

Approved March 22, 1988  
Date

MINUTES OF THE Senate COMMITTEE ON Governmental Organization

The meeting was called to order by Senator Vidricksen at  
Chairperson

1:30 ~~xxx~~/p.m. on March 21, 1988 in room 531 N of the Capitol.

All members were present except:  
Senator Winter

Committee staff present:  
Julian Efird - Research  
Jill Wolters - Revisor

Conferees appearing before the committee:

Ed Flentje - Department of Administration  
Barbara Anderson - Kansas State Historical Society  
John Strickler - Governor's Office  
Charlene Stinard - Kansas Natural Resources Council  
Clark Duffy - Kansas Water Office

The Chairman called the meeting to order and addressed SB 719 relating to the law enforcement officers memorial. Inasmuch as there were no conferees to speak on this bill the Chairman introduced Ed Flentje who presented a brief testimony on SB 722 relating to the Division of the Budget. He pointed out that passage of this bill would return the supervision to the governor and house it in the Department of Administration. The Revisor pointed out that in line 140 the number 75-3715a should be deleted and Section 3 did not need to be in the bill. Senator Gaines made a motion to approve the removal of these two parts. Senator Hoferer seconded this and motion carried. Senator Gaines made a motion to recommend SB 722 favorable for passage as amended. A second was made by Senator Hoferer and the motion carried with Senator Johnston voting in opposition.

The committee then turned its attention to SB 731 concerning the acquisition of historic property. Barbara Anderson presented testimony on behalf of Joseph Snell, the Executive Director of the Kansas State Historical Society. She presented a list of three amendments which they felt would strengthen the law and make its requirements more efficient to follow. (Exhibit A) After a brief discussion Senator Gaines made a motion, with a second from Senator Francisco, to recommend SB 731 favorable for passage. Motion carried.

John Strickler addressed the committee on behalf of HB 2423 concerning the Kansas Water Authority. He presented an amendment to this bill in lines 91-98. (see Exhibit B) Also, it was pointed out that there was a change in lines 159-162, as printed in Exhibit B. Testimony was also distributed from Charlene Stinard (Exhibit C) urging passage of this bill to insure that at least one more public voice will speak to the responsibility to preserve and protect the water resources for generations of Kansans to come. Clark Duffy spoke on behalf of this bill stating he supported it with the amendments. (Exhibit D) Senator Gaines made a motion to approve the amendments proposed for this bill. This was seconded by Senator Francisco. Motion carried.

Senator Gaines then made a motion to recommend HB 2423 favorable for passage. Senator Strick seconded this and the motion carried.

Ed Flentje addressed the committee on HB 2991 relating to certain powers, duties and functions of the State Department of Administration. He explained that this was a "clean up bill" and it would repeal some of the provisions that were no longer necessary. (See Exhibit E) Senator Gaines made a motion to recommend this bill favorably. It was seconded by Senator Francisco and motion carried.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Governmental Organization,  
room 531N, Statehouse, at 1:30 ~~xxx~~ p.m. on March 21, 1988

Senate Bill 719 was again brought up for discussion. Senator Gaines explained the provisions of this bill, there was brief discussion and inasmuch as there was no opposition Senator Gaines made a motion that the committee recommend SB 719 as favorable for passage. This motion was seconded by Senator Francisco and carried.

Senator Frey made a motion to recommend HB 2990 (relating to the powers and duties of the State Board of Agriculture) as favorable for passage. This was seconded by Senator Gaines and motion carried.

Senator Francisco then made a motion to approve the minutes of the March 15th meeting. This was seconded by Senator Frey and motion carried.

The meeting was adjourned at 2:10 p.m. by the Chairman.

GUEST LIST

COMMITTEE: Senate Governmental Organization DATE: March 21, 1988

NAME	ADDRESS	COMPANY/ORGANIZATION
Charlene Stinard	Topeka	Ks Natural Resource Council
Russell L Brites	Ottawa	Former KWA
Lucy G. Brites	"	
John Strickler	Topeka	Governors Office
Clark Shuffly	Topeka	Kansas Water Office
Barbara Anderson	120 W Tenth	Kansas State Historical Soc.
Jacqueline Dukes	Topeka	N.E.C.A.
Ed Schaub	Topeka	Southwestern Bell Mobile systems
Barb Remert	"	Ks Peace Officers Assn.
Buck McKee	Topeka	K.S. Livestock Assn.

STATEMENT OF JOSEPH W. SNELL, EXECUTIVE DIRECTOR, KANSAS STATE HISTORICAL SOCIETY, BEFORE THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION, MARCH 21, 1988, IN RE S.B. 731.

