

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 A.M. on February 18, 2005, in Room 514-S of the Capitol.

All members were present except:

Representative Newton- excused
Representative Sawyer- excused
Representative Schwab- excused

Committee staff present:

Alan Conroy, Legislative Research Department
J. G. Scott, Legislative Research Department
Amy VanHouse, Legislative Research Department
Reagan Cussimano, Legislative Research Department
Debra Hollon, Legislative Research Department
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Administrative Analyst
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Sue Peterson, Kansas State University

Others attending:

See attached list.

- Attachment 1 Budget Committee Report on Legislative Coordinating Council, Legislative Division of Post Audit, Revisor of Statutes, Legislative Research Department and Legislature
- Attachment 2 Description of University of Kansas property, **HB 2364** by Deb Hollon, Legislative Research Department
- Attachment 3 Description of Kansas State University property and Testimony on **HB 2364** by Sue Peterson, Kansas State University
- Attachment 4 Amendment to **HB 2364**

Representative Landwehr moved to introduce legislation concerning the Kansas Civil Service Act relating to the pay plan for classified service. The motion was seconded by Representative Feuerborn. Motion carried.

Representative Landwehr moved to introduce legislation concerning the expansion of who can make referrals for occupational therapy treatment. The motion was seconded by Representative Bethell. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislative Coordinating Council for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislative Coordinating Council for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislative Division of Post Audit for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislative Division of Post Audit for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative

CONTINUATION SHEET

MINUTES OF THE House Appropriations Committee at 9:00 A.M. on February 18, 2005, in Room 514-S of the Capitol.

Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Revisor of Statutes for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Revisor of Statutes for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislative Research Department for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislative Research Department for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislature for FY 2005 and moved for the adoption of the Budget Committee recommendation for FY 2005 (Attachment 1). The motion was seconded by Representative Feuerborn. Motion carried.

The Budget Committee noted that the expenditures of \$84,500 from other funds is from the sale of bill packets to lobbyists and others. It costs approximately \$64,000 per day to operate the Legislature while they are in session, resulting in the re-appropriation \$617,649 from FY 2004 because of the shortened legislative session. This does not include the salaries of the staff who are full-time year-round.

Representative Neufeld, Chair of the Legislative Branch Budget Committee, presented the Budget Committee report on the Legislature for FY 2006 and moved for the adoption of the Budget Committee recommendation for FY 2006 (Attachment 1). The motion was seconded by Representative Pottorff. Motion carried.

Concern was expressed regarding the addition of one FTE position in conjunction with the bill drafting computer project when additional FTE positions have been deleted from other budgets.

Hearing on HB 2364 - Authorizing the state board of regents to sell certain real estate.

Deb Hollon, Legislative Research Department, explained that **HB 2364** authorizes the State Board of Regents to sell four tracts of land for Kansas State University: two tracts of land to Meadowlark Hills Retirement Community, one tract of land at Cheney Reservoir, and land /structure owned by the Kansas State University Student Union; and one tract of land, a vacant lot, which had been donated to the University of Kansas (Attachment 2).

Sue Peterson, Kansas State University, presented testimony on **HB 2364** (Attachment 3). Ms. Peterson noted that the land at Cheney Reservoir was donated by the federal government and the other tracts of land were purchased by the university. At this time, an appraisal has been done on the Cheney Reservoir tract. Ms. Peterson stated that the revenue from the sale of the Student Union property will be deposited in a Union renovation fund ; the revenue from the sale of the Cheney Reservoir tract will be deposited in a restricted fee fund of the Horticulture and Forestry Department; and the revenue from the sale of the two tracts to Meadowlark Hills will be deposited in a restricted fee fund of the Animal Science Department.

Jim Wilson, First Assistant, Revisor of Statutes, presented a balloon of technical amendments to **HB 2364** to correct language and to clarify the legal description of the properties (Attachment 4).

CONTINUATION SHEET

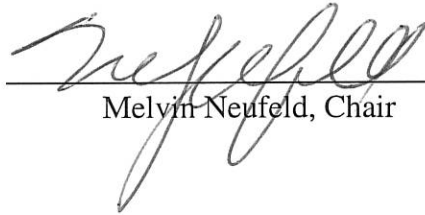
MINUTES OF THE House Appropriations Committee at 9:00 A.M. on February 18, 2005, in Room 514-S of the Capitol.

Representative Landwehr moved to adopt the balloon of technical amendments to **HB 2364**. The motion was seconded by Representative Lane. Motion carried.

Chair Neufeld closed the hearing on **HB 2364**.

Representative Landwehr moved to recommend **HB 2364** favorable for passage as amended. The motion was seconded by Representative Sharp. Motion carried.

The meeting was adjourned at 10:45 a.m. The next meeting of the Committee will be held at 9:00 a.m. on February 21, 2005.



