,


James G. Bridgens, M.D.

K.S.A. 19-1029. Same; possession of property in determining cause of death. The district coroner, or his deputy, shall take possession of and retain as long as necessary, any property important in determining the cause of death in any case in which this act required that the coroner be notified, but only such property. When such property is no longer necessary for his investigation, the property shall be put into the possession of the law enforcement authorities having the responsibility for the case.

✓ K.S.A. 1975 Supp. 19-1030, as amended by Chapter 124, Sec. 1 of the 1976 Session Laws. Same; inquest, when; jury; laws applicable. (a) The coroner shall hold an inquest upon the dead bodies of such persons whose deaths appear to have been caused by unlawful means when the circumstances relating to such deaths are unknown. Except as provided in subsection (b), upon being notified of any such death occurring within the district, the coroner shall forthwith summon a jury of six (6) residents of the county in which the death occurred, at a time and place named, for the purpose of inquiring into the cause of death. In any other case in which this act requires that the coroner be notified, the coroner may also summon, forthwith, six (6) citizens of the county to appear at a time and place named. The provisions of the acts contained in article 10 of chapter 19 of the Kansas Statutes Annotated, relating to an inquest held by a county coroner, and any acts amendatory thereof, shall be applicable to any inquest held pursuant to this section.

(b) When the coroner has been notified of any death as provided in subsection (a), and the cause of such death occurred in a county other than the county in which the death occurred, the coroner of the county in which the cause of death occurred shall take the responsibility of summoning a jury as provided in subsection (a) for the purpose of inquiring into the death, if requested to do so by the coroner of the county in which the death occurred.

✓ K.S.A. 19-1031. Same; notification of death to coroner or deputy, when. When any person shall die, or human body be found dead in any county of the state, and the death is suspected to have been as a result of violence, caused by unlawful means or by suicide, or by casualty, or suddenly when the decedent was in apparent health, or when decedent was not regularly attended by a licensed physician, or in any suspicious or unusual manner, or when the determination of the cause of a death is held to be in the public interest, the coroner or deputy coroner of the county in which such death occurs or dead body is found, shall be notified by the physician in attendance, by any law enforcement officer, by the undertaker, by any person who is or may in the future be required to notify the coroner, or by any other person.

K.S.A. 1975 Supp. 19-1032, as amended by Chapter 124, Sec. 2 of the 1976 Session Laws. Same; duties of coroner after notice; report. Upon receipt of such notice, the coroner shall take charge of the dead body, make inquiries regarding the cause of death, and reduce the findings to a report in writing. Such report shall be filed with the clerk of the district court of the county in which death occurred.

Re: [unclear]

LAW OFFICES
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GARY L. FLORY
TIM R. KARSTETTER
JOHN B. KLEENDA

OF COUNSEL
LOWELL FLORY

October 6, 1986

McPherson County Commissioners
McPherson County Courthouse
McPherson, Kansas 67460

Re: Multi-County Mortgage
Registration Fee Amendment

Gentlemen:

Due to some difficulties that we have recently had concerning the sharing of the mortgage registration fee among counties where a single mortgage covers land in more than one county, it is my opinion that the mortgage registration fee statute governing the payment of fees when property is in two or more counties should be amended.

That statute is K.S.A. 79-3105. For purposes of explanation as to what I consider to be an unfair result of the present statute, I am enclosing a copy of a letter from the Kansas Director of Property Valuation to the Geary County Treasurer, dated August 14, 1986. That shows McPherson County receiving two percent of the mortgage registration fee, when it appears to be the mortgagor and mortgagee's intent to have one-fourth of the property mortgaged located in McPherson County.

I would suggest that 79-3105 could be amended by adding the following language:

shall Notwithstanding the foregoing, any mortgagee ~~may~~ designate the value of the desired lien in each county, and when such a designation is made, the mortgage registration fee will be divided pursuant to the division of lien value in each county.

*Slide F.
wait for
approval*
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with 11*

You may want to refer this letter to Representative Dale Sprague for his assistance in raising this issue in the Legislature.

Sincerely,
Gary L. Flory
Gary L. Flory
McPherson County Counselor

GLF:ab
Enc.

