

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chair Melvin Neufeld at 9:00 a.m. on February 11, 2003, in Room 514-S of the Capitol.

All members were present except:

Committee staff present:

- Alan Conroy, Legislative Research Department
- J. G. Scott, Legislative Research Department
- Becky Krahl, Legislative Research Department
- Amy VanHouse, Legislative Research Department
- Julian Efird, Legislative Research Department
- Jim Wilson, Revisor of Statutes
- Mike Corrigan, Revisor of Statutes
- Nikki Feuerborn, Administrative Analyst
- Sue Fowler, Committee Secretary

Conferees appearing before the committee: Deb Duncan, Kansas Animal Health Department

Others Attending: See Attached

Representative Pottorff moved for the introduction of legislation regarding capital improvement inspections as requested by the Department of Administration. Motion was seconded by Representative Minor. Motion carried.

Representative Shultz moved for the introduction of legislation regarding higher education funding to continue the county portion of out-of-district tuition in FY 2004. The motion was seconded by Representative Shriver. Motion carried.

Representative Nichols moved for the introduction of legislation to amend the state employees suggestion program. Motion was seconded by Representative Minor. Motion carried.

Jim Garner, Acting Secretary of Human Resources, appeared before the Committee and requested introduction of legislation for an Economic Security Advisory Council (Attachment 1).

Representative Feuerborn moved for the introduction of legislation regarding the Economic Security Advisory Council. Motion was seconded by Representative Pottorff. Motion carried.

Representative Landwehr moved the minutes of January 22, 23 and 29, 2003, be approved as presented. Motion was seconded by Representative Huebert. Motion carried.

Alan Conroy, Director of Legislative Research Department, presented a report on the State General Fund (SGF) Receipts, July through January, FY 2003 (Attachment 2).

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Wildlife and Parks for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with an adjustment (Attachment 3). Motion was seconded by Representative Gatewood. Motion carried.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Department of Wildlife and Parks for FY 2004 and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustments (Attachment 3). Motion was seconded by Representative Gatewood.

The Committee discussed the wisdom of using a proviso to control the use of water storage by the Department of Wildlife and Parks or if it should be channeled through the agencies that control water. It was explained

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS at 9:00 a.m. on February 11, 2003,  
in Room 514-S of the Capitol.

that the Cedar Bluff Reservoir and the storage conservation pool could not support human consumption and would be lowered to a level that the reservoir could not sustain recreational activity, as it is not rechargeable at the rate of consumption (Attachment 4). The evaporation rate is six feet per year and the recharge rate is approximately 18 inches, so it is not a renewable source except under flood conditions. The problem and on-going negotiations of homeowners around the reservoir being denied access to consumable water was acknowledged.

Representative Shriver moved for the removal of Item 3 in the budget recommendations for the Department of Wildlife and Parks for FY 2004. Motion was seconded by Representative Feuerborn. Motion failed

Representative Schwartz renewed her motion for the adoption of the Budget Committee recommendations for the Department of Wildlife and Parks FY 2004 (Attachment 3). Motion was seconded by Representative Gatewood.

Representative Nichols made a substitute motion to amend the report by adding a request that a copy of this section of the Budget Report be sent to Department of Transportation. Motion was seconded by Representative Gatewood. Motion carried.

Representative Schwartz renewed her motion and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustments as amended (Attachment 3). Motion was seconded by Representative Gatewood. The motion carried. Representative Shriver asked to be recorded as voting "no".

The Committee requested the Budget Committee for the Department of Wildlife and Parks review the proviso of past years which stated that persons entering parks at night without paying entrance fees were given the option of being ticketed or purchasing a yearly permit. This option was due to sunset and the Secretary of Wildlife and Parks requested an additional year before a permanent ruling was made.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Department of Agriculture for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 with an adjustment (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

Representative Schwartz, Chairperson of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Department of Agriculture for FY 2004 and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustment and notations (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

The Committee discussed Wholesale Meter Testing, Item 4. Representative Schwartz clarified if the meters that measure the fuel being delivered are not in compliance, then the person receiving the fuel is billed for fuel they never received. In bringing the meters into compliance by testing, this over billing is being reduced.

Representative Gatewood, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Animal Health Department for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 3). Motion was seconded by Representative Schwartz. Motion carried.

Representative Gatewood, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas Animal Health Department for FY 2004 and moved for the adoption of the Budget Committee recommendations for FY 2004 with adjustments and notations (Attachment 3). Motion was seconded by Representative Osborne.

The Committee discussed Item 3 and questioned why the fees were raised on individual per animal through required vaccinations, but reduced the pound fee for municipalities. The committee challenged the Budget Committee's recommendation that a reduction of pound fees in municipalities from \$200 to \$150 would be an incentive for the city to provide a pound.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS at 9:00 a.m. on February 11, 2003,  
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Representative Gatewood deferred to Deb Duncan, Kansas Animal Health Department. She reported that for three years there was no required state-wide rabies vaccinations, leaving the requirement and enforcement up to the local communities. Ms. Duncan recommended either a one-year or a two-year vaccination requirement leaving that decision to the communities. She suggested that the state follow the rabies compendium which is a three-year vaccination program.

Representative Landwehr moved to remove the Budget Committee's recommendation found in Item 3 to introduce a bill relating to vaccination of cats, dogs and ferrets. Motion was seconded by Representative Light. Motion failed.

Representative Gatewood renewed his motion to adopt the Budget Committee recommendations for FY 2004 with adjustments and notations as amended (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

Representative Osborne, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Fair Board for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 3). Motion was seconded by Representative Gatewood. Motion carried.

Representative Osborne, Member of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the Kansas State Fair for FY 2004 and moved for the adoption of the Budget Committee recommendations with notations for FY 2004 (Attachment 3). Motion was seconded by Representative Gatewood. Motion carried.

The committee discussed the State Fairgrounds grandstand seating plan which the U.S. District Court in Shawnee County and the State ADA coordinator agreed met with the ADA requirement, however the United States District Court in Wichita held the plan does not comply with the ADA. The US District Court's ruling has been appealed by the State to the Tenth Circuit Court of Appeals in Denver.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Conservation Commission for FY 2003 and moved for the adoption of the Budget Committee recommendations for FY 2003 (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

Representative Schwartz, Chair of the Agriculture and National Resources Budget Committee, presented the Budget Committee report on the Governor's budget recommendations for the State Conservation Commission for FY 2004 and moved for the adoption of the Budget Committee recommendations with adjustments and notations for FY 2004 (Attachment 3). Motion was seconded by Representative Osborne.

Representative Nichols made a substitute motion to amend the report by inserting proviso language that any unencumbered balance in the specified State Water Plan Fund line item in excess of \$100 be reappropriated. (Item 1, last sentence). Motion was seconded by Representative Howell. Motion carried.

Representative Schwartz renewed her motion to adopt the Budget Committee recommendations with adjustments and notations for FY 2004 as amended (Attachment 3). Motion was seconded by Representative Osborne. Motion carried.

The meeting was adjourned at 10:55 a.m. The next meeting is scheduled for February 12, 2003.

  
Melvin Neufeld, Chair

APPROPRIATIONS COMMITTEE GUEST LIST

DATE: February 11, 2003

NAME	REPRESENTING
<del>Tom Bruno</del>	GSBA
Lucas Bell	Rep. Neufeld's office
MAX FOSTER	DEPT OF AGRICULTURE
Mack Heim	Conservation Commission
Tracy Streeter	" "
Debra Duncan	Animal Health
Dick Koerth	KDWP
Chris Tymeson	KDWP
Joe Furd	KWO
Ron Allen	Pawnee w/s District
Yvonne Schmitt	Pawnee watershed District
Mary Thomas	DOFA
JOE FRITTON	DOFA
Mickel White	Kearney & Associates
Jim Garner	KDHR - Sec'y
A.J. Kitch	KDNR -
Sharon Ringler	St Francis Academy
Keth Bradshaw	Budget

4 **HOUSE BILL No.**

5  
6 By

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8 2-  
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10  
11 AN Act concerning the Kansas Wage Payment Act; relating to the  
12 definition of Employer and personal liability; amending K.S.A. 44-  
13 313; K.S.A. 44-323 and repealing the existing sections.  
14

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

16 Section 1. K.S.A. 44-313 is hereby amended to read as follows:

17 44-313. **Definitions.** As used in this act: (a) "Employer" means any  
18 individual, partnership, association, joint stock company, trust,  
19 corporation, *limited liability company or other organization*, the  
20 administrator or executor of the estate of a deceased individual, or  
21 the receiver, trustee, or successor of any of the same, the state of  
22 Kansas or any department, agency or authority of the state, any city,  
23 county, school district or other political subdivision, municipality or  
24 public corporation and any instrumentality thereof, employing any  
25 person.

26 (b) "Employee" means any person allowed or permitted to work by  
27 an employer.

28 (c) "Wages" means compensation for labor or services rendered by  
29 an employee, whether the amount is determined on a time, task,  
30 piece, commission or other basis less authorized withholding and  
31 deductions.

32 (d) "Secretary" means the secretary of human resources.

33 Sec. 2. K.S.A. 44-323 is hereby amended to read as follows:

34 K.S.A. 44-323. **Assessment of interest; who deemed employer.** (a)  
35 At the discretion of the presiding officer, interest, as provided under  
36 K.S.A. 16-201, and amendments thereto, may be assessed on wage  
37 claims found to be due and owing from the date wages were due as  
38 defined in K.S.A. 44-434, and amendments thereto.

