

STATE AFFAIRS COMMITTEE

The Chairman called the meeting to order, welcomed members and new member Reilly. He stated that there are several constitutional amendments on the calendar and that today HCR 5 would be considered. He introduced Messrs. VanCleave and Liebert who discussed the resolution.

It was stated that quite a savings would be effected if the present budget session were now adjourned and the special session called; that all of the business anticipated to be accomplished by the two sessions could be handled during a single special session, in a shorter period of time.

Mr. Fribley inquired if this proposal had been discussed with the attorney general, and he was advised that it had not. Mr. Doyen asked if this would nullify all action taken in the days of the budget session and he was advised that it would not; however, it was established that if any piece of legislation was not finished, it would have to be reintroduced if it were to be enacted.

The Chairman stated that Speaker Arthur was present to discuss H.B. 11. Mr. Arthur stated that the proposal arose after a bequest was made to KSU, leaving approximately an interest of $8\frac{2}{3}$ of 52% of the estate of one Mr. Schwab. He stated that the approximate value is about \$15,000; that the other recipients have signed waivers so the property may be disposed of and divided; that without this bill the bequest would go into the general fund of the state, which was not the probable intent of the donor. Mr. Arthur stated that he has no interest in this estate himself.

Thereupon it was moved by Mr. Ford and seconded by Mr. Fribley that H.B. 11 be recommended favorably. Motion carried.

The Chairman then asked for action on HCR 5 and Mr. Mikesic moved, seconded by Harlow Brown that it be recommended for adoption. Motion lost by a vote of 5 yes and 9 no. Thereupon, Mr. Fribly moved that it be recommended favorably. Mr. Doyen seconded the motion which carried 9 yes to 5 no.

Mr. Mikesic asked to poll the committee concerning their sentiments insofar as supporting a resolution on the prohibition question. Mr. Taylor asked how many were in favor of introducing a resolution and the vote was 3 yes and 5 no, with the remainder refraining from vote.

Meeting was adjourned.

January 27, 1964

House Concurrent Resolution No. 5

By MESSRS. LIEBERT and VAN CLEAVE

A CONCURRENT RESOLUTION requesting the governor to call a special session of the legislature and providing for immediate adjournment of this budget session.

WHEREAS, Under Section 25 of article 2 of the constitution of the state of Kansas this budget session of 1964 is limited in its authority only to the consideration of the "governor's budget report, appropriation bills for the succeeding fiscal year, revenue bills necessary therefor, and such bills, resolutions or motions as may be necessary to provide for the expenses and conduct of the budget session"; and

WHEREAS, In case number 43,289 captioned, "*J. P. Harris, et al. Appellees, v. Paul R. Shanahan, as Secretary of State et al., Appellants*", the supreme court of the state of Kansas has held that both houses of this Kansas legislature are not apportioned according to the constitution of the state of Kansas and that a new apportionment must be made before candidates may file for election thereto in the general election of 1964; and

WHEREAS, It is apparent (and the Governor has published his intention to do so) that a special session of the Kansas legislature must be called this year of 1964; and

WHEREAS, It is clear that all business to be conducted in the 1964 budget session and a 1964 special session could be accomplished in one special session called to consider both the appropriation and revenue matters of the succeeding fiscal year and reapportionment; and

WHEREAS, The Kansas legislature in 1963 appropriated for the expenses of the 1964 budget session the sum of \$302,577; and

WHEREAS, The Ways and Means Committee of the House of Representatives has estimated the cost of a ten-day special session to be \$100,000; and

WHEREAS, By combining these sessions into one session it appears a substantial savings of public money could accrue to the state of Kansas: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein: That this Concurrent Resolution be deemed a request to the governor of the state of Kansas to call a special session of the Kansas legislature forthwith to consider the appropriation and revenue matters of the succeeding fiscal year and the reapportionment of the districts of the legislature of the state of Kansas; and

Be it further resolved: That this 1964 budget session of the legislature be finally adjourned upon passage of this Resolution by both the House of Representatives and the Senate; and

Be it further resolved: That a copy of this Concurrent Resolution be transmitted by the secretary of state to the governor of the state of Kansas.

