Approved:		3-11-99	
	Date		

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE.

The meeting was called to order by Chairperson Phill Kline at 9:00 a.m. on March 4, 1999 in Room 514-S of the Capitol.

All members were present except:

Rep. Phil Kline

Rep. Brenda Landwehr Rep. Jeff Peterson Rep. Jo Ann Pottorff Rep. Sharon Schwartz

Committee staff present: Legislative Research - Alan Conroy, Stuart Little, Robert Waller,

Rae Lee Davis, Kathie Sparks, Tom Severn

Revisor of Statutes - Jim Wilson, Mike Corrigan

Secretary - Ann McMorris

Conferees appearing before the committee:

Secretary Dan Stanley, Department of Administration

Janet Schalansky, Deputy Secretary, SRS

Secretary Charles E. Simmons, Department of Corrections

Others attending:

See attached list.

Chair called the meeting to order and referred the committee to the motion that was tabled on March 3 for continuation on March 4.

Kansas Department of Wildlife and Parks (cont.)

Moved by Representative Mollenkamp, seconded by Representative Feuerborn, adoption of the FY1999 and FY2000 Kansas Department of Wildlife and Parks budget recommendations of the Agriculture and Natural Resources Budget Committee. Motion carried.

Citizens' Utility Ratepayer Board

Rep. Mollenkamp reported the Agriculture and Natural Resources Budget Committee concurred with the Governor's recommendations for the Citizens' Utility Ratepayer Board for FY1999 and for FY2000. (Attachment 1)

Moved by Representative Mollenkamp, seconded by Representative Feuerborn, adoption of the FY1999 and FY2000 Citizens' Utility Ratepayer Board budget recommendations of the Agriculture and Natural Resources Budget Committee. Motion carried.

Kansas Corporation Commission

Rep. Feuerborn reported the Agriculture and Natural Resources Budget Committee concurred with the Governor's recommendations for the Kansas Corporation Commission for FY1999 and for FY2000 with exceptions. (Attachment 2)

Moved by Representative Feuerborn, seconded by Representative Mollenkamp, adoption of the FY1999 and FY2000 Kansas Corporation Commission budget recommendations of the Agriculture and Natural Resources Budget Committee. Motion carried.

HB 2410 - No-fund warrant authority for certain cemetery districts

Jim Wilson, First Assistant Revisor, presented information in answer to a question during hearing on **HB 2410** on whether existing laws might permit a cemetery district affected by this bill to accomplish the same purpose without enacting the bill. (Attachment 3) Committee discussed the bill briefly. The bill will be taken up at a future meeting.

CONTINUATION SHEET

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE, Room 514-S Statehouse, at 9:00 a.m. on March 4, 1999.

HB 2413 - Providing funding for state parks and local recreation grants

Rep. McClure provided the committee with printed testimony on **HB 2413** which Mike Lake of Cawker City had e-mailed to her office. (Attachment 4)

Status Report on Topeka West Complex (former Topeka State Hospital)

Dan Stanley, Secretary, Department of Administration (<u>Attachment 5</u>) Janet Schalansky, Deputy Secretary,

Department of Social & Rehabilitation Services (Attachment 6)

Charles E. Simmons, Secretary, Department of Corrections

Secretary Stanley reviewed the continuing operations, development/leasing issues, transfer issues and the Department of Administration actions. Zoning for this property is R-1, residential single family. The committee asked about use of local match funds, the completion of a master plan and the annual cost to the Department of Administration for upkeep of the 267 acre complex. Mr. Stanley indicated a master plan which would show the natural parcels and their potential use would be completed by July 1, 1999.

Janet Schalansky, SRS Deputy Secretary, reviewed the properties used by SRS at the Topeka West Complex.

Charles Simmons, Secretary, Department of Corrections, briefed the committee on the use of various facilities at Topeka Complex West and reported that 111 inmates are housed at Topeka Complex West. Inmate labor is provided in keeping up the grounds.

Next meeting to be held on March 5, 1999

Adjournment.

Respectfully submitted,

Ann McMorris, Secretary

Attachments - 6

HOUSE APPROPRIATIONS COMMITTEE GUEST LIST

DATE: March 4, 1999

N. A. N. A. D. A.	DEDDECEMENT
NAME	REPRESENTING
JOE FRITTON	DEPT OF ADMID/DEM
Julet The Connell	The Corporation Commesse
Rolly N. Lawson	Ontern
Marie Sackman	Farmer
Jim Kang	City of Topeka
Jan Rappon	DOA DEVISION at Fac MONT
Bill Henry	KS GOV. Consulting
Marsha Tappen	XBI
Terry Ynowles	XBI
TOM DAY	*CC

SENATE SUBCOMMITTEE REPORT

Agency: Citizens' Utility Ratepayer Board

Bill No. -

Bill Sec. -

Analyst: Severn

Analysis Pg. No. 1570

Budget Page No. 95

Expenditure Summary	Agency Estimate FY 99		Gov. Rec. FY 99	Sub	Senate committee justments
State Operations Special Revenue Fund	\$ 442,190	\$	442,190	\$	0
FTE Positions	3.0		3.0		0.0
Unclassified Temp. Positions	1.0	_	1.0		0.0
TOTAL	4.0		4.0		0.0

Agency Estimate/Governor's Recommendation

The agency's estimate for FY 1999 is for \$442,190, an increase of \$3,000 from the amount approved by the 1998 Legislature. The increase is accounted for by KSIP expenditures of \$3,000 for a classified KSIP bonus (\$1,000) and a computer (\$2,000).

The Governor concurs with the agency estimate.

The Subcommittee concurs with the Governor.

Fee Fund Analysis

The following table reflects the status of the agency's fee fund under the subcommittee recommendation.

Resource Estimate	, A	Actual FY 1998	Agency Estimate FY 1999	Gov. Rec. FY 1999	Agency Request FY 2000	Gov. Rec. FY 2000
Beginning Balance	\$	22,740 \$	(38,807) \$	(38,807) \$	22,003 \$	22,003
Projected Receipts	_	299,179	503,000	503,000	458,642	458,642
Total Available	\$	321,919 \$	464,193 \$	464,193 \$	480,645 \$	480,645
Less: Expenditures		360,726	442,190	442,190	458,642	457,793
Ending Balance	\$	(38,807) \$	22,003 \$	22,003 \$	22,003 \$	22,003
Ending Balance as a Percentage of Expend.		(10.8)%	5.0%	5.0%	4.8%	5.0%

Attachment 1-1 House Appropriations Committee March 4, 1999

Senate Committee Recommendation

The Senate Committee concurs with the recommendation of the subcommittee.

