

Approved 4-30-90  
Date

MINUTES OF THE \_\_\_\_\_ COMMITTEE ON \_\_\_\_\_  
SENATE WAYS AND MEANS

The meeting was called to order by \_\_\_\_\_ at  
SENATOR AUGUST "GUS" BOGINA

\_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 19\_\_\_\_ in room \_\_\_\_\_ of the Capitol.  
11:10 XX MARCH 20 90 123-S

All members were present except:

Senator Doyen, who was excused  
Committee staff present:

Research Department: Diane Duffy, Ellen Piekalkiewicz  
Revisor: Norm Furse, Gordon Self  
Committee Staff: Judy Bromich, Administrative Assistant  
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

John Wine, Assistant Secretary of State  
Representative R.D. Miller  
Sue Peterson, Assistant to the President for Governmental Relations, Kansas  
State University  
Sam Brownback, Secretary of Agriculture  
Representative George Dean  
Elmer Denning, Assistant General Manager, State Fair Board

#### INTRODUCTION OF BILLS

Senator Kerr moved, Senator Hayden seconded, that bill draft 9 RS 2741 (exchange of property at state industrial reformatory at Hutchinson) and bill draft 9 RS 2792 (inspections of school building projects to determine adherence to the construction plans for the project) be introduced. The motion carried.

#### HB 2650 - Concerning the State Board of Agriculture; relating to the authority of the board

Secretary Sam Brownback appeared before the Committee in support of HB 2650 and reviewed Attachment 1. Seeing that there were no questions, the Chairman closed the hearing on HB 2650.

#### HB 2873 - Concerning the State Fair Board; authorizing certain change funds and prescribing limitations and procedures therefor

Representative George Dean introduced Elmer Denning, the Assistant General Manager of the State Fair. Mr. Denning reviewed Attachment 2, noting that the \$3,000 limitation on the imprest fund prevents Fair personnel from getting sufficient change, particularly on weekends.

#### SB 731 - An act concerning the imprest fund of the Secretary of State

John Wine appeared before the Committee in support of SB 731. He stated that the Legislative Post Audit Committee had recommended that the imprest fund be increased from \$4,000 to \$10,000 for the timely processing of refunds.

#### SB 746 - Creates the Secretary of State's legal publications fee fund

John Wine distributed and reviewed Attachment 3, his testimony in support of SB 746. He noted that in reviewing the Secretary of State's budget, the subcommittee had recommended introduction of this legislation.

#### HB 2674 - KSU, donation of art objects to Deines Cultural Center

Representative R.D. Miller told the Committee that the intent of HB 2674 is strictly permissive. It gives KSU the authorization to work with the city of Russell to display the artwork of Mr. Deines.

Sue Peterson distributed Attachment 4. In answer to a question, she stated that KSU cannot return donated property without state permission.

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

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS  
 123-S 11:10 XX MARCH 20 90  
 room \_\_\_\_\_, Statehouse, at \_\_\_\_\_ a.m./p.m. on \_\_\_\_\_, 19\_\_

Senator Feleciano moved, Senator Allen seconded, that HB 2650, HB 2873, SB 731, SB 746, and HB 2674 be recommended favorable for passage. The motion carried on a roll call vote.

SB 638 - Rules and regulations for SRS mental retardation grants

Chairman Bogina noted that the hearing on this bill had been held, and action could be taken. Norm Furse, Revisor of Statutes, reviewed Attachment 5, a possible amendment that incorporates the rules and regulations of the Department of Social and Rehabilitation Services and some language from the mental health statutes. He stated that Mr. Goodell, Administrator of Community Mental Retardation Placements, SRS, had reviewed the language of the amendment and found no problems with it. Senator Hayden moved, Senator Winter seconded that SB 638 be amended to include Attachment 5. The motion carried.

Senator Feleciano moved and Senator Winter seconded that SB 638 as amended be recommended favorable for passage. The motion carried on a voice vote.

SB 662 - Sale of property used as a workshop for the blind

Chairman Bogina reminded the Committee that SB 662 authorizes the transfer of the property of the Kansas City workshop for the blind to a nonprofit organization to be used for an industry for the blind. He noted that the bill was amended in Committee on Feb. 23, 1990 to include a permanent reverter clause. As a point of clarification, Norm Furse noted the amendment reads "amend the existing reverter to require that it be continuously used as a workshop for the blind, operated by a charitable not for profit organization, and add a reverter clause so that after 10 years is up, if the property is no longer owned by a charitable not for profit organization, and used as a workshop for the blind, it reverts back to the state. "Although the owner of the industry had objected to the permanent reverter clause, the Committee agreed that the property belonged to the taxpayers of Kansas. Senator Winter moved, Senator Feleciano seconded, that SB 662 as amended be recommended favorable for passage. The motion carried on a roll call vote.