Melvin Neufeld, Chair

**LEGISLATIVE BRANCH BUDGET COMMITTEE
FY 2005 - FY 2006**

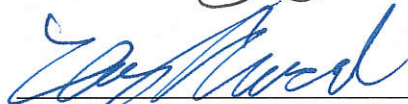
Legislative Coordinating Council
Legislative Division of Post Audit
Revisor of Statutes
Legislative Research Department
Legislature



Representative Melvin Neufeld Chairperson



Representative Doug Mays



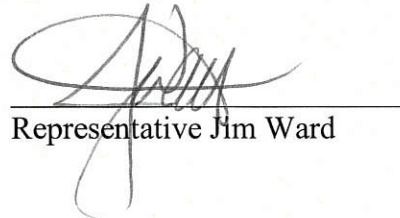
Representative Clay Aurand



Representative Ray Merrick

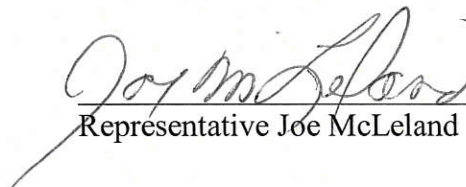


Representative Dennis McKinney



Representative Jim Ward

Representative Judy Showalter



Representative Joe McLeland

HOUSE APPROPRIATIONS

DATE 2-18-2005

ATTACHMENT 1

House Budget Committee Report

Agency: Legislative Coordinating Council **Bill No. --**

Bill Sec. --

Analyst: Scott

Analysis Pg. No. Vol. 2 -1115

Budget Page No. 305

Expenditure	Agency Est. FY 05	Governor Rec. FY 05	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 713,614	\$ 713,614	\$ 0
Other Funds	0	0	0
TOTAL	<u>\$ 713,614</u>	<u>\$ 713,614</u>	<u>\$ 0</u>
 FTE Positions	 12.0	 12.0	 0.0

Agency Estimate/Governor's Recommendation

The **agency** is requesting \$713,614 (all State General Fund) in the current year estimate. This is a \$13,747 or 2.0 percent increase above the FY 2005 approved amount. The change reflects a slight increase in salaries and wages. The **Governor** concurs with the agency's current year estimate.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 State General Fund recommendation for the agency totals \$713,614, an increase of \$13,747, or 2.0 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. The expenditure increase is attributed to an unlimited reappropriation from FY 2004.

House Budget Committee Report

Agency: Legislative Coordinating Council **Bill No.** HB 2482

Bill Sec. 24

Analyst: Scott

Analysis Pg. No. Vol. 2 - 1115

Budget Page No. 305

Expenditure	Agency Req. FY 06	Governor Rec. FY 06	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 716,822	\$ 758,807	\$ 0
Other Funds	0	0	0
TOTAL	<u>\$ 716,822</u>	<u>\$ 758,807</u>	<u>\$ 0</u>
 FTE Positions	 12.0	 12.0	 0.0

Agency Request/Governor's Recommendation

The **agency's** requested FY 2006 budget of \$716,822 is an increase of \$3,208 or 0.4 percent above the FY 2005 estimate. The increase is the result of small increases in salary and wages fringe benefits and contractual services. The **Governor** concurs with the agency request and adds funding for the 2.5 percent base salary adjustment, KPERS death and disability rate increase, and the 27th payroll period.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$758,807, an increase of \$58,940, or 8.4 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$16,097), the 27th payroll period (\$23,845), and the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$2,043), the recommendation is an increase of \$16,955, or 2.4 percent above the approved amount.

House Budget Committee Report

Agency: Legislative Division of Post Audit **Bill No. --**

Bill Sec. --

Analyst: Scott

Analysis Pg. No. Vol. 2 -1139

Budget Page No. 307

Expenditure	Agency Est. FY 05	Governor Rec. FY 05	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,970,209	\$ 1,970,209	\$ 0
Other Funds	0	0	0
TOTAL	<u>\$ 1,970,209</u>	<u>\$ 1,970,209</u>	<u>\$ 0</u>
 FTE Positions	 21.0	 21.0	 0.0

Agency Estimate/Governor's Recommendation

The agency is requesting \$1,970,209 (all State General Fund) in the current year estimate. This is an increase of \$7,316 or 0.4 percent over the FY 2005 approved amount. This increase reflects fully funding all positions and allows for additional contract audit work. The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 State General Fund recommendation for the agency totals \$1,970,209, an increase of \$7,316, or 0.4 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. The expenditure increase is attributed to an unlimited reappropriation from FY 2004.