*Attachment 2
2-19-87*



McPHERSON COUNTY

TESTIMONY BEFORE THE HOUSE LOCAL GOVERNMENT COMMITTEE ON HOUSE BILL NO. 2394

BY
JOHN C. MAGNUSON, CHAIRMAN
BOARD OF MCPHERSON COUNTY COMMISSIONERS
FEBRUARY 19, 1987

HOUSE BILL NO. 2394 is supported, with some reservations, by the Board of McPherson County Commissioners. I appreciate this opportunity to delineate both our support for certain provisions of the bill, as well as our concerns regarding other provisions. The amendment of the budget filing date from June 30 to August 1 is appropriate. The extension budget would then fall in line with the time table used to consider all other county budget requests, if this bill is approved. Most importantly, the Board of County Commissioners will be able to consider its budget decision based on reliable information, such as the actual assessed valuation for the up-coming budget year. Knowledgeable budgeting will most likely occur in an environment where reliable information is provided to the governing body. Our county strongly supports this proposed amendment to the extension statutes.

Attachment 3

2-19-87

The Board of McPherson County Commissioners also support the concept of shared staffing or programming between counties. We believe this to be an appropriate tool for addressing the need for services, in a fiscal environment characterized by shrinking resources. The support of the Farm Bureau members for this particular portion of the bill appears to reflect their concern, that counties be allowed the option to provide extension programs in a manner, which will make effective use of their resources. The opening days of this legislative session reflects the fact that the state's fiscal resources will not support increased funding for programs. It seems highly appropriate that the individual counties be given the tools to operate in this environment.

This restrictive funding environment leads me to the first area of concern with this bill. It is my understanding, that the chairman of this committee has indicated that there will be no opportunity for passage of a provision, which requires a majority of the County Commission to approve the extension budget. I would like to take this opportunity to pose a few questions concerning this decision. First, Dr. Woods indicated on January 22, 1987, in an appearance before this committee, that the **local** extension services' financial support reflects a state-wide ratio that averages two dollars of county revenue for every one dollar from state/federal funds. As elected representatives, do you believe it is appropriate to continue a voting procedure, which requires unanimous vote from the Board of County Commissioners to deviate from a budget recommended by the local extension council?

In McPherson County, a majority of the Board of County Commissioners is required to approve twenty-five separate budgets. Why is this procedure not acceptable on the one remaining budget, the extension service? There should be no doubt that it is the Board of County Commissioners that is held accountable for its levy of all property taxes, not the extension council. Is it not fair

that if we are held accountable to the public, through a general election process, for our budget decisions, that we be allowed a majority vote for the approval of the extension budget?

As legislators, you are very aware that each department strongly advocates the support and growth of its own programs. The value of the legislative process is that these competing needs are evaluated, weighed and prioritized based on the legislator's evaluation of their constituents' needs. Is it appropriate that of the five votes required to approve the extension budget, two are representatives of the extension department?

Finally, I must express my concern that a new program emphasis, economic development, has been suggested in this bill. I believe that state resources for economic development should be concentrated to produce the best effect for Kansas. While I support economic development initiatives, I think our best avenue for success is a coordinated and concentrated effort with our existing resources. Do we really need to fund a new level of bureaucracy, at K-State, to address this need? If we have additional resources, I believe that we should target them to existing organizations such as the Department of Commerce and Kansas, Inc.

Further, I believe that local programming decisions should be left at the county-level. In McPherson County, the Board of County Commissioners has organized a county-wide economic development group, which brings together local chambers, industrial development companies, city governments, higher education, junior colleges, and interested citizens, to share resources and support county-wide economic development initiatives. This effort is being facilitated by the South Central Kansas Economic Development District (SCKEDD) staff. This volunteer effort, which is staffed through the County's yearly membership fee

in SCKEDD, represents an appropriate local response to the need to share resources and information, and consolidate actions. Do we really need yet another economic development group to coordinate, or is it best that the existing local resources be concentrated to achieve the goals of the county?

I appreciate your willingness to review my concerns and look forward to working with the Committee to address this important issue.

Kansas Association of Counties

Serving Kansas Counties

212 S.W. SEVENTH STREET, TOPEKA, KANSAS 66603 PHONE 913 233-2271

February 19, 1987

To: Representative Ivan Sand, Chairman
Members of the House Local Government Committee

From: Bev Bradley, Legislative Coordinator
Kansas Association of Counties

Re: HB-2394

Thank you Mr. Chairman and members of the committee, for the opportunity to testify in support of HB-2394. I am Bev Bradley, representing The Kansas Association of Counties.