Senate Recommendation

The full Senate has not considered this agency's budget.

HOUSE BUDGET COMMITTEE REPORT

Agency:

Citizens' Utility Ratepayer Board

Bill No. -

Bill Sec. -

Analyst:

Severn Analysis Pg. No. 1570

Budget Page No. 95

Expenditure Summary	Agency Request FY 99		Gov. Rec. FY 99	House Budget Committee Adjustments		
Special Revenue Fund: State Operations	\$ 442,190	\$	442,190	\$	0	
FTE Positions Unclassified Temp. Positions	3.0 1.0		3.0 1.0	0.0 0.0		
TOTAL	4.0		4.0	0.0		

Agency Estimate/Governor's Recommendation

The agency's estimate for FY 1999 is for expenditures of \$442,190, an increase of \$3,000 from the amount approved by the 1998 Legislature. The increase is accounted for by KSIP expenditures of \$3,000 for a classified KSIP bonus (\$1,000) and a computer (\$2,000).

The Governor recommends expenditures of \$457,793. The Governor includes \$7,820 for his pay plan adjustment: \$1,134 for longevity bonus payments, \$337 for a classified base salary adjustment, and \$6,349 for an unclassified merit pool. Because the one classified employee is at the top of the pay range, no funding for a classified step increase is included.

Budget Committee Recommendation

The Budget Committee concurs with the Governor.

Fee Fund Analysis

The following table reflects the status of the agency's fee fund under the Budget Committee's recommendation.

				Agency		Agency	Budget Comm.				
Resource Estimate	Actua FY 199			Estimate FY 1999		Gov. Rec. FY 1999		Request FY 2000		and Gov. Rec. FY 2000	
Beginning Balance	\$	22,740	\$	(38,807)	\$	(38,807)	\$	22,003	\$	22,003	
Projected Receipts		299,179		503,000		503,000	_	458,642		458,642	
Total Available	\$	321,919	\$	464,193	\$	464,193	\$	480,645	\$	480,645	
Less: Expenditures		360,726		442,190		442,190		458,642	4	457,793	
Ending Balance	\$	(38,807)	\$	22,003	\$	22,003	\$	22,003	\$	22,852	
	1		W-T								
Ending Balance as a Percent of Expend.		(10.8)%		5.0%		5.0%		5.0%		4.8%	

Representative Gayle Mollenkamp, Chairman

Representative Carl Holmes

Representative Bill Feuerborn

Representative Sharon Schwartz

Representative/Tim Tedder

SENATE SUBCOMMITTEE REPORT

Agency: Citizens' Utility Ratepayer Board Bill No. - Bill Sec. -

Analyst: Severn Analysis Pg. No. 1570 Budget Page No. 95

Expenditure Summary	Agency Request FY 00	Gov. Rec. FY 00		Sub	Senate committee justments
State Operations Special Revenue Fund	\$ 458,642	\$	457,793	\$	(7,820) *
FTE Positions Unclassified Temp. Positions	3.0 1.0		3.0 1.0		0.0 0.0
TOTAL	4.0		4.0		0.0

^{*} The reduction of \$7,820 from special revenue funds is entirely for the Governor's employee salary adjustment.

Agency Request/Governor's Recommendation

The agency's request for FY 2000 is for \$458,642, an increase of \$16,452 (3.7 percent) from the 1999 estimate.

The Governor recommends expenditures of \$457,793. The Governor includes \$7,820 for his pay plan adjustment: \$1,134 for longevity bonus payments, \$337 for classified base salary adjustments, and \$6,349 for an unclassified merit pool. Because the one classified employee is at the top of the pay range, no funding for a classified step increase is included.

The Subcommittee concurs with the Governor, but removes the funding for the Governor's pay plan.

Fee Fund Analysis

The following table reflects the status of the agency's fee fund under the subcommittee recommendation.

Resource Estimate	Actual FY 1998		Agency Estimate FY 1999		Gov. Rec. FY 1999		Agency Request FY 2000		Gov. Rec. FY 2000		Subcomm Rec. FY 2000	
Beginning Balance Projected Receipts	\$	22,740 299,179	\$	(38,807) 503,000	\$	(38,807) 503,000	\$	22,003 458,642	\$	22,003 458,642	\$	22,003 458,642
Total Available Less: Expenditures	\$	321,919 360,726	\$	464,193 442,190	\$	464,193 442,190	\$	480,645 458,642	\$	480,645 457,793	\$	480,645 449,973
Ending Balance	\$	(38,807)	\$	22,003	\$	22,003	\$	22,003	\$	22,003	\$	30,670
Ending Balance as a Percentage of Expend.		(10.8)%		5.0%		5.0%		4.8%		5.0%		6.8%

Senate Committee Recommendation

The Senate Committee concurs with the recommendation of the subcommittee.

Senate Recommendation

The full Senate has not considered this agency's budget.

HOUSE BUDGET COMMITTEE REPORT

Agency: Citizens' Utility Ratepayer Board Bill No. 2519 Bill Sec. 41

Analyst: Severn Analysis Pg. No. 1570 Budget Page No. 95

Expenditure Summary		Agency Request FY 00	 Gov. Rec. FY 00	Co	use Budget ommittee justments
Special Revenue Fund: State Operations	\$	458,642	\$ 457,793	\$	0
FTE Positions Unclassified Temp. Positions		3.0 1.0	3.0 1.0		0.0
TOTAL	_	4.0	4.0	-	0.0

Agency Request/Governor's Recommendation

The agency's request for FY 2000 is for expenditures of \$458,642, an increase of \$16,452 (3.7 percent) from the 1999 estimate.

The Governor recommends expenditures of \$457,793. The Governor includes \$7,820 for his pay plan adjustment: \$1,134 for longevity bonus payments, \$337 for a classified base salary adjustment, and \$6,349 for an unclassified merit pool. Because the one classified employee is at the top of the pay range, no funding for a classified step increase is included.

Budget Committee Recommendation

The Budget Committee concurs with the Governor.

Fee Fund Analysis

The following table reflects the status of the agency's fee fund under the Budget Committee's recommendation.