House Budget Committee Report

Agency: Legislative Division of Post Audit **Bill No.** 2482

Bill Sec. 26

Analyst: Scott

Analysis Pg. No. Vol. 2 -1139

Budget Page No. 307

Expenditure	Agency Req. FY 06	Governor Rec. FY 06	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 1,999,292	\$ 2,098,936	\$ 0
Other Funds	0	0	0
TOTAL	\$ 1,999,292	\$ 2,098,936	\$ 0
FTE Positions	21.0	21.0	0.0

Agency Request/Governor's Recommendation

The **agency's** requested FY 2006 budget of \$1,999,292 is an increase of \$29,083 or 1.5 percent above the FY 2005 estimate. The majority of this increase is in salary and wages. The **Governor** concurs with the agency request and adds funding for the 2.5 percent base salary adjustment, KPERS death and disability rate increase, and the 27th payroll period.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$2,098,936, an increase of \$136,043, or 6.9 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$38,112), the 27th payroll period (\$56,461), and the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$5,071), the recommendation is an increase of \$36,399, or 1.9 percent above the approved amount.

House Budget Committee Report

Agency: Revisor of Statutes

Bill No. --

Bill Sec. --

Analyst: Scott

Analysis Pg. No. Vol. 2 -1133

Budget Page No. 357

Expenditure	Agency Est. FY 05	Governor Rec. FY 05	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 2,589,154	\$ 2,589,154	\$ 0
Other Funds	0	0	0
TOTAL	<u>\$ 2,589,154</u>	<u>\$ 2,589,154</u>	<u>\$ 0</u>
 FTE Positions	 26.5	 26.5	 0.0

Agency Estimate/Governor's Recommendation

The **agency** is requesting \$2,589,154 (all State General Fund) in the current year estimate. This is an increase of \$130,213 or 5.3 percent over the FY 2005 approved amount. This increase reflects republishing two bound volumes of the *Kansas Statutes Annotated*. The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 State General Fund recommendation for the agency totals \$2,589,154, an increase of \$130,213, or 5.3 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. The expenditure increase is attributed to an unlimited reappropriation from FY 2004.

House Budget Committee Report

Agency: Revisor of Statutes

Bill No. HB 2842

Bill Sec. 24

Analyst: Scott

Analysis Pg. No. Vol. 2 - 1133

Budget Page No. 357

Expenditure	Agency Req. FY 06	Governor Rec. FY 06	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 2,595,741	\$ 2,721,134	\$ 0
Other Funds	0	0	0
TOTAL	<u>\$ 2,595,741</u>	<u>\$ 2,721,134</u>	<u>\$ 0</u>
 FTE Positions	 26.5	 26.5	 0.0

Agency Request/Governor's Recommendation

The **agency's** requested FY 2006 budget of \$2,595,741 is an increase of \$6,587 or 0.3 percent above the FY 2005 estimate. Most of this increase is attributable to increases in fringe benefits. The **Governor** concurs with the agency request and adds \$47,997 from the State General Fund for the 2.5 percent base salary adjustment, \$6,287 from the State General Fund for the KPERS death and disability rate increase, and \$71,109 from the State General Fund for the 27th payroll period.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$2,721,134, an increase of \$262,193, or 10.7 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$47,997), the 27th payroll period (\$71,109), and the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$6,287), the recommendation is an increase of \$136,800, or 5.6 percent above the approved amount.

House Budget Committee Report

Agency: Legislative Research Department **Bill No. --**

Bill Sec. --

Analyst: Scott

Analysis Pg. No. Vol. 2 - 1127

Budget Page No. 309

Expenditure	Agency Est. FY 05	Governor Rec. FY 05	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 2,890,209	\$ 2,890,209	\$ 0
Other Funds	77,807	77,807	0
TOTAL	<u>\$ 2,968,016</u>	<u>\$ 2,968,016</u>	<u>\$ 0</u>
 FTE Positions	 38.0	 38.0	 0.0

Agency Estimate/Governor's Recommendation

The **agency** is requesting in the current year estimate \$2,968,016, of which \$2,890,209 is State General Fund. This is an all funds increase of \$87,200 or 3.0 percent over the FY 2005 approved. The State General Fund increase is \$90,528 or 3.2 percent from the FY 2005 approved before any reappropriation. After the State General Fund reappropriation is taken into consideration, the total is \$5,245 below the amount available in FY 2005. This request fully funds all positions. The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 State General Fund recommendation for the agency totals \$2,890,209, an increase of \$90,528, or 3.2 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. The expenditure increase is attributed to an unlimited reappropriation from FY 2004.