Our legislative policy statement adopted in November addresses extension in 2 ways. We thank you for putting "on or before August 1" in this bill as the date for extension budget approval. This aligns the extension budget with other county budgets in the time frame for approval. This was of major concern to counties and we appreciate your favorable consideration.

Some boards of commissioners will be disappointed that the voting procedure remains the same in HB 2394 as currently established and the same as HB-2032 which was heard earlier in this committee.

We do, however, support HB-2394 and feel a smaller number of extension council members would be much more workable.

Attachment 4
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2/19/87

Testimony on House Bill 2394

Thank you Mr. Chairman and members of the committee. I am Walter Woods, Dean of Agriculture and Director of Extension at Kansas State University. I support House Bill 2394. Changing the date is workable for budget approval. It will mean extra paperwork expenses and maybe an extra trip to each county, but we can make it work.

The change to allow counties to voluntarily share agents or create multi-county districts is strongly supported. Adding the language to incorporate an Economic Development Program Development Committee (PDC) is supported.

Thank you for this opportunity to appear before you.

*Attachment 5
2-19-87*

HOUSE BILL No. 2394

By Committee on Local Government

2-13

0017 AN ACT concerning county extension programs; relating to
0018 election of members of councils; budget filing; programs and
0019 personnel funded by two or more counties; authorizing for-
0020 mation of extension districts; amending K.S.A. 2-615 and
0021 2-616 and K.S.A. 1986 Supp. 2-610 and 2-611 and repealing
0022 the existing sections.

0023 *Be it enacted by the Legislature of the State of Kansas:*

0024 Section 1. K.S.A. 1986 Supp. 2-610 is hereby amended to
0025 read as follows: 2-610. (a) On or before ~~June 30~~ August 1 each
0026 year, the executive board of the county extension council shall
0027 file with the county commissioners in the office of the county
0028 clerk:

0029 (a) (1) A list of current members of the county extension
0030 council and its executive board;

0031 (b) (2) a certification of election of officers as provided in
0032 subsection (c) of K.S.A. 2-611, and amendments thereto;

0033 (c) (3) a certificate by the director of extension of Kansas state
0034 university of agriculture and applied science that the county
0035 extension council is properly functioning and entitled to receive
0036 the appropriations provided by law; and

0037 (d) (4) a budget prepared in cooperation with the board of
0038 county commissioners and the director of extension of Kansas
0039 state university of agriculture and applied science for the ensu-
0040 ing calendar year.

0041 (b) The budget shall clearly show all receipts from all
0042 sources. After the approval of such budget by [(1)] the board of
0043 county commissioners, [(2)] the director of extension of Kansas
0044 state university of agriculture and applied science or the direc-
0045 tor's duly authorized representative, and [(3)] the chairperson of
0046 the executive board of the county extension council, acting as a

members of

Attachment 6
2-19-87

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

0056 Sec. 2. K.S.A. 1986 Supp. 2-611 is hereby amended to read as
0057 follows: 2-611. (a) Except as otherwise provided in this section,
0058 the citizens of voting age residing in each of the county com-
0059 missioner districts in each county in this state are qualified to
0060 participate in the meeting which shall be held in each such
0061 district in each year not earlier than September 1, and at least 10
0062 days before the annual meeting of the county extension council
0063 upon a date and at a time and place determined and fixed by the
0064 executive board of the county extension council and shall elect
0065 annually from among their number ~~three~~ *four* members of the
0066 county extension council. In Leavenworth county, such election
0067 shall be held at the time of the annual Leavenworth county fair.
0068 Of the ~~three~~ *four* members, one shall be elected to represent
0069 agriculture and shall be actively engaged in agricultural pursuits,
0070 one shall be elected to represent home economics work ~~and~~, one
0071 shall be elected to represent 4-H club and youth work, *and one*
0072 *shall be elected to represent economic development.* The county
0073 extension council executive board members of each county may
0074 choose to hold a countywide election meeting in lieu of holding
0075 a meeting in each district. Prior to adjournment of the coun-
0076 tywide meeting the citizens of each county commissioner district
0077 shall separate into groups for the purpose of electing the county
0078 extension council members who shall represent the district on
0079 the county extension council. The countywide meeting shall be
0080 subject to the same conditions hereinabove provided for county
0081 commissioner district election meetings.