Resource Estimate	 Actual Y 1998	-	Agency Estimate FY 1999	an	dget Comm. d Gov. Rec. FY 1999	Agency Request FY 2000	ndget Comm. nd Gov. Rec. FY 2000
Beginning Balance Projected Receipts	\$ 22,740 299,179	\$	(38,807) 503,000	\$	(38,807) 503,000	\$ 22,003 458,642	\$ 22,003 458,642
Total Available Less: Expenditures	\$ 321,919 360,726	\$	464,193 442,190	\$	464,193 442,190	\$ 480,645 458,642	\$ 480,645 457,793
Ending Balance	\$ (38,807)	\$	22,003	\$	22,003	\$ 22,003	\$ 22,852
Ending Balance as a Percent of Expend.	(10.8)%		5.0%		5.0%	5.0%	4.8%

Representative Gayle Mollenkamp, Chairman

Representative Carl Holmes

Representative Bill Feuerborn

Representative Sharon Schwartz

Representative Tim Tedder

SENATE SUBCOMMITTEE REPORT

Agency: Kansas Corporation Commission

Bill No. -

Bill Sec. -

Analyst: Severn

Analysis Pg. No. 1580

Budget Page No. 116

Expenditure Summary		Agency Estimate FY 99		Estimate Gov. Rec.			Senate Subcommittee Adjustments
Special Revenue Funds							
State Operations	\$	15,928,119	\$	16,090,488	\$ 0		
Other Assistance		750,000	721	750,000	0		
TOTAL	\$	16,678,119	\$	16,840,488	\$ 0		
FTE Positions		211.0		211.0	0.0		
Unclassified Temp. Positions		0.0		0.0	0.0		
TOTAL		211.0		211.0	0.0		

Agency Estimate/Governor's Recommendation

The State Corporation Commission estimates expenditures for state operations of \$15,928,119 in FY 1999, an increase of \$28,933 over the approved budget. The estimate includes an unanticipated federal grant of \$259,000. Much of this unanticipated expenditure is offset by reductions in other funds.

The agency's estimate includes \$141,446 in KSIP expenditures: \$60,760 for professional development; and \$80,686 for computers and related equipment.

The Governor recommends \$16,090,488 for state operations in FY 1999, an increase of \$162,236 (1.0 percent) from the agency request. The Governor reduces salaries and wages by \$37,631 by reestimating fringe benefits and reducing temporary salaries and overtime and added \$200,000 in consulting fees.

The Governor also recommends a revenue transfer back to the State General Fund of \$400,000 from the Abandoned Oil and Gas Well Plugging Fund.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor with the following exception: (1) the Subcommittee does not recommend the \$400,000 revenue transfer back to the State General Fund from the Abandoned Oil and Gas Well Plugging Fund.

The Subcommittee notes that the Abandoned Oil and Gas Well Plugging Fund was created in 1996 to investigate, remediate, and plug oil and gas wells abandoned (prior to July 1, 1996) that present a threat to public health or the environment. The fund receives quarterly revenue transfers of \$100,000 (\$400,000 annually) from the SGF, the State Water Plan Fund, the Conservation Fee Fund, and 50 percent of the state's share of mineral royalties under the Mineral Leasing Act. Receipts to the fund for

recent years and estimates for FY 1999 and FY 2000 are shown on the next page. The Governor does not change the authorized expenditures from the fund. Given the state of the oil market and the Kansas oil industry, an increase in abandonments and a decrease in mineral royalty payments can be expected in the future. The Subcommittee notes that revenues to the fund will sunset on July 1, 2002.

Fiscal Year	Receipts	Expenditures	End	ding Balance
1998	\$ 1,926,820	\$ 1,092,677	\$	1,599,042
1999 (est)	1,894,764	1,600,000		1,893,806
2000 (est)	2,194,786	1,600,000		2,488,592

According to information supplied by the agency to the Subcommittee, the time required for the inspection, prioritizing and letting of bids for well plugging is considerable, and remediation, which is now beginning, will be more costly than plugging and will involve expenditures over a longer time period. The agency also noted that more of the deeper wells in central and western Kansas will be plugged, and that plugging those wells is more costly than plugging the shallower wells in eastern Kansas. The agency also said that in the first four months of the current fiscal year the agency has spent \$105,435 and encumbered \$663,909 for well plugging and has encumbered at least \$211,000 with another \$305,000 soon to be encumbered for remediation, for a grand total of \$1,285,344 committed or ready to commit for approximately the first half of the current fiscal year. The following table shows how many wells were plugged in FY 1998 by district of the state and the average cost per well by district

District (Area)	No. Wells Plugged (FY98)	Average Cost per Well
District 1 (Southwest)	10	\$4,045
District 2 (Central)	5	5,840
District 3 (Southeast)	476	1,968
District 4 (Northwest)	6	7,249

The Subcommittee notes that there is an agreement that no new FTEs will be involved with the abandoned oil and gas well plugging activity. To assist the agency in expediting this activity, the Subcommittee would favor allowing more flexibility within the agency, especially with regard to replacement of retirements. The Subcommittee notes that the agency has had problems with turnover and would support measures to assist the agency in recruiting and retaining qualified employees. The Subcommittee requests that the agency report back to the full committee at Omnibus on potential solutions to the issue.

The Subcommittee received a request from the agency for additional authority to expend federal funds which became available after the budget had been prepared. The agency is of the opinion that the additional authority can be accomplished through issuance of a Governor's Executive Order. The Subcommittee concurs and requests issuance of an Executive Directive. The Subcommittee also requests a Governor's Budget Amendment to reflect the expenditure of the federal funds.

Senate Committee Recommendation

The Senate Committee concurs with the recommendation of the Subcommittee.

Senate Recommendation

The full Senate has not considered this agency's budget.

BUDGET COMMITTEE REPORT

Agency: Kansas Corporation Commission Bill No. 2521 Bill Sec. 13

Analyst: Severn Analysis Pg. No. 1580 Budget Page No. 116

Expenditure Summary		Agency Estimate Gov. Rec. FY 99 FY 99		_	Budget Committee Adjustments	
Special Revenue Funds:						
State Operations	\$	15,928,119	\$	16,090,488	\$	0
Other Assistance		750,000		750,000	0	0
TOTAL	\$	16,678,119	\$	16,840,488	\$	0
FTE Positions		211.0		211.0		0.0
Unclassified Temp. Positions		0.0		0.0		0.0
TOTAL	20	211.0		211.0		0.0

Agency Estimate/Governor's Recommendation

The State Corporation Commission estimates expenditures of \$16,678,119 in FY 1999, an increase of \$28,933 over the approved budget. The estimate includes an unanticipated federal grant of \$259,000. Much of this unanticipated expenditure is offset by reductions in other funds.