39 (b) ~~In case of violation of K.S.A. 44-314, and amendments thereto~~  
40 ~~or 44-315, and amendments thereto, by a corporate employer, either~~  
41 ~~the corporation or any officer thereof or any agent having the~~  
42 ~~management of the corporation who knowingly permits the~~  
43 ~~corporation to engage in such violation shall be deemed the~~  
44 ~~employer for the purposes of this act. Any officer, manager, major~~  
45 ~~stockholder, or any other person who has charge of the affairs of an~~

HOUSE APPROPRIATIONS

DATE 2-11-03  
ATTACHMENT 1

1 *employer, and who knowingly permits the employer to engage in*  
2 *violations of K.S.A. 44-314, and amendments thereto, or K.S.A. 44-*  
3 *315, and amendments thereto, may be deemed the employer for*  
4 *purposes of this act.*

5 Sec. 3. K.S.A. 44-313 and K.S.A. 44-323 are hereby repealed.

6 Sec. 4. This act shall take effect and be in force from and after  
7 its publication in the statute book.  
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Proposal to amend the Kansas Wage Payment Act re: definition of employer

“44-313. **Definitions.** As used in this act: (a) “Employer” means any individual, partnership, association, joint stock company, trust, corporation, *limited liability company or other organization*, the administrator or executor of the estate of a deceased individual, or the receiver, trustee, or successor of any of the same, the state of Kansas or any department, agency or authority of the state, any city, county, school district or other political subdivision, municipality or public corporation and any instrumentality thereof, employing any person.”

Comment:

This amendment will modernize the definition of employer in the Kansas Wage Payment Act to insure that the law applies equally across the board to protect all Kansas employees, including employees of limited liability companies (LLCs) and other types of organization that are now very common, but did not exist at all when the wage payment law was first enacted in 1973. The Kansas Supreme Court has ruled that the current definition of employer is not broad enough to automatically protect employees of these newfangled organizations. See Matjasich and Hason v. Kansas Dept. of Human Resources 271 Kan. 246, 21 P.3d 985 (April 20, 2001).

Proposal to amend the Kansas Wage Payment Act re: personal liability

“44-323. Assessment of interest; who deemed employer.

(b) ~~In case of violation of K.S.A. 44-314, and amendments thereto or 44-315, and amendments thereto, by a corporate employer, either the corporation or any officer thereof or any agent having the management of the corporation who knowingly permits the corporation to engage in such violation shall be deemed the employer for purposes of this act. Any officer, manager, major shareholder, or other person who has charge of the affairs of an employer, and who knowingly permits the employer to engage in violations of K.S.A. 44-314, and amendments thereto, or 44-315, and amendments thereto, may be deemed the employer for purposes of this act.”~~

Comment:

This proposal updates the personal liability section of the wage payment act so it would apply across the board to all business entities, including Limited Liability Companies (LLCs) and other new kinds of organizations that did not exist when the wage payment law was enacted in 1973. The current law is inequitable because it applies only to corporations.



# KANSAS LEGISLATIVE RESEARCH DEPARTMENT

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February 5, 2003

To: Legislative Budget Committee

## STATE GENERAL FUND (SGF) RECEIPTS July through January, FY 2003

This is the third month of experience under the revised estimate of SGF receipts in FY 2003 made by the Consensus Estimating Group On November 5, 2002. The figures in both the "Estimate" and "Actual" columns under FY 2003 on the following table include actual amounts received in July-October. That means that this report deals mainly with the difference between estimated and actual receipts in November through January.

**Total receipts through January of FY 2003 were \$6.2 million or 0.3 percent above the estimate (but see the note regarding SGF transfers). The component of SGF receipts from taxes only was \$31.9 million or 1.3 percent below the estimate. Total SGF taxes only at the end of December, were \$25.1 million or 1.2 percent below the estimate.**

The only tax that exceeded the estimate by more than \$1.0 million was natural gas severance tax, although oil severance taxes were \$0.7 million below the estimate, for combined severance tax receipts of a positive \$0.7 million. Taxes falling below the estimate by more than \$1.0 million were corporation income (\$17.8 million or 37.9 percent), individual income (\$8.9 million or 0.8 percent), retail sales (\$3.2 million or 0.3 percent), estate (\$3.1 million or 9.9 percent), and compensating use (\$2.3 million or 1.7 percent).

Net transfers out of the SGF were \$34.8 million less than the estimate. The estimate assumed that in January two transfers from the SGF totaling \$31.2 million would be made, one to the Local Ad Valorem Tax Reduction Fund (\$26.2 million) and the other to the Special City-County Highway Fund (\$5.0 million). Because of Governor Graves' allotment or reduction of SGF expenditures in November 2002, these two revenue transfers in January were not made. **The net result of not making these two transfers out of the SGF has a positive impact on total SGF receipts by \$31.2 million.** As a reminder, in December the County-City Revenue Sharing Fund payment of \$16.7 million also was not made because of the allotment process. So, for the two months, net transfers out of the SGF are approximately \$48.0 million less than had been estimated. Interest earnings exceed the estimate by \$1.4 million and agency earnings exceeded the estimate by \$1.9 million.

Total SGF receipts through January of FY 2003 were \$96.7 million or 4.2 percent above FY 2002 for the same period. **Tax receipts only for the same period exceeded FY 2002 by \$82.0 million or 3.5 percent.**

This report excludes the July 1 deposit to the SGF of \$450.0 million pursuant to the issuance of a certificate of indebtedness. This certificate will be discharged prior to the end of the fiscal year.

HOUSE APPROPRIATIONS

DATE 2-11-03  
ATTACHMENT 2

**STATE GENERAL FUND RECEIPTS**  
**July-Jan, FY 2003**  
(dollar amounts in thousands)

	Actual FY 2002	FY 2003			Percent Increase-- FY 2003 Over	
		Estimate*	Actual	Difference	FY 2002	Estimate
Property Tax:						
Motor Carriers	\$ 11,829	\$ 10,050	\$ 10,945	\$ 895	(7.5) %	8.9 %
Income Taxes:						
Individual	\$ 1,092,957	\$ 1,073,000	\$ 1,064,097	\$ (8,903)	(2.6) %	(0.8) %
Corporation	34,713	47,000	29,197	(17,803)	(15.9)	(37.9)
Financial Inst.	13,392	15,000	14,986	(14)	11.9	(0.1)
Total	\$ 1,141,063	\$ 1,135,000	\$ 1,108,280	\$ (26,720)	(2.9) %	(2.4) %
Estate/Inher Tax	\$ 32,958	\$ 31,500	\$ 28,377	\$ (3,123)	(13.9) %	(9.9) %
Excise Taxes:						
Retail Sales	\$ 876,707	\$ 945,000	\$ 941,761	\$ (3,239)	7.4 %	(0.3) %
Comp. Use	142,395	133,500	131,190	(2,310)	(7.9)	(1.7)
Cigarette	28,470	76,600	77,157	557	171.0	0.7
Tobacco Prod.	2,500	2,650	2,670	20	6.8	0.8
Cereal Malt Bev.	1,420	1,535	1,363	(172)	(4.0)	(11.2)
Liquor Gallonage	8,589	9,075	8,871	(204)	3.3	(2.2)
Liquor Enforce.	19,936	22,400	23,288	888	16.8	4.0
Liquor Dr. Places	3,504	3,975	3,939	(36)	12.4	(0.9)
Corp. Franchise	6,933	9,600	9,695	95	39.8	1.0
Severance	36,693	35,850	36,501	651	(0.5)	1.8
Gas	27,822	26,100	27,473	1,373	(1.3)	5.3
Oil	8,871	9,750	9,027	(723)	1.8	(7.4)
Total	\$ 1,127,148	\$ 1,240,185	\$ 1,236,435	\$ (3,750)	9.7 %	(0.3) %
Other Taxes:						
Insurance Prem.	\$ 25,059	\$ 34,000	\$ 34,216	\$ 216	36.5 %	0.6 %
Miscellaneous	583	1,800	2,357	557	304.3	30.9
Total	\$ 25,642	\$ 35,800	\$ 36,573	\$ 773	42.6 %	2.2 %
<b>Total Taxes</b>	<b>\$ 2,338,639</b>	<b>\$ 2,452,535</b>	<b>\$ 2,420,610</b>	<b>\$ (31,925)</b>	<b>3.5 %</b>	<b>(1.3) %</b>
Other Revenue:						
Interest	\$ 28,096	\$ 11,200	\$ 12,561	\$ 1,361	(55.3) %	12.2 %
Transfers (net)	(112,073)	(117,025)	(82,208)	34,817	(26.6)	29.8
Agency Earnings and Misc.	31,378	29,850	31,793	1,943	1.3	6.5
<b>Total</b>	<b>\$ (52,599)</b>	<b>\$ (75,975)</b>	<b>\$ (37,855)</b>	<b>\$ 38,120</b>	<b>(28.0) %</b>	<b>50.2 %</b>
<b>TOTAL RECEIPTS</b>	<b>\$ 2,286,040</b>	<b>\$ 2,376,560</b>	<b>\$ 2,382,755</b>	<b>\$ 6,195</b>	<b>4.2 %</b>	<b>0.3 %</b>

\* Consensus estimate as of November 5, 2002.

