

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by BILL BUNTEN at  
Chairperson

1:30 ~~xxx~~/p.m. on Monday, March 21, 1983 in room 514-S of the Capitol.

All members were present except:

Committee staff present: Marlin Rein -- Legislative Research  
Lyn Entrikin Goering -- Legislative Research  
Bill Gilmore -- Legislative Research  
Jim Wilson -- Office of the Revisor  
LewJene Schneider -- Administrative Assistant  
Charlene Wilson -- Committee Secretary

Conferees appearing before the committee:  
Rep. Mike Hayden, Speaker of the House on HB 2549  
Mark Tallman, Executive Director A.S.K.  
Craig Grant, KNEA  
Jack Brier, Secretary of State  
Lee Alt, Johnson County Elections Commissioner  
Bill Kauffman, Board of Regents Office  
Marlin Rein, Legislative Research  
Jim Wilson, Office of the Revisor  
Judge Herb W. Walton, Tenth Judicial District  
Richard Merker, Johnson County Lawyer  
Ann Heberger, League of Women Voters  
Marjorie VanBuren, Judicial Administrators Office  
Senator Elwayne Pomeroy on SB 115  
Senator Charlie Angel on SB 311  
Ron Green, Legislative Post Audit Attorney  
Allan Alderson, Chief Attorney, Department of Revenue

Others present: (Attachment I).

The meeting was called to order at 1:30 p.m. by Chairman Buntten.

House Bill No. 2549 -- "An Act providing for the award of Kansas teacher training grants to qualified prospective-teacher students."

The Chair welcomed and recognized Speaker Hayden to address the committee on the provisions of HB 2549. Speaker Hayden also spoke in strong support of the bill. He stated that it is his belief that we have a problem in the state of Kansas in dealing with the number of people we are qualifying to become teachers in this state. He offered as evidence in support of his statements, two charts and explained the figures on the charts to the members of the committee. (Attachment II). He explained that HB 2549 is an educational scholarship bill designed to provide incentives to young people to enter the college of education and even further incentives to students to enter the disciplines such as science and math where the greatest shortages are appearing.

Speaker Hayden expanded on his remarks by saying that this bill is only a partial answer to a problem, as it does not deal with the problem of retention of teachers who are in the field today nor does it deal with the problem of selection as far as who should be certified in the future. But he feels that it can very effectively deal with one area of the problem, that being in the area of production of good teachers in this state, and specifically the increased production of teachers in the areas of shortage.

Representative Farrar expressed some concern with the fact that this bill does not require that the person teach in the state of Kansas. Speaker Hayden indicated that indeed this is not required by the bill as it presently reads. They do have to graduate and they do have to be certified. The reason this stipulation had not been written into the bill is because there doesn't seem to be an appropriate way to make it cost effective. He further stated that he would not be opposed to writing this into the bill if an effective method of keeping track could be devised.

## CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,  
room 514-S, Statehouse, at 1:30 ~~xxx~~/p.m. on Monday, March 21, 1983.

Marlin Rein asked Speaker Hayden how the Teacher Improvement Program funds would be credited at the institutional level. Speaker Hayden responded by saying that what this bill does, besides providing additional incentives to the students themselves, it also provides incentives to the institutions and more specifically to the Schools of Education. This would provide incentive to the institution to get students into the school of education because 2/3 of the money goes into the general fee fund of the institution and 1/3 of the money goes into the restricted fee account of the School of Education and can be spent only on programs of teacher improvement training.

Mr. Mark Tallman appeared next in support of HB 2549. His statements were extracted from a prepared written statement. (Attachment III). He expressed that they feel that some provision needs to be added to the bill to stipulate that the person should teach in the state of Kansas and not only be certified in the State. He suggested that a possible solution to this concern would be that rather than making it an out right grant program that possibly the money offered under this program could be considered as a loan. After a student has left school, the amount they had received from this program could be repaid over a five year period. Every year for those five years they would be assessed 1/5 of the amount of the loan. If they were, however, teaching within a district in the state of Kansas, the amount they owed for that year could be waived. Therefore, if they taught in the state for five years after graduation, the total amount they had received would be waived. If, on the other hand, they do not teach for all of the five years, they would be assessed on the portion they did not teach in the state.

Mr. Craig Grant appeared in opposition to HB 2549. He read from written testimony. (Attachment IV). He urged the committee to report this bill unfavorably as it will not accomplish the stated goal of the bill.

Representative Farrar asked Mr. Grant what he would suggest might address the problem of improvement of instruction given to the children of Kansas. Mr. Grant responded that programs to improve the inservice programs to teachers who are already in the profession as well as the money to pay them a living wage so they will stay in the profession would do much to improve the quality of education in the state of Kansas. Also, certification standards could also improve the situation.

House Bill No. 2467 -- "An Act relating to elections; concerning voting by mail in certain elections."

Secretary of State, Jack Brier, was called upon by the Chairman to address the committee on the provisions of this bill. Secretary Brier indicated that a significant amount of money could be saved by the method described in this bill. A much greater voter response would be realized by enactment of such a bill with regard to certain bond election issues where it doesn't seem worth the time to the voter to go to great lengths or distances to vote. Voting by mail would guarantee a greater voter turnout.

Mrs. Lee Alt was next to appear in support of HB 2467. She read from written testimony. (Attachment V). She also made reference to a letter of support from the Board of County Commissioners of Johnson County. (Attachment VI).

Senate Bill No. 311 -- "An Act concerning the Kansas water authority; providing for compensation of members thereof when conducting official business; amending K.S.A. 1982 Supp. 74-2622 and repealing the existing section."

Senator Angel appeared before the committee to explain the bill. He stated that the members of the Kansas Water Authority Board, even though they are paid for regular meetings, are not paid for the expenses incurred on incidental meetings. Line 94 of the bill deals with this problem.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,  
room 514-S, Statehouse, at 1:30 ~~xxx~~/p.m. on Monday, March 21, 1983.

Senate Bill No. 115 -- "An Act concerning judges of the district courts; providing for the elimination of associate district judge positions and the creation of district judge positions; amending K.S.A. 20-353, 20-254, 20-2909, 25-101, 25-206, 25-212, 25-213, 25-611, 25-617, 25-1116, 25-1118, 25-2503, 25-2505, 25-3901 and 25-4153 and K.S.A. 1982 Supp. 20-2908 and repealing the existing section; also repealing K.S.A. 20-352."

Judge Walton was called upon by the Chairman to address the committee on this bill. He spoke in support of SB. 115. He read from written testimony. (Attachment VII), Representative Shriver asked what the fiscal note on this bill would be and Judge Walton replied that it would be roughly \$2,000.00 per associate judge, with 69 or 70 associates. He further stated, as he understands it, that it would be a transition phase under the elective processes with an impact of \$113,000.00 until the system was fully implemented.

Senator Pomeroy was called upon by the Chairman to speak in support of this bill and explain the provisions further for the committee. He expressed that the purpose of SB 115 is to eliminate the distinction between the associate district judges and district judges. It is based on equal pay for equal work. All distinctions would be eliminated as far as qualifications and jurisdiction. Senator Pomeroy spoke in strong support of this bill.

Richard Merker appeared in support of SB 115. He read from written testimony. (Attachment VIII).

Ann Heberger spoke in support of SB 115. She also read from a written prepared statement. (Attachment IX).

Chairman Bunten referred to a sheet that had been handed out to the members of the committee regarding the financial situation of the state. (Attachment X). He reviewed the figures on the sheet for the members of the committee and further stated that what has been done by this committee thusfar has been very good, but alot of concentrated effort will be needed to face the problems that continue to be apparent in this situation.

At this time the Chairman indicated that the committee would recess until 5:00.

The committee resumed business at 5:00 p.m. with further consideration of SB 115.

Marjorie VanBuren was called upon by the Chairman to speak in support of SB 115. She distributed a fiscal analysis to the members of the committee and indicated that the impact of this bill would not be felt until FY88. (Attachment XI). She brought to the attention of the committee that the language in line 118 may represent a significant change in policy regarding judges of the district court. It could open the way for a departure from the present policy of having at least one judge of the district court in every county in the state. She further stated that the court generally sees the value of having a resident judge in each county.

Senate Bill No. 345 -- "An Act authorizing the state board of regents to sell and convey, for and on behalf of Wichita state university, all rights, title and interest in certain property located in Sedgwick county, Kansas."