HB 2580 - Approval of projects and activities of state agencies for financing under Kansas Development Finance Authority Act.

Senator Feleciano moved, Senator Johnston seconded that HB 2580 be recommended favorable for passage. The motion failed.

The meeting was adjourned.



TESTIMONY BEFORE

THE

SENATE COMMITTEE ON WAYS AND MEANS

on

HOUSE BILL NO. 2650

by

SAM BROWNBACK  
SECRETARY OF AGRICULTURE

March 20, 1990

Thank you, Mr. Chairman, for the opportunity to appear before your Ways and Means Committee relative to House Bill 2650. Prior to my explanation of the need for this legislation I would like to introduce Mr. T. J. Bryam, our new State Statistician. T. J. is replacing Mr. Moe Johnson who retired last fall. The subject of HB 2650 greatly facilitates the work flexibility of T. J. Bryam and the Board's Statistical Division.

HB 2650 was requested for introduction by the Kansas State Board of Agriculture. This bill would establish a **no-limit** Special Revenue Fund in which fees for special statistical projects could be deposited and spent. This **no-limit** fund would allow the State Board of Agriculture's Statistical Division the flexibility to respond to the statistical needs of Kansas agriculture in a timely fashion when such statistical data is needed.

The Statistics Division of the State Board of Agriculture has the capability to provide information services to the Kansas agricultural community. However, with limited means

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Attachment 1

of reimbursement for these services it is possible to respond to only a few of the requests. Listed below are examples of special surveys conducted by the Statistics Division in recent years.

Livestock Grazing Survey	1986	KSU Extension Service
Food Processor Survey	1988	KSBA Marketing Division
Commercial Elevator Survey	1989	KSU Extension Service
Farm Opinion Survey	1989	KSU Extension Service
Farm Policy Survey	1989	KSU Extension Service

Due to the State Board of Agriculture's inability to accept funds from private and state entities, reimbursement for the expenses of these surveys was met through payment, in-kind, to Kansas Agricultural Statistics. Payment was normally made with paper and other printing supplies. This arrangement results in Kansas Agricultural Statistics absorbing costs such as computer time, data collection expenses, and equipment overhead and the being inhibited by expenditure limitation. Thus, if special projects were conducted, without expenditure limitation flexibility, then some other budgeted project would have to be eliminated or slighted.

We have been unable to respond fully to many special survey requests such as the assessment of drought conditions during the last two years. In February 1989, during the height of last year's dry spell, a major Kansas farm organization requested weekly surveys to monitor the effects of the drought on agriculture. Because of fund transfer problems, we opted for a less effective alternative that required no out-of-pocket expenditures.

The House Committee on Appropriations amended House Bill 2650 to ensure that the studies and surveys to be performed by the Statistical Division are performed for non-profit corporations or organizations for purposes related to the duties of the Statistical Division of the State Board of Agriculture. The State Board of Agriculture concurs with the House Committee's amendment and believes that it strengthens the intent of this proposed legislation.

Streamlining the fund transfer mechanism through this **No Limit Fee Fund** will allow the Statistics Division to better meet the data needs of Kansas agriculture as it strives to meet the challenges of the 90's.

Chairman, Senator Gus Bogina  
Senate Ways and Means Committee  
Tuesday, March 20, 1990, 11:00 a.m.  
State Capitol, Room 123S

RE: HB 2873  
ESTABLISHMENT OF CHANGE FUND AUTHORITY FOR KANSAS STATE FAIR

Background:

This legislation is a result of the financial compliance audit completed on Kansas State Fair agency May 17, 1989. This agency had been using funds from the State Fair Fee Fund and the Non Fair Days Fund to provide change funds as necessary to conduct business at times other than the annual state fair.

Existing legislation, K.S.A. 76-3073, imprest fund authority, is not adequate for this agency as the limit is \$3,000.

Request:

Amend K.S.A. 2-205 to allow the Kansas State Fair to establish change funds as needed from the State Fair Fee Fund and the Non Fair Days Fund, up to a maximum of \$15,000. This would be done from money on deposit in local bank accounts.

Financial Impact:

There is no financial affect on the agency's budget, as the change money will be secured from each fee fund as necessary and returned to that fund immediately at the end of the event.

NON FAIR DAYS FUND LANGUAGE IN K.S.A. 2-205

Also request minor wording changes in K.S.A. 2-205 in regard to the Non Fair Days Fund. Currently K.S.A. 2-205 implies that the State Fair establish a separate bank account for each Non Fair Days event. Agency is requesting that the legislation provide for one Non Fair Days Events bank account that would service all the Non Fair Days events.