House Budget Committee Report

Agency: Legislative Research Department **Bill No.** HB 2482

Bill Sec. 24

Analyst: Scott

Analysis Pg. No. Vol. 2 - 1127

Budget Page No. 309

Expenditure	Agency Req. FY 06	Governor Rec. FY 06	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 2,903,833	\$ 3,075,699	\$ 0
Other Funds	78,140	82,691	0
TOTAL	<u>\$ 2,981,973</u>	<u>\$ 3,158,390</u>	<u>\$ 0</u>
 FTE Positions	 38.0	 38.0	 0.0

Agency Request/Governor's Recommendation

The **agency's** requested FY 2006 budget of \$2,981,973 is an increase of \$13,957 or 0.5 percent above the FY 2005 estimate. This funds the agency's 38 FTE positions. Most of the increase is attributable to fringe benefit increases. The **Governor** concurs with the agency request and adds \$67,483, including \$65,742 from the State General Fund for the 2.5 percent base salary adjustment, \$8,958, including \$8,727 from the State General Fund for the KPERS death and disability rate increase, and \$99,976, including \$97,397 from the State General Fund for the 27th payroll period.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$3,075,699, an increase of \$276,018, or 9.9 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$65,742), the 27th payroll period (\$97,397), and the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$8,727), the recommendation is an increase of \$104,152, or 3.7 percent above the approved amount.

House Budget Committee Report

Agency: Legislature

Bill No. --

Bill Sec. --

Analyst: Scott

Analysis Pg. No. Vol. 2 - 1121

Budget Page No. 311

Expenditure	Agency Est. FY 05	Governor Rec. FY 05	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 13,946,864	\$ 13,946,864	\$ 0
Other Funds	84,500	84,500	0
TOTAL	<u>\$ 14,031,364</u>	<u>\$ 14,031,364</u>	<u>\$ 0</u>
 FTE Positions	 33.0	 33.0	 0.0

Agency Estimate/Governor's Recommendation

The **agency** is requesting in the current year estimate \$14,031,364, of which \$13,946,864 is State General Fund. This is an all fund increase of \$617,649 or 4.6 percent over the FY 2005 approved amount. The State General Fund increase is \$617,649 or 4.6 percent from the FY 2005 approved before reappropriations. After reappropriations are taken into consideration, the State General Fund is \$319,713 below total available. The **Governor** concurs with the agency's request.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2005 State General Fund recommendation for the agency totals \$13,946,864, an increase of \$617,649, or 4.6 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. The expenditure increase is attributed to an unlimited reappropriation from FY 2004.

House Budget Committee Report

Agency: Legislature

Bill No. HB 2482

Bill Sec. 25

Analyst: Scott

Analysis Pg. No. Vol. 2 -1121

Budget Page No. 311

Expenditure	Agency Req. FY 06	Governor Rec. FY 06	House Budget Committee Adjustments
Operating Expenditures:			
State General Fund	\$ 14,976,181	\$ 15,234,836	\$ 26,730
Other Funds	258,814	258,814	0
TOTAL	<u>\$ 15,234,995</u>	<u>\$ 15,493,650</u>	<u>\$ 26,730</u>
 FTE Positions	 34.0	 34.0	 0.0

Agency Request/Governor's Recommendation

The **agency** requests an FY 2006 operating budget of \$15,234,995 that is an increase of \$1,203,631 or 8.6 percent above the FY 2005 estimate. The agency is requesting \$8,377,867 in **salary and wages**, an increase of \$219,361 or 2.7 percent above the FY 2005 estimate and fully funds the agency's 34 FTE positions, temporary workers, and legislators (at the current temporary rate of \$81.11 per day). This increase reflects the annualized FY 2005 salary adjustment and the higher cost of fringe benefits. One FTE position is added to work on the Legislature's bill drafting computer project. Also included is a full year of the legislative non-session expense allowance funded at the FY 2005 temporary final rate of \$722 per month. **Contractual services** are budgeted at \$6,499,721 that reflects an increase of \$1,019,094 or 18.6 percent above the FY 2005 estimate. The increase is mainly due to the Legislative Branch computer strategic plan initiative. The amount requested for **commodities** is estimated at \$287,407, an increase of \$3,346 or 1.2 percent above the FY 2005 request. The **capital outlay** request is for \$70,000, a decrease of \$38,170 or 35.3 percent below the FY 2005 estimate. The **Governor** concurs with the agency request and adds funding for the 2.5 percent base salary adjustment, KPERS death and disability rate increase, and the 27th payroll period.

House Budget Committee Recommendation

The House Budget Committee concurs with the recommendations of the Governor, and notes that the Governor treated the Legislative Branch the same as the Judicial Branch, and makes the following observation and adjustment:

1. **Change from FY 2005 Approved.** The Budget Committee notes that the Governor's FY 2006 State General Fund recommendation for the agency totals \$15,234,836, an increase of \$1,905,621, or 14.3 percent above the FY 2005 State General Fund amount approved by the 2004 Legislature. Absent amounts recommended for the 2.5 percent base salary adjustment (\$156,185), the 27th payroll period (\$62,771), and the Kansas Public Employees Retirement System (KPERS) death and disability increase (\$36,699), the recommendation is an increase of \$1,646,966, or 12.4 percent above the approved amount.

1-11

2. The Budget Committee adds \$26,730 State General Fund to index the non-session Legislative expense allowance to any state employee salary adjustment. This would have the effect of raising the non-session Legislative expense allowance by 2.5 percent from \$324 biweekly to \$332 biweekly if the Governor's full year base salary adjustment is approved. If there is any adjustment to the salary plan, the same adjustment would be made to the non-session Legislative expense allowance as well.