**NOTES:** Details may not add to totals due to rounding. Excludes \$450 million to SGF due to the July 1, 2002, issuance of a certificate of indebtedness.

Kansas Legislative Research Department  
February 5, 2003

FY 2003 and FY 2004

AGRICULTURE AND NATURAL RESOURCES

Department of Wildlife and Parks  
Department of Agriculture  
Animal Health Department  
Kansas State Fair  
State Conservation Commission  
Kansas Water Office


  
Representative Sharon Schwartz, Chairperson

  
Representative Vaughn Flora

  
Representative Doug Gatewood

  
Representative Carl Holmes

  
Representative Vern Osborne

  
Representative Larry Powell

  
Representative Tom Thull

HOUSE APPROPRIATIONS

DATE 2-11-03  
ATTACHMENT 3

## House Budget Report

**Agency:** Kansas Department of Wildlife and Parks

**Bill No.**

**Bill Sec.**

**Analyst:** Efird

**Analysis Pg. No.** 86

**Budget Page No.** 451

Expenditure Summary	Agency Est. FY 03	Governor's Recommendation FY03	Budget Adjustments
State Operations	\$ 35,814,301	\$ 35,714,560	\$ 0
Aid to Local Units	1,435,000	1,435,000	0
Other Assistance	0	0	0
Subtotal--Operating	\$ 37,249,601	\$ 37,149,560	\$ 0
Capital Improvements	12,042,216	12,042,216	0
TOTAL	<u>\$ 49,291,817</u>	<u>\$ 49,191,776</u>	<u>\$ 0</u>
State General Fund	\$ 3,320,835	\$ 3,190,794	\$ 0
All Other Funds	45,970,982	46,000,982	0
TOTAL	<u>\$ 49,291,817</u>	<u>\$ 49,191,776</u>	<u>\$ 0</u>
FTE Positions	406.5	406.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
TOTAL	<u>406.5</u>	<u>406.5</u>	<u>0.0</u>

### Agency Est./Governor's Recommendation

The agency's revised FY 2003 budget includes State General Fund (SGF) financing of \$3,285,963, a net reduction of \$47,420 from the approved amount. The Kansas Saving Incentive Program (KSIP) money reduces the effect of the allotment on operating expenditures by adding back \$23,148 after a reduction of \$70,568 in the August allotment, producing a net reduction of \$47,420 in operating SGF financing. (excluding SGF capital improvement project funding of \$34,872 reappropriated for the Crawford State Lake project that was previously approved). For all other funds, the agency revised budget reflects a reduction of \$459,763 from the approved amount of \$34,375,401 for operating expenditures.

The Governor's FY 2003 recommended budget includes the agency's adjustments (incorporating the August allotment of \$70,568) and also includes the November allotment of \$130,041 that further reduces SGF financing for operating expenditures by a net of \$177,461. The Governor's recommendation allows SGF reductions of \$30,000 for operating expenses to be offset by increased spending of \$30,000 from the Wildlife Fee Fund in FY 2003 and of \$23,148 in the KSIP account. The remaining \$100,041 SGF is reduced without allowance for offsetting increases in fee funds, with a \$25,000 reduction for temporary employees, \$45,041 for shrinkage, and \$30,000 for capital outlay. For all other funds, the Governor's recommended budget includes a net reduction of \$381,763 in operating expenditures.

## **Budget Committee Recommendation**

The Budget Committee concurs with the Governor's FY 2003 recommendations and adds the following adjustment:

1. Modify an FY 2003 proviso regarding land acquisition on the Kansas River in order to exempt the municipality of St. George from a requirement for the Secretary of Wildlife and Parks to obtain permission of area landowners before acquiring property for river access.

# House Budget Report

**Agency:** Kansas Department of Wildlife and Parks

**Bill No.**

**Bill Sec.**

**Analyst:** Efird

**Analysis Pg. No.** 86

**Budget Page No.** 451

Expenditure Summary	Agency Req. FY 04	Governor's Recommendation FY04	Budget Adjustments
State Operations	\$ 35,063,860	\$ 35,042,632	\$ 0
Aid to Local Units	1,585,000	1,585,000	0
Other Assistance	0	0	0
Subtotal--Operating	\$ 36,648,860	\$ 36,627,632	\$ 0
Capital Improvements	6,894,710	6,554,710	0
<b>TOTAL</b>	<b>\$ 43,543,570</b>	<b>\$ 43,182,342</b>	<b>\$ 0</b>
State General Fund	\$ 3,340,819	\$ 3,159,583	\$ 0
All Other Funds	40,202,751	40,022,759	0
<b>TOTAL</b>	<b>\$ 43,543,570</b>	<b>\$ 43,182,342</b>	<b>\$ 0</b>
FTE Positions	406.5	406.5	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>406.5</b>	<b>406.5</b>	<b>0.0</b>

## Agency Req./Governor's Recommendation

The agency's FY 2004 operating budget request includes a net reduction of \$600,741 in operations expenditures from the revised current fiscal year. SGF financing would increase \$54,856 and all other funds would decrease \$655,597. Reductions occur in all divisions except State Parks, with other operating expenses targeted for reductions. Salaries and wages reflect increased expenditures, with no staff reductions anticipated among full-time personnel or FTE positions. The agency also submitted a reduced resources package that includes an increase in shrinkage to reduce SGF salaries and benefits by 5.0 percent that would be offset by a corresponding \$166,480 increase in spending from the Parks Fee Fund in FY 2004.

The Governor concurs with the general reductions proposed by the agency and recommends a net reduce of \$521,928 in expenditures for operating expenses. The Governor's recommendations also include a reduction of \$170,008 SGF for shrinkage associated with the reduced resources package, and recommends a corresponding increase in expenditures from the Parks Fee Fund in FY 2004 to restore funding for staff salaries. In addition, the Governor adds back net operations funding of \$130,008 by reducing capital improvements financed from the Parks Fee Fund in order to fund most operating expenditures as requested in the agency's base budget. A net increase of \$3,661 is reflected in the FY 2004 SGF financing.

Under the Governor's FY 2004 **statutory budget recommendation** for this agency, the Governor's recommendation for the agency's SGF budget would have to be reduced by an additional \$665,149.

### **Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendations and makes the following adjustments:

1. Add a proviso regarding property acquisition on the Kansas River: During the fiscal year ending June 30, 2004, no expenditures shall be made from any moneys appropriated for the Department of Wildlife and Parks from the State General Fund or any special revenue fund for construction of any new river access on the Kansas River, unless (1) the Secretary of Wildlife and Parks has obtained the prior written permission for the proposed river access from each owner of each parcel of real property on the river which is immediately adjacent to the real property upon which the proposed river access project is to be constructed, and (2) if a parcel of any such immediately adjacent real property is being leased, then the Secretary also has obtained the prior written permission for the proposed new river access project from the lessor of such immediately adjacent real property. Projects in the municipalities of St. George, Edwardsville, Wamego and Topeka shall not be subject to this provision which also should be introduced as a bill. Recommend Omnibus review of this issue.
2. Recommend that the Secretary limit playa lakes and other wetlands purchases to property within 1.1 miles of state-owned property and to prohibit the pumping of groundwater into the playa lakes.
3. Add a proviso regarding Cedar Bluff Reservoir, That water in Cedar Bluff Reservoir under the control of the state of Kansas shall not be released for environmental, domestic, municipal, industrial, or irrigation purposes, except for operation of the Kansas Department of Wildlife and Parks facilities below the dam; Provided further, that the Kansas Water Office and the Kansas Department of Wildlife and Parks shall explore the possibility of transferring ownership and operation of all storage capacity in Cedar Bluff Reservoir currently held by the Kansas Water Office to the Kansas Department of Wildlife and Parks; Provided, however, that funds budgeted to the Kansas Water Office and the Department of Wildlife and Parks shall be used to pay for operation and maintenance of its storage capacity during the fiscal year ending June 30, 2004; and Further provided, that no transfer of land or water capacity at Cedar Bluff Reservoir shall take place during the fiscal year ending June 30, 2004, in order to allow a proposed Governor's task force to study the future of Cedar Bluff Reservoir and to present its study findings to the Legislature on or after January 12, 2004.
4. Recommend that the Governor consider sending a budget amendment on the proposed visitor center at the Cheyenne Bottoms Wildlife Area since no financing or expenditures were included in the Governor's FY 2004 *Budget Report*. The estimated cost of this project is \$1,999,264 and the announced source of financing would be from the Kansas Department of Transportation. An application was submitted for funding as a Transportation Enhancement Project,

and Governor Graves announced the award of financing on January 3, 2003. Suggest that any future awards follow established procedures by KDOT.

5. After hearing the agency report on cell phone and motor vehicle use and accepting the explanation of corrective measures undertaken.
6. Recommend introduction of a bill to prescribe a procedure to be followed when acquiring new land by purchase. The process would include the conduct of an economic impact study, provision to assure control of noxious weeds in conjunction with county weed offices and state law on acquired property, guarantee of a protest petition and public hearings on proposed land acquisitions, approval by the Legislature for all lands to be acquire by purchase, and payments in lieu of taxes for amounts comparable to surrounding lands tax payments.
7. Recommend that the Secretary explore leasing rather than purchasing lands for public use and to report on the costs/benefits of each method of securing public access to hunting, fishing and other recreational areas after January 12, 2004.
8. Recommend that the Secretary increase efforts to control noxious weeds on property owned by the agency, and that sufficient financial resources be dedicated to the efforts.