Senate Bill 731 amends the state historic properties acquisition law which has been in effect since 1982. The State Historical Society sought the original law and it is now seeking three amendments which we believe will not only strengthen the law but make its requirements more efficient to follow.

The amendments are:

1. We ask that any property considered for acquisition as a state historic site already be listed on the National Register of Historic Places. If that were the case its historic significance would already be an established fact since National Register listing has become the hallmark for evaluating a property's historic significance, and a great deal of the historical background required to be included in the acquisition study [see Section 1 (e) of S.B. 731 or K.S.A. 75-2726 Section 1 (c)] would have been completed. The law as it now stands requires only that the property be eligible for listing. Determining eligibility requires a review process in addition to the study compelled by the law.

We feel that this amendment would limit nominations for state acquisition to properties with proven historic significance and thus save the state a great deal of time and money in not having to establish eligibility or non-eligibility at the time of nomination.

2. It is the opinion of the staff of the State Historical Society that once the study required by the historic properties acquisition law is underway the law requires its completion whether the nominated site continues to exist or not. If a nominated property should be destroyed or so altered that it has lost its historic significance between the time of its nomination and the completion of the study, we feel the study should stop.

3. The third amendment would permit the State Historic Sites Board of Review not to conduct a study of a property which had been studied under the acquisition law previously should such a property be renominated for state acquisition.

As the law now stands it is our opinion that we would have to conduct a new study whenever a previously studied property was renominated. Since the study includes appraisals and sometimes engineering studies for which the state must pay we feel that this amendment could potentially save the state a great deal of time and money.

0084 of such members shall belong to the same political party; (3) one  
 0085 member shall be appointed by the president of the senate for a  
 0086 term of two years ~~commencing on July 1, 1981~~; and (4) one  
 0087 member shall be appointed by the speaker of the house of  
 0088 representatives for a term of two years ~~commencing on July 1,~~  
 0089 ~~1981~~. The state geologist, the chief engineer of the division of  
 0090 water resources of the state board of agriculture, the secretary of  
 0091 the department of health and environment ~~or the director of the~~  
 0092 ~~division of environment of the department of health and envi-~~  
 0093 ~~ronment, if so designated by the secretary,~~ the chairperson of the  
 0094 state corporation commission ~~or the director of the conservation~~  
 0095 ~~division of the state corporation commission, if so designated by~~  
 0096 ~~the chairperson, the secretary of commerce or a designee of the~~  
 0097 ~~secretary, the director of the Kansas water office, the director of~~  
 0098 ~~the Kansas fish and game commission~~ and the director of the  
 0099 agricultural experiment stations of Kansas state university of  
 0100 agriculture and applied science shall be nonvoting members ex  
 0101 officio of the authority. The director of the Kansas water office  
 0102 shall serve as the secretary of the authority.

0103 (b) In the case of a vacancy in the appointed membership of  
 0104 the Kansas water authority, the vacancy shall be filled for the  
 0105 unexpired term by appointment in the same manner that the  
 0106 original appointment was made. Appointed members of the  
 0107 authority attending regular or special meetings thereof shall be  
 0108 paid compensation, subsistence allowances, mileage and other  
 0109 expenses as provided in K.S.A. 75-3223, and amendments  
 0110 thereto.

0111 (c) The Kansas water authority shall:

- 0112 (1) Consult with and be advisory to the governor, the legis-  
 0113 lature and the director of the Kansas water office.
- 0114 (2) Review plans for the development, management and use  
 0115 of the water resources of the state by any state or local agency.
- 0116 (3) Make a study of the laws of this state, other states and the  
 0117 federal government relating to conservation and development of  
 0118 water resources, appropriation of water for beneficial use, flood  
 0119 control, construction of levees, drainage, irrigation, soil conser-  
 0120 vation, watershed development, stream control, gauging of



0121 stream and stream pollution for the purpose of determining the  
0122 necessity or advisability of the enactment of new or amendatory  
0123 legislation in this state on such subjects.

0124 (4) Make recommendations to other state agencies and polit-  
0125 ical subdivisions of the state for the coordination of their activi-  
0126 ties relating to flood control, construction of levees, drainage,  
0127 irrigation, soil conservation, watershed development, stream  
0128 control, gauging of stream, stream pollution and groundwater  
0129 studies.

0130 (5) Make recommendations to each regular session of the  
0131 legislature and to the governor at such times as the authority  
0132 considers advisable concerning necessary or advisable legisla-  
0133 tion relating to any of the matters or subjects which it is required  
0134 by this act to study for the purpose of making recommendations  
0135 to the legislature. All such recommendations to the legislature  
0136 shall be in drafted bill form together with such explanatory  
0137 information and data as the authority considers advisable.