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March 20, 1990  
Attachment 2

Bill Graves  
Secretary of State



2nd Floor, State Capitol  
Topeka, KS 66612-1594  
(913) 296-2236

## STATE OF KANSAS

TESTIMONY BEFORE THE SENATE WAYS AND MEANS COMMITTEE  
SENATE BILL NO. 746  
March 20, 1990

Senate Bill No. 746 would create a fee fund for the publication of *Kansas Session Laws*, *Kansas Administrative Regulations*, and the *Kansas Register*.

Last year the Legislature transferred to this office the duty of publishing the *Kansas Administrative Regulations*. Although we printed 1800 sets, rather than the 1600 sets ordered in previous years, demand exceeded supply. Because we spent the general fund appropriation to print the original order, we were unable to print additional sets. The proceeds from the sales went directly into the general fund and were not available without legislative appropriation.

This bill would provide that proceeds from the sale of these books would be deposited into the legal publications fee fund and we would be able to use the fund to make additional print orders. Although the general fund would not receive the proceeds, we would no longer need general fund appropriations to print the books. There would be no fiscal impact.

The *Kansas Session Laws* have a more predictable demand, but we have found it difficult to predict at the beginning of the budget cycle how many pages of legislation will be adopted the following year. Under the provisions of this bill, a large book would mean that the sale price would be set higher and the proceeds in the fund would pay for the higher printing costs.

The *Kansas Register* is already successfully published using a fee fund and its inclusion in the legal publications fee fund would provide greater stability for the fund.

The price for the *Kansas Session Laws* is currently set by rule and regulation and the *Kansas Register* sale price is currently fixed by this office. Under this bill the price for the *Kansas Administrative Regulations* would also be set by rule and regulation. The delivery charges for the *Kansas Statutes Annotated* would also be deposited into the legal publications fee fund.

This office encourages the committee to recommend Senate Bill No. 746 favorably for passage.

John Wine, Assistant Secretary of State

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March 20, 1990  
Attachment 3

KANSAS State University does NOT oppose  
HB2674 AND will work with the city of Russell  
to return the art work.

SUSAN PETERSON  
on behalf of  
KANSAS State University

SWAM  
March 20, 1990  
Attachment 4





"FEBRUARY MAGIC"

OTHER ARTISTS WHOSE WORKS WILL BE INCLUDED IN DEINES GIFT

F. E. Warren  
Elise Hoelzel  
Birger Sandzain  
Asa Heifitz  
John Taylor Arms  
Wilmouski  
Fred Geary  
Thomas Birwick  
John Buckland  
Valerio  
Clara Langton  
Ferdie Warren  
Stan Wengenroth  
Lugi Lucioni  
W. G. Phillips  
Martin Hardie  
Hans A. Mueller  
C P U  
Leo Meissner  
Hedley Felton

E. Hubert Deines

What is an original print?

An original print is a work of graphic art. The artist alone has made the image in or upon the plate, stone, woodblock or other material, for the purpose of creating a work of graphic art. The impression is made directly from that original piece of material by the artist or pursuant to his directions. Unless otherwise impossible his signature appears on the print.

- |                                        |                                                                   |
|----------------------------------------|-------------------------------------------------------------------|
| ✓1. A Kansas Landmark                  | ✓23. Mother's Horseshoe Geranium                                  |
| ✓2. Americana                          | ✓24. November Recessional                                         |
| ✓3. Artist Study                       | ✓25. Necessity for Bread                                          |
| ✓4. Autumn Tone Poem                   | ✓26. Ode to Morning                                               |
| ✓5. Cathedral Plaza                    | ✓27. Oil Builders of Progress                                     |
| ✓6. Crockery Woman                     | ✓28. On Your Toes                                                 |
| ✓7. Calles de Hidalgo                  | ✓29. Old Missouri Grister                                         |
| ✓8. Deserted Neighborhood              | ✓30. Pippins Coming Down                                          |
| ✓9. Explorers                          | ③1. Prairie Phenomenon                                            |
| ⑩. February Magic ✓                    | ✓32. Prometheus                                                   |
| ✓11. Flower Market                     | ③3. Phantoms of Drought ✓                                         |
| ✓12. Fabulous Episode                  | ③4. Primitive Mother ✓                                            |
| ✓13. Flower of Westport                | ✓35. Renascence                                                   |
| ✓14. Fond Memory's Grove               | ✓36. Rustic Interlude                                             |
| ✓15. Gathering Summers Bounty          | ③7. Shrine of the Virgin ✓                                        |
| ✓16. Grassland Rhapsody                | ③8. Stillness, Brush Creek ✓                                      |
| ✓17. Harmonies & Sentimental Motif     | ✓39. The Good Samaritan                                           |
| ✓18. House of Pioneer                  | ④0. The Passing of the Leaves ✓                                   |
| ⑩9. Light and Shadow Transformations ✓ | ✓41. Tobacco Country                                              |
| ✓20. Joy on Kaw Valley Loam            | ✓42. Woman of Guadalupe                                           |
| ✓21. Monody of Evening                 | ✓44. Maria Chapdelaine Series<br>(12 unpublished wood engravings) |
| ✓22. Mark Twain Boyhood Home           |                                                                   |

Please Note:

The circled works are on permanent display at Kansas State University.