House Concurrent Resolution No. 11

By Mr. CROSSAN

A PROPOSITION to amend section 4 of article 15 of the constitution of the state of Kansas, pertaining to state printing and duplicating.

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives, and two-thirds of the members elected to the Senate concurring therein:

SECTION 1. The following proposition to amend the constitution of the state of Kansas is hereby submitted to the qualified electors of the state for their approval or rejection: That section 4 of article 15 of the constitution of the state of Kansas be amended to read as follows:

6 “SEC. 4. All public printing shall be done by the
7 state printer, who shall be elected by the people at
8 the election held for state officers in November,
9 1906, and every two years thereafter, at the elections
10 held for state officers, and shall hold his office for
11 two years and until his successor shall be elected
12 and qualified. The elective office of state printer is abolished
13 on June 30, 1965. After June 30, 1965, state printing and
14 duplicating shall be procured or produced as provided by
15 law.”

SEC. 2. This proposition shall be submitted to the electors of the state at the general election in the year 1964 for their approval or rejection. The proposed amendment to the constitution shall be published by the secretary of state and printed

5 on the ballot, and shall be voted for or against as provided by
6 law.

SEC. 3. This resolution, if concurred in by two-thirds of the
2 members elected to the house of representatives and two-thirds
3 of the members elected to the senate, shall be entered on the
4 journals, together with the yeas and nays, and the proposition
5 shall be published and submitted to the electors as provided by
6 law; and it shall also be published by the secretary of state in
7 the Budget Session Laws of Kansas for 1964, and be given a
8 chapter number therein.

HOUSE RESOLUTION No. 12

By Mr. CASEBEER

A RESOLUTION relating to selection of a site near Hutchinson, Kansas, for the proposed correctional center.

WHEREAS, A new correctional center to be used as a medium security prison, has been proposed for this state; and

WHEREAS, The site for the new facility has not been selected; and

WHEREAS, The advantages of the Air National Guard base in Hutchinson as a site have been submitted to the legislative council committee and the governor's committee. These advantages include: (1) Site location; (2) availability of utilities; (3) labor market; (4) ability of Hutchinson to absorb employee families; (5) savings in money; and (6) survey plans are already completed and filed; and

WHEREAS, Other communities, including McPherson county, within the Hutchinson area, have already approved the Hutchinson location for the new correctional center: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the house of representatives hereby recommends that the location of the new correctional center be on the site recommended near Hutchinson in the northeast corner of the Kansas Air National Guard base approximately eight miles south of the city; and

Be it further resolved: That the chief clerk of the house of representatives be directed to send an enrolled copy of this resolution to the governor, the director of penal institutions, and to each member of the Kansas senate.

HOUSE RESOLUTION No. 17

By Mr. LEETE

A RESOLUTION relating to the consolidation, discontinuance and curtailment of passenger train service provided by railroads within the state of Kansas.

WHEREAS, During most of its history Kansas has enjoyed excellent service from the large network of railroads providing passenger and freight service within the state; and

WHEREAS, In recent years, some railroads in the state of Kansas have followed a consistent policy of attempting to reduce and curtail their services; and

WHEREAS, This policy has now resulted in many instances of inconvenient and inadequate services being furnished to the public without any regard for the public's interest, necessity or convenience; and

WHEREAS, The Chicago, Rock Island and Pacific Railroad Company has filed a joint application, with the Southern Pacific Company, before the Interstate Commerce Commission for authority to consolidate passenger trains No. 3 and No. 39, westbound, and trains No. 4 and No. 40, eastbound, operating trans-continental through nine states between Los Angeles, California, and Chicago, Illinois; and

WHEREAS, The application has been assigned as Finance Docket No. 22896 and scheduled for hearings before an Interstate Commerce Commission's examiner beginning at Tucumcari, New Mexico, on February 17, 1964; and

WHEREAS, A hearing will be held in Hutchinson, Kansas, on March 2, 1964, in the chamber of commerce, at 9:30 o'clock a. m., to hear testimony, including cross-examination of protestants only, or as may be directed by the hearing examiner; and

WHEREAS, The Rock Island Railroad, which enters the state of Kansas just south and west of Liberal, Kansas, and traverses the state to Kansas City, Kansas, will, if authority be granted for this

consolidation, provide only one passenger train to serve this entire area; and

WHEREAS, The public convenience and necessity cannot be served after such a drastic reduction in services: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That we respectfully petition and request the Interstate Commerce Commission to deny authority for this proposed consolidation and drastic reduction in railway passenger service for the reasons outlined in the preamble to this Resolution.