0138 (6) Approve, prior to submission to the legislature by the  
0139 Kansas water office or its director, (A) any contract entered into  
0140 pursuant to the state water plan storage act, (B) any amendments  
0141 to the state water plan or the state water planning act and (C) any  
0142 other legislation concerning water resources of the state.

0143 (7) Approve, before they become effective, any policy  
0144 changes proposed by the Kansas water office concerning the  
0145 pricing of water for sale pursuant to the state water plan storage  
0146 act.

0147 (8) Approve, before it becomes effective, any agreement en-  
0148 tered into with the federal government by the Kansas water  
0149 office.

0150 (9) Request any agency of the state, which shall have the duty  
0151 upon that request, to submit its budget estimate pertaining to the  
0152 state's water resources and any plans or programs related thereto  
0153 and, upon the authority's receipt of such budget estimate, review  
0154 and evaluate it and furnish recommendations relating thereto to  
0155 the governor and the legislature.

0156 (10) Approve, prior to adoption by the director of the Kansas  
0157 water office, rules and regulations authorized by law to be

# Kansas Natural Resource Council

Testimony presented before the Senate Government Organization Committee

HB 2423: Increasing representation on the Kansas Water Authority

Charlene A. Stinard, Kansas Natural Resource Council

March 21, 1988

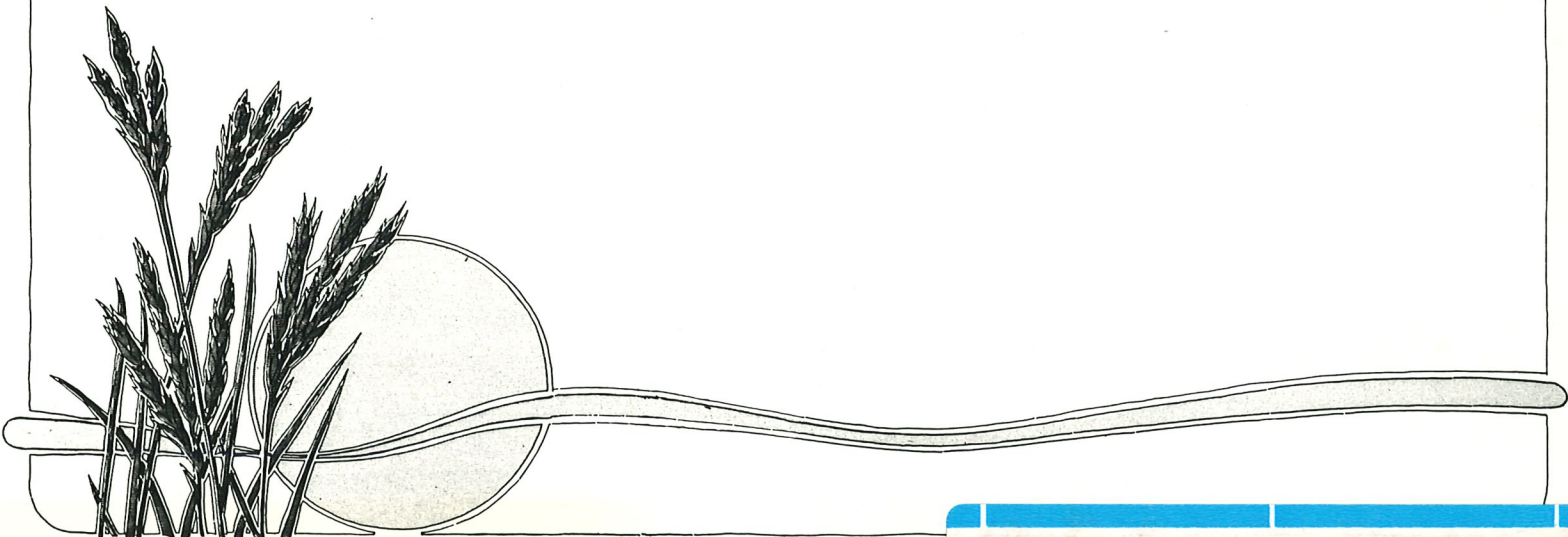
My name is Charlene A. Stinard, and I represent the Kansas Natural Resource Council, a private, non-profit organization which promotes sustainable natural resource policies.

I appear also on behalf of the Kansas Chapter of the Sierra Club and the Kansas Wildlife Federation, whose members support this bill.