Legislative Initiatives – 2005
University of Kansas

Issue Topic/Title:

Authority to sell land

Proposal:

The University of Kansas requests authorization to seek legislative approval to sell the real property described as: University Place Block 3, Lot 7 in the City of Lawrence Douglas County, Kansas.

Background:

The property was purchased by the Regents of the University of Kansas from George and Lillian R. Leis. The property is a vacant lot and is not contiguous to campus. The University will seek appraisals as required under K.S.A. 75-3043a.

Fiscal and Administrative Impact:

The property has a tax appraisal value of approximately \$42,000. Proceeds from the sale will be deposited in the restricted fees account and used to support general operations of the university.

Impact on other Agencies:

None known.

HOUSE APPROPRIATIONS

DATE 2-18-2005
ATTACHMENT 2



Office of the President
110 Anderson Hall
Manhattan, KS 66506 -0112
785-532-6221
Fax: 785-532-7639

MEMORANDUM

TO: Chairman Melvin Neufeld
Members of House Appropriations Committee

FROM: Sue Peterson

DATE: February 17, 2005

RE: HB 2364

Parcel 1: The University is seeking authority to sell land and a structure owned by the Kansas State University Student Union. The parcel is 0.856 acre and the structure has 11,000 gross square feet. The Union purchased the property with revenue bond proceeds in June of 1996 for \$246,000. The property was purchased by the Union to use as a storage facility for the vending and bookstore operations. The Union has outsourced those activities and does not need the property.

The Student Union currently leases the facility to a private entity and no longer wishes to maintain it. The Student Union proposes to sell the facility and currently plans to use the proceeds to help finance the cost of an addition to the Union (a proposed center for student activities).

Parcel 2: The University seeks authority to sell 201.7 acres of land located at Cheney Reservoir. The University's Department of Horticulture has used this property for educational and research purposes for the past 30 years. The senior scientist who worked on the property plans to retire shortly. The University does not plan to assign a replacement scientist since the long-term research done at the reservoir site has been completed. Proceeds from the sale of the property would be deposited in the department's restricted fee account.

Parcel 3: The University is seeking approval to sell two parcels of land to Meadowlark Hills Retirement Community. The two parcels of land owned by the University total 3.24 acres (Parcel A has 2.98 acres and Parcel B has .26 acre). Meadowlark Hills had an appraisal completed that indicated the two parcels of land are appraised at a total of \$29,000. The University currently cannot use the land for research because of its proximity to Meadowlark Hills.

HOUSE APPROPRIATIONS

DATE 2-18-2005
ATTACHMENT 3

HOUSE BILL No. 2364

By Committee on Higher Education

2-9

HOUSE APPROPRIATIONS

DATE 2-18-2005
ATTACHMENT 4

9 AN ACT authorizing the state board of regents to convey certain real
10 estate.

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

12 Section 1. (a) The state board of regents is hereby authorized and
13 empowered to sell and convey all of the rights, title and interest in the
14 following parcel in Riley county, Kansas:

for and on behalf of Kansas state university,

15
16 A tract of land in Government Lot 11 of Section 8, Township 10 South,
17 Range 8 East of the 6th P.M., in Pottawatomie county, Kansas, described
18 as follows: Beginning at a point on the west line of Hayes Drive that is
19 E. 89°41' 17" E. 637.66 feet and N. 1°46' 17" W. 278.76 feet from the
20 southwest corner of said section 8, said point being the northeast corner
21 of the Robert M. Baril tract recorded in Deed Book 134, Page 112, at
22 the Pottawatomie county Register of Deeds office; thence N. 89°38' 42"
23 W. 181.78 feet to the northwest corner of the said Baril tract; thence
24 North 208.71 feet along the east line of a tract leased by the Stevenson
25 Sign Services, Inc., to the Northeast corner of said Stevenson tract, thence
26 S. 89°41' 17" E. 175.32 feet to the West line of Hayes Drive; thence S.
27 1°46' 17" E. 208.98 feet along the west line of said Hayes Drive to the
28 point of beginning, containing 0.856 acres; subject to easements and re-
29 strictions of record;

30 (b) Conveyance of such rights, title and interest in such real estate
31 shall be executed in the name of the state board of regents by its chair-
32 person and chief executive officer. When the sale is made, the proceeds
33 thereof shall be deposited in the Kansas state university restricted fees
34 account for use by the student union. The provisions of K.S.A. 2004 Supp.
35 75-6609 and amendments thereto shall not be applicable to the real estate
36 sale authorized by this section.