Be it further resolved: That the chief clerk of the House of Representatives be and is hereby instructed to mail enrolled copies of this resolution to Mr. Raymond B. Harvey, secretary of the State Corporation Commission, 4th Floor, State Office Building, Topeka, Kansas; and to Mr. Harold D. McCoy, secretary of the Interstate Commerce Commission, Washington, D. C. 20423.

HOUSE RESOLUTION No. 18

By MESSRS. SCHATZ and ROME of Barton, LINDAHL of Reno, ROLFS of Ellsworth, HILL of Barber, GRABER of Stanton, and Mrs. NEWELL of Stafford.

A RESOLUTION relating to selection of a site near Hutchinson, Kansas, for the proposed correctional center.

WHEREAS, A new correctional center to be used as a medium security prison, has been proposed for this state; and

WHEREAS, The site for the new facility has not been selected; and

WHEREAS, The advantages of the Air National Guard base in Hutchinson as a site have been submitted to the legislative council committee and the governor's committee. These advantages include: (1) Site location; (2) availability of utilities; (3) labor market; (4) ability of Hutchinson to absorb employee families; (5) savings in money; and (6) survey plans are already completed and filed; and

WHEREAS, Other communities, including McPherson county, within the Hutchinson area, have already approved the Hutchinson location for the new correctional center: Now, therefore,

Be it resolved by the House of Representatives of the State of Kansas: That the house of representatives hereby recommends
3 that the location of the new correctional center be on the site
4 recommended near Hutchinson in the northeast corner of the
5 Kansas Air National Guard base approximately eight miles south
6 of the city; and

7 *Be it further resolved:* That the chief clerk of the house of
8 representatives be directed to send an enrolled copy of this reso-
9 lution to the governor, the director of penal institutions, and to
10 each member of the Kansas senate.

HOUSE BILL No. 11

By Mr. ARTHUR

AN ACT to provide revenue; authorizing the state board of regents to sell, transfer and convey certain real and personal property for and on behalf of Kansas State University of Agriculture and Applied Science which was willed to said university and authorizing the use of the proceeds derived from said sale for student loans and scholarships.

WHEREAS, Kansas State University of Agriculture and Applied science at Manhattan has been willed a one-sixth interest of an undivided fifty-two percent of the residual estate of the late Vern V. Schwab, Route 1, Manhattan, Kansas; and

WHEREAS, Said residual estate consists of personal property and real property located in Riley County, Kansas; and

WHEREAS, The last will and testament of the late Vern V. Schwab is now being probated in the Probate Court of Riley County, Kansas, and the co-executors of the estate desire to sell certain real and personal property of the estate in order to settle the same and transfer to Kansas State University and the other residual legatees their shares of said residual estate: Now, therefore,

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

SECTION 1. The state board of regents, for and on behalf of
2 Kansas State University of Agriculture and Applied Science, is
3 hereby authorized to sell, transfer and convey any real or per-
4 sonal property the title to which is acquired by said university
5 under the last will and testament of the late Vern V. Schwab,
6 of Manhattan, Kansas. The necessary written instruments to
7 transfer and convey said real or personal property shall be
8 signed by the chairman of the state board of regents and at-
9 tested by the secretary of said board. Any of said real estate
10 shall not be sold for less than three-fourths of its appraised

11 value as shown by the records of the proceeding in the probate
12 of the last will and testament of Vern V. Schwab. When such
13 real or personal property shall be sold, and the proceeds thereof
14 received, such amount shall be paid to the officers of Kansas
15 State University of Agriculture and Applied Science who have
16 charge of the student loan fund, and said officers shall credit the
17 same to the student loan fund to be used by said university for
18 student loans and scholarships.

SEC. 2. This act shall take effect and be in force from and
2 after its publication in the official state paper.