

Approved 4-20-89  
Date

MINUTES OF THE House COMMITTEE ON Appropriations

The meeting was called to order by Bill Buntin at  
Chairperson

1:30 ~~am~~/p.m. on March 21, 1989 in room 514-S of the Capitol.

All members were present except: All present

Committee staff present: Ellen Piekalkiewicz, Debra Duncan, Carolyn Rampey,  
Legislative Research  
Jim Wilson, Revisor of Statutes  
Sharon Schwartz, Administrative Aide  
Sue Krische, Committee Secretary

Conferees appearing before the committee:  
Winston Barton, Secretary, Department of SRS

Others attending: See attached list.

**INTRODUCTION OF BILLS**

Representative R. D. Miller requested introduction by the Committee of a bill concerning planning and zoning to be referred to the Local Government Committee (Attachment 1). Representative Heinemann moved introduction of the bill. Representative Wisdom seconded. Motion carried.

SB 68 - Appropriations for FY90, state library, school for the visually handicapped, school for the deaf, historical society, council on vocational education, commission on bicentennial of U.S. constitution and public broadcasting commission.

**SCHOOL FOR THE VISUALLY HANDICAPPED**

The Committee reviewed the subcommittee report for FY89 and FY90 (Attachment 2). Regarding item #4 in the FY90 report, Representative Wisdom stated the Subcommittee has requested the school to provide a description of the Orientation and Mobility Outreach Program along with the number of students to be served and the curriculum to be offered. Upon receipt of this explanation, the subcommittee would perhaps recommend omnibus consideration of funding for the expansion of the program. Representative Lowther moved adoption of the subcommittee report for FY89 and FY90. Representative Wisdom seconded. Motion carried.

**KANSAS SCHOOL FOR THE DEAF**

Representative Mead reviewed the subcommittee report for FY89 and FY90 (Attachment 3). Representative Mead moved adoption of the subcommittee report. Representative Lowther seconded. Motion carried.

**STATE COUNCIL ON VOCATIONAL EDUCATION**

The Subcommittee concurs with the recommendations of the Senate for FY89 and FY90 (Attachment 4). Representative Goossen moved adoption of the subcommittee report. Representative Shriver seconded. Motion carried.

**STATE HISTORICAL SOCIETY**

Representative Hensley reviewed the subcommittee report for FY89 and FY90 (Attachment 5). Regarding the Subcommittee's recommendation to appropriate \$65,000 State General Fund for the Kansas Committee for the Humanities (KCH), Chairman Buntin noted this is a policy change, as State General Fund dollars have not funded the KCH previously. In response to a question regarding the state records management

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

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room 514-S Statehouse, at 1:30 ~~am~~/p.m. on March 21, 1989

program, Representative Helgerson stated the Department of Administration is not actively involved in the program presently. Representative Bunten moved to delete \$65,000 State General Fund grant moneys for the KCH from the FY89 subcommittee report. Representative Vancrum seconded. Representative Chronister offered a substitute motion to allow the \$65,000 grant moneys for the KCH in the FY89 subcommittee report to be funded from the Economic Development Initiatives Fund (EDIF). Representative Heinemann seconded. Substitute motion carried. It was noted \$800 is in the FY90 State Historical Society budget for mowing grass at Pawnee Rock.

Representative Bunten moved that items 2, 4, 5, and 6 in the Senate FY90 subcommittee report be deleted, i.e., \$48,000 to complete the master plan for historic sites, \$50,000 for historic site exhibit reinterpretation, \$11,752 for highway signs to the Kansas Museum of History, and \$12,200 for an archeological inventory survey of sites relating to the Tobias historic site. Representative Teagarden seconded. Motion carried. Representative Vancrum moved that \$11,752 for highway signs to the Kansas Museum of History be restored to the F90 House subcommittee report. Representative Turnquist seconded. Motion carried.

Representative Hoy moved adoption of the subcommittee report on the State Historical Society for FY89 and FY90 as amended. Representative Hensley seconded. Motion carried.

**PUBLIC BROADCASTING COMMISSION**

Representative Chronister reviewed the subcommittee report for FY89 and FY90 (Attachment 6). Representative Heinemann stated the \$75,000 for KOOD is a one-time operating grant. KOOD is undergoing a major restructuring and expansion. Representative Vancrum moved that item #3 of the subcommittee report be amended to read that "\$57,000 is a one-time operating grant." Representative Heinemann seconded. Motion carried. Representative Chronister moved adoption of the subcommittee report for FY89 and FY90 as amended. Representative Teagarden seconded. Motion carried.

**BICENTENNIAL COMMISSION**

Representative Vancrum reviewed the subcommittee report for FY89 and FY90 (Attachment 7). Representative Solbach submitted a minority report on FY90. Representative Solbach moved adoption of the FY89 subcommittee report on the Bicentennial Commission and the minority report for FY90. Representative Francisco seconded. Motion carried.

**KANSAS ARTS COMMISSION**

Representative Goossen reviewed the subcommittee report for FY89 and FY90 (Attachment 8). Representative Goossen moved adoption of the subcommittee report. Representative Pottorff seconded. Motion carried.

**STATE LIBRARY**

Representative Gatlin reviewed the subcommittee report for FY89 and FY90 (Attachment 9). Representative Brady submitted a minority report on FY90. Representative Chronister asked if the ALANET program for interlibrary loan and reference requests will be compatible with the system being developed at Fort Hays State University. Representative Chronister moved to add to the subcommittee report that the State Library and Fort Hays work together to insure that the State Library will be able eventually to take advantage of the new system being developed, as it will access all of the university libraries. Representative Gatlin seconded. Motion carried.

CONTINUATION SHEET

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room 514-S Statehouse, at 1:30 ~~am~~/p.m. on March 21, 1989.

Representative Brady moved adoption of the minority report for FY90. Representative Teagarden seconded. Motion failed. Representative Gatlin moved adoption of the majority subcommittee report for FY89 and FY90. Representative Moomaw seconded. Motion carried.

Representative Chronister moved that SB 68, as amended, be recommended favorably for passage. Representative Teagarden seconded. Motion carried.

SB 303 - Authorizing sale or lease of land currently used as Kansas City workshop for the blind.

Winston Barton, Secretary of SRS, explained that SB 303 authorizes the secretary of SRS to sell the Kansas City Workshop for the Blind with the proceeds to be deposited to the State General Fund. Secretary Barton stated he will not ask to sell the property this year so that he can review the performance of the current operator of the Workshop. He stated SRS will request the bill next year if it is necessary. Representative Shriver moved to report SB 303 adversely. Representative Wisdom seconded. Motion carried. Charles P. Erickson, Kansas City, Kansas Industries for the Blind, Employee Shop Representative, submitted written testimony in opposition to SB 303 (Attachment 10). In addition, R. J. Edlund, President, National Federation of the Blind of Kansas, provided written testimony in opposition to SB 303 (Attachment 11).

The meeting was adjourned at 3:30 p.m.

GUEST LIST

COMMITTEE: HOUSE APPROPRIATIONS

DATE: 3-21-89

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Mary Kennedy McCabe	Jayhawk Tower	Kansas Arts Commission
Dorothy Dugan	Topeka	:KS Arts Comm.
Brenda White	Topeka	KAPSET
Lee Woelf	Topeka	KAPSET
Robert F. Fry	SHAWNEE MISSION	KCPT
Paul Martinson	WICHITA	KPTS
Heidi Slechte	Banker Hill	KOOP/KSWK
Dale N. Anderson	Topeka	KTWU
D. B. Dallas	Topeka	Division of Budget
John Thompson	KCK	NFB
Dick Edlund	KCK	NFB
CHARLES ERICKSON	KCK	sheltershop WORKERS
Gerald Johnson	ol. ca	Kansas school f. to det
Ralph Bentley	KCKS	KS. SCH fth VIS. HOCA
Dwaine Johnson	Topeka	STATE LIBRARY
Chris Duell	Emporia	
Lois Snow	Topeka	State Library
David DeFue	Topeka	KCOVE
Helma Hunter Dardon	Lawrence	SRS-
Ramon Powers	Topeka	State Historical Society
Ruth Shuman	Topeka	KSHS
Maryanne Schuch	Topeka	Ka. Bicentennial Comm
John Reynolds	Topeka	KSHS
Terry Marmet	Topeka	Historical Society
Richard PanKrotz	Topeka	Historical Society



## HOUSE BILL NO. \_\_\_\_\_

By Committee on Appropriations

AN ACT concerning planning and zoning; repealing K.S.A. 3-701 to 3-713, inclusive, 12-701 to 12-704, inclusive, 12-704a, 12-705, 12-705a, 12-705b, 12-705c, 12-706, 12-706a, 12-707 to 12-715, inclusive, 12-715a, 12-717 to 12-735, inclusive, 19-2901, 19-2902, 19-2902a, 19-2902b, 19-2902c, 19-2903, 19-2904, 19-2905, 19-2905a, 19-2906 to 19-2916, inclusive, 19-2916a, 19-2916b, 19-2916c, 19-2916d, 19-2918, 19-2918a, 19-2918b, 19-2918c, 19-2919, 19-2920, 19-2921, 19-2924, 19-2925, 19-2925a, 19-2926, 19-2926a, 19-2926b, 19-2927 to 19-2934, inclusive, 19-2934a, 19-2935 to 19-2938, inclusive, 19-2950 to 19-2966, inclusive, and K.S.A. 1988 Supp. 12-715b, 12-715c, 12-715d, 12-716 and 12-736.

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

Section 1. (a) The governing body of any city, by adoption of an ordinance, may create a planning commission for such city and the board of county commissioners of any county, by adoption of a resolution, may create a planning commission for the county. Any such planning commission shall be composed of not less than five members. The number of members of a planning commission may be changed by the adoption of the appropriate ordinance or resolution. If a city planning commission plans, zones or administers subdivision regulations outside the city limits, two members of such commission shall reside out of but within two miles of the corporate limits of the city, but the remaining members shall be residents of the city. A majority of the members of a county planning commission shall reside outside the corporate limits of any incorporated city in the county.

(b) The members of the commission first appointed shall serve respectively for terms of one year, two years, and three

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Attachment 1

years, divided equally or as nearly equal as possible between these terms. Thereafter members shall be appointed for terms of three years each. Vacancies shall be filled by appointment for the unexpired term only. Members of the commission shall serve without compensation for their service.

Sec. 2. The members of the planning commission shall meet at such time and place as they may fix in their bylaws. They shall elect one of their number as chairperson and one as vice-chairperson who shall serve one year and until their successor has been elected. A secretary also shall be elected who may or may not be a member of the commission. Special meetings may be called at any time by the chairperson or in the chairperson's absence by the vice-chairperson. The commission shall adopt bylaws and cause a proper record to be kept of its proceedings. All meetings and records shall be open to the public except for legal and personnel matters. The commission, from time to time, may establish subcommittees, advisory committees or technical committees to advise or assist in the activities of the commission.

Sec. 3. On or before the first Monday in July of each year the planning commission shall prepare and submit to their respective governing body its budget of expenditures for the ensuing budget year, itemizing the expenses and amounts and the purpose. The commission also may submit an annual work program to aid in budget preparation. The respective governing body shall consider such budget and make such allowances to the planning commission as it deems proper including funds for the employment of such employees or consultants as the governing body may authorize and provide and shall add the same to the general budget. Prior to the time that moneys are available under the budget, the governing body may appropriate moneys for such purposes from the general fund. The governing body may enter into such contracts as it deems necessary for the purposes of this act and may receive and expend funds and moneys from the state or federal government or from any other source for such

purpose.

Sec. 4. A city planning commission is hereby authorized to make or cause to be made a comprehensive plan for the development of such city and any unincorporated territory lying outside of the city but within two miles thereof and within the county in which the city is located but in no case not more than one-half the distance to another city. The city shall notify the board of county commissioners in writing of their desire to extend the planning area into the county and if no written response is received within 60 days, the city may proceed to include such area in the preparation of their comprehensive plan. A county planning commission is authorized to make or cause to be made a comprehensive plan for the coordinated development of the county including references to planning for cities as deemed appropriate. In the preparation of such plan, the planning commission shall make or cause to be made comprehensive surveys and studies of past and present conditions and trends relating to land use, population and building intensity, housing, public facilities, transportation and transportation facilities, economic conditions, natural resources and may include any other element deemed necessary to the comprehensive plan. Such proposed plan, which, in addition to a written presentation, may include maps, plats, charts and other descriptive matter, shall show the commission's recommendations for the development or redevelopment of the planning area including: (a) The general location, extent and relationship of the use of land for agriculture, residence, business, industry, recreation, education, public buildings and other community facilities, major utility facilities both public and private and any other use deemed necessary; (b) population and building intensity standards and restrictions and the application of the same; (c) public facilities including transportation facilities of all types whether publicly or privately owned which relate to the transportation of persons or goods; (d) public improvement programming based upon a determination of relative priority and



major sources and expenditure of public revenue relating to long range facilities and capital improvements; (e) utilization and conservation of natural resources including agricultural land; and (f) any other element deemed necessary to the proper development or redevelopment of the planning area including plans which coordinate and interrelate with other planning organizations.