37 Sec. 2. (a) The state board of regents is hereby authorized and em-
38 powered, for and on behalf of Kansas state university, to sell and convey
39 all of the rights, title and interest in the following parcel in Riley county,
40 Kansas:

parcels

41 A 2.98 acre tract, more or less, owned by Kansas state university in the
42 vicinity of the meadowlark hills retirement community; and a .26 acre,
43 more or less, tract owned by Kansas state university in the vicinity of the

~~meadowlark hills retirement community, together with and subject to covenants, easements and restrictions of record.~~

(b) Conveyance of such rights, title and interest in such real estate shall be executed in the name of the state board of regents by its chairperson and chief executive officer. When the sale is made, the proceeds thereof shall be deposited in the restricted fees account of Kansas state university. The provisions of K.S.A. 2004 Supp. 75-6609 and amendments thereto shall not be applicable to the real estate sale authorized by this section.

Sec. 3. (a) The state board of regents is hereby authorized and empowered for and on behalf of Kansas state university, to sell and convey all of the rights, title and interest in the following nine parcels:

(1) All the tract of land in the N ½ of the NE ¼ of Section 12, Township 27 South, Range 5 West of the 6th P.M., Kingman county, Kansas, lying south of the north boundary line of a 100 foot wide easement or right of way for public highway or road and whose centerline is described as: Beginning 5.20 feet south of the NE corner of said Section 12. Said Point being the P. C. of a curve to the left whose tangent has a bearing of S 81°16' 32" W in relation to the bearings shown: Thence along said curve to the left having a radius of 1432.40 feet and through a central angle of 17°31' 45" a distance of 438.23 feet; thence bearing S 63° 44' 47" W along said centerline a distance of 1496.51 feet to the P. C. of a curve to the right having a radius of 1432.40 feet. Thence along said curve to the right and through a central angle of 26° 15' 13" a distance of 656.34 feet. Thence along said centerline bearing N 90° 00' W a distance of 213.33 feet to a point on the west line of said NE ¼ of Section 12. Thence bearing S 1° 01' 35" E along the west line of said NE ¼ of Section 12 a distance 409.50' to the SW corner of the N ½ of the NE ¼ of said Section. Thence bearing N 89° 13' 25" E along the south line of the N ½ of the NE ¼ of said Section 12 a distance of 2622.85' to the SE corner of the N ½ of the NE ¼ of said Section 12. Thence bearing N 1° 04' 05" W along the east line of said Section 12 a distance of 1315.04 feet to the point of beginning.

Said tract containing 50.9 acres, more or less, including right of way for public highway or road.

(2) All that tract or parcel of land located in the W ½ of the NW ¼ of the SW ¼ of sec. 5, T. 27 S., R. 4 W., Sixth Principal Meridian, Sedgwick county, Kansas, lying south and east of the northwest boundary of the public highway or road easement described as follows and containing 16.6 acres, more or less:

Two parcels of land lying and situate in the Northwest Quarter (NW ¼) and the West Half of the Northwest Quarter of the Southwest Quarter (W ½ NW ¼ SW ¼) of Section Five (5), Township Twenty-seven (27)

(1) A tract of land in the West Half of Lots 16 and 21 of Section 6, Township 10 South, Range 8 East of the 6th Principal Meridian in Riley County, Kansas described as follows:

Beginning at a point on the East line of the West Half of Lot 21 of said Section 6 and the North line of Kimball Avenue that is North 00 degrees 00 minutes 43 seconds East for a distance of 802.25 feet from the Southeast Corner of the West Half of Lot 21 of said Section 6;

THENCE North 00 degrees 01 minutes 48 seconds East for a distance of 1450.00 feet along the East line of the West Half of Lots 16 and 21 of said Section 6;

THENCE North 89 degrees 58 minutes 12 seconds West for a distance of 100.00 feet; THENCE South 00 degrees 01 minutes 48 seconds West for a distance of 1444.00 feet to the North line of said Kimball Avenue;

THENCE South 84 degrees 57 minutes 03 seconds East for a distance of 95.22 feet along the North line of said Kimball Avenue;

THENCE North 65 degrees 37 minutes 53 seconds East for a distance of 5.65 feet along the North line of said Kimball Avenue to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 3.325 acres more or less.

(2) A tract of land in Lot 10 of Section 6, Township 10 South, Range 8 East of the 6th Principal Meridian in Riley County, Kansas described as follows:

Beginning at the Southeast Corner of Lot 10 of said Section 6;

THENCE North 00 degrees 01 minutes 16 seconds East for a distance of 140.00 feet along the East line of Lot 10 of said Section 6;

THENCE South 47 degrees 24 minutes 13 seconds West for a distance of 203.82 feet to the South line of Lot 10 of said Section 6;

THENCE South 89 degrees 13 minutes 00 seconds East for a distance of 150.00 feet along the South line of Lot 10 of said Section 6 to the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.241 acres more or less.