Mr. Bill Kauffman was called upon by Chairman Bunten to explain the provisions of this bill and speak in support of SB 345. The bill has been authorized by the Board of Regents in a response to a request from Wichita State University that would permit the university to dispose of two parcels of land that the University no longer needs. A map was supplied to the committee indicating the parcels of land effected by this bill. (Attachment XII). A proposed amendment was also suggested to the committee. (Attachment XIII). This amendment would specifically provide that one half of the proceeds from the sale of the parcel on Chautauqua Avenue would be deposited in the state general fund. The reason for this being that when the parcel was acquired, 50% of the funds needed to acquire the parcel came from the general fund and the other half was from the dormitory proceeds. He also indicated that the sale proceeds of the second parcel proposed by this bill would go to the Dormitory Reserve Fund. He urged the committee's favorable action on this bill.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,

room 514-S, Statehouse, at 1:30 ~~xxx~~/p.m. on Monday, March 21, 1983.

Representative Luzzati moved the adoption of the proposed amendment to SB 345. Seconded by Representative Shriver. The motion carried.

Representative Meacham moved that SB 345 be reported favorable for passage as amended. The motion was seconded by Representative Dyck.

Representative Heinemann made a substitute motion to further amend the bill by striking the italicized language in lines 30 and 31, as the property referred to in those lines is the part of the property being referred to for conveyance and is therefore not necessary in the bill. The motion was seconded by Representative Solbach. The motion carried.

Representative Meacham moved that SB 345 be reported favorable for passage as amended. Seconded by Representative Dyck. The motion carried.

Senate Bill No. 381 -- "An Act concerning the state park and resources authority; authorizing the purchase of certain lands for state parks; amending K.S.A. 74-4545 and repealing the existing section."

Consideration of this bill was postponed until a later date in order that Senator Vidricksen could be available to explain the bill to the committee.

House Bill No. 2539 -- "An Act concerning legislative post audit; relating to access to information and material; concerning persons subject to audit; amending K.S.A. 46-1114 and K.S.A. 1982 Supp. 79-3234 and repealing the existing sections."

On behalf of the Legislative Post Audit Committee, Jim Wilson explained the provisions of this bill for the committee. He referred to a proposed amendment to the language of the bill. (Attachment XIV).

Ron Green and Allan Alderson appeared before the committee to debate, pro and con respectively, on the provisions of this bill. Due to the very controversial nature of this bill, the Chairman appointed a subcommittee to study the complexities of the bill and report back to the full committee at a later date. Further consideration of the bill will be taken up at that time. The subcommittee was appointed as follows:

Representative Miller, Chairman  
Representative Heinemann  
Representative Solbach

House Bill No. 2497 -- "An Act concerning the state corporation commission; relating to the time of making certain assessments by the commission; amending K.S.A. 66-1503 and repealing the existing section."

Due to the fact that this bill had been reported favorable for passage with the recommendation that it be placed on the consent calendar, and that it later was realized that the bill had been previously been amended, Representative Miller moved to recind all previous action on HB 2497. Seconded by Representative Arbuthnot. The motion carried.

A copy of the proposed amendment was supplied for the committee's review once again. Representative Miller moved that HB 2497 be amended by the adoption of the proposed amendment. Seconded by Representative Shriver. The motion carried. (Attachment XV).

Representative Miller moved that HB 2497 be reported favorable for passage as amended. Seconded by Representative Wisdom. The motion carried.

Chairman Bunten requested a motion on the minutes of March 14, 15, 16 and 17th. Representative Arbuthnot moved that the minutes be approved as written. Seconded by Representative Dyck. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON WAYS AND MEANS,  
room 514-S, Statehouse, at 1:30 ~~4:30~~ <sup>xxx</sup> p.m. on Monday, March 21, 1983

Chairman Bunten turned to consideration of the introduction of two bills.

The Chairman explained a bill that had been requested by Representative Crowell to be introduced by this committee. (Attachment XVI). Representative Duncan moved that the bill be introduced with reference to the Transportation Committee for consideration. Seconded by Representative Dyck. The motion carried.

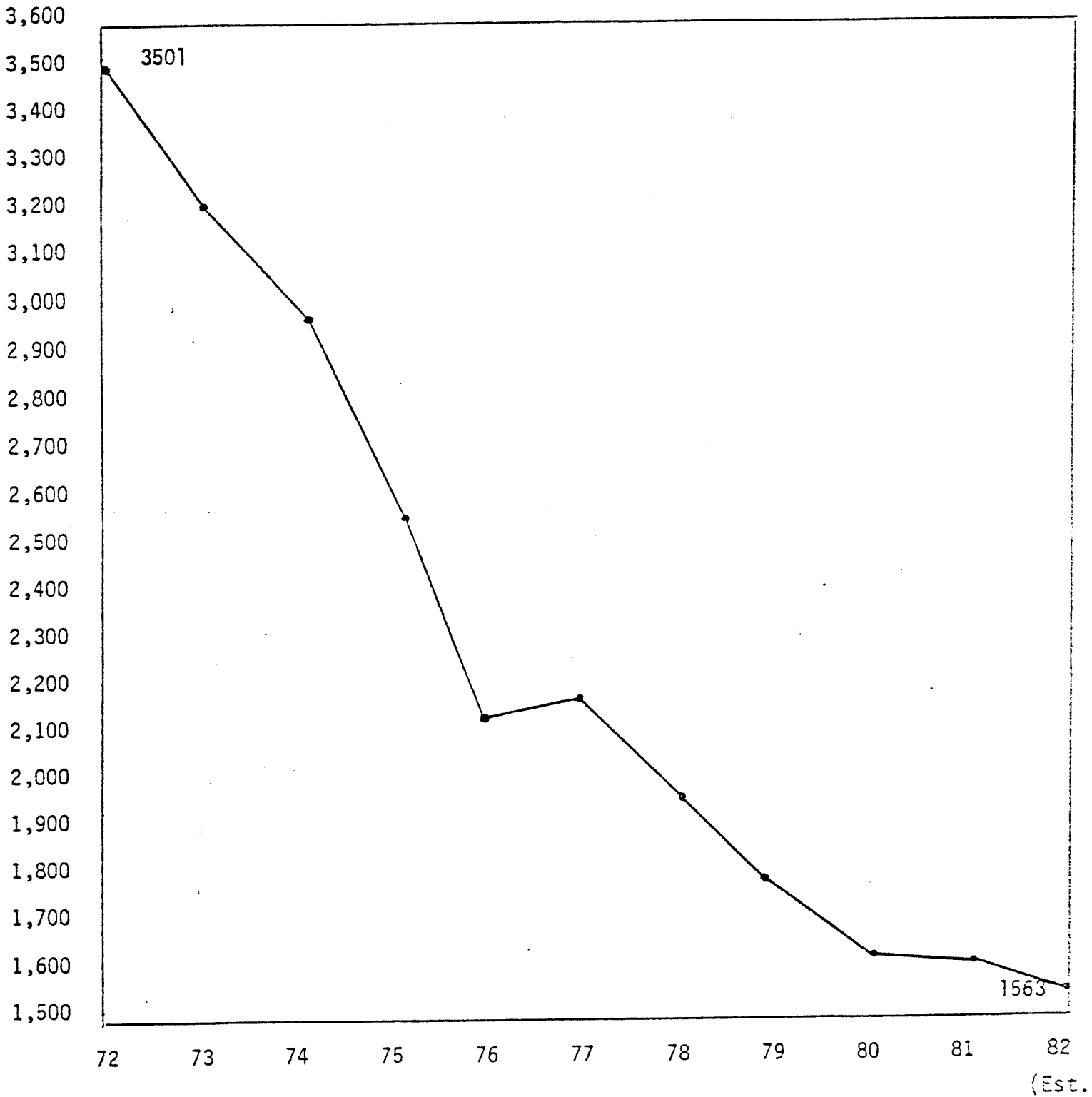
Regarding the second bill requested for introduction, Representative Meacham moved that the bill be introduced and be referred back to Ways and Means for consideration. The motion was seconded by Representative Heinemann. The motion carried. (Attachment XVII).

The meeting was adjourned at 6:25 p.m.