The planning commission, by an affirmative vote of a majority of the entire membership established for the commission, may approve the recommended comprehensive plan as a whole by a single resolution or may by successive resolutions approve parts of the plan, such parts corresponding with the major geographical sections of the planning area or with functional subdivisions of the plan. Such resolution shall specifically identify any written presentations, maps, plats, charts or other materials made a part of such plan. Before the approval of any such plan or part thereof, the planning commission shall hold a public hearing thereon, notice of which shall be published once in the official city newspaper for a city plan and in the official county newspaper for a county plan. Such notice shall be published at least 15 days prior to the date of the hearing. Upon the approval of any such plan or part thereof by the planning commission, a certified copy of the same shall be submitted to the governing body of the city for a city plan and to the board of county commissioners for a county plan and to all other taxing subdivisions in the planning area which requested a copy of such plan.

The respective governing bodies within 60 days after the receipt thereof, shall consider such proposed plan or part thereof and submit a statement containing its recommendations regarding the same to the planning commission. The planning commission shall reconsider the recommendations of the governing bodies and thereafter may adopt such proposed plan or part thereof as the official plan of the respective city or county. All reports and documents forming the plan or part thereof as

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adopted shall bear the signature of the chairperson and secretary of the planning commission and an attested copy of the same shall be sent to the respective governing bodies and to all other taxing subdivisions in the planning area which requested a copy of such plan. Such plan or part thereof shall constitute the basis or guide for public action to insure a coordinated and harmonious development or redevelopment which will best promote the health, safety, morals, order, convenience, prosperity and general welfare as well as wise and efficient expenditure of public funds.

The planning commission may at any time review or reconsider the plan or any part thereof and may propose amendments, extensions or additions to the same. The procedure for the adoption of any such amendment, extension or addition to any plan or part thereof shall be the same as that required for the adoption of the original plan or part thereof. The planning commission annually shall review such plan for the purpose of determining if any portion of the plan has become obsolete and shall make a report to their respective governing body regarding the same on or before the date specified in the commission's bylaws.

Sec. 5. Whenever the planning commission has adopted and certified the comprehensive plan for one or more major sections or functional subdivisions thereof, no public improvement, public facility or public utility of a type embraced within the recommendations of the comprehensive plan or portion thereof shall be constructed without first being submitted to and being approved by the planning commission as being in conformity with the plan. If the planning commission does not make a report within 60 days, the project shall be deemed to have been approved by the planning commission. In case the planning commission finds that any such proposed public improvement, facility or utility does not conform to the plan, the commission shall submit in writing the manner in which such proposed improvement, facility or utility does not conform to the respective governing

body sponsoring the same, and such governing body, by a recorded vote of three-fourths majority of its membership may override the plan and the report of the planning commission and the plan for the area concerned shall be deemed to have been amended.

Wherever the planning commission has reviewed a capital improvement program and found that a specific public improvement, public facility or public utility of a type embraced within the recommendations of the comprehensive plan or portion thereof are in conformity with such plan, no further approval by the planning commission is necessary to meet the provisions of this section.

Sec. 6. Whenever any city has as a part of its comprehensive plan adopted a plan for its major street or highway system, after consultation with the secretary of transportation and the county engineer and any county or city-county area-wide planning commission of the county or counties within which such system lies, the governing body of the city is hereby authorized and empowered by ordinance, to establish building or setback lines on such existing and proposed major streets or highways and to prohibit any new building being located within such building or setback lines within the plat approval jurisdiction of the city. Such ordinance may incorporate by reference an official map, which may include supplementary documents, setting forth such plan which shall show with reasonable survey accuracy the location and width of existing or proposed major streets or highways and any building or setback lines. The governing body of the city shall provide for the method by which this section shall be enforced. Such official map shall not be enforced until after a certified copy of such map and adopting ordinance has been filed with the register of deeds of the county or counties in which such system lies. The board of zoning appeals shall have the power to modify or vary the building restrictions herein authorized in specific cases, in order that unwarranted hardship, which constitutes a complete deprivation of use as distinguishes from merely granting a privilege, may be avoided, yet the intended purpose of the regulations shall be strictly observed

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and the public welfare and public safety protected. The setback ordinance or official map shall not be adopted, changed or amended by the governing body until a public hearing has been held thereon by the governing body. A notice of the time and place of such hearing shall be published in the official city newspaper. Such notice shall be published at least 15 days prior to the date of the hearing. The powers of this section shall not be exercised so as to deprive the owner of any existing property or of its use or maintenance for the purpose to which it is then lawfully devoted.

Sec. 7. The governing body of any city, by adoption of an ordinance, and the board of county commissioners of any county, by adoption of a resolution may provide for the adoption or amendment, of zoning regulations in the manner provided by this act. Such regulations may restrict and regulate the height, number of stories and size of buildings, the percentage of lots that may be occupied, the size of yards, courts and other open spaces, the density of population, the location, use and appearance of buildings, structures and land for residential, commercial, industrial and other purposes, the conservation of natural resources including agricultural land, the use of land located in areas designated as flood plains and other uses and including the distance of any buildings and structures from a street or highway. Such regulations shall define the boundaries of zoning districts by description contained therein or by setting out such boundaries upon a map or maps incorporated and published as part of such regulations or by providing for the incorporation by reference in such regulations of an official map or maps upon which such boundaries shall be fixed. For a county, such map or maps shall be marked "official copy of zoning district map incorporated into zoning regulations by adoption of a resolution of the board of county commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_," and filed in the office of the county clerk or such other public office as may be designated by the board of county commissioners. For a city,

such map or maps shall be marked "official copy of zoning district map incorporated into zoning regulations by adoption of an ordinance by the governing body of the city on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_," and filed in the office of the city clerk or such other public office as may be designated by the governing body. Such regulations and accompanying map or maps shall be open to inspection and available to the public at all reasonable business hours.

Sec. 8. The zoning regulations for a county shall define the area of zoning jurisdiction as all or portions of the unincorporated area. The zoning regulations for a city shall define the zoning jurisdiction as including the area within the city limits and may include land located outside the city, but within two miles of the city limits but in no case shall it include land which is located more than one-half the distance to another city. The governing body of the city shall notify the board of county commissioners in writing of its intention at least 60 days before adopting zoning regulations by ordinance for such an area. Nothing in this act shall be construed as authorizing any city to adopt zoning regulations applying to or affecting any land devoted to agricultural use as defined by K.S.A. 12-519, and amendments thereto.

Any flood plain zone or district shall include the flood plain area within the incorporated area of the city and may include any extraterritorial jurisdiction lying outside of, but within two miles of the nearest point on the contiguous city limits, when such jurisdiction has not otherwise been designated a flood plain zone or district by any other governmental unit or subdivision.

Sec. 9. Before any city or county establishes any zone or district or regulates or restricts the use of buildings or land therein, the respective governing body shall require the planning commission to recommend the nature and number of zones or districts which it deems necessary and the boundaries of the same and appropriate regulation or restrictions to be enforced

therein. All such regulations shall be uniform for each class or kind of building or land uses throughout each district, but the regulations in one district may differ from those in other districts and special uses may be designated within each district with conditions attached. Such regulations may include, but not be limited to, provisions for transfer of development rights, natural resources and historical preservation purposes, special use permits and gradual elimination of nonconforming uses. Such regulations shall establish the time or event at which zoning rights vest.

In the preparation of such recommendations, the planning commission shall make or cause to be made surveys and studies of past and present uses of land and shall have adopted a land use plan or a land use element of a comprehensive plan on which such recommendations shall be based.

Upon the development of proposed zoning regulations, the planning commission shall hold a public hearing thereon. Notice of such public hearing shall be published in the official city newspaper for proposed city regulations and in the official county newspaper for proposed county regulations. Such notice shall be published once in the respective official newspaper at least 15 days prior to the date of the hearing. Such notice shall fix the time and place for such hearing and shall describe such proposal in general terms. Such hearing may be adjourned from time to time and at the conclusion of the same, the planning commission shall prepare its recommendations and by an affirmative vote of a majority of the entire membership of the commission adopt the same in the form of proposed zoning regulations and shall submit the same, together with the written summary of the hearing thereon, to the respective governing body. The governing body either may approve such recommendations by the adoption of the same by ordinance in a city or resolution in a county or may return the same to the planning commission for further consideration, together with a statement specifying the basis for disapproval. The planning commission, after

considering the same, may resubmit its original recommendations giving the reasons thereof or submit new and amended recommendations. Upon the receipt of such recommendations, the governing body may adopt or may revise or amend and adopt such recommendations by the respective ordinance or resolution, or it need take no further action thereon. If the planning commission fails to deliver its recommendations to the governing body following its next regular meeting, the governing body shall consider such course of inaction on the part of the planning commission as a resubmission of the original recommendations and proceed accordingly. The proposed zoning regulations and any amendments thereto shall become effective upon publication of the respective adopting ordinance or resolution.

Sec. 10. The governing body, from time to time, may supplement, change or generally revise the boundaries or regulations contained in such zoning regulations by amendment. A proposal for such amendment may be initiated by the governing body, the planning commission or upon application of the owner of property affected. Any such amendment, if based upon the land use plan or the land use element of a comprehensive plan, shall be presumed to be reasonable. The governing body may establish reasonable fees to be paid in advance by the owner of any property at the time of making application for a zoning amendment. All such proposed amendments first shall be submitted to the planning commission for recommendation. The planning commission shall hold a public hearing thereon and shall cause an accurate written summary to be made of the proceedings, and shall give notice in like manner as that required for recommendations on the original proposed zoning regulations. Such notice shall fix the time and place for such hearing and contain a statement regarding the proposed changes in regulations or restrictions or in the boundary or classification of any zone or district. If such proposed amendment is not a general revision of the existing regulations and affects specific property, it shall be designated by legal description and general location and in addition to such

publication notice, written notice of such proposed amendment shall be mailed at least 15 days before the hearing to all owners of record of lands located within at least 200 feet of the area proposed to be altered for regulations of a city and 1,000 feet for regulations of a county. Such notices shall extend for similar distances outside the zoning jurisdiction of the city or county including into other counties and inside cities. Such notices also shall be mailed to the city clerk. An opportunity shall be granted to interested parties to be heard. When properly addressed and deposited in the mail, failure to receive such notice shall not invalidate any subsequent action taken. Such notice is sufficient to permit the planning commission to recommend amendments to zoning regulations which affect only a portion of the land described in the notice or which give all or any part of the land described a zoning classification of lesser change than that set forth in the notice without republication and, where necessary, remailing, provided that the planning commission shall have previously established a table or publication appended to the regulations which designates what zoning classifications are lesser changes authorized within the published zoning classifications.

Unless otherwise provided by this act, the procedure for the consideration and adoption of any such proposed amendments shall be in the same manner as that required for the consideration and adoption of the original zoning regulations. When the planning commission submits a recommendation of approval or disapproval of such amendment, the governing body if it approves such recommendation either may adopt such recommendation by ordinance in a city or by resolution in a county or may take no further action thereon, as appropriate. Upon receipt of a recommendation of the planning commission which the governing body disapproves, the governing body shall return such recommendation to the planning commission with a statement specifying the basis for disapproval and such recommendation shall be considered in the same manner as that required for the original proposed zoning

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regulations returned to the planning commission. If such amendment affects the boundaries of any zone or district, the respective ordinance or resolution shall describe the boundaries as amended, or if provision is made for the fixing of the same upon an official map which has been incorporated by reference, the amending ordinance or resolution shall define the change or the boundary as amended, shall order the official map to be changed to reflect such amendment and shall amend the section of the ordinance or resolution incorporating the same and reincorporate such map as amended. If a protest petition against such amendment is filed in the office of the clerk for the city or clerk for the county within 10 days after the date of the conclusion of the public hearing pursuant to the publication notice, signed by the owners of record of 50% or more of any real property proposed to be rezoned or by the owners of record of 50% or more of the total area receiving notification for rezoning of a specific property, the ordinance or resolution adopting such amendment shall not be passed except by at least a three-fourths vote of all of the members of the respective governing body.