The agency's estimate includes \$141,446 in KSIP expenditures: \$60,760 for professional development; and \$80,686 for computers and related equipment.

The Governor recommends \$16,840,488 in FY 1999, an increase of \$162,236 (1.0 percent) from the agency request. The Governor reduces salaries and wages by \$37,631 after re-estimating fringe benefits and reducing temporary salaries and overtime. The Governor also adds \$200,000 in consulting fees.

The Governor also recommends a revenue transfer back to the State General Fund of \$400,000 from the Abandoned Oil and Gas Well Plugging Fund.

House Budget Committee Recommendation

The Budget Committee concurs with the Governor with the following exception:

1. the Budget Committee does not recommend the \$400,000 revenue transfer back to the State General Fund from the Abandoned Oil and Gas Well Plugging Fund.

The Budget Committee notes that the Abandoned Oil and Gas Well Plugging Fund was created by 1996 House Sub. for S.B. 755, to investigate, remediate, and plug oil and gas wells abandoned prior to July 1, 1996, that present a threat to public health or the environment. Pursuant to K.S.A. 1998 Supp. 55-193, the fund receives quarterly revenue transfers of \$100,000 (\$400,000 annually) from the SGF, the State Water Plan Fund, and the Conservation Fee Fund. The Committee notes that these revenue transfers to the fund will sunset as of July 1, 2002. Pursuant to K.S.A. 1998 Supp. 27-118, the fund also receives 50 percent of the state's share of mineral royalties under the Mineral Leasing Act. Receipts to the fund for FY 1998 and estimated expenditures for FY 1999 and FY 2000 are shown below. Given the state of the oil market and the Kansas oil industry, an increase in abandonments and a decrease in mineral royalty payments can be expected in the future.

Fiscal Year	Receipt	<u>Expenditures</u>	End	ding Balance
1998	\$ 1,926	.820 \$ 1,092,677	\$	1,599,042
1999 (est)	1,894	,764 1,600,000		1,893,806
2000 (est)	2,194	,786 1,600,000		2,488,592

According to information supplied by the agency to the Budget Committee, the time required for the inspection, prioritizing and letting of bids for well plugging is considerable, and remediation, which is now beginning, will be more costly than plugging and will involve expenditures over a longer time period. The agency's January, 1999, report to the Legislature contains 93 active contamination sites which are in the process of being investigated, monitored, or remediated. The agency cited an expense per site in the range of \$80,000 to \$350,000, and stated that as more complex sites move toward the design and implementation phase of remediation, the per site cost will increase. The agency also noted that more of the deeper wells in central and western Kansas will be plugged, and that plugging those wells is more complex and costly than plugging the shallower wells in eastern Kansas.

According to the agency, as of February 11, the agency (for well plugging and remediation) has spent \$717,634 and encumbered \$495,234, with another \$524,316 soon to be encumbered, for a grand total of \$1,737,184 committed or ready to commit for approximately seven months of the current fiscal year. The following table shows how many wells were plugged in FY 1998 by district of the state and the average cost per well by district.

District (Area)	No. Wells Plugged (FY98)	Average (Cost per Well
District 1 (Southwest)	10	\$	4,006
District 2 (Central)	5		6,654
District 3 (Southwest)	476		2,120
District 4 (Northwest)	6		7,249

According to the agency, as a result of efforts to inventory unplugged wells, there is a bigger known threat today than there was a year ago, in spite of the well plugging activities carried on since that time. As of January 1, 1997, there were 785 wells categorized as priority 1, level A. (These would be wells that are actively polluting surface water or groundwater or which pose an ongoing or current threat to the public safety). A year later, there were 564 such wells, but as of January 1, 1999, that number had increased to 805.

Representative Gayle Mollenkamp Chairman

Representative Carl Holmes

Representative Bill Feuerborn

Representative Sharon Schwartz

Representative Tim Tedder

SENATE SUBCOMMITTEE REPORT

Agency: Kansas Corporation Commission Bill No. - Bill Sec. -

Analyst: Severn Analysis Pg. No. 1580 Budget Page No. 116

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^{*} The reduction of \$222,110 from special revenue funds is entirely for the Governor's employee salary adjustment.

Agency Request/Governor's Recommendation

The State Corporation Commission requests total expenditures of \$16,443,277 in FY 2000, a decrease of \$234,842 from the FY 1999 estimate. The agency requests 2.0 FTE and \$69,124 for salaries and wages and \$11,162 in other operating expenditures as enhancements to administer a new severance tax exemption.

The Governor recommends total operating expenses of \$16,344,453 in FY 2000, an decrease of \$98,824 (0.6 percent) from the agency request. The Governor did not recommend the requested enhancements.

The Governor also recommends a revenue transfer back to the State General Fund of \$400,000 from the Abandoned Oil and Gas Well Plugging Fund.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustments: (1) delete \$222,110 (special revenue funds) for the Governor's recommended FY 2000 employee pay plan adjustments; and (2) the Subcommittee does not recommend the \$400,000 revenue transfer back to the State General Fund from the Abandoned Oil and Gas Well Plugging Fund.

The Subcommittee notes that the Abandoned Oil and Gas Well Plugging Fund was created in 1996 to investigate, remediate, and plug oil and gas wells abandoned prior to July 1, 1996 and presenting a threat to public health or the environment. The fund receives quarterly revenue transfers

of \$100,000 (\$400,000 annually) from the SGF, the State Water Plan Fund, the Conservation Fee Fund, and 50 percent of the state's share of mineral royalties under the Mineral Leasing Act. Receipts to the fund for recent years and estimates for FY 1999 and FY 2000 are shown on the next page. The Governor does not change the authorized expenditures from the fund. Given the state of the oil market and the Kansas oil industry, an increase in abandonments and a decrease in mineral royalty payments can be expected in the future. The Subcommittee notes that revenues to the fund will sunset on July 1, 2002.