NAME	ADDRESS	REPRESENTING
1. <u>Cynthia Jones</u>	<u>Topeka</u>	<u>Speaker's office</u>
2. <u>Ed Schaub</u>	<u>"</u>	<u>SWBT</u>
3. <u>Jim Hays</u>	<u>"</u>	<u>Division of the Budget</u>
4. <u>Mark Gillman</u>	<u>"</u>	<u>Assoc. Student of KS</u>
5. <u>Cher Beaver</u>	<u>"</u>	<u>A.S.K.</u>
6. <u>Dana Hawkins</u>	<u>"</u>	<u>ASK</u>
7. <u>Tom Lyle</u>	<u>"</u>	<u>K-Nea</u>
8. <u>Beth Wilkin</u>	<u>"</u>	<u>S.S.</u>
9. <u>Kelly</u>		<u>OTZ</u>
10. <u>Janice</u>		<u>KANSAN</u>
11. <u>Alison Gilman</u>		<u>KANU</u>
12. <u>Tim Sherwood</u>		<u>KSN</u>
13.		
14.	<u>5:00</u>	
15. <u>Ed Schaub</u>	<u>Topeka</u>	<u>SWBT</u>
16. <u>Ron Duen</u>	<u>Topeka</u>	<u>Legis. Post Audit</u>
17. <u>T.O. Anderson</u>	<u>Topeka</u>	<u>KSCPA</u>
18. <u>Jan Vacek</u>	<u>Topeka</u>	<u>KSCPA</u>
19. <u>Bennie Eider</u>	<u>"</u>	<u>KAPC</u>
20. <u>Alvin Stephens</u>	<u>"</u>	<u>Kan Bay assn</u>
21. <u>Phil Kupper</u>	<u>Topeka</u>	<u>Dir. of Reports</u>
22. <u>Alan Anderson</u>	<u>"</u>	<u>DEPT. OF REVENUE</u>
23. <u>Doug Maxwell</u>	<u>Topeka</u>	<u>Quincy Magoob</u>
24. <u>John Koepke</u>	<u>Topeka</u>	<u>KASB</u>
25.		

Chart 1

Composite Of The Number of Students Completing Preparation  
For Teaching Certificates For The First Time  
At All Regents' Institutions



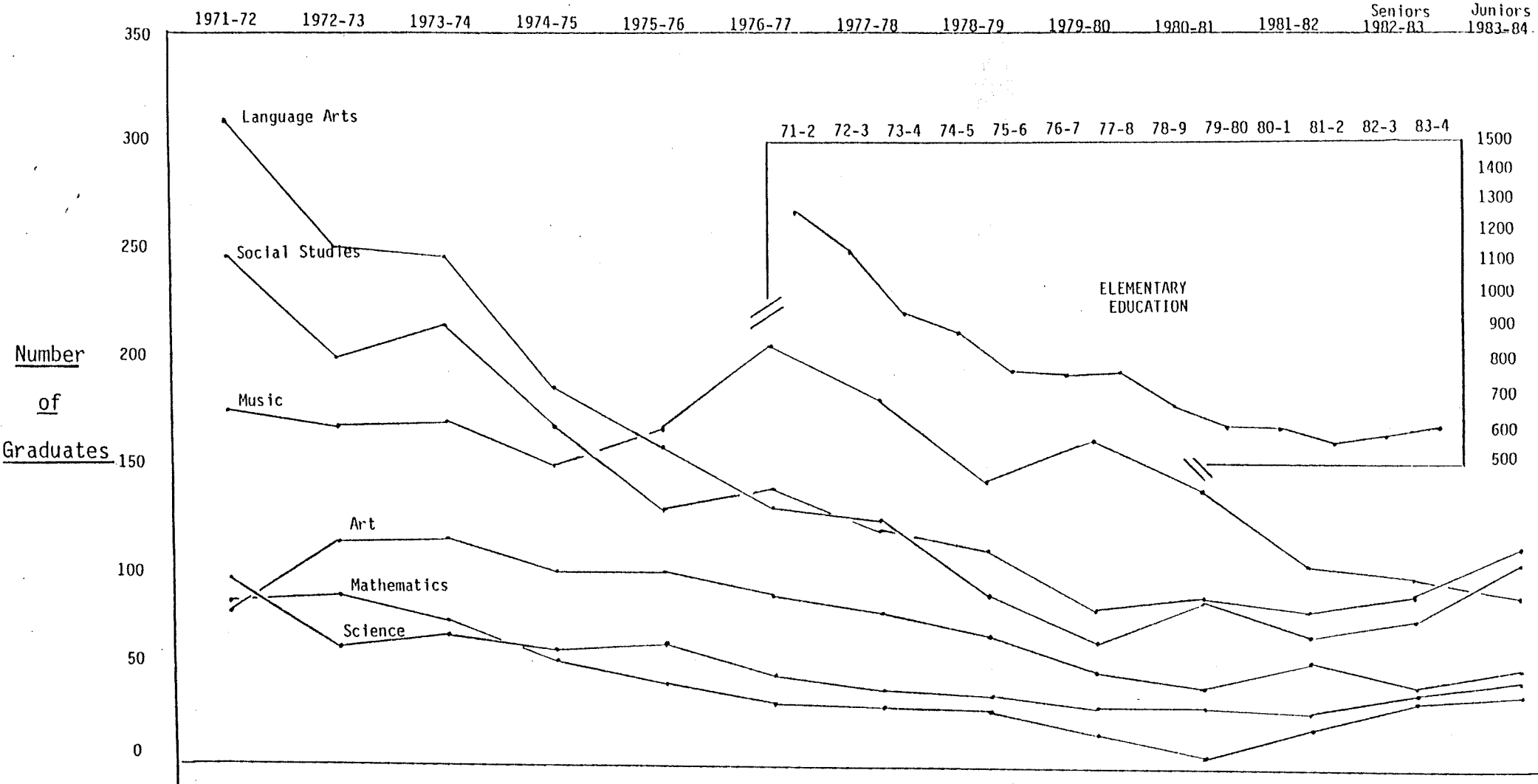
Source for Charts and Table I and II

"Kansas Higher Education Institutions Report  
A Dramatic Decline of Students  
Preparing For Teaching"

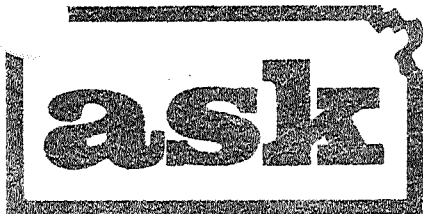
ALCH. II

REGENTS UNIVERSITIES -- BACCALAUREATE DEGREE EDUCATION GRADUATES IN SELECTED SUBJECT AREAS

Academic Year







ASSOCIATED STUDENTS OF KANSAS

1700 College  
Topeka, Kansas 66621  
(913) 354-1394

---

Statement by  
MARK TALLMAN  
ASSOCIATED STUDENTS OF KANSAS  
(ASK)

Before the  
HOUSE WAYS AND MEANS COMMITTEE

on

HB 2549

AN ACT providing for the award of Kansas teacher training grants to  
qualified prospective-teacher students.

March 21, 1983

---

Representing the Students of:

Emporia State • Fort Hays State • Kansas State • Pittsburg State • University of Kansas • Washburn University • Wichita State

*Atch. III*

Statement on H.B. 2549 by Mark Tallman, executive director of the Associated Students of Kansas, representing the 85,000 students of the state universities and Washburn.

### Introductory Remarks

Thank you, Mr. Chairman. I am here today to express ASK's support for the concept of H.B. 2549, and to offer some suggestions on several of the bill's provisions. We believe the bill would:

1. Increase the number of students studying for a degree in education
2. Improve the quality of graduates from schools of education; and,
3. Increase the supply of teachers in Kansas for the future, helping to alleviate projected teacher shortages.

### Analysis of the Problem

There are few who would now take issue with the proposition that public primary and secondary education is in trouble in this nation and this state. That this topic has drawn increasing attention from state officials is not surprising, considering the amount of money the state spends on education at all levels. While various social and academic changes have certainly been major factors in the turmoil public education has faced, attention in recent years has been given to the training, compensation and retention of the educators themselves--our state's teachers--by the governor, legislative bodies, the state board of education and board of regents.

House Bill 2549 is, of course, Speaker Hayden's plan for dealing with problems of teacher supply. Some view it as a rival to the Governor's call for higher teacher salaries. ASK does not believe the two are mutually exclusive; in fact, we believe both approaches are necessary. We need incentives for prospective teachers while they are in school, as well as incentives for teachers to remain in their profession.