## House Budget Committee Report

**Agency:** Department of Agriculture

**Bill No.** 2026

**Bill Sec.** 33

**Analyst:** VanHouse

**Analysis Pg. No.** 3

**Budget Page No.** 45

Expenditure Summary	Agency Estimate FY 2003	Governor's Recommendation FY 2003	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 21,700,480	\$ 21,602,226	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 21,700,480</u>	<u>\$ 21,602,226</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 21,700,480</u></u>	<u><u>\$ 21,602,226</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 9,767,802	\$ 9,385,304	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 9,767,802</u>	<u>\$ 9,385,304</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 9,767,802</u></u>	<u><u>\$ 9,385,304</u></u>	<u><u>\$ 0</u></u>
FTE Positions	300.5	300.5	(4.0)
Non FTE Uncl. Perm. Pos.	18.0	17.0	0.0
<b>TOTAL</b>	<u><u>318.5</u></u>	<u><u>317.5</u></u>	<u><u>(4.0)</u></u>

### Agency Estimate/Governor's Recommendation

**The Department of Agriculture estimates** \$21,700,480 for FY 2003 operating expenditures which is an increase of \$249,779 (1.2 percent) from the amount approved by the 2002 Legislature. The amount includes \$9,767,802 from the State General Fund, which is a decrease of \$206,353 (2.1 percent) from the approved amount and \$11,932,678 from all other funds, which is an increase of \$456,132 (4.0 percent) from the approved amount. The estimate includes \$14,159,436 for salaries and wages to fund 300.5 FTE positions. The estimate also includes \$9,050,601 in contractual services, \$325,887 in commodities, and \$164,556 in capital outlay. The agency estimate includes an expenditure increase for the USDA Speciality Crop Grant received by the agency in FY 2002 and fee fund reductions totaling \$297,113. The estimate also includes the Governor's August 15, 2002 allotment (reduction) of \$206,353 from the State General Fund.

**The Governor recommends** \$21,602,226 for FY 2003 operating expenditures which is an increase of \$151,525 (0.7 percent) from the amount approved by the 2002 Legislature. The amount

includes \$9,385,304 from the State General Fund, which is a decrease of \$588,851 (5.9 percent) from the approved amount and \$12,216,922 from all other funds, which is an increase of \$740,376 (6.5 percent) from the approved amount. The recommendation includes \$14,094,967 for salaries and wages to fund 300.5 FTE positions. The recommendation also includes \$7,016,816 in contractual services, \$325,887 in commodities, and \$164,556 in capital outlay. The recommendation includes the Governor's allotments (reductions) totaling \$588,851 with \$206,353 from August and \$382,498 from November. Of the November allotment, \$220,707 was offset by expenditure increases in agency fee funds and \$161,791 was deducted from the agency's operating budget.

### **House Committee Recommendation**

The House Committee concurs with the Governor's recommendation with the following adjustment:

1. The agency reported that 4.0 FTE positions are currently being left unfunded to meet the Governor's 3.9 percent reduction in FY 2003. The average days these positions have been vacant is 370 days. The Committee recommends that the FTE count for this agency be reduced by 4.0 positions.

## House Budget Committee Report

**Agency:** Department of Agriculture

**Bill No. --**

**Bill Sec. --**

**Analyst:** VanHouse

**Analysis Pg. No. 3**

**Budget Page No. 45**

<u>Expenditure Summary</u>	<u>Agency Request FY 2004</u>	<u>Governor's Recommendation FY 2004</u>	<u>House Budget Committee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 20,405,178	\$ 19,782,736	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 20,405,178</u>	<u>\$ 19,782,736</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 20,405,178</u></u>	<u><u>\$ 19,782,736</u></u>	<u><u>\$ 0</u></u>
<b>State General Fund:</b>			
State Operations	\$ 9,385,304	\$ 9,406,284	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 9,385,304</u>	<u>\$ 9,406,284</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 9,385,304</u></u>	<u><u>\$ 9,406,284</u></u>	<u><u>\$ 0</u></u>
FTE Positions	301.5	300.5	(4.0)
Non FTE Uncl. Perm. Pos.	17.0	16.0	0.0
<b>TOTAL</b>	<u><u>318.5</u></u>	<u><u>316.5</u></u>	<u><u>(4.0)</u></u>

### Agency Request/Governor's Recommendation

**The Department of Agriculture requests** \$20,405,078 for FY2004 operating expenditures which is a decrease of \$1,295,302 (6.0 percent) from the FY 2003 estimate. The request includes \$9,912,212 from the State General Fund, which is an increase of \$144,410 (1.5 percent), and \$10,492,866 from all other funds, which is a decrease of \$1,439,812 (12.1 percent) from the FY 2003 estimate. The request includes \$14,436,294 for salaries and wages to fund 300.5 FTE positions. The request also includes \$5,523,451 in contractual services, \$291,584 in commodities, and \$153,849 in capital outlay. The request includes an enhancement package totaling \$221,953 from all funds including \$170,023 from the State Water Plan Fund.

**The Governor recommends** \$19,782,736 for FY 2004 operating expenditures which is a decrease of \$1,819,490 (8.4 percent) FY 2003 recommendation. The recommendation includes \$9,406,284 from the State General Fund, which is an increase of \$20,980 (0.2 percent) from the FY 2003 recommendation, and \$10,376,452 from all other funds, which is a decrease of \$1,840,470

(15.1 percent) from the FY 2003 recommendation. The recommendation includes \$14,246,129 for salaries and wages to 300.5 FTE positions. The recommendation also includes \$5,101,449 in contractual services, \$290,309 in commodities, and \$144,849 in capital outlay. Included in the recommendation is a reduced resources package from the State General Fund of \$107,295. The Governor recommends the enhancement request of \$50,000 from the State Water Plan Fund for water use follow-up and quality control. This is a contract that is being shifted from the Kansas Water Office to the Department of Agriculture. Under the Governor's FY 2004 **statutory budget recommendation**, the Governor's recommendation for this agency's budget would have to be reduced by an additional \$1,980,192.

### House Committee Recommendation

The House Committee concurs with the Governor's recommendation with the following adjustment and notations:

1. The Committee notes the 2002 Legislature's charge to the agency to provide technical and marketing assistance to small meat locker owners. The Committee commends the agency for successfully completing this task, and encourages the agency to continue this effort, including periodic updates to the marketing assistance manual as developed through this initiative. The Committee recommends the inclusion of a proviso to continue this effort.
2. The Committee notes that the Department of Agriculture (KDA) provides information technology support and staffing for the Kansas Water Office (KWO) and the State Conservation Commission (SCC). During FY 2000, \$20,100 from the State General Fund and \$6,700 from the SCC's Land Reclamation Fee Fund were added to KDA's budget for this service. The KDA included the elimination of this support in a reduced resources package for FY 2004 citing that the KWO and the SCC have not provided the KDA with continued funding for service. The Governor concurred with this package. Some disagreement regarding the funding for this agreement exists between the three agencies. The Committee recommends the three agencies work with the Division of the Budget to resolve the issue. The Committee also recommends the creation of a no-limit fund in the KDA to receipt funds if it is determined that a transfer from the KWO and the SCC to the KDA is necessary to maintain the IT support. The Committee directs the agencies to report to the Committee regarding progress or resolution on this issue during Omnibus.
3. The Committee notes the agency began the Wholesale Meter Testing program July 1, 2002 and began initial testing in September 2002. The agency anticipates testing all wholesale meters by the end of the fiscal year and plans to do bi-annual testing in the future. As of February 3, 2003, approximately one-third of the state's wholesale meters have been tested with 9.5 percent out of tolerance. Errors range from zero to -1.02 percent (over three times the allowed tolerance). The errors in the meters tested were ten times smaller when adjustments were made after the initial testing. The average negative error (retailer being shorted) was -0.12 percent when first inspected and after adjustments by the facility, the average error was reduced to -0.012 percent. After initial equipment purchases, the cost for this program is about \$55,0000 annually is funded through the petroleum inspection fee fund. One and one-half cents per barrel of fuel is

assessed on fuel sold by wholesalers and is used to fund the wholesale meter testing program, the retail fuel meter program, and the fuel quality program. The wholesale facilities welcomed the testing and promptly made any necessary adjustments.

4. The agency reported that 4.0 FTE positions are currently being left unfunded to meet the Governor's 3.9 percent reduction in FY 2003. The average days these positions have been vacant is 370 days. The Committee recommends that the FTE count for this agency be reduced by 4.0 positions.