Fiscal Year	<u>Receipts</u>	Expenditures	Enc	ding Balance
1998	\$ 1,926,820	\$ 1,092,677	\$	1,599,042
1999 (est)	1,894,764	1,600,000		1,893,806
2000 (est)	2,194,786	1,600,000		2,488,592

According to information supplied by the agency to the Subcommittee, the time required for the inspection, prioritizing and letting of bids for plugging is considerable, however, remediation, which is now beginning, will be more costly than plugging and will involve expenditures over a longer time period. The agency also noted that more of the deeper wells in central and western Kansas will be plugged, and that plugging those wells is more costly than plugging the shallower wells in eastern Kansas. The agency also said that in the first four months of the current fiscal year the agency has spent \$105,435 and encumbered \$663,909 for well plugging and has encumbered at least \$211,000 for remediation, with another \$305,000 soon to be encumbered, for a grand total of \$1,285,344 committed or ready to commit for approximately the first half of the current fiscal year. The following table shows how many wells were plugged in FY 1998 in each district of the state and the average cost per well by district

District (Area)	No. Wells Plugged (FY98)	Average Cost per Well
District 1 (Southwest)	10	\$4,045
District 2 (Central)	5	5,840
District 3 (Southeast)	476	1,968
District 4 (Northwest)	6	7,249

The Subcommittee notes that there is an agreement that no new FTEs will be involved with the abandoned oil and gas well plugging activity. To assist the agency in expediting this activity, the Subcommittee would favor allowing more flexibility within the agency, especially with regard to replacement of retirements. The Subcommittee notes that the agency has had problems with turnover and would support measures to assist the agency in recruiting and retaining qualified employees. The Subcommittee requests that the agency report back to the full committee at Omnibus on potential solutions to the issue.

Senate Committee Recommendation

The Senate Committee concurs with the recommendation of the Subcommittee.

Senate Recommendation

The full Senate has not considered this agency's budget.

HOUSE BUDGET COMMITTEE REPORT

Agency: Kansas Corporation Commission

Bill No. 2519

Bill Sec. 40

Analyst: Severn

Analysis Pg. No. 1580

Budget Page No. 116

Expenditure Summary	-	Agency Request FY 00	uest Gov. Rec.		E	Budget Committee Adjustments
Special Revenue Funds:						
State Operations	\$	15,743,277	\$	15,644,453	\$	150,000
Other Assistance	1944	700,000		700,000	2000	0
TOTAL	\$	16,443,277	\$	16,344,453	\$	150,000
FTE Positions		213.0		211.0		0.0
Unclassified Temp. Positions		0.0		0.0		0.0
TOTAL	_	213.0		211.0		0.0

Agency Estimate/Governor's Recommendation

The State Corporation Commission requests total expenditures of \$16,443,277 in FY 2000, an decrease of \$234,842 from the FY 1999 budget. The agency requests 2.0 FTE and \$69,124 for salaries and wages and \$11,162 in other operating expenditures as enhancements to administer a new severance tax exemption.

The Governor recommends total expenditures of \$16,344,453 in FY 2000, an decrease of \$98,824 (0.6 percent) from the agency request. The Governor did not recommend the requested enhancements.

The Governor also recommends a revenue transfer of \$400,000 from the Abandoned Oil and Gas Well Plugging Fund back to the State General Fund.

House Budget Committee Recommendation

The Budget Committee concurs with the Governor with the following exceptions:

- 1. the Budget Committee does not recommend the \$400,000 revenue transfer back to the State General Fund from the Abandoned Oil and Gas Well Plugging Fund.
- 2. The Budget Committee recommends a revenue transfer of \$150,000 from the State General Fund to the Conservation Fee Fund. These revenues are intended to allow the agency to accelerate its program to identify, evaluate and plug or remediate high priority sites.
- 3. The Budget Committee recommends an increase in authorized expenditures from the Conservation Fee Fund of \$150,000 in contractual services for administration of well plugging activities identified in item (2) above.

The Budget Committee notes that the Abandoned Oil and Gas Well Plugging Fund was created in 1996 by House Sub. for S.B. 755 to investigate, remediate, and plug oil and gas wells abandoned prior to July 1, 1996, that present a threat to public health or the environment. Pursuant to K.S.A. 1998 Supp. 55-193, the fund receives quarterly revenue transfers of \$100,000 (\$400,000 annually) from the SGF, the State Water Plan Fund, and the Conservation Fee Fund. The Budget Committee notes that these revenue transfers to the fund will sunset as of July 1, 2002. Pursuant to K.S.A. 1998 Supp. 27-118, the fund also receives 50 percent of the state's share of mineral royalties under the Mineral Leasing Act. Receipts to the fund for FY 1998 and estimated expenditures for FY 1999 and FY 2000 are shown below. Given the state of the oil market and the Kansas oil industry, an increase in abandonments and a decrease in mineral royalty payments can be expected in the future.

Fiscal Year	Receipts	Expenditures	Enc	ding Balance
1998	\$ 1,926,820	\$ 1,092,677	\$	1,599,042
1999 (est)	1,894,764	1,600,000		1,893,806
2000 (est)	2,194,786	1,600,000		2,488,592

According to information supplied by the agency to the Budget Committee, the time required for the inspection, prioritizing and letting of bids for well plugging is considerable, and remediation, which is now beginning, will be more costly than plugging and will involve expenditures over a longer time period. The agency's January, 1999, report to the Legislature contains 93 active contamination sites which are in the process of being investigated, monitored, or remediated. The agency cited an expense per site in the range of \$80,000 to \$350,000, and stated that as more complex sites move toward the design and implementation phase of remediation, the per site cost will increase. The agency also noted that more of the deeper wells in central and western Kansas will be plugged, and that plugging those wells is more complex and costly than plugging the shallower wells in eastern Kansas.

According to the agency, as of February 11, the agency has spent (for plugging and remediation) \$717,634 and encumbered \$495,234, with another \$524,316 soon to be encumbered, for a grand total of \$1,737,184 committed or ready to commit for approximately seven months of the current fiscal year. The following table shows how many wells were plugged in FY 1998 by district of the state and the average cost per well by district.

District (Area)	No. Wells Plugged (FY98)	Average	Cost per Well
District 1 (Southwest)	10	\$	4,006
District 2 (Central)	5		6,654
District 3 (Southwest)	476		2,120
District 4 (Northwest)	6		7,249

According to the agency, as a result of efforts to inventory unplugged wells, there is a bigger known threat today than there was a year ago, in spite of the well plugging activities carried on since that time. As of January 1, 1997, there were 785 wells categorized as priority 1, level A. (These would be wells that are actively polluting surface water or groundwater, or which pose an ongoing or current threat to the public safety). A year later, there were 564 such wells, but as of January 1, 1999, that number had increased to 805.