0082 (b) The executive board of the county extension council, as
0083 provided for in subsection (f), may choose, as an alternate

initiatives

0084 method of electing county extension council members, to mail a
 0085 ballot to each citizen of voting age residing in the county at least
 0086 three weeks before the annual meeting of the county extension
 0087 council. The ballots shall contain the names and resident ad-
 0088 dresses of all persons who are candidates for county extension
 0089 council membership. The incumbent county extension council
 0090 members shall select not less than two persons as candidates for
 0091 each position to be filled. After the ballot has been marked, each
 0092 voter shall mail or otherwise transmit the ballot to the county
 0093 extension office of the county at least seven days prior to the
 0094 annual meeting of the county extension council.

0095 (c) In any county having three county commissioner districts,
 0096 the citizens may elect county extension council members at large
 0097 or by county commissioner district as determined by the execu-
 0098 tive board of the county extension council for the county. In any
 0099 county having other than three county commissioner districts,
 0100 the citizens shall elect county extension council members at
 0101 large. A county extension council elected at large shall also have
 0102 a total elected membership of ~~27~~³⁶, with ~~nine~~ members elected
 0103 to represent agriculture who shall be actively engaged in agri-
 0104 cultural pursuits, with ~~nine~~ members elected to represent home
 0105 economics, and ~~nine~~ members elected to represent 4-H club and
 0106 youth work, and ~~nine~~ members elected to represent economic
 0107 development. When county extension council members are
 0108 elected at large, ~~nine~~ 12 shall be elected annually, three of whom
 0109 shall represent agriculture, three of whom shall represent home
 0110 economics, and three of whom shall represent 4-H club and
 0111 youth work, and three of whom shall represent economic devel-
 0112 opment. County extension council members elected at large
 0113 shall serve under the same conditions as county extension coun-
 0114 cil members elected by county commissioner districts, except
 0115 the provision that ~~three~~^{four} members of the executive board
 0116 shall be elected from each county commissioner district shall not
 0117 apply.

0118 (d) The ~~27~~³⁶ members so elected in the three county com-
 0119 missioner districts, or at large, in any county shall constitute and
 0120 be the county extension council, and it shall be the duty of the

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0121 council to plan the educational extension programs of the county.
 0122 (e) At the annual meeting of the county extension council,
 0123 the council members elected to represent agricultural pursuits,
 0124 home economics work or, 4-H club and youth work or *economic*
 0125 *development initiatives*, may meet separately and elect a group
 0126 chairperson. Each group shall meet as necessary for the purpose
 0127 of developing educational program plans on extension work in
 0128 agricultural pursuits, in home economics work or, in 4-H club
 0129 and youth work, or *economic development initiatives*. All pro-
 0130 gram plans shall be subject to final approval by the executive
 0131 board of the county extension council.

0132 (f) The county extension council shall meet annually not
 0133 earlier than October 1, and not later than December 20, and shall
 0134 elect from among its own members an executive board consisting
 0135 of a chairperson, a vice-chairperson, a secretary and a treasurer
 0136 and ~~five~~^[eight] additional members. The date, time and place of
 0137 the annual meeting shall be determined and fixed by the execu-
 0138 tive board. No more than ~~three~~^[four] members of the executive
 0139 board shall be elected from any county commissioner district,
 0140 and at least one member shall be elected from each county
 0141 extension council member group namely, agricultural pursuits,
 0142 home economics, and 4-H club and youth work, and *economic*
 0143 *development initiatives*. The executive board of the county ex-
 0144 tension council is authorized to transact all business of the
 0145 council, shall have control of all the property of the council, and
 0146 may employ and fix the compensation of such persons as are
 0147 necessary for the conduct of the business of the council, except
 0148 as herein otherwise expressly provided.

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three

0149 (g) Members of the county extension council and of the
 0150 executive board shall receive no compensation for their services
 0151 as members of the council or of the executive board. The mem-
 0152 bers of the executive board, after their election and prior to
 0153 entering upon the duties of their respective offices, shall take
 0154 and sign the usual oath of public officers and the same shall be
 0155 filed in the office of the county clerk.