### ABOUT THE ARTIST

E. Hubert Deines (1894-1967) was born in a rural section of central Kansas, near Russell. Before any kind of public instruction was available to him—at preschool age, he was enthusiastically making drawings of things imaginary or observed in a rustic scene. Later on, after the usual educational courses, he attended for several years, the Kansas City Art Institute and School of Design at Kansas City, Missouri. This art study period was interrupted during World War I by military service. After serving overseas with the 109th Engineers of the 34th Division, and under a special government arrangement for qualified servicemen, some time was spent in Paris, France, studying at the famous Julian Academy.

On returning to the United States he held a position for twelve years on the art staff of a metropolitan daily newspaper. Following newspaper work he established himself in a studio in the old, historic Westport district of Kansas City, Missouri, where for several years he carried on some book and magazine work that required both typographical knowledge and artistic execution. During these commercial assignments a long-desired ambition was also undertaken—to enter the field of the fine arts. And as printmaking had always been more or less the shining goal, after many experiments in various media, gradually—by self-taught methods, wood engraving became the principal incentive.

Since then, many rewards have come in the form of fine recognition and pleasant associations. Invited by the Edward MacDowell Association of New York—its Admissions Committee, and qualifying for studio residence periods three different years in the 1940's, he worked in the MacDowell Colony at Peterborough, New Hampshire. There in unusually beautiful surroundings, in an ideal and inspiring atmosphere—among artists, writers and composers, he produced some of his best-known examples of wood engraving. Twice—in 1955 and again in 1961, he was awarded Fellowship grants at the Huntington Hartford Foundation at Pacific Palisades, California. Earlier in his career, along with two other artists of national reputation, he was invited to act as a member of a Regional Jury to select graphic art for the World's Fair, held in New York in 1939. He has exhibited widely, in this country and occasionally abroad. His work may be found in the permanent print collections of established national museums—in the Library of Congress and other equally large repositories. He is represented in the book "American Prize Prints of the 20th Century," by Albert Reese. Further information concerning awards, and biographical data, can be found in "Who's Who in American Art," R. R. Bowker Company, Publishers, New York; "Who's Who in the Midwest," "Who's Who in America," by A. N. Marquis Company, Publishers, Chicago, Illinois.

E. Hubert Deines was an active member of the following art groups and national organizations: The Society of American Graphic Artists, Inc.; National Arts Club, New York; Philadelphia Water Color Club (Print Section), Philadelphia, Pennsylvania; Prairie Print Makers, Chicago, Illinois; The Print Club of Albany, Inc., Albany, New York; National Academy of Design, New York; Hunterdon County Art Center, Clinton, New Jersey; The American Institute of Graphic Arts, New York; Salmagundi Club, New York; Audubon Artists, New York; etc.



Flowers of Westport

Reproduced by permission of  
the E. Hubert Deines Family

E. Hubert Deines

Proposed Amendment to Senate Bill No. 638

On page 1, in line 13, following "1." by inserting "(a)"; in line 15, by striking all after the period; by striking all of lines 16 and 17 and inserting in lieu thereof the following: "These grants are for the purpose of expanding the availability of noninstitutional services for persons with mental retardation or developmental disabilities, or both, and shall be awarded through a request for proposal process for programs determined to be priority programs by the secretary in accordance with criteria established by rules and regulations.

(b) Only community mental retardation centers established pursuant to K.S.A. 19-4001 to 19-4015, inclusive, and amendments thereto, or agencies with affiliation agreements with these centers that have been approved by the secretary, and that have been licensed in accordance with the provisions of K.S.A. 75-3307b and amendments thereto, shall be eligible to receive special purpose grant funding. The secretary may also use moneys for grants under this section to purchase services from providers that have not been established pursuant to K.S.A. 19-4001 to 19-4015, inclusive, and amendments thereto, and have not been licensed in accordance with the provisions of K.S.A. 75-3307b and amendments thereto if these services allow the diversion or discharge of persons 18 years or younger from state mental retardation hospitals.

(c) Community mental retardation centers and other entities

*SWAM*  
*March 20, 1990*  
*Attachment 5*

eligible for grants under subsection (b) may apply to the secretary for such grants in the manner specified by the secretary. Applications shall contain such information as may be required by the secretary and shall be submitted by a date and time specified by the secretary.

(d) The secretary may make grants to centers and other entities eligible for such grants under this section on the basis of a written commitment by recipients to provide priority programs and on the basis of the number of eligible program units to be provided by the grant recipient.

(e) The secretary may enter into contracts as necessary to administer the provisions of this section.";