Representative Gayle Mollenkamp, Chairman

Representative Carl Holmes

Representative Bill Feuerborn

Representative Sharon Schwartz

Representative Tim Tedder

Memorandum

TO: Representative Phill Kline, Chair, and Members

Committee on Appropriations

FROM: Jim Wilson, First Assistant Revisor

DATE: March 3, 1999

SUBJECT: HB 2410 - No-fund warrant authority for certain cemetery districts

I understand that the question arose during the hearing and discussion on HB 2410 as to whether existing laws might permit a cemetery district affected by the bill to accomplish the same purpose without enacting the bill.

Specifically, could such a cemetery district exempt itself from the statutory aggregate levy limit of K.S.A. 79-5021 through 79-5033? A cemetery district is a "taxing subdivision" as defined by K.S.A. 79-5021 and the governing body of the cemetery district is authorized by K.S.A. 79-5036 to elect, in the manner prescribed by and subject to the limitations of K.S.A. 19-101b, insofar as such section can be made applicable, to exempt the district from the aggregate levy limit or to modify the provisions thereof.

Under K.S.A. 19-101b, the governing body would have to adopt a resolution by a unanimous vote of all members of the governing body unless the governing body determines prior to its passage that the resolution will be submitted to an election. Otherwise, a 2/3 majority vote of all members of the governing body is required. The resolution would have to be published at least two times in the official county newspaper. The resolution would take effect 60 days after its final publication unless a petition signed by at least 2% of the number of electors of the district who voted at the preceding November election or 100 electors, whichever is greater, is filed with the county election officer demanding an election. If a sufficient petition is filed, the resolution does not become effective unless submitted to and approved by a majority of the qualified electors of the district voting at an election thereon.

However, even with such exemption, the cemetery district could only levy up to the statutory maximum of 2.0 mills as authorized by K.S.A. 17-1344. If the district is already levying 2.0 mills, it is at the maximum and is not authorized to increase this levy. Opting out of the tax lid will not authorize the district to levy an amount greater than the amount authorized under K.S.A. 17-1344.

Further considerations as to whether HB 2410 is better suited to assist the cemetery district to acquire land to enlarge the cemetery would include review of the district's valuation and the timing as when the additional land is needed. A lower valuation might require a longer period to generate sufficient taxes to purchase the land, while maintaining the operations of the existing cemetery. In addition to providing the authority for acquisition of the land (up to the \$35,000 maximum set forth in the bill), a no-fund warrant authorization would allow the district to act before the time that increased tax levy receipts would be available for expenditure by the district.

LAURA L. MCCLURE 202 SOUTH 4TH OSBORNE, KS 67473 (785) 346-2715



REPRESENTATIVES

REPRESENTATIVE, 119TH DISTRICT STATE CAPITOL ROOM 278-W TOPEKA, KS 66612-1504 (785) 296-7680 1-800-432-3924

Members of the House Appropriations Committee

RE: HB 2413

I've attached testimony e-mailed to me by my constituent, Mike Lake. He lives in Cawker City Kansas, his address is 817 Oak Street, 67430. His phone number is 785-781-4716 if you have any questions.

Mike was unable to attend the hearings on February 24th, but wanted you to have this information.

Thank you for your consideration of this testimony.

aura McClure

Attachment 4-1 House Appropriations Committee March 4, 1999 Ref; HB2413

Dear Chairman and Committee.

I would like to thank the chairman and committee for this time to listen to issues on the needs of Glen Elder State Park, why it is so important to the state of Kansas and more specifically the Waconda Lake area.

My name is Mike Lake, I*m from Cawker City. My wife, Sharon and I own Lakeside Lodge which is a hunting and fishing lodge in Cawker City. I am president of Waconda Lake Association and also serve on the Cawker City council for the last 5 years.

Being involved with our business and the Waconda Lake Association. I can see the needs of the surrounding lake area. During the summer fishing season 65% to 70% of our business is from fishermen and tourists visiting the lake. During the hunting season (Sept.- Jan.) 80% of our clients are non-residents from 32 states. I am sure you realize the revenue this generates for the state of Kansas and our local community.

The Waconda Lake Association has a web page on the Internet, the webmaster informed us that we had more hits on Glen Elder Lake than any other lake for the fall of 1998. This tells me that people are wanting to visit the lake to enjoy the fishing, hunting and recreation facilities.

Unfortunately, we are like so many other lakes with low or no stable resources to build-up and improve our facilities. Glen Elder lake is and can be a bigger financial asset to the state, with your help.

Some of the improvements needed to keep and attract new visitors to our area are listed below.

- 1. The park*s lift stations need replacement.
- 2. We have 2 nice double concrete boat ramps on the southside of the lake, but do to the road conditions on the southside, they cannot be used if it has rained, as dirt roads are the only access and not all weather roads.
- 3. Our Visitor*s Center at the state park is in need of repair as the concrete floors are broken-up and the roof leaks.
- 4. We do have a very interesting Indian history that could be improved next to Hopewell Church.
- 5. We need shoreline protection and an ADA Courtesy loading dock at the Cawker City Lakeside Park.
- 6. We also need to replace the Osage Boat ramp in the state park area.

These are just some of the problem areas around the lake, that need to be worked on.

If we could improve dedicated funding for some of these projects, this would surely bring in more visitor*s and revenue to the park and the state.

The Waconda Lake Association did a better job last year working on volunteer projects with Wildlife and Parks and hope to do even better this year. As volunteers, we realize the importance of a strong commitment. But that*s not going to be enough, as it takes money too.

Please vote to fund (Local Outdoor Recreation Grant Program) HB2413, and help improve funding for all State Parks and community recreation facilities, so we can bring in more tourism to our lake and across the state.

Thank your for your time,

Mike Lake President, Waconda Lake Assc.

House Appropriations Committee

March 4, 1999
Dan Stanley, Secretary
Department of Administration

Testimony: Status of Topeka State Hospital Property

Mr. Chairman, members of the committee, thank you for the opportunity to appear before you today on the status of the Topeka State Hospital Property.

Continuing Operations

- Continued operations of the campus are necessary in order to stabilize and protect the asset values of the campus buildings during the transition.
- State-related operations remain on the campus as tenants: SRS, Corrections, KS Children Service League, and Industries for the Blind.
- Their rents subsidize much of the on-going maintenance costs of the campus.
- Other agencies and tenants seek to lease facilities for 2 to 5 years during the transition. These leases are vital to provide funding during the transition of the campus.