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1 South, Range Four (4) West of the Sixth (6th) Meridian, Sedgwick county,
2 Kansas, each being 10 feet in width and each included between two par-
3 allel lines located 50 feet and 60 feet, respectively, right and left, meas-
4 ured at right angles from a centerline whose previous course bears South
5 $54^{\circ} 05'$ West, and beginning at a point on the North Boundary of said
6 Northwest Quarter (NW $\frac{1}{4}$) whence the North Quarter (N $\frac{1}{4}$) corner of
7 said Section Five (5) bears North $89^{\circ} 27'$ East, a distance of 496.6 feet;

8 Thence South $54^{\circ} 09'$ West for a distance of 20.0 feet to the beginning
9 of a curve to the left;

10 Thence along said curve to the left having a radius of 2864.8 feet for a
11 distance of 1176.5 feet measured along the arc;

12 Thence South $31^{\circ} 22'$ West for a distance of 747.2 feet to the beginning
13 of a curve to the left;

14 Thence along said curve to the left having a radius of 5729.6 feet for a
15 distance of 1618.3 feet measured along the arc;

16 Thence South $15^{\circ} 11'$ West for a distance of 102.6 feet to the beginning
17 of a curve to the left;

18 Thence along said curve to the left having a radius of 5729.6 feet for a
19 distance of 803.1 feet measured along the arc to a point in the South
20 boundary of the West Half of the Northwest Quarter of the Southwest
21 Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$) of said Section Five (5), tangent to a curve
22 at said point bears South $7^{\circ} 03'$ West;

23 Whence the Southwest corner of said Section Five (5) lies South $1^{\circ} 34'$
24 West, a distance of 1285.6 feet.

25 (3) All that tract or parcel of land located in the N $\frac{1}{2}$ of the NE $\frac{1}{4}$
26 of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ all in sec. 5 of
27 T. 27 S., R. 4 W. of the Sixth Principal Meridian, Sedgwick county,
28 Kansas, lying south and east of the northwest boundary of the public
29 highway or road easement described in Tract 6A above and containing
30 24.5 acres, more or less.

31 (4) All that tract or parcel of land located in the W $\frac{1}{2}$ of the NW $\frac{1}{4}$
32 of sec. 5, T. 27 S., R. 4 W. of the Sixth Principal Meridian, Sedgwick
33 county, Kansas, lying south and east of the northwest boundary of the
34 public highway or road easement described in Tract 6A above and con-
35 taining 28.5 acres, more or less.

36 (5) All that tract or parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$
37 sec. 32, T. 26 S., R. 4 W., Sixth Principal Meridian, Reno county, Kansas,
38 lying south and east of the northwest boundary of the public highway or
39 road easement described as follows and containing 2.6 acres, more or
40 less:

41 Being that parcel of land situated within the Northwest Quarter (NW
42 $\frac{1}{4}$) except the North Fifty (50) feet of the East Three-fourths of the
43 Northeast Quarter (NE $\frac{1}{4}$) thereof, and within the Northwest Quarter of

1 the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$)
 2 of Section Thirty-three (33) and within the Southeast Quarter (SE $\frac{1}{4}$) and
 3 within the Southeast Quarter of the Southeast Quarter of the Southwest
 4 Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-two (32) Township
 5 Twenty-six (26) South, Range Four (4) West of the Sixth (6th) Principal
 6 Meridian, Reno county, Kansas, said parcel of land being One Hundred
 7 and No Tenths (100.0) feet in width and included between two parallel
 8 lines everywhere Fifty and No Tenths (50.0) feet right and Fifty and No
 9 Tenths (50.0) feet left measured at right angles to a centerline of relocated
 10 M & M Road whose previous course along the North side of Section
 11 Thirty-three (33) bears South 89° 03' West, except between said relocated
 12 road, centerline stations 132+00 and 138+00, said exception being a par-
 13 cel of land One Hundred Thirty and No Tenths (130.0) feet in width and
 14 including between two parallel lines everywhere Sixty-five and No Tenths
 15 (65.0) feet right and Sixty-five and No Tenths (65.0) feet left measured
 16 at right angles to the centerline of said relocated road, the centerline of
 17 the relocated road described as follows:

18 Beginning at the North Quarter (N $\frac{1}{4}$) of said Section Thirty-three (33);
 19 Thence along the North boundary of said Section Thirty-three (33), South
 20 89° 03' West, a distance of 426.9 feet to the beginning of a curve to the
 21 left having a radius of 818.5 feet;

22 Thence along said curve to the left a distance of 1,000.0 feet measured
 23 along the arc;

24 Thence South 19° 03' West a distance of 450.4 feet to the beginning
 25 of a curve to the right having a radius of 1,432.7 feet;

26 Thence along said curve to the right 267.6 feet measured along the arc;

27 Thence South 29° 45' 20" West a distance of 1,055.1 feet to said Station
 28 132+00;

29 Thence South 29° 45' 20" West a distance of 600.0 feet to said Station
 30 138+00;

31 Thence South 29° 45' 20" West a distance of 618.6 feet to the beginning
 32 of a curve to the right having a radius of 955.4 feet;

33 Thence along said curve to the right for a distance of 422.9 feet meas-
 34 ured along the arc;

35 Thence South 55° 07' 40" West for a distance of 3,470.9 feet to the
 36 point of ending, said point lying 500.0 feet West from the South Quarter
 37 (S $\frac{1}{4}$) corner of said Section Thirty-two (32).