Processing of special use permits may follow the same procedures as provided for rezoning for specific properties. Cities and counties also may establish a procedure for utilizing a hearing officer who may perform the function of the planning commission and the governing body provided that appeals from the officer's decisions shall be made to the planning commission for a recommendation and decision by the governing body. Recommendations shall be made by the planning commission within 60 days of a completed application or at the second regularly scheduled meeting following the submittal of an application, whichever is longer. Such time period may be extended by mutual consent of the applicant and the commission. The governing body or the chief administrative official may designate a zoning administrator who shall not be a member of the governing body and shall be responsible to issue all zoning permits as well as occupancy certificates when the latter certificate is required.

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Sec. 11. Regulations passed under authority of this act shall not apply to the existing use of any building or land, but shall apply to any alteration of a building to provide for a change in use or a change in the use of any building or land after the effective date of any regulations adopted under this act. If a building is damaged by more than 50% of its structural value such building shall not be restored if the use of such building is not in conformance with the regulations adopted under this act.

Sec. 12. (a) The governing body of any city or the board of county commissioners of any county which has enacted a zoning ordinance or resolution shall create a board of zoning appeals by adoption of the appropriate ordinance or resolution. Such board shall consist of not less than three nor more than seven members. None of the members shall hold any other public office except that one member may be a member of the planning commission. The members first appointed shall serve respectively for terms of one, two and three years, divided equally or as nearly equally as possible between the members. Thereafter the terms of the members may be changed to either three or four years, whichever is deemed to be in the best interest of the city or county. Vacancies shall be filled by appointment for the unexpired term. The members of such board shall serve without compensation. The board annually shall elect one of its members as chairperson, and shall appoint a secretary who may be an officer or an employee of the city. The board shall adopt rules in accordance with the provisions of the ordinance or resolution creating the board. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. The board shall keep minutes of its proceedings, showing evidence presented, findings of fact by the board, decision of the board and the vote upon each question. Records of all official actions of the board shall be filed in its office and shall be a public record. The governing body of the city or the board of county commissioners, in the ordinance or resolution creating such

board, may establish a scale of reasonable fees to be paid in advance by the party appealing.

(b) The board of zoning appeals shall administer the details of appeals from or other matters referred to it regarding the application of the zoning ordinance or resolution as hereinafter provided. The board shall fix a reasonable time for the hearing of an appeal or any other matter referred to it. Notice of the time, place and subject of such hearing shall be published once in the official city newspaper or the official county newspaper in the case of a county at least 20 days prior to the date fixed for hearing. A copy of the notice shall be mailed to each party to the appeal and to the appropriate planning commission.

Appeals to the board may be taken by any person aggrieved, or by any officer of the city, county or any governmental agency or body affected by any decision of the officer administering the provisions of the zoning ordinance or resolution. Such appeal shall be taken within a reasonable time as provided by the rules of the board, by filing a notice of appeal specifying the grounds thereof and the payment of the fee required therefor. The officer from whom the appeal is taken, when notified by the board or its agent, shall transmit to the board all the papers constituting the record upon which the action appealed from was taken. The board shall have power to hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement of the zoning ordinance or resolution. The board also, when it shall deem the same necessary, may grant variances and exceptions to the zoning ordinance or resolution on the basis and in the manner hereinafter provided: (a) Variances. To authorize in specific cases a variance from the specific terms of the ordinance or resolution which will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of the ordinance or resolution, in an individual case, results in unnecessary hardship, and provided

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that the spirit of the ordinance or resolution shall be observed, public safety and welfare secured, and substantial justice done. Such variance shall not permit any use not permitted by the zoning ordinance or resolution in such district. A request for a variance may be granted in such case, upon a finding by the board that all of the following conditions have been met: (1) That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner or the applicant; (2) that the granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents; (3) that the strict application of the provisions of the zoning ordinance or resolution of which variance is requested will constitute unnecessary hardship upon the property owner represented in the application; (4) that the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity, or general welfare; and (5) that granting the variance desired will not be opposed to the general spirit and intent of the zoning ordinance or resolution. (b) Exceptions. To grant exceptions to the provisions of the zoning ordinance or resolution in those instances where the board is specifically authorized to grant such exceptions and only under the terms of the zoning ordinance or resolution. In no event shall exceptions to the provisions of the zoning ordinance or resolution be granted where the use or exception contemplated is not specifically listed as an exception in the zoning ordinance or resolution. Further, under no conditions shall the board of zoning appeals have the power to grant an exception when conditions of this exception, as established in the zoning ordinance or resolution by the governing body of the city or county, are not found to be present. In exercising the foregoing powers, the board, in conformity with the provisions of this act, may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination, and to that end shall

have all the powers of the officer from whom the appeal is taken, may attach appropriate conditions, and may issue or direct the issuance of a permit. Any person, official or governmental agency dissatisfied with any order or determination of the board may bring an action in the district court of the county to determine the reasonableness of any such order or determination.

(c) A hearing examiner may be appointed to hear and decide appeals. Any such examiner shall have the same powers granted to the board of zoning appeals pursuant to subsection (b). Appeals from the decisions of a hearing examiner shall be made in the same manner provided in subsection (b).

Sec. 13. The governing body of any city and the board of county commissioners of any county may adopt zoning regulations which provide for planned unit development.

Sec. 14. The right to use land in the particular manner shall vest upon the issuance of any permit required by a city or county and construction has begun or substantial amounts of work has been completed under a validly issued permit.

Sec. 15. The governing body of any city and the board of county commissioners of any county may adopt zoning regulations permitting the transfer of development rights.

Sec. 16. The action of the governing body of any city or the board of county commissioners of any county when adopting any zoning ordinance or resolution or regulation or amendment thereto or in approving or denying any request for rezoning is hereby declared to be a legislative act. In reviewing any such action of the city or county, the district court shall not substitute its judgment for that of the governing body of the city or the board of county commissioners. The court may reverse such action only when unreasonableness is established by a preponderance of the evidence. The burden of proof shall be with the party challenging the reasonableness of the action.

Sec. 17. K.S.A. 3-701 to 3-713, inclusive, 12-701 to 12-704, inclusive, 12-704a, 12-705, 12-705a, 12-705b, 12-705c, 12-706, 12-706a, 12-707 to 12-715, inclusive, 12-715a, 12-717 to

12-735, inclusive, 19-2901, 19-2902, 19-2902a, 19-2902b, 19-2902c, 19-2903, 19-2904, 19-2905, 19-2905a, 19-2906 to 19-2916, inclusive, 19-2916a, 19-2916b, 19-2916c, 19-2916d, 19-2918, 19-2918a, 19-2918b, 19-2918c, 19-2919, 19-2920, 19-2921, 19-2924, 19-2925, 19-2925a, 19-2926, 19-2926a, 19-2926b, 19-2927 to 19-2934, inclusive, 19-2934a, 19-2935 to 19-2938, inclusive, 19-2950 to 19-2966, inclusive and K.S.A. 1988 Supp. 12-715b, 12-715c, 12-715d, 12-716 and 12-736 are hereby repealed.

Sec. 18. This act shall take effect and be in force from and after its publication in the statute book.

**SUBCOMMITTEE REPORT**

Agency: Kansas School for the  
Visually Handicapped  
Analyst: Rampey

Bill No. 80  
Analysis Pg. No. 397

Bill Sec. 27  
Budget Pg. No. 612

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
State General Fund	\$ 2,481,590	\$ 2,513,475	\$ --
Other Funds	<u>263,313</u>	<u>263,313</u>	<u>--</u>
Subtotal Operating	\$ 2,744,903	\$ 2,776,788	\$ --
Capital Improvements	<u>101,834</u>	<u>101,834</u>	<u>--</u>
Total	<u>\$ 2,846,737</u>	<u>\$ 2,878,622</u>	<u>\$ --</u>
FTE Positions	88.0	88.0	--

Agency Estimate/Governor's Recommendation

For FY 1989, the School estimates expenditures of \$2,846,737. The amount includes \$2,481,590 from the State General Fund, as approved by the 1988 Legislature. The Governor recommends expenditures of \$2,878,622, an increase of \$31,885 over the School's estimate. The increase is in the area of salaries and is primarily attributable to increased health insurance benefits (\$21,800) and the reclassification of direct care and service workers for the last half of FY 1989 (\$8,556).

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the recommendations of the Governor.

Senate Committee Recommendations

The Senate Committee concurs with the recommendations of the Subcommittee, with the following exception:

1. Appropriate \$2,750 recommended for a stove in FY 1989 instead of FY 1990.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 89</u>	<u>Senate Rec. FY 89</u>	<u>House Subcommittee Adjustments</u>
State General Fund	\$ 2,750	\$ 2,516,225	\$ --
Other Funds	<u>--</u>	<u>263,313</u>	<u>15,071</u>
Subtotal Operating	\$ 2,750	\$ 2,779,538	\$ 15,071
Capital Improvements	<u>--</u>	<u>101,834</u>	<u>--</u>
Total	<u>\$ 2,750</u>	<u>\$ 2,881,372</u>	<u>\$ 15,071</u>
FTE Positions	--	88.0	--

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3-21-89  
Attachment 2

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate, with the following exception:

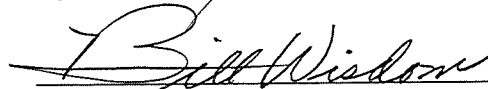
1. Increase the expenditure limitation on the General Fees Fund from \$73,429 to \$88,500, an increase of \$15,071. (Greater than expected tuition was received from out-of-state students.)



Representative James Lowther  
Subcommittee Chairperson



Representative Bob Mead



Representative Bill Wisdom

610-89



## SUBCOMMITTEE REPORT

Agency: Kansas School for the  
Visually Handicapped

Bill No. 68

Bill Sec. 4

Analyst: Rampey

Analysis Pg. No. 397

Budget Pg. No. 612

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
State General Fund	\$ 2,982,976	\$ 2,682,059	\$ 50,216
Other Funds	255,588	112,756	--
Subtotal - Operating	\$ 3,238,564	\$ 2,794,815	\$ 50,216
Capital Improvements	234,300	179,300	--
TOTAL	<u>\$ 3,472,864</u>	<u>\$ 2,974,115</u>	<u>\$ 50,216</u>
FTE Positions	94.5	88.5	1.0

### Agency Estimate/Governor's Recommendation

For FY 1990, the School requests a total of \$3,472,864, of which \$2,982,976 would be from the State General Fund and \$234,300 would be from the State Institutions Building Fund for capital improvements. The School requests 6.5 new FTE positions, for a total position limitation of 94.5 FTE. The Governor recommends \$2,974,115 for FY 1990, a reduction of \$498,749 from the School's request. The Governor approves the addition of .5 FTE positions, not 6.5 as requested, and deletes \$142,832 in federal funds for two arts for the handicapped grants that were budgeted but not received. Other areas of reduction are capital outlay (a reduction of \$135,341) and capital improvements (a reduction of \$55,000). The Governor recommends \$8,011 for operating expenditures connected with the expansion of the Orientation and Mobility Outreach Program. The Governor's recommendation would allow the School to expand its outreach activities using current staff.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the recommendations of the Governor, with the following exceptions:

1. Add \$28,991 from the State General Fund for salaries and wages for unclassified employees. That amount, added to the Governor's recommended merit pool of 5.8 percent, would provide an overall 8 percent increase. Since FY 1979, the Legislature has provided salary increases for unclassified staff at the School for the Visually Handicapped in order to make salaries more competitive with teachers' salaries in surrounding school districts. At the present time, starting salaries for teachers at the School for the Visually Handicapped are 93 percent of starting salaries in the Olathe school district and 95 percent of starting salaries in the Kansas City school district.
2. Add \$14,475 from the State General Fund for the salary and benefits of a new dormitory staff position to allow the School to have adequate coverage on the night shift.

3. Add \$4,000 from the State General Fund for a Braille computer printer. Acquiring the printer is part of an overall plan that was implemented this year (FY 1989) to equip the School with computers for classroom and administrative use. The printer will be used with computers the School already owns.
4. Add \$2,750 from the State General Fund to replace a stove that is beyond repair.

Senate Committee Recommendations

The Senate Committee concurs with the recommendations of the Subcommittee, with the following exceptions:

1. Appropriate the \$2,750 recommended for a stove in FY 1989 instead of 1990.
2. Separate the School's line item appropriation contained in S.B. 68 into a line item for salaries and a line item for other operating expenditures.