0156 (h) (1) The treasurer of the executive board after election as
 0157 treasurer and before entering upon the duties of the office as

0158 treasurer shall execute to the council a corporate surety bond, of
0159 100% of the amount as nearly as can be ascertained that shall be
0160 in the treasurer's hands at any one time. All the bonds shall be
0161 conditioned to the faithful discharge of the duties of the office of
0162 treasurer. The amount and sufficiency of all bonds shall be
0163 determined by the county clerk, and, upon the county clerk's
0164 approval endorsed on the bond, shall be filed with the county
0165 clerk, who shall immediately notify the secretary of the execu-
0166 tive board and the county treasurer of the approval and filing.

167 The cost of any corporate surety bond so furnished shall be paid
0168 by the executive board. In the event of the breach of any
0169 condition thereof, the chairperson of the executive board shall,
0170 and if the chairperson does not, any member of the county
0171 extension council may, cause a suit to be commenced thereon in
0172 the member's own name for the benefit of the council, in which
0173 suit it shall not be necessary to include the treasurer as a party to
0174 the suit and the money collected shall be applied to the use of
0175 the council, as the same should have been applied by the
0176 treasurer.

0177 (2) Public notices of each annual election meeting or mail
0178 ballot election for county commissioner districts or at large, and
0179 the annual meeting of the county extension council provided for
0180 in this section shall be published once at least one week but not
0181 more than three weeks prior to the date fixed for such election or
0182 annual council meeting in a newspaper having general circula-
0183 tion in the county. The executive board shall call each of the
0184 annual election meetings and the annual meeting of the exten-
0185 sion council and shall cause the notices of meetings to be
0186 published as herein required. The notices shall state the date,
0187 time and place of the meeting. The cost of publishing the notices
0188 shall be paid by the executive board of the county extension
0189 council.

0190 (3) The elected officers and the members of the executive
0191 board shall hold office for one year and until their successors are
0192 elected and qualify. Vacancies in the membership of the execu-
0193 tive board shall be filled for the unexpired term from the re-
0194 maining members of the county extension council by the execu-

0195 tive board. Vacancies among the officers of the executive board
 0196 shall be filled for the unexpired term by election from the
 0197 members of the executive board. Each year not earlier than
 0198 January 2, and not later than January 15, the retiring executive
 0199 board shall meet with the newly elected executive board at a
 0200 time and place designated by the chairperson of the retiring
 0201 executive board. At the meeting the retiring executive board
 0202 shall conclude all business of the past year and pay all lawful
 0203 bills for the year in which it has served and provide the new
 0204 executive board with all reports, records and other information
 0205 which may be necessary to the operation of the county extension
 0206 program during the ensuing year.

0207 (4) Members of the county extension council shall hold office
 0208 for a term of three years and until their successors are elected
 0209 and qualify, and no member of the council shall hold office for
 0210 more than two consecutive terms. Vacancies in the membership
 0211 of the county extension council shall be filled by appointment by
 0212 the executive board for the unexpired term of office.

0213 Sec. 3. K.S.A. 2-615 is hereby amended to read as follows:

0214 2-615. (a) *Except as otherwise provided for jointly employed*
 0215 *agents, the executive board of the county extension council and*
 0216 *the director of extension, or the director's authorized represent-*
 0217 *ative, shall appoint a county extension agent and determine the*
 0218 *amount of the extension agent's compensation. The extension*
 0219 *agent shall be under the general supervision of the executive*
 0220 *board and the director of extension. The director of extension of*
 0221 *Kansas state university of agriculture and applied science shall*
 0222 *determine the qualifications of each county extension agent.*

0223 (b) The executive boards of two or more county extension
 0224 councils and the director of extension, or the director's autho-
 0225 rized representative, may enter into an agreement to jointly
 0226 employ a county extension agent or agents under like conditions
 0227 as the executive board of a single county and by. Any such
 0228 agreement may determine the amount of compensation to be
 0229 paid to the each such agent by each county extension council, the
 0230 program and service priorities that will be applicable to each
 0231 such agent and the time the each such agent is to spend in each

two

(i) Notwithstanding any other provision of this section, the terms of all members of any county extension council serving on the effective date of this act shall expire in 1987, and 24 members shall be elected to constitute and be the county extension council by one of the election methods authorized by this section. Of the members elected to the county extension in 1987, six members shall be elected to represent agriculture who shall be actively engaged in agricultural pursuits, six members shall be elected to represent home economics, six members shall be elected to represent 4-H club and youth work and six members shall be elected to represent economic development initiatives. Three of each of the six members elected to represent each county extension council member group shall hold office for a one-year term and until their successors are elected and qualify and three of each six-member group shall hold office for a two-year term and until their successors are elected and qualify.

