



STATE OF KANSAS

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June 17, 1981

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ATTORNEY GENERAL OPINION NO. 81- 132

Edwin H. Bideau III  
Neosho County Attorney  
123 West Main Street  
Chanute, Kansas 66720

Re: Agriculture--County Extension Councils, Boards  
and Agents--Extension Council Budget

Synopsis: The procedure for adoption of a budget for a county extension council is governed exclusively by the provisions of K.S.A. 1980 Supp. 2-610, and the provisions of the general budget law, K.S.A. 79-2925 et seq., are not applicable. Cited herein: K.S.A. 1980 Supp. 2-610, K.S.A. 79-2925.

\* \* \*

Dear Mr. Bideau:

On behalf of the Board of County Commissioners of Neosho County, you seek our opinion concerning the procedure to be used in adopting a budget for the Neosho County Extension Council.

You explain the Council has taken the position that its budget should be prepared, approved and certified to the county clerk on or about June 13 of each year, pursuant to K.S.A. 1980 Supp. 2-610. The Commission, however, believes the budget of the Council should be adopted in accordance with the general budget law, K.S.A. 79-2925 et seq. You inquire as to which position is correct.

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The question you raise was answered by the Kansas Supreme Court in State, ex rel., v. Belt, 175 Kan. 330 (1953). In that case, the attorney general argued that the entire matter of the adoption of a budget for a county extension council is governed by the provisions of K.S.A. [now, 1980 Supp.] 2-610. The county attorney argued that the adoption of such a budget is subject to the general budget law. The Kansas Supreme Court concluded that the attorney general was correct, and adopted the conclusion of the attorney general that the provisions of K.S.A. 2-610, and related sections, "provide a procedure of their own for the financing of county agricultural extension councils, and that a budget so prepared, pursuant thereto, is not subject to general provisions relating to the adoption of budgets." 175 Kan. at 334.

We recognize that the provisions of K.S.A. 2-610 have been amended on numerous occasions since the decision in Belt, supra. However, in our opinion, none of the amendments change the statement of law quoted above.

Very truly yours,



ROBERT T. STEPHAN  
Attorney General of Kansas



Rodney J. Bieker  
Assistant Attorney General

RTS:BJS:RJB:hle:jm