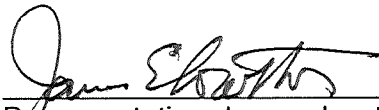
<u>Expenditure Summary</u>	<u>Senate Adj. FY 89</u>	<u>Senate Rec. FY 89</u>	<u>House Subcommittee Adjustments</u>
State General Fund	\$ 47,466	\$ 2,729,525	\$ (17,670)
Other Funds	--	<u>112,756</u>	--
Subtotal Operating	\$ 47,466	\$ 2,842,281	\$ (17,670)
Capital Improvements	--	<u>234,300</u>	--
Total	<u>\$ 47,466</u>	<u>\$ 3,076,581</u>	<u>\$ (17,670)</u>
FTE Positions	1.0	89.5	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate, with the following exceptions:

1. Add \$3,500 from the State General Fund to pay for the certification of teachers who must go out of the state to become certificated as teachers of the visually handicapped.
2. Add \$3,552 from the State General Fund to enhance the salary of an employee who would be in charge of the 10:15 p.m. to 8:15 a.m. shift in a dormitory and supervise staff members in three other dormitories. (The Senate recommended the position at an entry-level salary of \$14,475.)
3. Add \$7,500 from the State General Fund for a computer, Braille printer, and accompanying software. The computer equipment would be part of a three-year program begun in the current year to purchase computer equipment for classroom and administrative use.

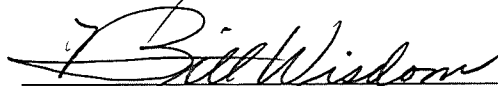
4. Delete \$8,011 from the State General Fund that was intended for the expansion of the Orientation and Mobility Outreach Program. The deletions are in the following areas: communications (\$150), travel (\$6,861), professional and scientific supplies (\$500), and stationery and office supplies (\$500).
5. It is the Subcommittee's recommendation that no capital outlay expenditures be made for the expansion of the Orientation and Mobility Outreach Program. The \$3,394 approved by the Governor for capital outlay for the program should be spent for dormitory furniture.
6. Delete \$24,211 in order to raise the turnover rate from 1.0 percent to 2.0 percent. (Actual turnover was 4.1 percent in FY 1988.)
7. The Subcommittee notes that the Joint Committee on State Building Construction has not made recommendations concerning the School's capital improvements requests. The Subcommittee requests that the Building Committee make its review and recommendations.



Representative James Lowther  
Subcommittee Chairperson



Representative Bob Mead



Representative Bill Wisdom

**SUBCOMMITTEE REPORT**

Agency: Kansas School for  
the Deaf  
Analyst: Rampey

Bill No. 80  
Analysis Pg. No. 401

Bill Sec. 26  
Budget Pg. No. 186

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
State General Fund	\$ 4,727,580	\$ 4,814,647	\$ --
Other Funds	<u>193,572</u>	<u>193,572</u>	<u>--</u>
Subtotal Operating	\$ 4,921,152	\$ 5,008,219	\$ --
Capital Improvements	<u>103,977</u>	<u>103,977</u>	<u>--</u>
Total	<u>\$ 5,025,129</u>	<u>\$ 5,112,196</u>	<u>\$ --</u>
 FTE Positions	 176.0	 176.0	 --

Agency Estimate/Governor's Recommendation

For FY 1989, the School for the Deaf estimates expenditures of \$4,921,152 for agency operations, plus \$103,977 from the State Institutions Building Fund for capital improvements. The State General Fund portion of the operating budget is \$4,727,580. The School is requesting a supplemental appropriation of \$27,351, the amount which was inadvertently omitted in marking-up the appropriation bill with Committee amendments. The current position limitation is 176.0 FTE. The Governor recommends operating expenditures of \$5,008,219 in FY 1989. The Governor approves the request for a supplemental appropriation of \$27,351 and adjusts salaries upward to reflect higher health insurance benefits and to implement reclassifications of direct care and service workers for the last half of FY 1989.

Senate Recommendation

The Senate concurs with the recommendation of the Governor.

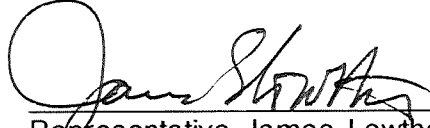
<u>Expenditure Summary</u>	<u>Senate Adj. FY 89</u>	<u>Senate Rec. FY 89</u>	<u>House Subcommittee Adjustments</u>
State General Fund	\$ --	\$ 4,814,647	\$ (29,325)
Other Funds	<u>--</u>	<u>193,572</u>	<u>--</u>
Subtotal Operating	\$ --	\$ 5,008,219	\$ (29,325)
Capital Improvements	<u>--</u>	<u>103,977</u>	<u>--</u>
Total	<u>\$ --</u>	<u>\$ 5,112,196</u>	<u>\$ (29,325)</u>
 FTE Positions	 --	 176.0	 --

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate, with the following exception:

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Attachment 3*

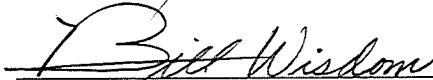
1. Reappropriate \$29,325 from the State General Fund for use in FY 1990. The amount was identified as savings in the current year.



Representative James Lowther  
Subcommittee Chairperson



Representative Bob Mead



Representative Bill Wisdom

604-89

## SUBCOMMITTEE REPORT

Agency: Kansas School for  
the Deaf

Bill No. 68

Bill Sec. 5

Analyst: Rampey

Analysis Pg. No. 401

Budget Pg. No. 186

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
State General Fund	\$ 5,590,159	\$ 5,214,803	\$ 68,806
Other Funds	193,568	193,568	0
Subtotal - Operating	\$ 5,783,727	\$ 5,408,371	\$ 68,806
Capital Improvements	862,000	240,000	85,320
TOTAL	\$ 6,645,727	\$ 5,648,371	\$ 154,126
 FTE Positions	 198.5	 176.5	 --

### Agency Estimate/Governor's Recommendation

For FY 1990, the School requests expenditures of \$6,645,727, of which \$5,590,159 would be from the State General Fund. The request includes \$862,000 from the State Institutions Building Fund for capital improvements. The request includes \$383,167 for 22.5 FTE new positions, of which 21.0 FTE positions would be associated with a proposed program for trainable mentally retarded deaf children who are presently served by public schools, other state facilities, and private institutions. For FY 1990, the Governor recommends \$5,408,371 for operating expenditures and \$240,000 for capital improvements. The Governor approves the School's request to increase a half-time Personnel Management position to full time, bringing the number of authorized positions to 176.5 FTE. The Governor does not approve the proposed program for trainable mentally retarded deaf children.

### Senate Subcommittee Recommendation

The Subcommittee concurs with the recommendations of the Governor, with the following exceptions:

1. Add \$68,806 from the State General Fund for salaries and wages for unclassified employees. That amount, added to the Governor's recommended merit pool of 5.8 percent, would provide an overall 8 percent increase. Since FY 1979, the Legislature has provided salary increases for unclassified staff at the School for the Deaf in order to make salaries more competitive with teachers' salaries in surrounding school districts. At the present time, starting salaries for teachers at the School for the Deaf are 93 percent of starting salaries in the Olathe school district and 95 percent of starting salaries in the Kansas City school district.
  
2. Add \$30,000 from the State Institutions Building Fund to replace the fire alarm system in the Roberts Building, which is used for middle school classes. The present system was installed in 1961 when the building was built and suffered a major breakdown last spring. In addition to some parts no longer being made with which to repair the system, there

are areas of the building (the basement, restrooms, and stairwells) that have no fire alerting devices. The Subcommittee's recommendation would permit the School to add a new system with visual alerting components throughout the entire building.

3. Add \$55,320 from the State Institutions Building Fund for energy conservation measures, such as the replacement of a boiler, roof insulation, and other projects. The Subcommittee's recommendation is contingent upon the School receiving a federal Energy Conservation Measure Grant. Each state dollar spent from this appropriation must be matched equally by federal grant funds. This recommendation would require the creation of a new federal fund to which would be credited receipts from the federal grant.

Senate Committee Recommendation

The Senate Committee concurs with the recommendations of the Subcommittee with one exception:

1. Separate the School's line item appropriation contained in S.B. 68 into a line item for salaries and a line item for other operating expenditures.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 90</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
State General Fund	\$ 68,806	\$ 5,283,609	\$ (18,511)
Other Funds	0	193,568	--
Subtotal - Operating	\$ 68,806	\$ 5,477,177	\$ (18,511)
Capital Improvements	85,320	325,320	--
Total	<u>\$ 154,126</u>	<u>\$ 5,802,497</u>	<u>\$ (18,511)</u>
FTE Positions	--	176.5	--

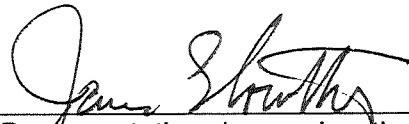
House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate, with the following exceptions:

1. Delete \$18,511 from the State General Fund for salaries and wages, which is the net effect of the following adjustments:
  - a. Delete \$24,423 in order to raise the turnover rate from 1.5 percent to 2.0 percent. (Actual turnover was 4.0 percent in FY 1988.)
  - b. Add \$5,912 for a newly defined position, the Director of Instructional Services. The position is the result of an internal restructuring of staff done at the direction of the State Board of Education following a review by the Kansas State School for the Deaf Review Committee. In its report, issued February, 1989, the Committee recommended that the salary level for the

position of Director of Instructional Services be enhanced because it may be too low to attract a qualified person for the position. The Subcommittee's recommendation would permit the School to raise the salary and benefits from \$44,626 to \$50,538.

2. The House Subcommittee asks the Joint Committee on State Building Construction to review and consider favorably the School's request for \$265,000 from the State Institutions Building Fund to begin the first year of a three-year project to replace or make extensive renovations to Emery Hall, the elementary school and dormitory. An architectural study funded by the Legislature in 1984 described problems in Emery Hall related to heating, plumbing, air conditioning, architectural barriers, space requirements, and structural defects. The study identified three options: (1) replace the building, at a cost of \$5,390,000; (2) make extensive renovations, at a cost of \$5,080,000; or (3) renovate Emery Hall to comply with codes but not to enhance the building, at a cost of \$1,770,000. The Subcommittee thinks the building should be replaced or renovated extensively and requests that the Building Committee approve the School's request for planning money so that the project can begin.



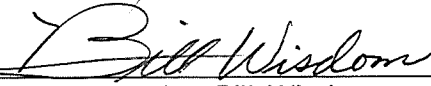
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Representative James Lowther  
Subcommittee Chairperson



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Representative Bob Mead



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Representative Bill Wisdom



SUBCOMMITTEE REPORT

Agency: State Council on Vocational Education  
Analyst: Rampey

Bill No. 68  
Analysis Pg. No. 434

Bill Sec. 7  
Budget Pg. No. 614

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
State Operations: Federal Funds	\$ 136,576	\$ 133,188	\$ --
FTE Positions	2.0	2.0	--

Agency Request/Governor's Recommendation

FY 1989. Estimated expenditures for FY 1989 are \$130,685, which is \$25,939 more than actual expenditures of \$105,246 in FY 1988 and \$3,975 more than authorized by the 1988 Legislature. The Governor recommends expenditures of \$127,585, a reduction of \$3,100 from the Council's estimate.

FY 1990. Estimated expenditures for FY 1990 are \$136,576. The Governor recommends expenditures of \$133,188, a reduction of \$3,388 from the Council's request.

Senate Subcommittee Recommendation

FY 1989. The Subcommittee concurs with the Governor's recommendation.

FY 1990. The Subcommittee concurs with the Governor's recommendation.

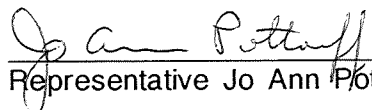
Senate Committee Recommendation

The Senate Committee concurs with the recommendations of the Subcommittee.

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate.