Development / Leasing Issues

- A potential buyer must be assured that the City-County planning agencies and the governing bodies will approve the anticipated use of the property.
- Under the current one-year authority, the Department of Administration can not enter into a contract that will assure a potential tenant the availability of space beyond the end of the fiscal year.
- We are unable to find tenants who will commit to a year-to-year lease.

Transfer Issues

- The lack of clearly defined authority in the current law prohibits speedy closure on the property.
- A typical purchaser of commercial property would expect to close (or take an option to close) on a site in 60 to 90 days.
- The State can not guarantee a purchaser this turnaround time.

Attachment 5-1 House Appropriations Committee March 4, 1999 **House Appropriations Committee**

March 4, 1999
Dan Stanley, Secretary
Department of Administration
Page 2

Department of Administration Actions

- Relocating several agencies into Downtown Topeka: Aging & SRS.
- Explored the opportunity to sell the campus to the City of Topeka.
- Conducted a Phase I environmental assessment of the campus.
- Explored an opportunity to sell the campus to Koch Industries / Cherokee Financial.
- Explored an opportunity to lease a portion of the campus to Hazelden Foundation.
- Proposed Senate Bill 159 to provide authority to enter longer term leases and provide exemption from ad valorem taxes.
- Exploring the placement of state operations which are incompatible to downtown on the campus: Kansas Highway Patrol and KBI.
- Preparing a Master Land Plan for the reuse and disposition of the Topeka State Hospital campus.
- This Master Plan will be presented to the respective governing bodies July 1, 1999.
- Obtained a letter of commitment to develop 55 acres of the Topeka State Hospital campus. The proposed developer will share costs of the Master plan and Appraisals.

Once again thank you for the opportunity to discuss the status of the Topeka State Hospital Campus and I will be happy to answer any questions you might have.

State of Kansas Department of Social & Rehabilitation Services

Rochelle Chronister, Secretary Janet Schalansky, Deputy Secretary

For additional information, contact:

SRS Office of the Secretary

Laura Howard, Special Assistant 915 SW Harrison Street, Sixth Floor Topeka, Kansas 66612-1570 \$\pi785.296.6218 / Fax 785.296.4685

For fiscal information, contact:

SRS Finance Office

Diane Duffy, CFO 915 SW Harrison Street, Tenth Floor Topeka, Kansas 66612-1570 \$\pi785.296.6216 / Fax 785.296.4676



House Appropriations March 4, 1999

Testimony: Topeka State Hospital Grounds

Office of the Secretary Janet Schalansky, Deputy Secretary (785)296-2974

> Attachment 6-1 House Appropriations Committee March 4, 1999

Contents

Testimony

Topeka State Hospital Grounds Pages 1-2

Attachment - Map of Grounds

Kansas Department of Social and Rehabilitation Service Rochelle Chronister, Secretary

House Appropriations Topeka State Hospital Grounds

March 4, 1999

Mr. Chairman and members of the committee, I am Janet Schalansky, Deputy Secretary of the Department of Social and Rehabilitation Services. Thank you for providing this opportunity to speak on the Department's use of the former Topeka State Hospital Grounds.

SRS currently occupies building 60, on the west side of the grounds and buildings 63 and 64 on the southeast corner of the grounds. These buildings house Staff Development and the SRS Training Center and Division of Services for the Blind.

Staff Development focuses on the overall development of staff and the organization, and carries out its mission by designing, developing, delivering and coordinating a variety of training and developmental opportunities. Staff Development and the SRS Training Center is a multi-media center where customer service is critical. The SRS Training Center, which adjoins Staff Development, is highly used by staff from all over the state. It is also used by many other state agencies. The facility currently houses twenty-one positions, eight meeting/conference rooms, a twenty-one station computer lab, and a staff library housing books, videos, magazines and other resource materials.

SRS has a one-year lease agreement with the Department of Administration, Division of Facilities Management (DFM) for 19,900 sq ft at a rate of \$193,229 annually. The lease expires on June 30, 1999. Because the current facility does not meet the needs of the agency, and because the condition of the facility is poor, a Request for Proposal (RFP) for a new facility was submitted to DFM in early February.

Division of Services for the Blind. In an effort toward continuous improvement of services for persons with disabilities many changes have occurred within Kansas Rehabilitation Services (KRS) over the past two years. Those changes include reallocation of staff from administrative positions to direct field services, flattening the organization by reducing layers of management and the closure of Kansas Vocational Rehabilitation Center in Salina. Services in Salina have been relocated closer to consumers' home communities through provision of services within the state system or through private providers. These services form the Career Development Service system funded by KRS. In addition, the Vocational Rehabilitation Unit in Topeka has recently integrated services into the Career Development Service system.

The closure of Topeka State Hospital and the pending disposition of the hospital grounds create a sense of urgency to begin the same continuous improvement initiative for the Division of Services for the Blind (DSB). It is likely that the buildings housing DSB programs will need to be vacated during calendar year 1999. The buildings are occupied by the following DSB programs:

The central office of DSB which includes administrative and program staff. The media of choice unit is also located at this site.

The Rehabilitation Center for the Blind (RCB) provides independent living skills training as well as vocational assessment and technology services for people who are blind or visually impaired. The RCB also provides training for prospective vendors of the Business Enterprise Program. In addition to classroom and office space RCB includes a dormitory with a capacity of 22.

The Business Enterprise Program (BEP) provides employment opportunities for people who are blind to manage vending stands, gift shops and cafeterias in some government and public buildings throughout the state. BEP occupies both office and warehouse space.

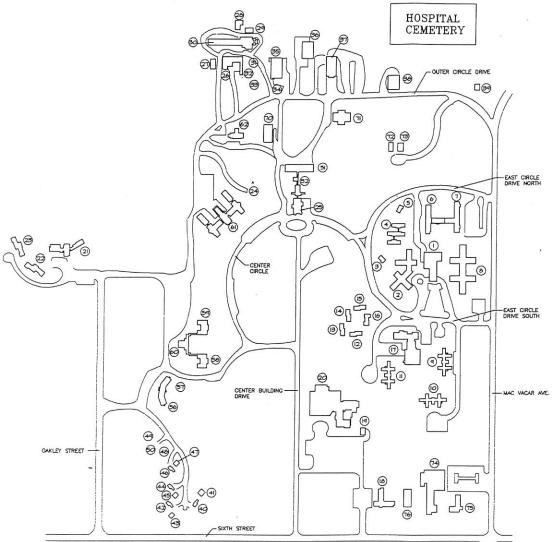
Kan-SAIL (Kansas Seniors Achieving Independent Living), a federal grant, provides independent living and other statewide services for persons who are 55 or older with severe visual impairments. Kan-SAIL occupies both office and warehouse space.