for

executive board of the

and the director of extension

0232 county. In any case where one or more county extension agents
 0233 are to be jointly employed pursuant to such an agreement, each
 0234 such agent may be employed and supervised by a multicounty
 0235 extension governing board and the director of extension, or the
 0236 director's authorized representative, in accordance with the
 0237 agreement entered into by the executive boards of the county
 0238 extension councils of the respective counties. Any such multi-
 0239 county extension governing board shall be composed of the
 0240 chairperson, vice-chairperson, secretary and treasurer of each
 0241 executive board entering into the agreement. County extension
 0242 councils may elect, subject to the approval of the board of
 0243 county commissioners of each county involved, to form an
 0244 extension district. An extension district shall be composed of
 0245 two or more counties that have agreed to combine the extension
 0246 programs into one program serving the district. When districts
 0247 are formed, the responsibility of the extension council and
 0248 board for programs, staffing and management are those iden-
 0249 tified for a county. The council shall be elected on an at large
 0250 basis. Funding and budget approval processes shall require
 0251 approval as previously described by the county commissioners,
 0252 extension board chairperson and director of extension or the
 0253 director's duly authorized representative.

0254 (c) All accounts and all expenditures of funds of the county
 0255 extension council from whatever source derived shall be subject
 0256 to the approval of the executive board and the director of exten-
 0257 sion of Kansas state university of agriculture and applied science.
 0258 Sec. 4. K.S.A. 2-616 is hereby amended to read as follows:
 0259 2-616. (a) The county extension council shall have for its sole
 0260 purpose the giving of instruction and practical demonstrations in
 0261 agriculture, marketing, home economics, 4-H club and youth
 0262 work, community and resource development, to all persons in
 0263 the county and the imparting to such persons of information on
 0264 said those subjects through practical demonstrations, meetings,
 0265 publications, or otherwise, in accordance with the program and
 0266 service prescribed by the council. Such councils shall not engage
 0267 in commercial or other private enterprises, legislative programs,
 0268 or other activities not authorized by this act and shall not give

with equal representation from each county

0269 preferred service to any individual, group or organization.

0270 (b) County extension councils may collect fees for specific
0271 services which require special equipment or personnel, such as a
0272 soil testing laboratory, seed testing service or other educational
0273 service, but they shall not collect membership dues nor shall
0274 they collect dues for or pay dues to any local, state or national
0275 organization or association: ~~Provided, That~~. The furnishing of
0276 supplies or services deemed necessary by the director of exten-
0277 sion and the executive board of the county extension council to
0278 the conduct of any educational program authorized under this act
0279 shall not be considered private enterprise or commercial activity
0280 within the meaning of this act.

0281 (c) Nothing in this act shall prevent the county extension
0282 council, *any multicounty extension governing board, or exten-*
0283 *sion district*, or extension agents employed by ~~it~~ *such council,*
0284 *board or district* from using or seeking opportunities to reach an
0285 audience of persons interested in extension work through the
0286 help of interested farm organizations, civic organizations or any
0287 other group: ~~Provided, That~~. In using or seeking such opportu-
0288 nities the county extension council, *or any multicounty exten-*
0289 *sion governing board, or extension district*, or agents employed
0290 by ~~it~~ *such council, board or district* shall make available to all
0291 groups and organizations in the county equal opportunity to
0292 cooperate in the educational extension program. County exten-
0293 sion agents, ~~however, are prohibited from requiring~~ *shall not*
0294 *require* uniform bylaws, rules, regulations and methods of pro-
0295 cedure in groups, clubs or organizations wishing to do extension
0296 work: ~~Provided, That~~. This prohibition shall not prevent county
0297 extension agents from suggesting bylaws, regulations and
0298 methods of procedure *for such groups, clubs or organizations.*

0299 Sec. 5. K.S.A. 2-615 and 2-616 and K.S.A. 1986 Supp. 2-610
0300 and 2-611 are hereby repealed.

0301 Sec. 6. This act shall take effect and be in force from and
0302 after its publication in the statute book.