  
\_\_\_\_\_  
Representative Duane Goossen  
Subcommittee Chairperson

  
\_\_\_\_\_  
Representative Jo Ann Pottorff

  
\_\_\_\_\_  
Representative Jack Shriver

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HA  
3-21-89  
Attachment 4

**SUBCOMMITTEE REPORT**

Agency: State Historical Society      Bill No. 80      Bill Sec. 28  
 Analyst: Piekalkiewicz      Analysis Pg. No. 405-416      Budget Pg. No. 298

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 5,381,693	\$ 5,292,010	\$ --
Aid to Local Units	80,000	81,926	--
Other Assistance	--	150,000	75,000
TOTAL	<u>\$ 5,461,693</u>	<u>\$ 5,523,936</u>	<u>\$ 75,000</u>
State General Fund:			
State Operations	\$ 4,989,998	\$ 4,950,848	\$ --
Other Assistance	--	100,000	50,000
TOTAL	<u>\$ 4,989,998</u>	<u>\$ 5,050,848</u>	<u>\$ 50,000</u>
FTE Positions	150.0	144.0	--

Agency Estimate/Governor's Recommendation

The agency estimates FY 1989 expenditures for state operations of \$5,381,693, of which \$4,989,998 is from the State General Fund. The revised estimate is equal to the amount approved by the 1988 Legislature, in addition to a reappropriation of \$287,272 from the State General Fund for exhibit construction. The Governor recommends for the current year \$5,523,936 for operating expenditures, of which \$4,950,848 is from the State General Fund. The State General Fund recommendation includes \$100,000 for a grant for the Eisenhower Centennial Commission.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with Governor's recommendation with the following adjustments and comments:

1. The Subcommittee recommends that the \$50,000 which is currently budgeted for historic structures reports be used to begin developing a master plan for the 19 state-owned historic properties. The total cost of the master plan would be \$98,000 and would be completed in FY 1990. The master plan would be comprised of four parts:
  - a. Objectives and priorities would be established for the historic sites program for acquisition of new sites and deaccessioning of existing sites.
  - b. An interpretation plan would be developed to determine how sites interface together and how they interface with local sites. This interpretation plan would focus on each site as part of a whole statewide plan.

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 Attachment 5

- c. A stabilization plan for each of the sites would be completed, establishing stabilization priorities as well as long term development and restoration priorities. This phase will include specific cost estimates. In conjunction with cost estimates, the plan will identify if there are private or federal funds available for the stabilization, development and restoration projects at the sites.
  - d. A tourism plan would be established to determine how to attract tourists to the sites and encourage return visitation, and how the historic sites relate to the local historic sites. The tourism plan would focus on fostering a cooperative relationship between the Historical Society, the Department of Wildlife and Parks, and the local communities where the historic sites are located.
2. Delete the line item in S.B. 80 of \$100,000 from the State General Fund for the Eisenhower Centennial Commission and substitute for it a line item of \$150,000 from the State General Fund for competitive grants for the Eisenhower Centennial Commission and the Kansas Committee for the Humanities to be awarded by the Historical Society. The Subcommittee recommends that any State General Fund grant to either of these entities be provided by a 33 percent match of private or federal funds. The Eisenhower Centennial Commission was established by the 1987 Legislature to commemorate in 1990 the centennial of the birth Dwight D. Eisenhower. The Kansas Committee for the Humanities, which was formed in 1971, has five board members who are appointed by the Governor. The Committee currently receives its support from the National Endowment for the Humanities (NEH) and from private individuals and organizations. The Committee has received a \$50,000 NEH Merit Award, which does not have to be matched locally, and has also received a \$15,000 NEH "gift and match" grant, which has to be matched dollar for dollar with state or private funds.

Senate Committee Recommendation

The Senate Committee concurs.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the Committee's recommendations.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 89</u>	<u>Senate Rec. FY 89</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 5,292,010	\$ --
Aid to Local Units	--	81,926	--
Other Assistance	<u>75,000</u>	<u>225,000</u>	<u>15,000</u>
Subtotal	\$ 75,000	\$ 5,598,936	\$ 15,000
Capital Improvements	--	--	<u>35,000</u>
Total	<u>\$ 75,000</u>	<u>\$ 5,598,936</u>	<u>\$ 50,000</u>
State General Fund:			
State Operations	\$ --	\$ 4,950,848	\$ --
Other Assistance	<u>50,000</u>	<u>150,000</u>	<u>15,000</u>
Subtotal	\$ 50,000	\$ 5,100,848	\$ 15,000
Capital Improvements	--	--	<u>35,000</u>
Total	<u>\$ 50,000</u>	<u>\$ 5,100,848</u>	<u>\$ 50,000</u>
FTE Positions	--	144.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate, with the following exceptions:

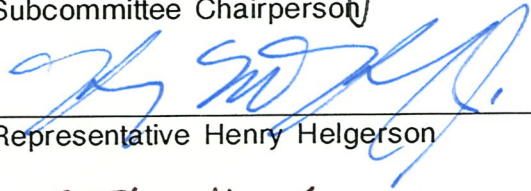
1. Divide the line item containing the Eisenhower Centennial Commission and the Kansas Committee for the Humanities (KCH) into two separate line items.
2. Add an additional \$15,000 for KCH. The Subcommittee recommends that the Eisenhower Centennial Commission receive an appropriation of \$100,000 as recommended by the Governor and recommends a total of \$65,000 for KCH. The appropriation to KCH would be matched with \$65,000 in federal funds from the National Endowment for the Humanities (NEH). To receive the state dollars, KCH will have to show documentation to the State Historical Society that the federal funds have been received.
3. The notes that the Public Information Officer which was assigned to the State Historical Society by the 1988 Legislature to work on a half-time basis for the Eisenhower Centennial Commission and half-time for the Historical Society is currently working full-time for the Eisenhower Centennial Commission. The Subcommittee was informed that the Public Information Officer will begin working full-time for the Society on October 18, 1990. In addition, the Subcommittee notes that the Department of Commerce has requested \$125,000 for the printing of brochures to advertise some of the events which will take place in Kansas to commemorate the Eisenhower centennial. The Eisenhower Commission has \$37,500 included in its budget for the printing of brochures.
4. Authorize the Historical Society to use \$5,700 in identified salary and wage savings for the purchase of additional satellite storage space

needed for the storage of inactive state agency records collected through the state records management program. The state records management function is being carried out by the Historical Society's Archives Department, despite the fact that the management of state records is the statutory responsibility of the Department of Administration (K.S.A. 75-3509). In conjunction with the Subcommittee's recommendation that the Society purchase additional satellite storage space, the Subcommittee recommends that the legislation be introduced to transfer the authority for records management from the Department of Administration to the Historical Society. The Subcommittee was informed that the Society may need two additional positions for the adequate management of state records at a cost of \$43,539. The Subcommittee recommends that if the legislation passes transferring the responsibility of the record management center that the positions be included as items for omnibus consideration.

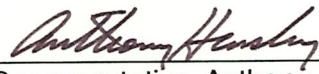
5. Add \$35,000 for the Mine Creek Battlefield site, which the Senate recommended for FY 1990. The Society indicated that work could begin on the site in the current year. The Subcommittee recommends that the Historical Society begin discussions in earnest with the Department of Wildlife and Parks and the Linn County Historical Society about supervision and maintenance of the site. In addition, the Subcommittee recommends that inmate labor be used for the proposed projects.



\_\_\_\_\_  
Representative Rex Hoy  
Subcommittee Chairperson



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Representative Henry Helgerson



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Representative Anthony Hensley

## SUBCOMMITTEE REPORT

Agency: State Historical Society      Bill No. 68      Bill Sec. 6  
 Analyst: Piekalkiewicz      Analysis Pg. No. 405-416      Budget Pg. No. 298

Expenditure Summary	Agency Req. FY 90	Governor's Rec. FY 90	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 5,794,169	\$ 5,412,802	\$ 176,818
Aid to Local Units	<u>78,572</u>	<u>90,462</u>	<u>--</u>
Subtotal	\$ 5,872,741	\$ 5,503,264	\$ 176,818
Capital Improvements	<u>524,843</u>	<u>7,500</u>	<u>123,270</u>
<b>TOTAL</b>	<b><u>\$ 6,397,584</u></b>	<b><u>\$ 5,510,764</u></b>	<b><u>\$ 300,088</u></b>
<b>State General Fund:</b>			
State Operations	\$ 5,371,571	\$ 5,064,067	\$ 132,818
Capital Improvements	<u>524,843</u>	<u>7,500</u>	<u>123,270</u>
<b>TOTAL</b>	<b><u>\$ 5,896,414</u></b>	<b><u>\$ 5,071,567</u></b>	<b><u>\$ 256,088</u></b>
 FTE Positions	 150.0	 144.0	 --

### Agency Request/Governor's Recommendation

The Historical Society's FY 1990 request for operating expenditures totals \$5,872,741. Included in this request is proposed funding for five additional positions, historic site exhibit reinterpretation and historic structures reports. The Governor's FY 1990 recommendation for operating expenditures is \$5,503,264, including \$50,000 for historic structures reports.

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with Governor's recommendation with the following adjustments and comments:

1. The Subcommittee recommends that any balance of the \$50,000 recommended for FY 1989 for the master plan for historic sites be reappropriated to FY 1990.
2. Add \$48,000 to complete the master plan for the 19 state-owned historic sites.
3. The Subcommittee recommends that the \$50,000 recommended by the Governor for the historic structures reports to be matched with \$44,000 of federal funds. The Historical Society currently receives approximately \$60,000 in federal Historic Preservation Grant funds which are awarded by the Society on a competitive basis to local communities. The Historical Society plans to conduct reconnaissance as well as detailed historic structures reports. The historic structures reconnaissance reports (to be financed with \$19,500 from the State General Fund and \$19,500 from federal funds) would be conducted on the 58 historic structures located at the 19 historic sites. In addition to the reconnaissance reports, the

Subcommittee recommends that the Society proceed with its plan to conduct three detailed historic structures reports on the following sites: Cottonwood Ranch (\$11,000 from the State General Fund and \$9,000 from federal funds); Fort Hays (\$9,500 from the State General Fund and \$7,500 from federal funds); and the Pony Express Station (\$10,000 from the State General Fund and \$8,000 from federal funds). The reconnaissance reports will detail what needs to be done to stabilize the properties and what are the preservation options. Included with each option will be cost estimates with a 15 to 20 percent margin of error. The detail reports will outline specific treatment plans for the sites as well as restoration and development plans. The Subcommittee was informed that in FY 1991 the agency will be requesting approximately \$92,000 (half of which could be financed with federal funds) to conduct detail reports on seven historic sites. On the remaining nine historic sites, reports do not need to be conducted.

4. Add \$50,000 for historic site exhibit reinterpretation.
5. Add \$11,752 for highway signs to direct travelers to the Kansas Museum of History. The purchase and installation of these signs would be coordinated through the Departments of Transportation and Commerce. The Subcommittee directs those Departments to fully cooperate with the Historical Society with the purchase and installation of the signs.
6. Add \$12,200 for an archeological inventory survey of archeological sites located in Rice county which relate to the Tobias historic site. The Tobias site is a part of a complex of large late prehistoric and early historic village sites.
7. The Subcommittee was informed by the Executive Director of the Historical Society that there is currently an immense backlog of unprocessed materials in the Collections department. The Executive Director stated that the backlog of unprocessed materials has been created over many years because staffing has not been adequate to provide service to the public and at the same time process the increasing volume of manuscript, archival, and archeological materials which are received by the Society. The Subcommittee was also informed that currently the state records management function is being carried out by the Historical Society's Archives department, despite the fact that the management of state records is the statutory responsibility of the Department of Administration (K.S.A. 75-3509). The records management center was established to serve as a depository for inactive records of state agencies. The Subcommittee is of the opinion that the two issues, the backlog and the records management center, are related. In light of the information the Subcommittee received on these two topics, it recommends that a post audit report be conducted to study the current status of the preservation of state and local records and the accession and deaccession of such records by the Historical Society.
8. The Subcommittee notes that the Society may need additional satellite storage space for the Archives department before those needs are assessed in the post audit study. Since the Society was not able to pinpoint an exact amount of square footage that may be needed the Subcommittee requests that the House address this question.

9. Add \$10,866 for microcomputers and related software and hardware for the archives, library and manuscripts departments. The Subcommittee notes that the Historical Society has begun the process of mechanizing the collections of each of the departments. The automation of records allows the departments to more efficiently and quickly catalog and index new acquisitions.
10. The Governor recommended supplemental funding of \$95,770 for capital improvements at the Funston Home and Constitution Hall in the current year, which was deleted from H.B. 2040 by the House Appropriations Committee. The Subcommittee recommends a restoration of the \$95,770 in FY 1990.
11. Add \$35,000 for capital improvements at the Mine Creek Battlefield site to begin the process of reinterpretation of the site and to provide access to the site to the Civil War Round Table of Kansas City which is planning a reenactment of the Civil War battle which took place on the site. The capital improvements would include removing fence lines and brush, the reseeding of plowed fields, and the construction of walking paths, all which could be accomplished with inmate labor. The Subcommittee supports the Historical Society's request to finish a master plan of the sites before proceeding with further development of the Mine Creek site. The Subcommittee recommends that the state funds be matched with \$17,500 from private donations.
12. Delete \$7,500 for drainage repairs at the Museum which was added by the House Appropriations Committee in H.B. 2040 for FY 1989. The Subcommittee was informed that the Society would like to begin on that project in the current year.

#### Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee recommendation, with the following exception:

1. The Senate Committee recommends that the appropriation bill be changed to include line items for salaries and wages, other operating expenditures, and a line item for master planning for historic sites, eliminating line items for each department.

#### Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the Committee with the following adjustment:

1. Amend the proviso requiring a match of \$17,500 from private donations before any state funds can be expended for the Mine Creek Battlefield site and include the requirement that state funds in excess of \$20,000 must be matched dollar for dollar with private donations.



<u>Expenditure Summary</u>	<u>Senate Adj. FY 90</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 176,818	\$ 5,589,620	\$ 55,000
Aid to Local Units	--	90,462	--
Subtotal	\$ 176,818	\$ 5,680,082	\$ 55,000
Capital Improvements	123,270	130,770	(35,000)
TOTAL	<u>\$ 300,088</u>	<u>\$ 5,810,852</u>	<u>\$ 20,000</u>
State General Fund:			
State Operations	\$ 132,818	\$ 5,196,885	\$ 55,000
Subtotal	\$ 132,818	\$ 5,196,885	\$ 55,000
Capital Improvements	123,270	130,770	(35,000)
TOTAL	<u>\$ 256,088</u>	<u>\$ 5,327,655</u>	<u>\$ 20,000</u>
FTE Positions	150.0	144.0	--

House Subcommittee Recommendation

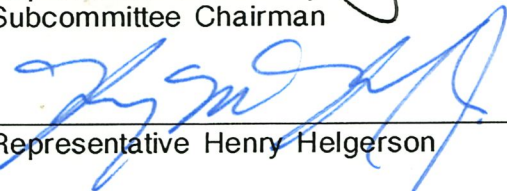
The House Subcommittee concurs with the Senate's recommendation, with the following adjustments:

1. Delete \$35,000 for the Mine Creek Battlefield site, which the Subcommittee recommended to be funded in FY 1989.
2. Add \$14,000 for additional satellite storage for the records management center. In FY 1990 the Society will be consolidating its satellite storage areas into one location.
3. The Subcommittee does not believe that a post audit report on the records management center and the collections backlog recommended by Senate is necessary. The Subcommittee recommends instead that the Historical Society present to the Legislature next year a report of the progress of the records management center and a report on the comprehensive long-term planning for the entire agency to be initiated this summer. In addition, the Subcommittee directs the Society to develop policies for the accession and deaccession of historic materials and report to the 1990 Legislature.
4. The Subcommittee was informed that the Society has nearly completed preliminary plans for the new Center for Historical Research. The Subcommittee has learned that according to the Capitol Area Master Plan after the Society moves the Attorney General will be moved into the Memorial Building. The Subcommittee notes that K.S.A. 73-2241a directs the Capitol Area Plaza Authority to present every year to the Legislature a report outlining the work of the Authority during the upcoming year. The Subcommittee is not aware that the Authority has complied with the statutory obligations. The Subcommittee recommends that at the beginning of every Legislative Session the Authority present to the House Appropriations and Senate Ways and Means Committees a report on the Capitol Area Master Plan. This would provide members of both

Committees with information about all components of the Plan and any updates and changes that have been made to the Plan. The Subcommittee notes that the Joint Committee on State Building Construction is the only legislative committee which has reviewed the Plan in its entirety.

5. It appears that the Governor's recommendation of \$7.9 million, contained in S.B. 32, for the new Center for Historical Research may be inadequate. The Subcommittee was informed that the revised estimate for construction will be available in the very near future.
6. Add \$41,000 from the State General Fund in a separate line item for the burial of Indian remains being displayed at the "Salina Indian Burial Grounds" in Salina. The Subcommittee notes that \$90,000 was included in the budget of the Attorney General for the acquisition of the land on which the "Salina Indian Burial Grounds" are located and for loss of business compensation for the owners.
7. The Subcommittee wishes to extend its congratulations to the new Executive Director of the Historical Society whose appointment was effective May, 1988. The Subcommittee supports the Director in his desire to reorganize the agency and develop long-range plans for all the departments of the agency including the historic sites.

  
\_\_\_\_\_  
Representative Rex Hoy  
Subcommittee Chairman

  
\_\_\_\_\_  
Representative Henry Helgerson

  
\_\_\_\_\_  
Representative Anthony Hensley

**SUBCOMMITTEE REPORT**

Agency: Public Broadcasting  
Commission  
Analyst: Piekalkiewicz

Bill No. 80  
Analysis Pg. No. 423

Bill Sec. 9  
Budget Pg. No. 470

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 6,500	\$ 6,500	\$ --
Aid to Local Units	131,000	131,000	--
Other Assistance	843,500	963,500	--
TOTAL	<u>\$ 981,000</u>	<u>\$ 1,101,000</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 6,500	\$ 6,500	\$ --
Aid to Local Units	131,000	131,000	--
Other Assistance	543,500	663,500	--
TOTAL	<u>\$ 681,000</u>	<u>\$ 801,000</u>	<u>\$ --</u>
EDIF:			
Other Assistance	\$ 300,000	\$ 300,000	\$ --
FTE Positions	--	--	--

Agency Estimate/Governor's Recommendation

The Public Broadcasting Commission estimates total expenditures for FY 1989 of \$981,000, of which \$681,000 is from the State General Fund and \$300,000 is from the EDIF. The total budget includes \$550,000 from the State General Fund for operating grants to the existing four public television stations.

The Governor recommends FY 1989 expenditures of \$1,101,000, including \$120,000 supplemental funding from the State General Fund to finance the state portion of a project to extend Kansas public television into northwest Kansas.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

Senate Committee Recommendation

The Senate Committee concurs with the Governor's recommendation.

Senate Committee of the Whole Recommendation

The Senate Committee concurs with the Committee's recommendation.


HA  
3-21-89  
Attachment 6

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendation of the Governor and Senate.

  
\_\_\_\_\_  
Representative Rochelle Chronister  
Subcommittee Chairman

  
\_\_\_\_\_  
Representative William Bunten

  
\_\_\_\_\_  
Representative David Heinemann

  
\_\_\_\_\_  
Representative George Teagarden

  
\_\_\_\_\_  
Representative Lee Hamm

548-89

**SUBCOMMITTEE REPORT**

Agency: Public Broadcasting  
Commission  
Analyst: Piekalkiewicz

Bill No. 68  
Analysis Pg. No. 423

Bill Sec. 9  
Budget Pg. No. 470

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 6,630	\$ 6,630	\$ --
Aid to Local Units	255,000	131,000	12,000
Other Assistance	1,430,000	543,500	48,000
TOTAL	<u>\$ 1,691,630</u>	<u>\$ 681,130</u>	<u>\$ 60,000</u>
State General Fund:			
State Operations	\$ 6,630	\$ 6,630	\$ --
Aid to Local Units	255,000	131,000	12,000
Other Assistance	1,290,000	543,500	48,000
TOTAL	<u>\$ 1,551,630</u>	<u>\$ 681,130</u>	<u>\$ 60,000</u>
EDIF:			
Other Assistance	\$ 140,000	\$ --	\$ --
FTE Positions	--	--	--

Agency Estimate/Governor's Recommendation

The Public Broadcasting Commission estimates total expenditures for FY 1990 of \$1,691,630, of which \$1,551,630 is from the State General Fund and \$140,000 is from the EDIF. The total budget includes \$650,000 from the State General Fund for operating grants to the existing four public television stations, which represents an increase of \$100,000 over the current year estimate. The requests also includes expenditures of \$175,000 for KANZ-FM and \$375,000 for equipment matching grants for the public television stations.

The Governor recommends \$681,130 from the State General Fund for FY 1990. Expenditures of \$550,000 are included for existing public television stations, \$35,000 for KANZ-FM, and \$39,500 for equipment matching grants for undesignated public television and radio stations.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following exceptions:

1. Add \$10,000 for a technical feasibility study to determine the technical options available to provide public television to southeast Kansas.
2. Add an additional \$50,000 for operating grants for the four existing public television stations to be distributed as follows: \$12,000 for KTWU (Topeka); \$12,000 for KPTS (Wichita); \$15,000 for KOOD (Bunker Hill); and \$11,000 for KCPT (Kansas City).

Senate Committee Recommendation

The Senate Committee concurs with the recommendations of the Subcommittee.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the recommendation of the Committee.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 90</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
State General Fund:			
State Operations	\$ --	\$ 6,630	\$ --
Aid to Local Units	12,000	143,000	(6,000)
Other Assistance	48,000	591,500	46,000
Total	<u>\$ 60,000</u>	<u>\$ 741,130</u>	<u>\$ 40,000</u>
FTE Positions	--	--	--

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate, with the following adjustments:

1. Delete \$25,000 of the additional \$50,000 recommended by the Senate for operating grants for the public television stations.
2. Delete \$10,000 for a technical feasibility study.
3. Add \$75,000 for KOOD, \$18,000 of which is to improve the station's ability to provide instructional television and \$57,000 is for four additional staff positions.
4. The Subcommittee notes that KAPSET has begun distributing courses on videotape and will be in FY 1990 broadcasting only one course per semester. In lieu of this change, the Subcommittee believes that KAPSET no longer falls within the purview of the Public Broadcasting Commission and recommends, therefore, that KAPSET be put under the Board of Regents.
5. The Subcommittee notes that KANZ-FM radio station (Pierceville) is requesting \$175,000 for FY 1990 in state aid to enable the station to relocate to Garden City and to establish an equipment endowment fund. The Subcommittee will further examine this request and proposes that possible funding for this project be considered in the Omnibus Bill.

6-4

  
\_\_\_\_\_  
Representative Rochelle Chronister  
Subcommittee Chairman

  
\_\_\_\_\_  
Representative William Bunten

  
\_\_\_\_\_  
Representative David Heinemann

  
\_\_\_\_\_  
Representative George Teagarden

  
\_\_\_\_\_  
Representative Lee Hamm

548-90

SUBCOMMITTEE REPORT

Agency: Bicentennial Commission

Bill No. 80

Bill Sec. 7

Analyst: Piekalkiewicz

Analysis Pg. No. 436

Budget Pg. No. 106

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
State General Fund: Other Assistance	\$ 16,000	\$ 16,000	\$ --
FTE Positions	--	--	--

Agency Estimate/Governor's Recommendation

The Bicentennial Commission requests \$16,000 from the State General Fund in supplemental funding for administrative expenses, a newsletter, and program development.

The Governor concurs with the Commission's request for supplemental funding.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

Senate Committee Recommendation

The Senate Committee concurs with the Governor's recommendation.


Senate Committee of the Whole Recommendation

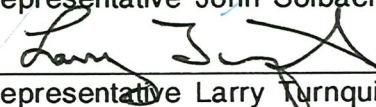
The Senate Committee of the Whole concurs with the Committee's recommendation.

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Governor and the Senate.

  
 Representative Robert Vancrum  
 Subcommittee Chairperson

  
 Representative John Solbach

  
 Representative Larry Turnquist

HA  
3-21-89  
Attachment 7



SUBCOMMITTEE REPORT

Agency: Bicentennial Commission      Bill No. --      Bill Sec. --  
 Analyst: Piekalkiewicz      Analysis Pg. No. 436      Budget Pg. No. 106

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
State General Fund: Other Assistance	\$      42,750	\$            0	\$            --
FTE Positions	--	--	--

Agency Estimate/Governor's Recommendation

The Bicentennial Commission requests total expenditures for FY 1990 of \$42,750, of which \$29,250 is for state operations and \$13,500 is for program development.

The Governor does not recommend funding for the Commission in FY 1990.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following exception:

The Subcommittee notes that the Commission has requested for FY 1990 \$5,000 for a video on the U.S. Constitution featuring Justice Harold Herd to be distributed to high schools across the state. The Subcommittee directs the Department of Education to undertake the project with the available resources contained in Department's budget for FY 1990.

Senate Committee Recommendation

The Senate Committee concurs with the Governor's recommendation.

Senate Committee of the Whole Recommendation


The Senate Committee of the Whole concurs with the Committee's recommendation.