Charts included after the body of this statement show the sharp decline in the numbers of students graduating over the past decade. Almost every subject area has seen declines of between 40 and 60 percent. This average drop by almost one half is seen in both public and private teacher education programs.

(more)

The reasons for this decline are certainly varied, and not all are financial. One is surely the fact that over half of the undergraduate population--the female half--can now pursue virtually any career, while before the beginning of the period surveyed, the great majority of women students were limited to the professions of teaching and nursing. How big a factor is estimated future income? We believe salary for prospective teachers is much more a negative factor than a positive one. In other words, people have never gone into teaching because they are attracted to high salaries. But they may decide not to pursue a teaching career if salaries are too low. No scholarship plan can encourage intelligent students to enter a profession if the salary levels cannot adequately maintain a family. On the other hand, it is unlikely that salaries can be raised high enough, or fact enough, to really attract the best candidates. This does not mean that outstanding students do not go into teaching; but that they are attracted by other factors, such as a desire to work with children, the personal satisfaction of a human service career, etc. We believe the program outlined in H.B. 2549 would be such an incentive.

#### Program Incentives

A teacher education grant program would increase the quality and quantity of teachers for these reasons:

1. As a student assistance program, it would provide a strong financial incentive to study in a teacher training program. We have previously talked to the committee about how college expenses are rising faster than financial aid resources. Such a program would be a definite incentive to cost-conscious students.
2. The additional aid such a program would provide is appropriate in view of the special requirements education majors face. Effective this fall, students entering teacher education program at the state universities must pass a basic skills test and have a 2.5 2.5 grade point average. The junior and senior "blobs" and the required student teaching experience make part-time work much more difficult. While there is much to commend these higher

(more)

standards for prospective teachers, without some type of compensation they may only worsen the decline in teacher training enrollments.

3. A teacher grant program would raise the prestige of an education degree by demonstrating the state's commitment to the profession. It would help put teacher education closer to the level of medical education, which has been, of course, heavily subsidized. Aside from financial considerations, this increased prestige is one of those intangible incentives spoken of above.

#### Suggested Modifications in the Bill

Having reviewed the provisions of H.B. 2549, we have several suggestions the committee may wish to consider for amendment.

The first concerns repayment. The bill does not require that students actually teach to enjoy the benefits of the program, only that they become certified. Such a program could be perceived as being overly generous, especially if large numbers of students enter teacher education programs for a "free ride," then pursue other careers. Speaker Hayden has indicated he shares these concerns, but feels that administrative costs might prohibit any more complex a program of teaching requirements or repayments.

ASK believes that the program can work without a teaching requirement, but we would support such a provision if it could be developed.

One way such a requirement might be enforced would be to consider the financial assistance offered as loans, rather than as grants. Such teacher training loans could be made directly to the student, with the principle provided by the state. After leaving school, the student would be billed for the total amount extended, over a five year period. However, for each year the borrower was employed as a teacher, as certified by the employing school district, one-fifth of the loan would be waived. The collection and billing might be handled by either a state or independent agency, with the state paying an administrative allowance.

Dr. John Conard, Executive Director of the Higher Education Loan Program of Kansas, told us that it costs about \$60 per year for H.E.L.P. to service each loan, which is about 3 percent.

(More)

H.E.L.P.'s volume of 10,000 loans per year is considerably higher than what this program would generate, <sup>but</sup> Dr. Conard felt that if several thousand such loans were taken out, comparisons might be made.

Another suggestion concerns the way grants would be prorated if the legislature did not appropriate enough money to fully fund the program. This situation is similar to the problem the Board of Regents had to face last week with the State Scholarship Program, which has been reduced by federal budget cuts. Rather than simply reduce the amount of each award, the Regents also adopted a 3.0 G.P.A. requirement for renewal. The Student Advisory Committee concurred with this position because a straight proration could reduce each scholarship to a rather insignificant level. If legislative appropriations for the program in H.B. 2549 did not fully fund the program, we suggest that a higher G.P.A. would be an incentive for better scholarship.

#### Conclusion

ASK believes H.B. 2549 is a creative and appropriate method of increasing the supply of teachers in Kansas. We support its adoption.

REGENTS UNIVERSITIES

BACCALAUREATE DEGREE EDUCATION GRADUATES IN SELECTED SUBJECT AREAS

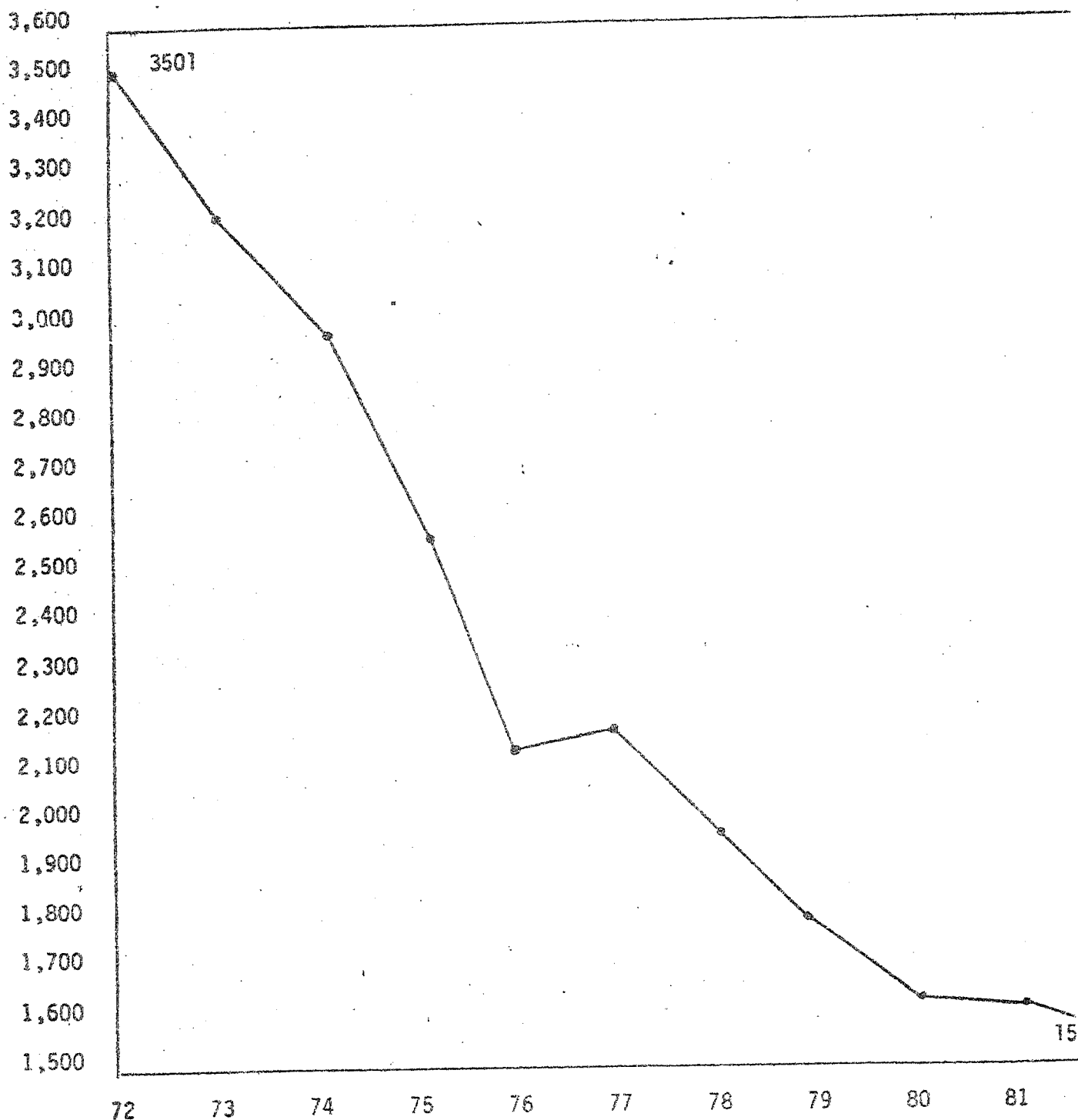
Academic Years 1971-72 through 1981-82 and  
Projected Data for 1982-83 and 1983-84