Our organizations have played a significant role in the water planning process and are pleased to see the fruition of several years of effort in HB 2423.

The Kansas Water Authority membership represent well the various water users in Kansas. Our concern has consistently been that there was no voice speaking from the long-term environmental perspective. The appointment of a KWA member whose focus is conservation and stewardship of this natural resource represents a major commitment by the Legislature.

HB 2423 is both an acknowledgement of water's importance in Kansas and a powerful statement of legislative purpose. HB 2423 ensures that at least one more public voice will speak to our responsibility to preserve and protect our precious water resources for generations of Kansans to come.





Testimony Before the  
Senate Committee on Governmental Organization

by  
Clark R. Duffy, Assistant Director  
Kansas Water Office

March 21, 1988

Re: H.B. 2423

The Kansas Water Office supports H.B. 2423 with the amendments recommended by the Governor's Office.

The Kansas Water Authority presently has 18 members. The additional members can be accommodated with minimal effort.

We also support the language necessary to correct a technical error that occurred in the 1986 Session.

SESSION OF 1988

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2991

As Amended by House Committee on  
Governmental Organization

Brief \*

H.B. 2991, as amended, would repeal statutes related to the Department of Administration. The bill would repeal the following provisions:

- K.S.A. 75-2233-  
75-2234 requires Secretary of Administration to provide first aid equipment for use in the State Capitol Building
- K.S.A. 75-2248 requires State Historical Society to select appropriate statuary for the second floor niches of the Capitol Building
- K.S.A. 75-3607-  
75-3608;  
75-3611-  
75-3613;  
75-3615-  
75-3617 pertains to the State Office Building Commission and its duty to construct and equip an office building located at Tenth and Topeka (Docking State Office Building)
- K.S.A. 75-3629-  
75-3634 pertains to the purchase by the state of land and an office building in Topeka at Sixth and Kansas Avenue

---

\* Supplemental Notes are prepared by the Legislative Research Department and do not express legislative intent.

SESSION OF 1988

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2991

As Amended by House Committee on  
Governmental Organization

Brief \*

H.B. 2991, as amended, would repeal statutes related to the Department of Administration. The bill would repeal the following provisions:

K.S.A. 75-2233-

75-2234 requires Secretary of Administration to provide first aid equipment for use in the State Capitol Building

K.S.A. 75-2248

requires State Historical Society to select appropriate statuary for the second floor niches of the Capitol Building

K.S.A. 75-3607-

75-3608;

75-3611-

75-3613;

75-3615-

75-3617

pertains to the State Office Building Commission and its duty to construct and equip an office building located at Tenth and Topeka (Docking State Office Building)

K.S.A. 75-3629-

75-3634

pertains to the purchase by the state of land and an office building in Topeka at Sixth and Kansas Avenue

---

\* Supplemental Notes are prepared by the Legislative Research Department and do not express legislative intent.

- K.S.A. 75-3636-  
75-3639 pertains to the purchase by the state of property in Topeka between Fifth and Sixth streets on Kansas Avenue and on Jackson Street
- K.S.A. 75-3644-  
75-3647 pertains to the purchase of property and facilities at Forbes Air Force Base in Topeka
- K.S.A. 75-3656-  
75-3667 refers to various state office building funds that were abolished July 1, 1983
- K.S.A. 75-3751 refers to transfers of powers and duties of certain state officials and boards that occurred in 1953 and 1961
- K.S.A. 75-3797 refers to transfers of powers to the Secretary of Administration that occurred in 1982
- K.S.A. 75-4513 refers to transfers of powers to the Secretary of Administration that occurred in 1976
- K.S.A. 75-4606 pertains to the reimbursement of mileage rates to persons who use a private vehicle instead of a state vehicle
- K.S.A. 75-4609 establishes conditions under which certain state agencies may purchase or lease passenger vehicles and conditions under which Regents' institutions may lease motor vehicles other than passenger vehicles

K.S.A. 75-4801-

75-4804;

75-4805-

75-4806;

75-4808-

75-4818

pertains to Division of Planning and Research,  
which was abolished July 1, 1980

### Background

H.B. 2991 was introduced at the request of the Governor and contains statutes applying to the Department of Administration that are considered obsolete. The House Committee on Governmental Organization amended the bill to continue the requirement that the Director of the Budget prepare a fiscal note within seven days following the first reading of any bill that increases or decreases state revenues or the revenues of counties, cities, and school districts (K.S.A. 75-3715a).

The House Committee also amended the bill to continue the provisions of K.S.A. 75-3789-75-3794, which authorize the state to sell land it owns in Reno County.