## House Budget Committee Report

**Agency:** Animal Health Department

**Bill No.** 2026

**Bill Sec.**

**Analyst:** VanHouse

**Analysis Pg. No.** 23

**Budget Page No.** 57

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2003</u>	<u>Governor's Recommendation FY 2003</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 2,679,733	\$ 2,575,379	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 2,679,733</u>	<u>\$ 2,575,379</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 2,679,733</u></u>	<u><u>\$ 2,575,379</u></u>	<u><u>\$ 0</u></u>
State General Fund:			
State Operations	\$ 888,875	\$ 572,318	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 888,875</u>	<u>\$ 572,318</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<u><u>\$ 888,875</u></u>	<u><u>\$ 572,318</u></u>	<u><u>\$ 0</u></u>
FTE Positions	31.0	31.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<u><u>31.0</u></u>	<u><u>31.0</u></u>	<u><u>0.0</u></u>

### Agency Estimate/Governor's Recommendation

**The Animal Health Department estimates** \$2,679,733 for FY 2003 operating expenditures which is an increase of \$597,379 (28.7 percent) from the amount approved by the 2002 Legislature. The amount includes \$888,875 from the State General Fund, which is an increase of \$279,540 (45.9 percent) from the approved amount and \$1,790,858 from all other funds, which is an increase of \$317,849 (21.6 percent) from the approved amount. The estimate includes \$1,361,871 for salaries and wages to fund 31.0 FTE positions. The estimate also includes \$1,066,996 in contractual services, \$77,846 in commodities, and \$173,020 in capital outlay. The agency estimate includes expenditure increases for a federal homeland defense grant, health care adjustments, funding for a third veterinarian position, and fee fund adjustments. The estimate also includes the Governor's August 15, 2002 allotment (reduction) of \$13,692 from the State General Fund.

**The Governor recommends** \$2,575,379 for FY 2003 operating expenditures which is an increase of \$493,035 (28.7 percent) from the amount approved by the 2002 Legislature. The amount

includes \$872,318 from the State General Fund, which is a decrease of \$37,017 (6.1 percent) from the approved amount and \$2,003,061 from all other funds, which is an increase of \$530,052 (21.6 percent) from the approved amount. The recommendation includes \$1,338,546 for salaries and wages to fund 31.0 FTE positions. The recommendation also includes \$985,967 in contractual services, \$77,846 in commodities, and \$173,020 in capital outlay. The Governor's recommendation includes adjustments to agency fee funds and expenditures based on the receipt of a federal home land defense grant. The recommendation also includes the Governor's allotments (reductions) totaling \$37,017 including \$13,692 from August and \$23,325 from November.

### **House Committee Recommendation**

The House Committee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Animal Health Department

**Bill No. --**

**Bill Sec. --**

**Analyst:** VanHouse

**Analysis Pg. No. 23**

**Budget Page No. 57**

<u>Expenditure Summary</u>	<u>Agency Request FY 2004</u>	<u>Governor's Recommendation FY 2004</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 2,477,917	\$ 2,362,165	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	\$ 2,477,917	\$ 2,362,165	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 2,477,917</b>	<b>\$ 2,362,165</b>	<b>\$ 0</b>
State General Fund:			
State Operations	\$ 949,586	\$ 574,087	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	\$ 949,586	\$ 574,087	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 949,586</b>	<b>\$ 574,087</b>	<b>\$ 0</b>
FTE Positions	33.0	31.0	0.0
Non FTE Uncl. Perm. Pos.	0.0	0.0	0.0
<b>TOTAL</b>	<b>31.0</b>	<b>31.0</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

**The Animal Health Department requests \$2,477,917** for FY 2004 operating expenditures which is a decrease of \$201,816 (7.5 percent) from the FY 2003 estimate. The request includes \$949,586 from the State General Fund, which is an increase of \$60,711 (6.8 percent), and \$1,788,078 from all other funds, which is a decrease of \$214,983 (10.7 percent) from the FY 2003 estimate. The request includes \$1,453,167 for salaries and wages to fund 33.0 FTE positions. The request also includes \$984,655 in contractual services, \$39,095 in commodities, and \$1,000 in capital outlay. The request includes an enhancement package totaling \$571,124 from all funds and \$635,735 from the State General Fund.

**The Governor recommends \$2,362,165** for FY 2004 operating expenditures which is a decrease of \$213,214 (8.3 percent) FY 2003 recommendation. The recommendation includes \$574,087 from the State General Fund, which is an increase of \$1,769 (0.3 percent) from the FY 2003 recommendation, and \$1,788,078 from all other funds, which is a decrease of \$214,983 (10.7



percent) from the FY 2003 recommendation. The recommendation includes \$1,352,367 for salaries and wages to 31.0 FTE positions. The recommendation also includes \$969,703 in contractual services, \$39,095 in commodities, and \$1,000 in capital outlay. Included in the recommendation is a reduced resources package from the State General Fund of \$44,628. Under the Governor's FY 2004 **statutory budget recommendation**, the Governor's recommendation for this agency's budget would have to be reduced by an additional \$120,856.

### House Committee Recommendation

The House Committee concurs with the Governor's recommendation with the following adjustments and notations:

1. The Committee commends the agency on following through with the proposal to make appointments with kennel owners for initial inspections. The agency advised that this has given them the opportunity to educate new licensees.
2. The Livestock Commissioner reported on \$702,398 Homeland Defense Grant received by the agency to be used to develop an emergency planning and disease surveillance system. The Committee commends the agency on the work done to establish this system. The Commissioner also reported that public and secure websites were being developed as part of the project to provide rapid information to all concerned parties in the event of a Foreign Animal Disease outbreak. The Committee is concerned about the security of the two websites and requests the House Select Committee on Kansas Security review this issue.
3. The Committee requests introduction of a bill to require all dogs, cats, and ferrets in the state to be vaccinated for rabies and two dollar surcharge be assessed for the vaccination. The Committee further requests that this revenue be deposited in a newly created Animal Welfare Fund created in the Animal Health Department. This revenue would be used to offset State General Fund financing of the Animal Facilities Inspection Program. The Committee also recommends the reduction of the pound fee for municipalities be reduced from \$200 to \$150. The intent of this legislation is to make the Animal Facilities Inspection Program solely fee funded. Revenue from the new program is anticipated to replace the reduction in the municipal pound and shelter fee and to generate revenues sufficient to fund the currently vacant FTE position in the program. The position is currently vacant due to State General Fund reductions in the agency. The Committee also recommends review of this item during Omnibus.

## House Budget Committee Report

**Agency:** Kansas State Fair

**Bill No.** 2026

**Bill Sec.** 34

**Analyst:** VanHouse

**Analysis Pg. No.** 41

**Budget Page No.** 163

Expenditure Summary	Agency Estimate FY 2003	Governor's Recommendation FY 2003	House Budget Committee Adjustments
<b>All Funds:</b>			
State Operations	\$ 4,544,474	\$ 4,344,474	\$ 0
Aid to Local Units	0	0	0
Other Assistance	291	291	0
Subtotal – Operating	\$ 4,544,765	\$ 4,344,765	\$ 0
Capital Improvements	176,500	170,500	0
<b>TOTAL</b>	<b>\$ 4,721,265</b>	<b>\$ 4,515,265</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 0	\$ 0	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	\$ 0	\$ 0	\$ 0
Capital Improvements	6,000	0	0
<b>TOTAL</b>	<b>\$ 6,000</b>	<b>\$ 0</b>	<b>\$ 0</b>
FTE Positions	23.0	23.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
<b>TOTAL</b>	<b>24.0</b>	<b>24.0</b>	<b>0.0</b>

### Agency Estimate/Governor's Recommendation

**The Kansas State Fair estimates** \$4,544,765 for FY 2003 operating expenditures which is a decrease of \$102,135 (2.2 percent) from the amount approved by the 2002 Legislature. The estimate includes \$1,381,336 in salaries and wages to fund 23.0 FTE positions. The estimate also includes \$2,223,180 in contractual services, \$280,383 in commodities \$100,000 in capital outlay, \$559,575 in debt services, and \$291 in other assistance. The estimate includes a supplemental request totaling \$203,743 and includes \$3,743 from the State Fair Fee Fund to convert a non-FTE administrative assistant to an FTE position and \$200,000 from the Economic Development Initiatives Fund for advertising and fair premiums.

**The Governor recommends** \$4,344,765 for FY 2003 operating expenditures which is a decrease of \$302,135 (6.5 percent) from the amount approved by the 2002 Legislature. The recommendation includes \$1,381,336 to fund 23.0 FTE positions. The estimate also includes \$2,023,180 in contractual services, \$280,383 in commodities \$100,000 in capital outlay, \$559,575

in debt services, and \$291 in other assistance. The Governor concurs with the agency's request of \$3,743 from the State Fair Fee Fund for the conversion of a non-FTE administrative assistant to an FTE position and does not concur with the agency's request of \$200,000 from the Economic development Initiatives Fund for advertising and fair premiums.