SUBJECT	1971- 1972	1972- 1973	1973- 1974	1974- 1975	1975- 1976	1976- 1977	1977- 1978	1978- 1979	1979- 1980	1980- 1981	1981- 1982	(Sr)	(Jr)
												1982- 1983	1983- 1984
Language Arts	309	251	248	187	160	132	126	90	69	86	70	77	101
Science	101	70	75	68	70	55	48	45	39	38	35	43	48
Social Studies	249	201	216	170	131	141	121	111	84	89	82	88	110
Music	178	170	172	151	168	206	182	144	161	138	104	96	85
Art	86	118	119	104	103	92	83	72	55	47	59	46	54
Mathematics	91	94	81	63	52	42	40	38	26	15	27	40	41
Elementary Education	1276	1165	971	920	787	773	793	691	626	620	568	598	616

Appendix A  
Composite Of The Number of Students Completing Preparation

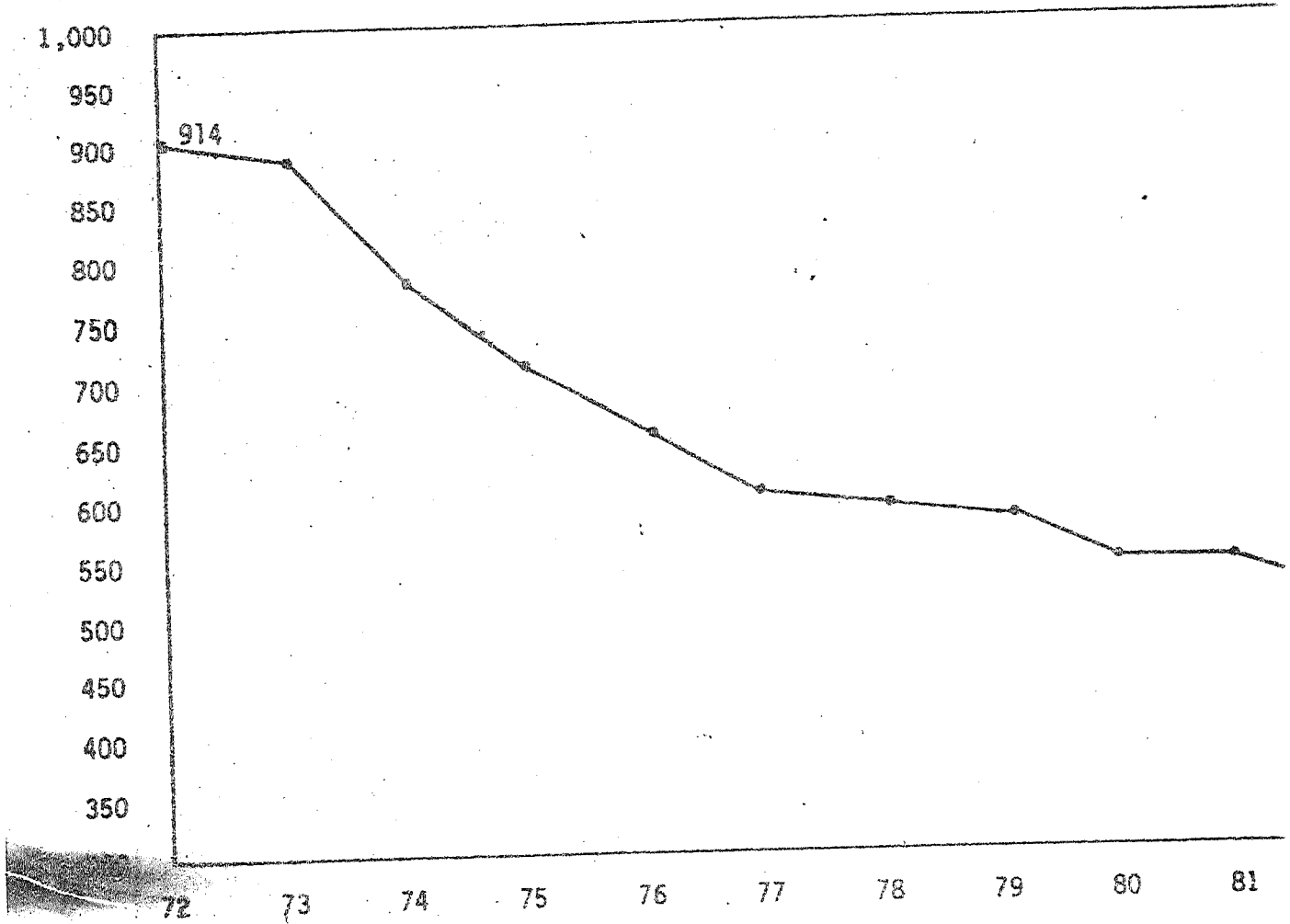
For Teaching Certificates For The First Time

At All Regents' Institutions



SOURCE: Teacher Supply and Demand in Kansas Public Schools,  
Center for Educational Research and Service, Emporia State University

Appendix B  
Composite Of The Number of Students Completing Preparation  
For Teaching Certificates For The First Time  
At Kansas Four-Year Private Institutions



SOURCE: Teacher Supply and Demand in Kansas Public Schools,  
Center for Educational Research and Service, Emporia State Univer



## Appendix D

Number of Students Completing Preparation for Teaching Certificates  
for the First Time at Kansas Four-Year Private Institutions

---



---

1972	914	1977	626
1973	899	1978	606
1974	789	1979	601
1975	734	1980	557
1976	653	1981	558
	1982 (Est.)	519	

---



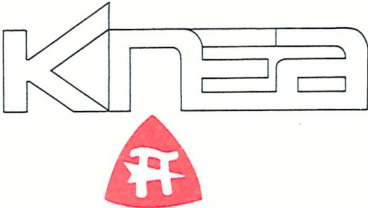
---

SOURCE: Teacher Supply and Demand in Kansas Public Schools,  
Center for Educational Research and Service, Emporia State University

House Ways and Means Committee

Testimony on House Bill 2549

March 21, 1983



Thank you, Mr. Chairman. Members of the committee, my name is Craig Grant and I am representing Kansas-National Education Association in opposition to House Bill 2549.

K-NEA opposes HB 2549 as it is a "band-aid" approach to a serious problem of not only attracting but also retaining high quality teachers in Kansas schools. Nothing in this bill speaks to improvement of the instruction given to the children in Kansas. Nothing in this bill will guarantee that more qualified teachers will be in the classrooms in Kansas. K-NEA believes that this is a good sounding bill when one speaks to the press about being in favor of public education. However, the bill will leave unfulfilled the promise of improvement of the education our children receive.

Specifically, nothing in this bill obligates any recipient of the tuition and educational expenses to stay in the field of education. The only obligation is to apply and obtain certification by the state board of education. A graduate could defer repayment or certification by attending a graduate school to train in another profession which could then pay the person a higher salary which could allow them to repay the grant. But even if the person became certified, which would remove any obligation to repay the grant, nothing would get that person into the classroom. A 1981-82 survey by the National Science Teachers Association found that a considerable number of those who graduated with a degree in science or mathematics education took positions outside the public schools. As an example, in Texas, during the same year, only 20 graduates were reported to be certified for teaching secondary mathematics and only 7 of these entered teaching. That's only a 35% entry level. What good does it do Kansas school children if we have many certified math and science teachers working for Boeing, or Beech, or Marion Laboratory, or Phillips, or Derby? What good does it do Kansas school children if we produce many certified teachers who then will be teaching in one of the 37 states which pay more than Kansas? Mr. Chairman, members of the committee, I suggest that it will do no good.

Another problem with this bill is that tuition will not be provided for anyone who is eligible to have tuition paid from moneys, funds, or appropriations made available under any federal programs. Although the idea of using federal funds when provided is a

(continued)

ALch III IV

laudatory one, the bill just states eligibility, not receipt, of federal funds as the criteria for tuition grants from the state. Since federal funds through loans and grants are paid in inverse proportion to family income, the students eligible for state moneys will come from the high income families of the state. In other words, it appears to me that only people already able to afford to go to a university will benefit from the program.

It is not that students in education cannot afford college tuition; the situation is that potential teachers and present teachers cannot afford a life's work in education. What intelligent person wants to plan his or her future around a profession which, in reality, has no future. As we indicated before, many teacher education graduates choose not to enter the classroom. But the exodus of teachers into the private sector is not limited to students just out of college. In the math and science areas, according to a recent National Science Teachers Association, almost five times more science and math teachers left teaching last year for employment in non-teaching jobs than left because of retirement. It is this mass exodus that must be addressed by this state. And when the economy turns upward, there will be even more jobs in the high paying private sector causing more of our teachers to leave the classroom in order to earn a living wage.