Kansas Industries for the Blind (KIB) is a sheltered workshop for persons who are blind or visually impaired who cannot achieve or maintain competitive employment. Office, production and warehouse space are located at this site.

In order to prepare for the future and respond to the challenge of relocation, Commissioner Joyce Cussimanio formed the DSB Future by Design Team. The team will make recommendations to the Secretary of Social and Rehabilitation Services in June 1999.

- Focus of the Team. The team is charged to make recommendations regarding the future design of DSB services, including alternatives to the current facilities. The team will use research, including reviews of programs and systems in other states, to assess alternative delivery systems. Other program service delivery models within the state, such as HCBS waiver programs, assistive technology and independent living services will also be discussed.
- Team Members. The team is comprised of three members each from the National Federation of the Blind of Kansas and Kansas Association for the Blind and Visually Impaired. Other team members include Commissioner Joyce Cussimanio; Laura Howard, Special Assistant to the Secretary of SRS; Suzannah Erhart, Director of Services for the Blind; and William Daugherty, the superintendent of Kansas School for the Blind.

SRS has a one year lease agreement with the Department of Administration, DFM for 33,059 sq ft at a rate of \$46,587 annually. The lease expires on June 30, 1999.



TOPEKA STATE HOSPITAL CAMPUS - SITE PLAN

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BUILDING	BUILDING	AGENCY	YEAR	GROSS FLOOR	HEATING	CENTRAL	SELF	SELF
.D. NO.	NAME	AGENCI	BUILT	AREA	PLANT	PLANT	HEATING	
1	EASTMAN	TSH	1957	36,420	•	•	MEATING	C00U
2	RAY	TSH	1957	25,940		•		_
3	COFFEE SHOP	TSH	1957	1,310				
4			1957			_		
5	KIRKBRIDE DENTAL CLINIC	TSH	1957	9,825	•			
		TSH			•			•
7	WOODWARD	TSH	1957	11,730		•		
	AWL		1957	15,000	•	•		
8	BRIGHMAN	KYA	1957	20,425	•	•		-
	RAPAPORT	TSH		25,525				•
10 -	JARRETT	TSH	1964	25,525				
11	BOISEN	TSH	1964	25,525	•			•
12	ERICKSON 1	TSH	1964	2,320			•	
13	ERICKSON 2	AGDEPT	1964	2,320			•	•
14	ERICKSON 3	TSH	1964	2,320			•	•
15	ERICKSON 4	TSH	. 1964	2,320			•	
16	ERICKSON 5	TSH	1964	2,885				•
17	SOUTHWRD	TSH	1964	15,480	•			•
18	ADAMS	TSH	1957	6,060			•	•
19	SCHOOL SHOP	US0501	1983	1,040	•			
20	KMEAC	USD501		68,210	•			•
21	ACHORN	TSH	1955	13,280			•	•
22	SULLIVAN	TSH	1955	7,080			•	•
23	GERARD	TSH	1955	7,080			•	. •
24	BUILDING RAZED	N/A		0				
25	CENTER BUILDING	TSH	1900	41,190	•			
26	MECH. WAREHOUSE & ENG. SHOPS	TSH	1959	10,850	•			
27	CARAGES	TSH	1951	2,460				
28	ENGINEERING "A"	TSH	1913	3,650				
29	ENGINEERING "B"	TSH	1913	1,930				
30	ENGINEERING "C"	TSH	1913	11,760				
31	(RAZED)ENGINEERING "D"	N/A		0				
32	(RAZED)ENGINEERING "E"	N/A		0				
33	(RAZED)ENGINEERING "F"	N/A		0				
34	(RAZED)BUS STOP SHELTER	N/A		0			-	
	LAUNDRY	TSH	1958	10,100	•	_	-	
	POWER PLANT	TSH	1956	12,040	•	_		
	COMMODITY WAREHOUSE	TSH	1950	21,460	•	$\overline{}$	-	
	GREENHOUSE	TSH	1916	7,375			-	
	ENGINEERING "G"	TSH	1939	1,940	-		_	
	HOUSE 1	TSH	1954	3,050	-	-	•	•
	GARAGE	TSH	1960	450		_	-	_
			1954		_	-		
	HOUSE 2 GARAGE	TSH		1,920	-	-		_
		TSH	1960			-	•	•
	HOUSE 3	TSH	1954	1,920		-	•	•
	CARAGE	TSH	1960	325	-	-	•	•
	HOUSE 4	TSH	1954	1,920			•	•
	GARAGE	TSH	1960	325				
	BUILDING RAZED	N/A		0				
49	BUILDING RAZED	N/A N/A		0				
	BUILDING RAZED	N/A		0				
51	CENTER ANNEX	DOC	1879	13,580	•			
	CENTER - AUDITORIUM	TSH	1879	11,990	•			
	UNASSIGNED	N/A		0				
	UNASSIGNED	N/A		0				
	UNASSIGNED	H/A	i	0				
	WEST HALL	SRS	1950	26,700				•
	BUILDING RAZED	N/A	1	0				
58	FELDMAN	SRS	1929	13,800				•
	PERRY	SRS	1913	13,800	•			•
	SRS TRAINING CENTER	SRS	1913	6,100				•
	BIDOLE	SRS !	1910	42,400	•			•
	SMITH-WILSON	SRS	1930 :	14,800			•	•
	UNASSIGNED	N/A		0		1		
	UNASSIGNED	N/A		0				
	UNASSIGNED	N/A		0				
	UNASSIGNED	N/A		0				
	UNASSIGNED	N/A	1	ō				
	UNASSIGNED	N/A		0	-	-	-	
	UNASSIGNED	N/A	-	0		-	-	
	RECREATION	DOC	1956	6,000		-		
	DORNITORY	DOC	1916	16,210	•	-		•
								•
72 6	PROGRAM BUILDING	DOC	1950	4,000	•	-		•
	TRAINING	DOC 1	1950	4,000	•		-	
	RCB/KIB	RCB	1949	25,332			•	•
75 F	REHAB DORMITORY	AGDEPT :	1950	7.727			•	•
76 L	LABORATORY			11.758				

3 191