### **House Budget Committee Recommendation**

The Budget Committee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Kansas State Fair

**Bill No.**

**Bill Sec.**

**Analyst:** VanHouse

**Analysis Pg. No.** 41

**Budget Page No.** 163

<u>Expenditure Summary</u>	<u>Agency Request FY 2004</u>	<u>Governor's Recommendation FY 2004</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 4,692,783	\$ 4,492,783	\$ 0
Aid to Local Units	0	0	0
Other Assistance	291	291	0
Subtotal – Operating	<u>\$ 4,693,074</u>	<u>\$ 4,493,074</u>	<u>\$ 0</u>
Capital Improvements	737,500	731,500	0
<b>TOTAL</b>	<b><u><u>\$ 5,430,574</u></u></b>	<b><u><u>\$ 5,224,574</u></u></b>	<b><u><u>\$ 0</u></u></b>
State General Fund:			
State Operations	\$ 538,103	\$ 538,103	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 538,103</u>	<u>\$ 538,103</u>	<u>\$ 0</u>
Capital Improvements	6,000	0	0
<b>TOTAL</b>	<b><u><u>\$ 544,103</u></u></b>	<b><u><u>\$ 538,103</u></u></b>	<b><u><u>\$ 0</u></u></b>
FTE Positions	23.0	23.0	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
<b>TOTAL</b>	<b><u><u>24.0</u></u></b>	<b><u><u>34.0</u></u></b>	<b><u><u>0.0</u></u></b>

### Agency Request/Governor's Recommendation

**The Kansas State Fair requests** \$4,693,074 for FY 2004 operating expenditures which is an increase of \$148,309 (3.3 percent) from the FY 2003 estimate. The request includes \$1,405,934 for salaries and wages to fund 23.0 FTE positions. The request also includes \$2,285,409 in contractual services, \$293,337 in commodities, \$100,000 in capital outlay, \$608,103 in debt service, and \$291 in other assistance. The request includes two enhancement packages totaling \$203,743. The enhancements includes \$3,743 from the State Fair Fee Fund for benefits for the administrative assistant converted to an FTE position in FY 2003 and \$200,000 from the Economic Development Initiatives Fund for advertising and fair premiums.

**The Governor recommends** \$4,493,074 for FY 2004 operating expenditures which is an increase of \$148,309 (3.4 percent) from the FY 2003 recommendation. The request includes \$1,405,934 for salaries and wages to fund 23.0 FTE positions. The recommendation also includes \$2,085,409 in contractual services, \$293,337 in commodities, \$100,000 in capital outlay, \$608,103 in debt service, and \$291 in other assistance. The Governor concurs with the agency's request of \$3,743 from the State Fair Fee Fund for benefits for the administrative assistant converted to an FTE

position in FY 2003 and does not concur with the agency's request of \$200,000 from the Economic development Initiatives Fund for advertising and fair premiums.

### House Budget Committee Recommendation

The Budget Committee concurs with the Governor's recommendation with the following notations:

1. The Committee notes that the agency is currently involved in a lawsuit regarding the Fair's compliance with the Americans with Disabilities Act(ADA). The lawsuit centers on fairgrounds issues including grandstand seating, parking, and restrooms.

The Committee notes that the State of Kansas ADA coordinator and Judge Franklein Theis of the District Court of Shawnee County, Kansas, agreed that the Fair's grandstand seating plan met the ADA requirements; however, the United States District Court in Wichita, Kansas, does not agree with this ruling, stating it does not meet the requirements of vertical dispersion. The U.S. District Court's ruling has been appealed by the State to the Tenth Circuit Court of Appeals in Denver.

Further renovation to the grandstand is on hold until the court's ruling. To satisfy the court's vertical dispersion ruling is estimated to cost the Fair at least an additional \$1.5 million in renovation expenses. This is in addition to \$1.5 million already committed to increase the number of wheelchair seats in the grandstand.

Demolition of the grandstand would be extremely expensive. The State Fair does not support demolition of the grandstand as it is a significant attraction to the fair. However, the Fair does not feel that the additional expenditure on the grandstand is efficient use of the Fair's capital improvement resources.

2. The Committee notes that the Fair has seen a significant increase in utility expenditures. This is mostly attributed to the construction of Sunflower North Building and air conditioning the Meadowlark Building. The Committee is concerned about further increases in utility expenditures and recommends the agency pursue efforts to reduce this cost. The Committee notes that Emporia State University has a successful energy conservation program in place, and recommend that State Fair officials contact ESU regarding this program.
3. The Committee notes that the agency's mission is, "To promote and showcase Kansas agriculture, industry, and culture . . ." The Committee has observed a decline in agriculture exhibits at the Fair in recent years, and is concerned that the agency is not fully completing it's mission. The agency reports that they work very hard to recruit and retain agriculture exhibitors. Preference is given to those agriculture exhibitors who apply for exhibit space. In addition, the Fair has a discounted exhibitor rate for those exhibiting agriculture equipment.

## House Budget Committee Report

**Agency:** State Conservation Commission **Bill No.** 2026

**Bill Sec.** 35

**Analyst:** VanHouse

**Analysis Pg. No.** 54

**Budget Page No.** 105

Expenditure Summary	Agency Estimate FY 2003	Governor's Recommendation FY 2003	House Budget Committee Adjustments
All Funds:			
State Operations	\$ 2,128,802	\$ 2,105,967	\$ 0
Aid to Local Units	1,719,851	1,719,851	0
Other Assistance	7,532,901	7,180,170	0
Subtotal – Operating	\$ 11,381,554	\$ 11,005,988	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 11,381,554</b>	<b>\$ 11,005,988</b>	<b>\$ 0</b>
State General Fund:			
State Operations	\$ 583,130	\$ 560,295	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	\$ 583,130	\$ 560,295	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 583,130</b>	<b>\$ 560,295</b>	<b>\$ 0</b>
FTE Positions	15.5	15.5	0.0
Non FTE Uncl. Perm. Pos.	1.0	1.0	0.0
<b>TOTAL</b>	<b>16.5</b>	<b>16.5</b>	<b>0.0</b>

### Agency Estimate/Governor's Recommendation

**The State Conservation Commission estimates** \$11,381,554 for FY 2003 operating expenditures which is an increase of \$1,406,110 (14.1 percent) from the amount approved by the 2002 Legislature. The amount includes \$583,130 from the State General Fund, which is a decrease of \$12,996 (2.2 percent) from the approved amount and \$10,798,424 from all other funds, which is an increase of \$1,419,106 (15.1 percent) from the approved amount. The estimate includes \$712,289 for salaries and wages to fund 15.5 FTE positions. The estimate also includes \$1367,803 in contractual services, \$48,710 in commodities, \$3,160,448 in aid to local units, and \$7,222,127 in other assistance. The agency estimate includes expenditure increases for adjustments in federal funding. The estimate also includes the Governor's August 15, 2002 allotment (reduction) of \$12,996 from the State General Fund.

**The Governor recommends** \$11,005,988 for FY 2003 operating expenditures which is an increase of \$1,030,544 (10.3 percent) from the amount approved by the 2002 Legislature. The

amount includes \$560,295 from the State General Fund, which is a decrease of \$35,831 (6.0 percent) from the approved amount and \$10,445,693 from all other funds, which is an increase of \$1,066,375 (11.4 percent) from the approved amount. The recommendation includes \$689,454 for salaries and wages to fund 15.5 FTE positions. The recommendation also includes \$1,367,803 in contractual services, \$48,710 in commodities, \$1,719,851 in aid to local units, and \$7,180,170 in other assistance. The Governor's recommendation includes expenditure increases for adjustments in federal funding. The recommendation also includes the Governor's allotments (reductions) totaling \$35,831 including \$12,996 from August and \$22,835 from November.

### **House Committee Recommendation**

The House Committee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** State Conservation Commission **Bill No. --**

**Bill Sec. --**

**Analyst:** VanHouse

**Analysis Pg. No. 54**

**Budget Page No. 105**

Expenditure Summary	Agency Request FY 2004	Governor's Recommendation FY 2004	House Budget Committee Adjustments
<b>All Funds:</b>			
State Operations	\$ 2,272,452	\$ 2,058,886	\$ 0
Aid to Local Units	3,160,448	1,395,400	0
Other Assistance	<u>7,222,127</u>	<u>6,076,114</u>	<u>0</u>
Subtotal – Operating	\$ 12,655,027	\$ 9,530,400	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL</b>	<b><u><u>\$ 12,655,027</u></u></b>	<b><u><u>\$ 9,530,400</u></u></b>	<b><u><u>\$ 0</u></u></b>
<b>State General Fund:</b>			
State Operations	\$ 619,370	\$ 562,295	\$ 0
Aid to Local Units	0	0	0
Other Assistance	<u>0</u>	<u>0</u>	<u>0</u>
Subtotal – Operating	\$ 619,370	\$ 562,295	\$ 0
Capital Improvements	<u>0</u>	<u>0</u>	<u>0</u>
<b>TOTAL</b>	<b><u><u>\$ 619,370</u></u></b>	<b><u><u>\$ 562,295</u></u></b>	<b><u><u>\$ 0</u></u></b>
FTE Positions	15.5	15.5	0.0
Non FTE Uncl. Perm. Pos.	<u>1.0</u>	<u>1.0</u>	<u>0.0</u>
<b>TOTAL</b>	<b><u><u>16.5</u></u></b>	<b><u><u>16.5</u></u></b>	<b><u><u>0.0</u></u></b>

### Agency Request/Governor's Recommendation

**The State Conservation Commission requests** \$12,655,027 for FY 2004 operating expenditures which is an increase of \$1,273,473 (11.2 percent) from the FY 2003 estimate. The request includes \$619,370 from the State General Fund, which is an increase of \$32,240 (6.2 percent), and \$12,035,657 from all other funds, which is an increase of \$1,237,233 (11.5 percent) from the FY 2003 estimate. The request includes \$746,433 for salaries and wages to fund 15.5 FTE positions. The request also includes \$1,477,675 in contractual services, \$48,344 in commodities, \$3,160,448 for aid to local units, and \$7,222,127 in other assistance. The request includes an enhancement package totaling \$2,455,554 from all funds with \$2,426,134 from the State Water Plan Fund and \$26,796 from the State General Fund.