Kansas-NEA opposed HB 2549 as a nice sounding but ineffective method of dealing with the serious complex problems surrounding attraction and retention of quality teachers in Kansas schools. When the United States in the early 60's and late 50's reacted to the "Sputnik craze" of the era, the government did put funds into teacher preparation. The federal government is considering a similar approach now with the American Defense Education Act. But these methods are only part of what needs to be an overall comprehensive, well-funded package which will be designed to provide Kansas children with the best possible education. There does not seem to be enough dollars to fund the present scholarship programs in place now in Kansas. An unfunded teacher training act will do nothing to upgrade teaching in Kansas. Instead of a teacher training act, HB 2549 is in reality a grant-in-aid for students to complete a degree in education, but be trained to enter a field outside of education.

Kansas-NEA urges the committee to report HB 2549 unfavorably as it will not accomplish the stated goal of the bill.

# *Johnson County Election Office*

P.O. BOX 460

135 SOUTH FIR ST.

OLATHE, KANSAS 66061

*Statement of Support for H.B. 2467*

*Submitted by: E. Lee Alt  
Election Commissioner  
Johnson County, Kansas*

*Two of the major concerns of election officials are:*

- 1. voter participation*
- 2. increasing costs of elections*

*With these concerns in mind, I offer these comments in support of "mail ballot" elections.*

*If a "question submitted" election were held in Johnson County under present procedures, the cost would be estimated at \$59,203 - - If the same election could be held as a "mail ballot" election, the estimated cost would be \$35,480 - - a saving of \$23,723.*

*At the last county wide "question submitted" election, there was a 12% voter participation. In states where "mail ballot" elections have been held, the percentages range from 54% to 92%.*

*The 12% election equates to \$3.50 per vote. Based upon a 60% estimated turn out (and I predict a higher percentage than that), the same election by mail would cost 45¢ per vote.*

*As the life-style of our population changes, I believe it behooves us as election officials and you as lawmakers to consider any technique which, if administered properly, would provide a greater voter participation at a reduced cost.*

*Lee Alt*



*Board of County Commissioners* / Johnson County Courthouse / Olathe, Kansas 66061

Janet D. Leick  
Commissioner, 4th District  
(913) 782-5000 Ext. 504

February 24, 1983

Mrs. E. Lee Alt  
Johnson County Election Commissioner  
Johnson County Election Office  
135 South Fir Street  
Olathe, Kansas 66061

Re: House Bill No. 2467

Dear Lee:

This is to advise you that the Board of County Commissioners unanimously agreed to support House Bill No. 2467, thus enabling mail ballot elections under the conditions as specified.

Thank you for your continued input upon specific bills, as it is sincerely appreciated by our Board.

Best regards,

Janet D. Leick, Vice-Chairman  
Commissioner, Fourth District  
Board of County Commissioners

JDL:nf  
cc:Board of County Commissioners

Alt b. VI

STATEMENT OF DISTRICT COURT  
JUDGE HERBERT W. WALTON  
TENTH JUDICIAL DISTRICT  
BEFORE THE HOUSE WAYS and MEANS COMMITTEE  
MARCH 21, 1983

Mr. Chairman and members of the Committee, my name is Judge Herbert W. Walton. I am a District Court Judge of the Tenth Judicial District of the State of Kansas. Prior to being appointed to this position in 1965, I served as Probate Judge for five years and prior to that, was Assistant County Attorney in Johnson County, Kansas, for three and one-half years.

I appreciate the opportunity to testify in support of Senate Bill No. 115. This bill addresses and attempts to remedy a very unfair situation which has existed in the judicial system in the State of Kansas for a number of years.

As you know, the present law of the State of Kansas relating to the judicial system provides, among other things, for District Court Judges and Associate District Court Judges. The historic distinction between the two types of judges was based on jurisdiction, case load and responsibility. These differences have disappeared in many jurisdictions. There now appears to be no reason to retain the distinction in the statutes.

In Johnson County, for instance, the District Court Judges and the Associate District Court Judges carry the same work load, the same jurisdiction and the same responsibility. The distinction is in name only. The day-in, day-out work of the Tenth Judicial District is accomplished by fourteen judges, six of whom carry the title District Court Judge, eight of whom carry the title Associate District Court Judge.

Atch VII

These differences in title, in Johnson County, for example, tend to breed an atmosphere of internal friction. The notion is that the title carried by the Associate District Court Judges means that these judges are not real judges or are not full-fledged judges. The discrepancy in salaries, while modest, fosters a certain amount of resentment.

Senate Bill No. 115 eliminates the position of Associate District Court Judge and provides for the orderly transition from the two-tier judge system to a system which recognizes, if appropriate, the need for expanding the number of District Court Judges to efficiently handle the work load of individual Judicial Districts.

Unification, adopted in 1975, envisioned equal treatment of all trial judges. The adoption of Senate Bill No. 115 would complete the process begun in 1975.

STATEMENT OF RICHARD T. MERKER  
BEFORE THE HOUSE WAYS AND MEANS COMMITTEE  
MARCH 21, 1983

Mr. Chairman and members of the Committee, my name is Richard T. Merker. I am a senior partner in the Johnson County law firm of Wallace, Saunders, Austin, Brown and Enochs, Chartered. I have specialized in trial practice law for the past 12 years.

I strongly endorse Senate Bill No. 115 which deals with the elimination of the distinction between Associate District Judges and District Court Judges.

In Johnson County, we have eight Associate District Judges and six District Court Judges. All of the Judges have the same jurisdiction, case load, and responsibilities to the public.

There is absolutely no reason for a discrepancy in the salaries of the Judges who perform the same functions. The salaries of all of the Judges in my opinion are inadequate but it makes no sense to have a differentiation between Judges solely based upon a title.

This Bill is long overdue and I strongly recommend its passage.

Thank you for allowing me the opportunity to present my opinion on this subject.

Atch. VIII



# LWVK LEAGUE OF WOMEN VOTERS OF KANSAS

909 Topeka Boulevard-Annex

913/354-7478

Topeka, Kansas 66612

March 22, 1983

Statement to the House Committee on Ways and Means in support of  
S.B. 115.

Mr. Chairman and Members of the Committee:

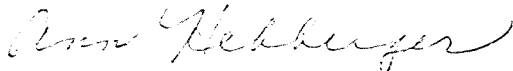
The League of Women Voters of Kansas began studying the Kansas courts in the early 1960s. After re-evaluating League position in 1975, members have been strong advocates of a unified court system.

We realize that it takes time to implement such important legislation as well as the consideration of limited funding. By using the process of phasing in that has been suggested, we understand that the fiscal note would be much less than as first presented.

The League believes that the time has come to eliminate the position of associate district judge. When people do the same work, it seems unfair to us that titles and pay should be different.

S.B. 115 would correct this injustice.

Thank you for your consideration.