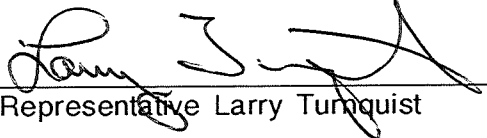
<u>Expenditure Summary</u>	<u>Senate Adj. FY 90</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
State General Fund: Other Assistance	\$            --	\$            0	\$      8,500
FTE Positions	--	--	--

House Subcommittee Recommendation

The House Subcommittee recommends the following adjustment to the Senate recommendation:

1. Add \$8,500. The Subcommittee notes that the Kansas Commission on the Bicentennial of the U.S. Constitution was established by the 1986 Legislature and is to sunset in December, 1991. During 1989 the Commission is focusing on the Congress and the Executive Branch; in 1990 the focus will be the Judicial Branch; and in 1991 the Bill of Rights will be commemorated. The Subcommittee notes that 13 Bicentennial Commissions receive no state funds and rely entirely on private donations; 12 Commissions are not state agencies but do or have received small appropriations; 13 states provide the Bicentennial Commissions in their respective states with an appropriation of some kind; and finally 12 states provide no funds but do supply the Commission with staff.

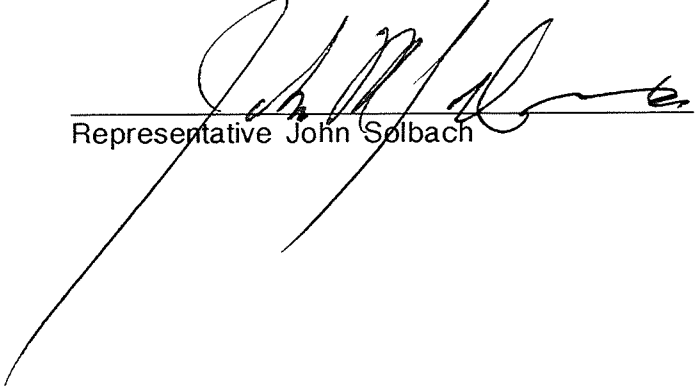
  
\_\_\_\_\_  
Representative Robert Vancrum

  
\_\_\_\_\_  
Representative Larry Turquist

**MINORITY REPORT**

I do not concur with the Subcommittee's addition of only \$8,500 for the Kansas Commission on the Bicentennial of the U.S. Constitution. I recommend the addition of \$37,750 for FY 1990, which is the amount requested by the Commission. Contrary to public opinion, the Commission was not established only to celebrate the bicentennial of the Constitution but was established to commemorate the bicentennial of the first convening of the U.S. Congress; George Washington's inauguration; the establishment of the Supreme Court, 13 District Courts, and 3 Circuit Courts; and the ratification of the Bill of Rights. In addition, the Commission was not established only to commemorate the Constitution for one year. The U.S. Congress created the National Bicentennial Commission to plan and coordinate a five year plan for the celebration and education about the Constitution. The Kansas Commission through such programs as student and adult Jefferson Meetings, essay contests, workbook contests and public ceremonies has been able to raise the public consciousness about important U.S. government institutions. I believe the work of the Commission is vital. The Subcommittee received testimony from the Executive Director of the Commission that 46 percent of the adult American population do not know the purpose of Constitution; that 59 percent did not know what the Bill of Rights is; that 49 percent think that the President can suspend the Constitution (these statistics were compiled by the Hearst Corporation in 1987). It is obvious from these statistics that in many ways we Americans take our Constitution for granted. If we choose not to fund the Bicentennial Commission then we have shirked our duty to educate people about the importance of the Constitution. In addition, this is a question of state pride. If the Bicentennial Commission is not funded it will cease to exist and will be removed from the

national register of state Bicentennial Commissions. Many states are currently funding Bicentennial Commissions. The Missouri Legislature, for example, for in the current year appropriated \$50,000 and is expected to appropriated an additional \$50,000 for FY 1990.

  
\_\_\_\_\_  
Representative John Solbach

**SUBCOMMITTEE REPORT**

Agency: Kansas Arts Commission      Bill No. 80      Bill Sec. 13  
 Analyst: Piekalkiewicz      Analysis Pg. No. 417-422      Budget Pg. No. 84

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 600,802	\$ 332,902	\$ 62,653
Programming Grants	1,226,295	1,181,295	45,000
TOTAL	<u>\$ 1,827,097</u>	<u>\$ 1,514,197</u>	<u>\$ 107,653</u>
State General Fund:			
State Operations	\$ 258,934	\$ 206,034	\$ 54,153
Programming Grants	362,836	317,836	45,000
TOTAL	<u>\$ 621,770</u>	<u>\$ 523,870</u>	<u>\$ 99,153</u>
EDIF:			
State Operations	\$ 39,500	\$ 24,500	\$ 8,500
Programming Grants	410,500	410,500	--
TOTAL	<u>\$ 450,000</u>	<u>\$ 435,000</u>	<u>\$ 8,500</u>
FTE Positions	8.0	8.0	--

Agency Estimate/Governor's Recommendation

The Kansas Arts Commission estimates total expenditures for FY 1989 of \$1,827,097, of which \$600,802 is for state operations and \$1,226,295 is for programming grants. The estimate includes \$200,000 for the Capitol Dome sculpture, which the agency hopes to raise through private donations by the end of the fiscal year.

The Governor recommends FY 1989 expenditures of \$1,514,197, of which \$332,902 is for state operations and \$1,181,295 for programming grants. The recommendation does not include \$200,000 for the Capitol Dome sculpture.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following exceptions and comments:

1. The Governor recommended a reduction of \$97,900 from the State General Fund, of which \$52,900 was in state operations and \$45,000 in programming grants. The Subcommittee recommends a restoration of that amount.
2. Add \$1,253 for a technical adjustment to salaries and wages for a health insurance rate adjustment, which was inadvertently omitted in the Governor's recommendation.
3. The Subcommittee notes that the Governor's recommendation includes a reduction of \$15,000 in expenditures from the EDIF for state operations,

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though no change was made in the expenditure limitation. The Subcommittee recommends a restoration of \$8,500 in expenditures from the EDIF, and recommends that the balance of \$6,500 be reappropriated to FY 1990.

- The Subcommittee does not recommend that the Commission proceed with fund raising for the Capitol Dome sculpture until it is determined what the cost will be for the reinforcement of the Capitol Dome. The Subcommittee was informed that to date, the Commission has received one unsolicited donation in the amount of \$100.

Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee's recommendation.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the Committee recommendation.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 89</u>	<u>Senate Rec. FY 89</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 62,653	\$ 395,555	\$ --
Programming	45,000	1,226,295	--
TOTAL	<u>\$ 107,653</u>	<u>\$ 1,621,850</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 54,153	\$ 260,187	\$ --
Programming Grants	45,000	362,836	(45,000)
TOTAL	<u>\$ 99,153</u>	<u>\$ 623,023</u>	<u>\$ (45,000)</u>
EDIF:			
State Operations	\$ 8,500	\$ 33,000	\$ --
Programming Grants	--	410,500	45,000
TOTAL	<u>\$ 8,500</u>	<u>\$ 443,500</u>	<u>\$ 45,000</u>
FTE Positions	--	8.0	--

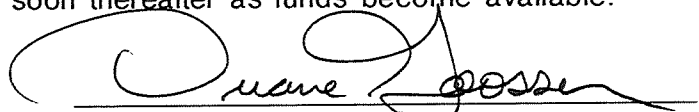
House Subcommittee Recommendation

The House Subcommittee concurs with the Senate's recommendations, with the following adjustment:

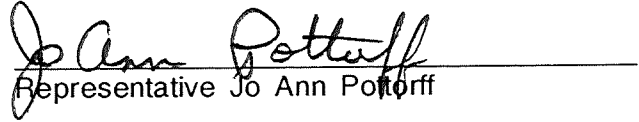
- The Subcommittee recommends that the \$45,000 from the State General Fund for arts programming restored by the Senate be funded from the EDIF. The Subcommittee notes the Governor's recommendations for the EDIF for FY 1990 includes a \$687,276 carry forward balance from FY

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1989. The Subcommittee recommends that the transfer from the EDIF be made on May 15, or as soon thereafter as funds become available.



Representative Duane Goossen  
Subcommittee Chairperson



Representative Jo Ann Pottorf



Representative Jack Shriver

## SUBCOMMITTEE REPORT

Agency: Kansas Arts Commission      Bill No. 68      Bill Sec. 3  
 Analyst: Piekalkiewicz      Analysis Pg. No. 417-422      Budget Pg. No. 84

Expenditure Summary	Agency Req. FY 90	Governor's Rec. FY 90	Subcommittee Adjustments
<b>All Funds:</b>			
State Operations	\$ 557,357	\$ 452,181	\$ --
Programming Grants	2,042,300	827,155	--
TOTAL	\$ 2,599,657	\$ 1,279,336	\$ --
<b>State General Fund:</b>			
State Operations	\$ 364,432	\$ 325,261	\$ --
Programming Grants	883,697	410,547	--
TOTAL	\$ 1,248,129	\$ 735,808	\$ --
<b>EDIF:</b>			
State Operations	\$ 24,000	\$ --	\$ --
Programming Grants	804,000	100,000	--
TOTAL	\$ 828,000	\$ 100,000	\$ --
FTE Positions	10.0	9.0	--

### Agency Estimate/Governor's Recommendation

The Kansas Arts Commission requests total expenditures for FY 1990 of \$2,599,657, of which \$557,357 is for state operations and \$2,042,300 is for programming grants. The request includes funding for two additional positions and an increase of \$816,005 over the FY 1989 estimate.

The Governor recommends FY 1990 expenditures of \$1,279,336, of which \$452,181 is for state operations and \$827,155 is for programming grants. The recommendation includes funding for one new position -- an Arts Program Coordinator I (\$27,736).

### Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation, with the following exception:

The Subcommittee notes that the Commission has requested for FY 1990 \$10,579 for two Mackintosh II computers. The Subcommittee was informed that substantial savings could be realized if the computers were purchased. The Subcommittee recommends that the Commission purchase the two Mackintosh computers and decrease the expenditures budgeted for printing by the cost of the computers.

### Senate Committee Recommendation

The Senate Committee concurs with the Subcommittee recommendation, with the following exceptions:

1. The Senate Committee requests that the House Appropriations Subcommittee review the recommendation of Kansas, Inc., and the contractual responsibilities of the Kansas Arts Commission along with the availability of EDIF monies to fund ongoing commitments.
2. Add \$350,000 from the EDIF for arts programming grants.
3. The Committee recommends that the format of the appropriation bill be changed to include line items for salaries and wages, other operating expenditures, and arts programming and challenge grants.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the Committee recommendations.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 90</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ --	\$ 452,181	\$ --
Programming Grants	350,000	1,177,155	48,539
TOTAL	<u>\$ 350,000</u>	<u>\$ 1,629,336</u>	<u>\$ 48,539</u>
State General Fund:			
State Operations	\$ --	\$ 325,261	\$ --
Programming Grants	--	410,547	(47,711)
TOTAL	<u>\$ --</u>	<u>\$ 735,808</u>	<u>\$ (47,711)</u>
EDIF:			
State Operations	\$ --	\$ --	\$ --
Programming Grants	350,000	450,000	--
TOTAL	<u>\$ 350,000</u>	<u>\$ 450,000</u>	<u>\$ --</u>
FTE Positions	--	9.0	--

House Subcommittee Recommendation

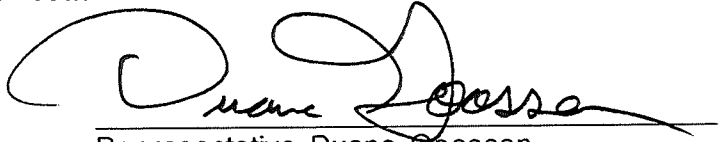
The House Subcommittee concurs with the Senate, with the following adjustments and comments:

1. The Subcommittee notes that it reviewed the status of the EDIF and reports that as of March 16 the Senate and House recommendations reflect a net decrease of \$258,969 from the Governor's recommendation. The Senate's recommendation includes deletions of several projects in the Department of Wildlife and Parks.
2. The Subcommittee notes that the Governor's recommendation for FY 1990 includes an additional \$13,000 in state operations over the current



year to accurately reflect the type of expenditures being made. The Commission was cited in a post audit report for giving local arts agencies "in-house" grants to pay for some of its own operating expenses. The Subcommittee recommends a corresponding decrease of \$13,000 from the State General Fund in arts programming grants to the increase in state operations.