**The Governor recommends** \$9,530,400 for FY 2004 operating expenditures which is a decrease of \$1,475,588 (13.4 percent) FY 2003 recommendation. The recommendation includes \$562,295 from the State General Fund, which is an increase of \$2,000 from the FY 2003



recommendation, and \$8,968,105 from all other funds, which is a decrease of \$1,477,588 (14.1 percent) from the FY 2003 recommendation. The recommendation includes \$686,734 for salaries and wages to 15.5 FTE positions. The recommendation also includes \$1,324,518 in contractual services, \$47,634 in commodities, \$1,395,400 in aid to local units, and \$6,076,114 in other assistance. Included in the recommendation is a reduced resources package from the State General Fund of \$30,279. Under the Governor's FY 2004 **statutory budget recommendation**, the Governor's recommendation for this agency's budget would have to be reduced by an additional \$118,373.

## House Committee Recommendation

The House Committee concurs with the Governor's recommendation with the following adjustments and notations:

1. The Committee recommends that any unencumbered balance in the any fund of the State Water Plan Fund be reappropriated to the agency to be used in State Water Plan funded activities at the discretion of the director.
2. The Committee heard testimony that HorseThief Reservoir (Pawnee Watershed site 4-10) qualifies for \$3,627,190 under the Multipurpose Small Lakes program. The agency requested \$1,412,548 for FY 2004. The Kansas Water Authority recommended \$200,000 for FY 2004.

The Committee also heard testimony that the project is ready for funding. Unlike previous projects in the Multipurpose Small Lakes Program, HorseThief Reservoir already has the water rights, land and numerous other technicalities taken care of that have impeded other projects and received funding.

The Committee recommends that any encumbrances released by the agency in an amount up to \$300,000 be directed to the Multipurpose Small Lakes program for the construction of HorseThief Reservoir.

3. The Committee notes that the Department of Agriculture (KDA) provides information technology support and staffing for the Kansas Water Office (KWO) and the State Conservation Commission (SCC). During FY 2000, \$20,100 from the State General Fund and \$6,700 from the SCC's Land Reclamation Fee Fund were added to KDA's budget for this service. The KDA included the elimination of this support in a reduced resources package for FY 2004 siting that the KWO and the SCC have not provided the KDA with continued funding for service. The Governor concurred with this package. Some disagreement regarding the funding for this agreement exists between the three agencies. The Committee recommends the three agencies work with the Division of the Budget to resolve the issue. The Committee also recommends the creation of a no-limit fund in the KDA to receipt funds if it is determined that a transfer from the KWO and the SCC to the KDA is necessary to maintain the IT support. The Committee directs the agencies to report to the Committee regarding progress or resolution of this issue during Omnibus.

## House Budget Committee Report

**Agency:** Kansas Water Office

**Bill No.** 2026

**Bill Sec.** 36

**Analyst:** VanHouse

**Analysis Pg. No.** 70

**Budget Page No.** 447

<u>Expenditure Summary</u>	<u>Agency Estimate FY 2003</u>	<u>Governor's Recommendation FY 2003</u>	<u>House Budget Committee Adjustments</u>
All Funds:			
State Operations	\$ 6,201,447	\$ 6,110,093	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 6,201,447</u>	<u>\$ 6,110,093</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u><u>\$ 6,201,447</u></u></b>	<b><u><u>\$ 6,110,093</u></u></b>	<b><u><u>\$ 0</u></u></b>
State General Fund:			
State Operations	\$ 1,375,246	\$ 1,283,892	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	<u>\$ 1,375,246</u>	<u>\$ 1,283,892</u>	<u>\$ 0</u>
Capital Improvements	0	0	0
<b>TOTAL</b>	<b><u><u>\$ 1,375,246</u></u></b>	<b><u><u>\$ 1,283,892</u></u></b>	<b><u><u>\$ 0</u></u></b>
FTE Positions	22.5	22.5	0.0
Non FTE Uncl. Perm. Pos.	5.0	0.5	0.0
<b>TOTAL</b>	<b><u><u>23.0</u></u></b>	<b><u><u>23.0</u></u></b>	<b><u><u>0.0</u></u></b>

### Agency Estimate/Governor's Recommendation

**The Kansas Water Office estimates** \$6,201,447 for FY 2003 operating expenditures which is an increase of \$892,010 (16.8 percent) from the amount approved by the 2002 Legislature. The amount includes \$1,375,246 from the State General Fund, which is a decrease of \$7,476 (0.5 percent) from the approved amount and \$4,826,201 from all other funds, which is an increase of \$899,486 (22.9 percent) from the approved amount. The estimate includes \$1,435,742 for salaries and wages to fund 22.5 FTE positions. The estimate also includes \$4,708,888 in contractual services, \$19,225 in commodities, and \$37,592 in capital outlay. The agency estimate includes expenditure increases for adjustments in state and federal funds. The estimate also includes the Governor's August 15, 2002 allotment (reduction) of \$28,339 from the State General Fund.

**The Governor recommends** \$6,110,093 for FY 2003 operating expenditures which is an increase of \$800,656 (16.8 percent) from the amount approved by the 2002 Legislature. The amount includes \$1,283,892 from the State General Fund, which is a decrease of \$98,830 (7.1 percent) from

the approved amount and \$4,826,201 from all other funds, which is an increase of \$899,486 (22.9 percent) from the approved amount. The recommendation includes \$1,335,388 for salaries and wages to fund 22.5 FTE positions. The recommendation also includes \$4,708,888 in contractual services, \$19,225 in commodities, and \$46,592 in capital outlay. The Governor's recommendation includes adjustments in state and federal funds consistent with the agency estimate. The recommendation also includes the Governor's allotments (reductions) totaling \$82,192 with \$28,339 from August and \$53,853 from November.

### **House Committee Recommendation**

The House Committee concurs with the Governor's recommendation.

## House Budget Committee Report

**Agency:** Kansas Water Office

**Bill No. --**

**Bill Sec. --**

**Analyst:** VanHouse

**Analysis Pg. No. 70**

**Budget Page No. 447**

<u>Expenditure Summary</u>	<u>Agency Request FY 2004</u>	<u>Governor's Recommendation FY 2004</u>	<u>House Budget Committee Adjustments</u>
<b>All Funds:</b>			
State Operations	\$ 5,878,401	\$ 5,626,960	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	\$ 5,878,401	\$ 5,626,960	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 5,878,401</b>	<b>\$ 5,626,960</b>	<b>\$ 0</b>
<b>State General Fund:</b>			
State Operations	\$ 1,372,998	\$ 1,251,448	\$ 0
Aid to Local Units	0	0	0
Other Assistance	0	0	0
Subtotal – Operating	\$ 1,372,998	\$ 1,251,448	\$ 0
Capital Improvements	0	0	0
<b>TOTAL</b>	<b>\$ 1,372,998</b>	<b>\$ 1,251,448</b>	<b>\$ 0</b>
FTE Positions	22.5	22.5	0.0
Non FTE Uncl. Perm. Pos.	0.5	0.5	0.0
<b>TOTAL</b>	<b>23.0</b>	<b>23.0</b>	<b>0.0</b>

### Agency Request/Governor's Recommendation

**The Kansas Water Office requests** \$5,878,401 for FY 2004 operating expenditures which is a decrease of \$323,046 (5.2 percent) from the FY 2003 estimate. The request includes \$1,372,998 from the State General Fund, which is a decrease of \$2,248 (0.2 percent), and \$4,505,403 from all other funds, which is a decrease of \$320,798 (6.6 percent) from the FY 2003 estimate. The request includes \$1,380,750 for salaries and wages to fund 22.5 FTE positions. The request also includes \$4,462,132 in contractual services, \$17,719 in commodities, and \$17,800 in capital outlay.

**The Governor recommends** \$5,626,960 for FY 2004 operating expenditures which is a decrease of \$483,133 (7.9 percent) FY 2003 recommendation. The recommendation includes \$1,251,448 from the State General Fund, which is a decrease of \$32,444 (2.5 percent) from the FY 2003 recommendation, and \$4,375,512 from all other funds, which is a decrease of \$450,689 (9.3 percent) from the FY 2003 recommendation. The recommendation includes \$1,259,200 for salaries

and wages to 22.5 FTE positions. The recommendation also includes \$4,332,241 in contractual services, \$17,719 in commodities, and \$17,800 in capital outlay. Included in the recommendation is a reduced resources package from the State General Fund of \$70,067. Under the Governor's FY 2004 **statutory budget recommendation**, the Governor's recommendation for this agency's budget would have to be reduced by an additional \$263,452.