Ann Heberger, Lobbyist  
League of Women Voters of Kansas

ALC. ✓

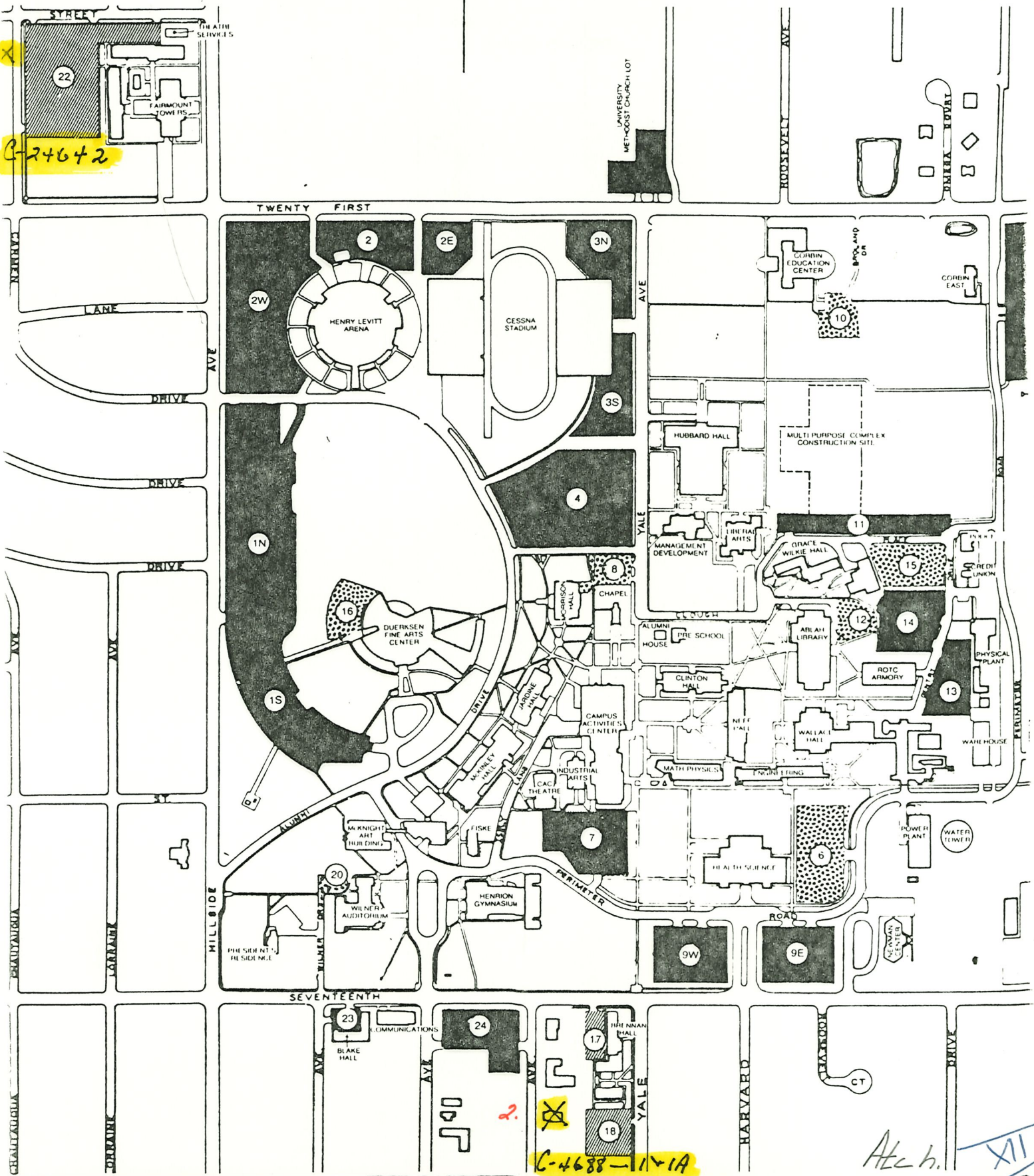
STATE GENERAL FUND

3-21-83

1984	Beginning Balance	55.9
1984	Receipts	1,572.4
	Adjustment in receipts	(32.0)
	Reduced Severance Tax	(48.0)
	Receipts	<u>          </u>
	Total Funds Available	1,548.3
1984	Expenditures Rec. by	
	Governor	1,571.0
	Reduced School Aid	<u>(27.0)</u>
	Total Expenditures	<u>1,544.0</u>
	Ending Balance	4.3

*Atch. F*

WICHITA STATE UNIVERSITY



Attch. VII

SENATE BILL No. 345

By Committee on Ways and Means

2-22

0017 AN ACT authorizing the state board of regents to sell and  
0018 convey, for and on behalf of Wichita state university, all rights,  
0019 title and interest in certain property located in Sedgwick  
0020 county, Kansas.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. (a) The state board of regents is hereby authorized  
0023 and empowered, for and on behalf of Wichita state university,  
0024 formerly the university of Wichita, to sell and convey all rights,  
0025 title and interest in (1) a parcel of land described as the east 140  
0026 feet (E 140) of lot 55 on Chautauqua avenue, Hillside Gardens  
0027 located in Wichita, Sedgwick county, Kansas, (C 24642), ~~together~~  
0028 ~~with the fraternity house thereon~~; and (2) a parcel of land  
0029 described as lots 22, 24, 26, 28 and 30 on Vassar avenue, in  
0030 Fairmount, an addition to Wichita, Kansas, (C 4688-1&1A), ~~to-~~  
0031 *gether with the fraternity house thereon.*

0032 (b) The conveyances authorized in subsection (a) shall be  
0033 made by warranty deed or quitclaim deed, whichever is appro-  
0034 priate, and shall be executed in the name of the state board of  
0035 regents by its chairperson and executive officer. When the sales  
0036 are made, the proceeds thereof shall be deposited in the state  
0037 treasury and the state treasurer shall credit the amounts thereof  
0038 to the Wichita state university dormitory revenue funds in ac-  
0039 cordance with directions of the state board of regents. ~~The~~  
0040 ~~conveyances authorized by this section shall not be subject to the~~  
0041 ~~provisions of K.S.A. 75-3043a.~~

0042 Sec. 2. This act shall take effect and be in force from and  
0043 after its publication in the Kansas register.

, except that one-half of the proceeds from the sale of the Chautauqua avenue parcel shall be deposited in the state general fund.

6 related thereto of any person that *who* contracts with the state.

0047 (4) *Audit* of any person which is to any significant degree  
0048 controlled by any state agency or institution or which *who* is  
0049 regulated or licensed by any state agency *or who* operates or  
0050 functions for the benefit of any state institution, except that this  
0051 subsection (c)(4) shall not include audit of any person regulated  
0052 by the state corporation commission.

0053 Sec. 2. K.S.A. 1982 Supp. 79-3234 is hereby amended to read  
0054 as follows: 79-3234. (a) All reports and returns required by this  
0055 act shall be preserved for three (3) years and thereafter until the  
0056 director orders them to be destroyed.

0057 (b) Except in accordance with proper judicial order, or as  
0058 provided in subsection (c) of this section, K.S.A. 17-7511, sub-  
0059 section (g) of K.S.A. ~~47-7511~~ or 46-1106 or K.S.A 46-1114, and  
0060 amendments thereto, it shall be unlawful for the director, any  
0061 deputy, agent, clerk or other officer, employee or former em-  
0062 ployee of the department of revenue or any other state officer or  
0063 employee or former state officer or employee to divulge, or to  
0064 make known in any way, the amount of income or any particulars  
0065 set forth or disclosed in any report, return, federal return or  
0066 federal return information required under this act; and it shall be  
0067 unlawful for the director, any deputy, agent, clerk or other officer  
0068 or employee engaged in the administration of this act to engage  
0069 in the business or profession of tax accounting or to accept  
0070 employment, with or without consideration, from any person,  
0071 firm or corporation for the purpose, directly or indirectly, of  
0072 preparing tax returns or reports required by the laws of the state  
0073 of Kansas, by any other state or by the United States government,  
0074 or to accept any employment for the purpose of advising, pre-  
0075 paring material or data, or the auditing of books or records to be  
0076 used in an effort to defeat or cancel any tax or part thereof that  
0077 has been assessed by the state of Kansas, any other state or by the  
0078 United States government.

0079 (c) Nothing herein shall be construed to prohibit the publi-  
0080 cation of statistics, so classified as to prevent the identification of  
0081 particular reports or returns and the items thereof, or the in-  
0082 spection of returns by the attorney general or other legal repre-

(A)

if conducted in conjunction with the audit of the agency which regulates or licenses such person

(B)

Atch. XIV

## PROPOSED AMENDMENTS TO HOUSE BILL NO. 2496

For Consideration by House Committee on Ways and Means

"AN ACT concerning the state corporation commission; relating to assessments made by the commission; amending K.S.A. 66-1503 and repealing the existing section."