38 (6) All that tract or parcel of land located in the W $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 32,
 39 T. 26 S., R. 4 W., Sixth Principal Meridian, Reno county, Kansas, lying
 40 south and east of the northwest boundary of the public highway or road
 41 easement described in Tract 107 above and containing 25.2 acres, more
 42 or less.

43 (7) All that tract or parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and the

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1 NW ¼ SE ¼ SE ¼ of sec. 32, T. 26 S., R. 4 W., Sixth Principal Meridian,
2 Reno county, Kansas, lying south and east of the northwest boundary of
3 the public highway or road easement described in Tract 107 above and
4 containing 19.8 acres, more or less.

5 (8) All that tract or parcel of land located in the NW ¼ NW ¼ SW
6 ¼ sec. 33, T. 26 S., R. 4 W., Sixth Principal Meridian, Reno county,
7 Kansas, lying south and east of the northwest boundary of the public
8 highway or road easement described in Tract 107 above and containing
9 8.4 acres, more or less.

10 (9) All that tract or parcel of land located in the W ½ NW ¼ and W
11 ½ W ½ NE ¼ NW ¼ of sec. 33, T. 26 S., R. 4 W., Sixth Principal
12 Meridian, Reno county, Kansas, lying south and east of the north west
13 boundary of the public highway or road easement described in Tract 107
14 above and containing 25.2 acres, more or less;

15 Except an irregular shaped parcel of land in the N ½ NW ¼ of sec.
16 33 T. 26 S., R. 4 W., Sixth Principal Meridian, Reno county, Kansas, more
17 particularly described as follows:

18 Beginning at the Southeast (SE) corner of the West Half of the West
19 Half of the Northeast Quarter of the Northwest Quarter (W ½ W ½ NE
20 ¼ NW ¼) of said section whence the North Quarter (N ¼) corner of said
21 section bears North 36° 11' 14" East a distance of 1,657.57 feet;

22 Thence along the South boundary of the North Half of the Northwest
23 Quarter (N ½ NW ¼) of said section South 89° 41' 05" West a distance
24 of 470.04 feet to a point on the relocated county road right-of-way
25 boundary:

26 Thence along the county road right-of-way North 29° 45' 20" East a
27 distance of 97.83 feet;

28 Thence along a curve to the left having a radius of 1,482.69 feet a
29 distance of 279.18 feet measured along the arc;

30 Thence North 19° 03' East a distance of 108.32 feet to a point in the
31 county road right-of-way boundary;

32 Thence North 66° 28' 37" East a distance of 295.60 feet to a point in
33 the East boundary of the West Half of the West Half of the Northeast
34 Quarter of the Northwest Quarter (W ½ W ½ NE ¼ NW ¼);

35 Thence along said East boundary South 0° 05' 16" East a distance of
36 554.98 feet to the point of beginning containing 3.98 acres, more or less;
37 reserving, however, unto the United States the right and privilege to op-
38 erate, maintain and relocate the existing drainage way.

39 Sec. 4. (a) The state board of regents is hereby authorized and em-
40 powered, for and on behalf of Kansas state university, to sell and convey
41 all of the rights, title and interest in the following [Parcel] in Douglas
42 county, Kansas:

43 University Place Block 3, Lot 7 in the City of Lawrence. [A 2.99 acre]

[of Kansas

] parcel

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1 ~~tract, more or less, owned by Kansas state university in the vicinity of the~~
 2 ~~meadowlark hills retirement community and a .26 acre tract, more or less,~~
 3 ~~owned by Kansas state university in the vicinity of the meadowlark hills~~
 4 ~~retirement community.~~ Together with and subject to covenants, ease-
 5 ments and restrictions of record.

6 (b) Conveyance of such rights, title and interest in such real estate
 7 shall be executed in the name of the state board of regents by its chair-
 8 person and chief executive officer. When the sale is made, the proceeds
 9 thereof shall be deposited in the restricted fees account of the university
 10 of Kansas to support general operations of the university. The provisions
 11 of K.S.A. 2004 Supp. 75-6609, and amendments thereto, shall not be
 12 applicable to the real estate sale authorized by this section.

13 ~~Sec. 5.~~ This act shall take effect and be in force from and after its
 14 publication in the statute book.

Sec. 5. In the event that the board of regents determines that the legal description of any parcel described by this act is incorrect, the board of regents may convey the property utilizing the correct legal description but the deed conveying the property shall be subject to the approval of the attorney general.