## House Committee Recommendation

The House Committee concurs with the Governor's recommendation with the following requests and notations:

1. The Committee notes that the State Water Plan Fund (SWPF) was originally created for the establishment and implementation of water-related projects including related technical assistance (KSA 82a-951). In recent years, a portion of SWPF monies have been shifted to support administrative and operational activities of agencies expending the funds. For example, a portion of the SWPF monies are allocated to the Kansas Department of Agriculture, part of which is utilized for administration of Interstate Water Issues. The Committee notes that in order to keep with the intent of the law, these administrative and operational activities may be more appropriately funded through the State General Fund.
2. The Committee recommends a proviso that prohibits purchasing more water storage. The Committee notes the concern regarding the water storage space in the Milford, Perry, and Tuttle Creek Lakes. The Corps of Engineers could use a maximum of six feet of water from these lakes for navigational purposes so long as the State of Kansas, through the Kansas Water Office, has not called the remaining storage space into service. Neither the Kansas Water Authority nor the Governor has recommended funding for this water storage space. The Committee is concerned that the agency's annual request is not enough to convince the Corps of the State's interest in this water storage space. Therefore, the Committee wishes to state that should the Corps notify the Kansas Water Office of its intent to use water for navigational purposes on the Missouri River, the agency should take steps to protect the State's interests and, if necessary, notify the Legislature of the need for appropriate action.
3. The Committee requests the introduction of a bill and the inclusion of a proviso creating the Water Supply Storage Assurance District Fund and the authority to make expenditures from the fund. Each year the agency receives money from the Water Assurance Districts, which must be used to pay: (1) the federal government, for the annual capital cost of water supply storage space in reservoirs under the Water Assurance Act; (2) the Pooled Money Investment Board, for repayment of costs associated with the purchase of storage space in federal reservoirs for use by Assurance Districts; (3) the Water Marketing Fund, for water supply storage space previously paid for with revenue from Water Marketing Fund, when such storage has been transferred to the Water Assurance Program; (4) the federal government, for annual operational, maintenance, and repair costs associated with the water supply storage space dedicated for the use of Water Assurance Districts, and; (5) the Water Marketing Fund and the State General Fund, for costs incurred by the state for the administration and enforcement of applicable laws governing the operations and management of the

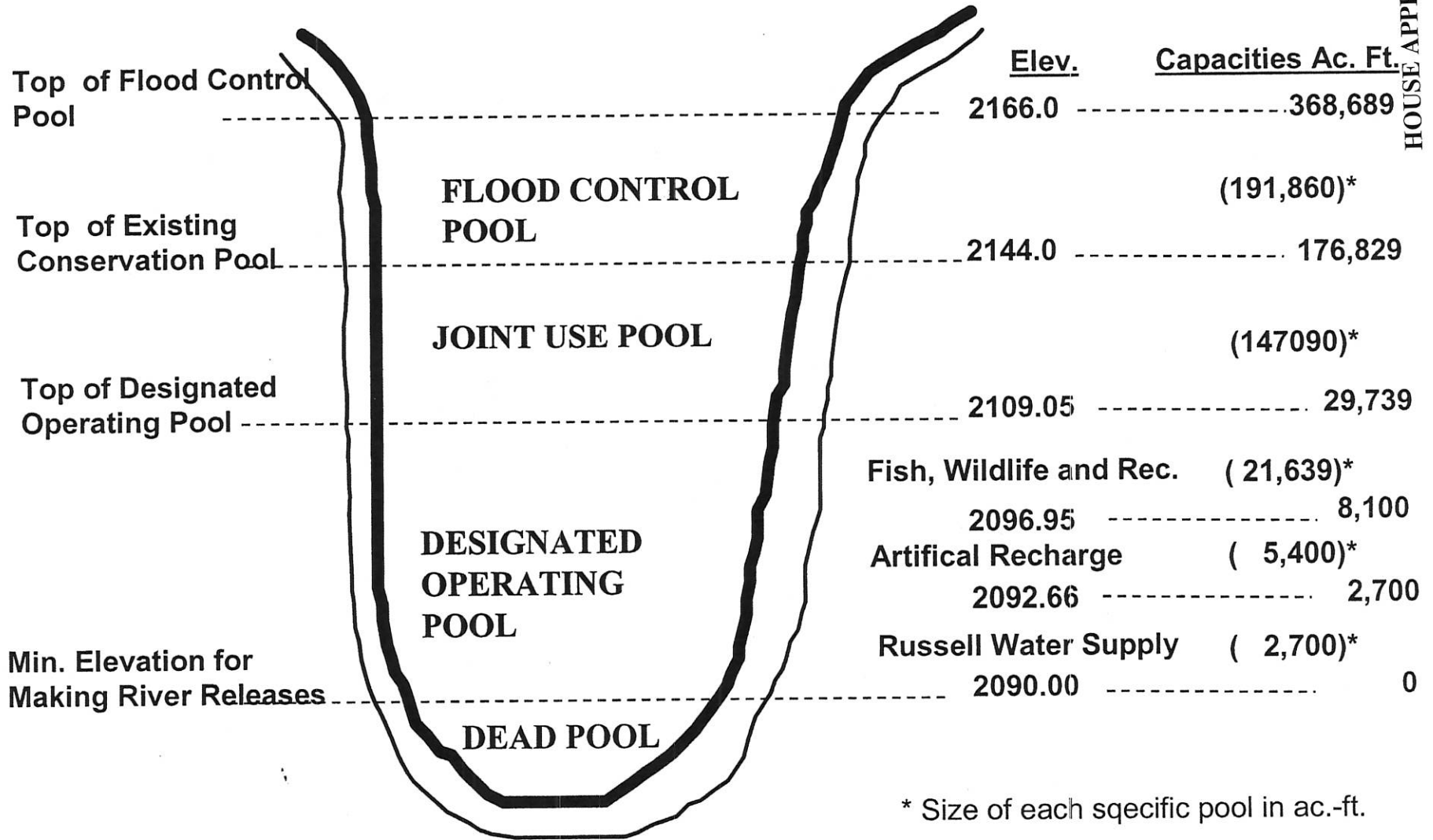
Water Assurance Program, as provided in contracts with the Assurance Districts. The Committee notes that the agency has routinely made these transactions since the inception of the Water Assurance Program. However, in 1998, the statute that established the Water Supply Storage Assurance District Fund was inadvertently abolished. The Committee believes that this proviso is necessary for the agency to receive and expend monies in accordance with the Water Assurance Act.

4. The Committee request the introduction of a bill and the inclusion of a proviso authorizing the agency to borrow money with interest from the Pooled Money Investment Board (PMIB), for up to five years, to stabilize the Water Marketing rate charged to customers, due to unusual operational maintenance and repair costs, and for an interest-free loan of less than one year in those years when there are short-term cash flow shortages. The Subcommittee notes that KSA 82a-1315(c)(b)(5) was enacted in 1991 to allow the Water Office to maintain a reserve account within the Kansas Water Marketing Fund to meet any shortfalls in revenue or unusual expenses, thus stabilizing the annual rate charged to water customers. This proviso would allow the agency to accomplish this objective through a short-term loan rather than by a "reserve account."
5. The Committee requests the introduction of a bill and the inclusion of a proviso creating a fund for receiving and passing through local match funds for federal cost-share programs. These are federal programs which provide planning assistance to states and other entities and technical assistance to state, tribes, and other entities. A one-to-one match of state to federal dollars is required.
6. The Committee recommends a proviso stating that water in Cedar Bluff Reservoir under the control of the State of Kansas not be released for environmental, domestic, municipal, industrial, or irrigation purposes except for operation of Kansas Department of Wildlife and Parks facilities below the Dam. The proviso also states that the Kansas Water Office and the Kansas Department of Wildlife and Parks explore the possibility of transferring ownership and operation of all of the storage in Cedar Bluff Reservoir currently held by the Kansas Water Office to the Department of Wildlife and Parks. The funds budgeted to the Kansas Water Office to pay for operation and maintenance of this storage shall be used for such purposes for FY 2004.
7. The Committee recommends a proviso allowing the director of the Kansas Water Office to transfer any part of any item of appropriations for FY 2004 from the State Water Plan Fund for the KWO to another other item of appropriation for FY 2004 from the SWPF for the KWO. The director shall certify each transfer to the Director of Accounts and Reports and shall transmit a copy of the certification to the Director of the Budget, the Director of the Legislative Research Department, and the appropriate House Budget Committee and Senate Ways and Means Subcommittee.
8. The Committee recommends that the Kansas Water Office work with other state agencies to evaluate the cost of dredging of multipurpose small lakes using information from previous dredging projects within Kansas. The Kansas Water Office should also work with the State Conservation Commission to identify potential candidate lakes for dredging which meet criteria established in the

Multipurpose Small Lakes Program Act in accordance with the provisions of KSA 82a-1601 *et seq.*

9. The Committee notes that the Department of Agriculture (KDA) provides information technology support and staffing for the Kansas Water Office (KWO) and the State Conservation Commission (SCC). During FY 2000, \$20,100 from the State General Fund and \$6,700 from the SCC's Land Reclamation Fee Fund were added to KDA's budget for this service. The KDA included the elimination of this support in a reduced resources package for FY 2004 citing that the KWO and the SCC have not provided the KDA with continued funding for service. The Governor concurred with this package. Some disagreement regarding the funding for this agreement exists between the three agencies. The Committee recommends the three agencies work with the Division of the Budget to resolve the issue. The Committee also recommends the creation of a no-limit fund in the KDA to receipt funds if it is determined that a transfer from the KWO and the SCC to the KDA is necessary to maintain the IT support. The Committee directs the agencies to report to the Committee regarding progress or resolution of this issue during Omnibus.

# CEDAR BLUFF RESERVOIR



HOUSE APPROPRIATIONS

DATE 2-11-03  
ATTACHMENT 4

\* Size of each specific pool in ac.-ft.