Be amended:

On page 2, following line 65, by inserting the following material to read as follows:

"Sec. 2. K.S.A. 66-1502 is hereby amended to read as follows: 66-1502. (a) Whenever, in order to carry out the duties imposed upon it by law, the state corporation commission, in a proceeding upon its own motion, on complaint, or upon an application to it, shall deem it necessary to investigate any public utility or common carrier or make appraisals of the property of any public utility, such public utility or common carrier, in case the expenses reasonably attributable to such investigation or appraisal exceed the sum of ~~one-hundred-dollars~~ ~~(\$100)~~ \$100, including both direct and indirect expenses incurred by the commission or its staff, shall pay such expenses which shall be assessed against it by the commission, except that no such public utility or common carrier shall be assessed for payment of such expenses, unless prior to the incurring of any such expense the state corporation commission shall give such public utility or common carrier written notice that it is contemplating the making of such investigation or appraisal. ~~Said~~ The notice shall state in general terms the nature, scope and purpose of such investigation or appraisal and shall also fix a date not less than ~~ten~~ 10 days following the date of such notice, when such public utility or common carrier may be heard as to the

Atch. 72

necessity of such investigation or appraisal and may show cause, if any, why such investigation or appraisal should not be made or why the costs thereof should not be assessed against such public utility or common carrier. The finding of the commission as to the necessity of the investigation or appraisal and the assessment of the expenses thereof shall be conclusive, ~~except that no such public utility or common carrier shall be liable for payment of any such expenses incurred by such state corporation commission in connection with any proceeding before or within the jurisdiction of the interstate commerce commission or other federal regulatory body.~~

(b) The commission shall ascertain the expenses of any such investigation or appraisal and by order assess the same against the public utility or common carrier investigated or whose property is appraised in such proceeding, and shall render a bill therefor, by registered mail, to the public utility or common carrier, either at the conclusion of the investigation or appraisal, or from time to time during its progress. Such bill shall constitute notice of said the assessment and demand of payment thereof. Upon a bill so rendered such public utility or common carrier, within ~~fifteen~~ <sup>(15)</sup> 15 days after the mailing thereof, shall pay to the commission the amount of the assessment for which it is billed, ~~and such payment when made shall be transmitted by.~~ The commission shall remit all moneys received for such assessments to the state treasurer, who shall credit the same to the appropriations made for the use of said commission at least monthly. Upon the receipt of each such remittance, the state treasurer shall deposit the entire amount thereof in the state treasury and shall credit such amount to the public service regulation fund.

(c) The total amount, in any one calendar year for which any public utility or common carrier shall be assessed under the provisions of this section shall not exceed ~~three-fifths of one percent~~ .6% of its gross operating revenues derived from intrastate operations in the last preceding calendar year. The

commission may render bills in one calendar year for costs incurred within a previous year.";

And by renumbering sections 2 and 3 as sections 3 and 4, respectively;

Also on page 2, in line 66, preceding "66-1503" by inserting "66-1502 and"; also in line 66, by striking "is" and inserting in lieu thereof "are";

On page 1, in the title, in line 17, after "K.S.A." by inserting "66-1052 and"; in line 18, by striking "section" and inserting in lieu thereof "sections";

And the bill be passed as amended.



HOUSE BILL NO. \_\_\_\_\_

By Committee on Ways and Means

AN ACT concerning regulation of railroads; rates; intrastate regulations by state corporation commission; federal limitations thereon; amending K.S.A. 66-146 and 66-154 and repealing the existing sections.

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

Section 1. K.S.A. 66-146 is hereby amended to read as follows: 66-146. Power and authority is hereby vested in the state corporation commission, and it ~~is hereby made its duty to~~ shall supervise all railroad freight and passenger schedules, rates, tariff, and classifications within the state of Kansas ~~and. The commission shall supervise~~ all rules and regulations governing car service, the transfer and switching of cars from one railroad to another at junction points or where entering the same ~~town or city~~. The commission shall supervise all charges ~~to be made therefor, as well as~~ and the rules and regulations adopted by any railroad for the operation of its road and the running of its trains in this state ~~and. A railroad shall~~ immediately ~~to~~ notify the attorney for the commission ~~whenever~~ when it has knowledge or good reason to believe that any of the laws of ~~the~~ this state ~~of Kansas~~ relating ~~thereto~~ to the foregoing are being violated.

~~It shall be the duty of said~~ The commission shall from time to time ~~to~~ alter, change or amend any such schedule, classification, rate, rule or regulation established by any railroad company or companies, or other common carrier, upon complaint as provided by law so that such schedule, classification, rate, rule or regulation shall be reasonable and just ~~and.~~ Such amended, altered or new schedule, classification, rate, rule or regulation shall be put into effect

Atch. XVI

by such railroad company or companies within not more than ~~thirty~~ 30 days after receiving written notice of the order of the commission: ~~Provided, That before.~~ Before any such order is made by the commission, notice of a hearing shall be given as required by law in all hearings before the commission. To the extent that congress may lawfully pre-empt this state from regulation of intrastate rail rates the commission shall exercise its jurisdiction over intrastate rail rates consistent with the federal law to maintain certification of such jurisdiction from the federal government. All provisions of this act inconsistent with federal requirement for certification of intrastate rail jurisdiction shall be inapplicable to the regulation of intrastate rail rates.

Sec. 2. K.S.A. 66-154 is hereby amended to read as follows: 66-154. It shall be unlawful for any railroad company or other common carrier to grant, or for any consignee or consignor to receive, any rebate or drawback, or enter into any arrangement whereby such consignee or consignor shall directly or indirectly receive a lower rate for transporting freight than the rate fixed by the orders of this commission or the published schedules of such railroad company. It shall be unlawful for any railroad company or other common carrier to grant any special privileges to any person, firm, or corporation, either in the way of a preference in furnishing cars, sidetrack facilities, sites for elevators, mills, or warehouses, or any other form of preference, privilege, or discrimination. It shall be unlawful for any railroad company or other common carrier, or any agent or employee thereof, or for any person, firm or corporation to enter into any secret agreement with any firm, person or corporation for the purpose of giving any firm, person or corporation any special privileges, favors or discriminations in favor of such firm, person, or corporation. Notwithstanding the other provisions of this section and any other statute of this state, when the agent of a railroad company quotes a rate to a shipper, and the shipper has the shipment made by such railroad company,

whether the rate is a joint rate or not, and whether the quoted rate is erroneously low or not, the rate quoted is the rate which shall be used for charges for such shipment.

New Sec. 3. If any part or application of this act is held invalid, the remainder of this act or its application to other situations or persons shall not be affected.

Sec. 4. K.S.A. 66-146 and 66-154 are hereby repealed.

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

## PROPOSED BILL NO. \_\_\_\_\_

For Consideration by House Committee on Ways and Means

AN ACT relating to taxation; concerning the levy of taxes by the state of Kansas upon all tangible property in the state; amending K.S.A. 76-6b01 and K.S.A. 1982 Supp. 76-6b04 and repealing the existing sections.

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

Section 1. K.S.A. 76-6b01 is hereby amended to read as follows: 76-6b01. (a) There is hereby levied an annual permanent state tax ~~of one mill~~ upon all tangible property in this state which is subject to ad valorem taxation, ~~and such~~. The tax levy shall be made 1 1/10 mill in the year 1983 and 1 mill in the year 1984 and each year thereafter until changed by statute. Such tax levy shall be in addition to all other state tax levies authorized by law. Such tax levy shall be for the use and benefit of the state institutions of higher education. The proceeds of such tax levy shall be apportioned in accordance with this act.

(b) The county treasurer of each county shall make the proceeds of the tax levy provided for in this section available to the state treasurer immediately upon collection. When available the state treasurer shall withdraw from each county the proceeds of the taxes raised by such tax levy. Upon such withdrawal the state treasurer shall deposit the same in the state treasury and shall credit the same as provided in K.S.A. 76-6b02.

Sec. 2. K.S.A. 1982 Supp. 76-6b04 is hereby amended to read as follows: 76-6b04. (a) There is hereby levied an annual permanent state tax upon all tangible property in this state which is subject to ad valorem taxation. The tax levy shall be ~~1/2~~ 4/10 mill and in the year 1983 and 1/2 mill in the year 1984 and each year thereafter until changed by statute. The tax levy

Atch.

XVII

shall be in addition to all other state tax levies authorized by law. The tax levy shall be for the use and benefit of state institutions caring for persons who are mentally ill, retarded, visually handicapped, with a handicapping hearing loss or tubercular or state institutions caring for children who are deprived, wayward, miscreant, delinquent, children in need of care or juvenile offenders and who are in need of residential care or treatment, or institutions designed primarily to provide vocational rehabilitation for handicapped persons. The proceeds of such tax levy shall be apportioned in accordance with this act.

(b) The county treasurer of each county shall make the proceeds of the tax levy provided for in this section available to the state treasurer immediately upon collection. When available, the state treasurer shall withdraw from each county the proceeds of the taxes raised by such tax levy. Upon such withdrawal the state treasurer shall deposit the same in the state treasury and shall credit the same as provided in K.S.A. 76-6b05.

Sec. 3. K.S.A. 76-6b01 and K.S.A. 1982 Supp. 76-6b04 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.