3. Delete \$34,711 from the State General Fund for arts programming grants. The Subcommittee's recommendation results in status quo funding for arts programming grants.
4. The Subcommittee acknowledges that the Arts Commission may receive \$96,250 in additional federal funds which will be matched with the existing recommended state funds. The Subcommittee does not recommend that these federal funds be used to decrease the State General Fund recommendation.
5. The Subcommittee recommends a state operations -- federal line item to enable the Legislature to better track the use of federal funds for operating expenditures.



Representative Duane Goossen  
Subcommittee Chairperson



Representative Jo Ann Pottorf



Representative Jack Shriver

**SUBCOMMITTEE REPORT**

Agency: State Library

Bill No. 80

Bill Sec. 24

Analyst: Piekalkiewicz

Analysis Pg. No. 427

Budget Pg. No. 424

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 1,347,530	\$ 1,345,820	\$ --
Aid to Local Units	<u>2,512,339</u>	<u>2,636,189</u>	<u>--</u>
TOTAL	<u>\$ 3,859,869</u>	<u>\$ 3,982,009</u>	<u>\$ --</u>
State General Fund:			
State Operations	\$ 1,020,012	\$ 1,024,800	\$ --
Aid to Local Units	<u>1,402,395</u>	<u>1,526,245</u>	<u>--</u>
TOTAL	<u>\$ 2,422,407</u>	<u>\$ 2,551,045</u>	<u>\$ --</u>

FTE Positions

Agency Request/Governor's Recommendations

The agency estimate for FY 1989 is \$3,859,869, of which \$2,422,407 is from the State General Fund. The Governor's recommendation for FY 1989 is \$3,982,009, which includes State General Fund supplemental funding of \$123,850 for the Grants-in-Aid program.

Senate Subcommittee Recommendation

The Senate Subcommittee concurs with the Governor's recommendation.

Senate Committee Recommendation

The Senate Committee concurs with the Governor's recommendation.

Senate Committee of the Whole Recommendation

The Senate Committee concurs with the Committee's recommendation.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's and Senate recommendations, with the following exception:

1. Add \$10,000 for reference materials which the Subcommittee was informed will be discontinued because of inflationary increases in the costs of these materials.

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*Max Moomaw*  
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Representative Max Moomaw  
Subcommittee Chairperson

*Fred Gatlin*  
\_\_\_\_\_  
Representative Fred Gatlin

*W R Brady*  
\_\_\_\_\_  
Representative William Brady

**SUBCOMMITTEE REPORT**

Agency: State Library

Bill No. 68

Bill Sec. 2

Analyst: Piekalkiewicz

Analysis Pg. No. 427

Budget Pg. No. 424

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 2,816,188	\$ 1,360,645	\$ 103,213
Aid to Local Units	<u>3,410,306</u>	<u>2,928,388</u>	<u>100,000</u>
Total	<u>\$ 6,226,494</u>	<u>\$ 4,289,033</u>	<u>\$ 203,213</u>
State General Fund:			
State Operations	\$ 2,519,715	\$ 1,040,790	\$ 103,213
Aid to Local Units	<u>2,288,554</u>	<u>1,837,645</u>	<u>100,000</u>
Total	<u>\$ 4,808,269</u>	<u>\$ 2,878,435</u>	<u>\$ 203,213</u>
FTE Positions	31.3	26.0	--

Agency Request/Governor's Recommendation

The Library's request of \$6,226,494 for FY 1990 includes \$2,816,188 for state operations including financing for 31.3 FTE positions, an addition of 5.8 FTE positions to the FY 1989 staffing level, and \$3,410,306 for grants to public and regional library systems.

For FY 1990, the Governor recommends \$4,289,033, an increase of \$307,024, or 7.7 percent, above the current year recommendation. Of the increase, \$54,159, or 17.6 percent, is attributable to salaries and wages. The recommendation includes an increase of \$292,199 for three local aid programs. The Governor recommends a total of \$1,337,476 for the Grants-in-Aid program, \$442,500 for payments to subregional libraries, and \$650,000 for the Interlibrary Loan Development program, in combined state and federal funding. The recommendation includes an additional .5 FTE Literacy Coordinator.

Senate Subcommittee Recommendation

FY 1990. The Senate Subcommittee concurs with Governor's recommendation with the following adjustments:

1. Add \$59,633 for an electronic mail system, ALANET, for interlibrary loan and reference requests. The libraries in Kansas until the current year had been using an electronic mail system which the State Library maintains was inefficient and ineffective. In addition, the system connected only 56 libraries with no possibility of adding additional libraries to the system. The ALANET system was specifically designed for interlibrary loan and reference requests and is used in many states. ALANET will eventually link 120 Kansas libraries. The total cost of ALANET for FY 1990 is \$78,884. As was the case with the former system, the State Library will assume the entire cost. The Governor's recommendation includes \$19,251, which was approximately the cost of the old electronic mail system used by the libraries.

2. Add \$100,000 from the State General Fund for the Grants-in-Aid program. The recommendation increases the level of per capita combined state and federal funds for the program by 4 cents, from 54 cents per capita to 58 cents per capita.
3. Add \$3,580 for an OCLC Wyse workstation.
4. Add \$10,000 for a telex tape duplicator.
5. Add \$30,000 for renovations in the State Library which will meet a federal matching grant. The planned renovations would include electrical circuit upgrading, new carpeting, and partitions which will improve safety and the working conditions in the Library for both the general public and the Library staff.

Senate Committee Recommendation

The Senate Committee concurs, with the following exception:

1. The Senate Committee recommends that the format of the appropriation bill be changed to include separate line items for salaries and wages, other operating expenditures, and grants to libraries and library systems.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the recommendations of the Committee.

<u>Expenditure Summary</u>	<u>Senate Adjustments</u>	<u>Senate Rec. FY 90</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 103,213	\$ 1,463,858	\$ 50,000
Aid to Local Units	100,000	3,028,388	(100,000)
Total	<u>\$ 203,213</u>	<u>\$ 4,492,246</u>	<u>\$ (50,000)</u>
State General Fund:			
State Operations	\$ 103,213	\$ 1,144,003	\$ 50,000
Aid to Local Units	100,000	1,937,645	(100,000)
Total	<u>\$ 203,213</u>	<u>\$ 3,081,648</u>	<u>\$ (50,000)</u>
FTE	--	26.0	--

House Subcommittee Recommendation

The House Subcommittee concurs with the recommendations of the Senate, with the following adjustments:

9-4


1. Delete \$100,000 recommended by the Senate for the Grants-in-Aid program. For FY 1989, the Governor recommends supplemental funding from the State General Fund of \$123,850 for the Grants-in-Aid program, a 20.0 percent increase. For FY 1990, the Governor recommends an increase of \$124,250, which is a 16.7 percent increase over the FY 1989 recommendation.
2. Add \$40,000 for additional reference materials for the State Library, including \$4,000 for federal contract procurement information.

  
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Representative Max Moomaw  
Subcommittee Chairman

  
\_\_\_\_\_  
Representative Fred Gatlin

**MINORITY REPORT**

I do not concur with the Subcommittee deletion of the entire \$100,000 from the Grants-in-Aid program. I recommend a deletion of only \$50,000 to be used in state operations for FY 1989 and FY 1990. The Governor's State General Fund recommendation for state operations includes a 1.1 percent net increase over the current year. The recommendation includes an 8.0 percent increase in salaries and wages and a 6.9 percent decrease in state operations.

  
\_\_\_\_\_  
Representative William Brady

Charles P. Erickson  
6 Kansas Avenue,  
Kansas City, KS 66111-2331  
(913)287-4221

3/14/89

Wyandotte County Legislatures:

Thank you for the opportunity to speak to you concerning Bill 303 passed by the Senate to sell or lease the workshop at 925 Sunshine Road Kansas City, Kansas.

The Bill, if passed, will give Secretary Barton of SRS the authority to sell or lease the property stated above without appraisal, bid, or publication. I believe this would be illegal for the simple reason there are laws regarding the disbursement of state owned property. I also believe it goes against the intent of the Sunshine Law.

If you remember last year on or about this time, we had a meeting with Wyandotte County Legislatures, SRS Personnel, Linda Merrill the president of Wichita Industries and Services for the Blind, R.J. Edlund, and the Kansas City Shopworkers. At that time SRS would not accept Ms. Merrill's proposal of 5.7 million dollars over an 8 year period, but would accept Mr. Edlund's proposal without the \$250,000 dollar grant money.

Let me bring you up to date on what has happened since that time. Dr. Schutz, Director of Services for the Blind, came to the Kansas City Shop in May 1988 to fill us in on procedures on the grant proposal. At that time, I asked Dr. Schutz if I could be on the negotiating team as chief bargaining steward of M.P.A. for whomever got the contract. I received a letter from Dr. Schutz stating that he relayed my message to acting Commissioner Schiffelbein.

Although we had a bargaining unit with the state of Kansas, SRS, and Kansas Industries for the Blind, we were not allowed in the meeting. It was my understanding that there were 6 SRS employees on the committee, Dr. Schutz chairman, to negotiate with Ms. Merrill.

SRS from Secretary Barton on down always insisted to the shopworkers that they had our best interest at heart, compassion, consideration, etc. Let me tell you how that worked. We lost the following:

1. All existing sick leave on the books
2. 12 to 20 days annual leave
3. 12 days sick leave
4. 2 paid holidays
5. Pension Plan
6. Prescription and Dental on our insurance

Figuring at our hourly rate our 12 to 20 days annual leave, 12 days of sick leave, and 2 paid holidays totals to \$725.00 annually per blind employee plus lost existing sick leave, pension plan, medical fringe benefits, unemployment compensation, plus being laid off since January 23, 1989.

HA  
3-21-89  
Attachment 10

I believe SRS has violated the intent of the law in disposing of state property by the contract negotiated with Ms. Merrill and Wichita Industries and Services for the Blind by the figure of over one million dollars such as: Accts. Receivable, existing raw material, finished products, etc.

I believe if Bill 303, passed by the Senate, is passed by the House it will condone SRS breaking the law which has already been done.

One might ask what does SRS intend to accomplish with Bill 303- to cover themselves by what they have already done, or will they come back next year and implement a different law?

We, the employees at the Kansas City Shop, believe there is no safeguard for the employment of blind individuals as Bill 303 is presently stated. We also believe there is no compensation in this bill as presently stated (such as \$10,000 from the state of Kansas for what we have lost).

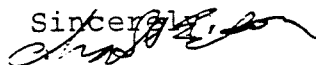
If indeed the property is sold, we believe, it should be done according to existing law instead of the way Bill 303 is written.

I believe there is Federal money used in the workshop which would not allow the sale of the workshop without breaking Federal law.

We the employees would like to see one of the following done:

1. Revert the workshop back to the state for obvious reasons
2. Reopen the whole grant proposal with the Legislature instead of SRS
3. Reject House Bill 2028 proposing an additional \$250,000 for FY 1990

Thank you very kindly for your time and consideration on this matter.

Sincerely,  


Charles P. Erickson  
K.C. Shop Rep. Ind.  
for the Blind



DT: March 21, 1989  
TO: House Appropriations Committee  
FR: R. J. Edlund, President, NFB of Kansas  
RE: Senate Bill 303

Ladies and Gentlemen:

Senate Bill 303 provides for the sale or lease of the workshop for the blind in Kansas City, Kansas. We object to the form and substance of Senate Bill 303 for the following reasons:

- handing over the Kansas City workshop for "one dollar and other good and valuable consideration" without input from consumers or consumer groups provides no protection for blind employees or the taxpayers of the State of Kansas
- the real property and contents may be disposed of "without the necessity of appraisal, bid, or publication" at the sole discretion of the secretary of SRS with no viable recourse or challenge
- the Bill does not address an existing, apparently illegal, contract between Wichita Industries and Services for the Blind (WISB) and the secretary of SRS providing that the building and property be turned over to WISB two years from July 1988

PROPOSED REMEDY

- Legislature to amend Senate Bill 303 to establish a committee not connected to SRS or any other state agency to re-open and re-establish bidding process for sale or lease of the workshop. The committee should consist of individuals with business background, consumers, and representatives of consumer groups. This would provide protection for the blind employees and the taxpayers of the State of Kansas.
- Review bidding and award procedure for the existing contract between SRS and WISB to determine its legality.

R.J. Edlund  
President  
National Federation of the Blind of Kansas  
P.O. Box 11185  
Kansas City, Kansas 66111

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Attachment 11