

Approved 4-6-90  
Date

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Senator Lana Oleen at  
Chairperson

1:35 ~~xx~~/p.m. on March 20, 1990 in room 531-N of the Capitol.

All members were present except: Senator Doyen - Excused  
Senator Gaines - Absent  
Senator Vidricksen - Absent

Committee staff present: Julian Efird - Research  
Fred Carman - Revisor

Conferees appearing before the committee: Gabriel Faimon, SRS, Rehabilitation Service  
Sandy Duncan, Administrative Services  
Ron Thornburg, Department Assistant  
Secretary of State

Hearing on: HB 2017 - Publication and disposition of Kansas Statutes

Vice Chairman Bogina stated this bill was an interim bill of 1988 and introduced during the 1989 session.

Ron Thornburgh stated the Secretary of State supports this legislation as it enhances and clarifies the manner in which volumes of certain publications are distributed. Under current law there is a great amount of confusion as to recipients of no-cost volumes of statute publications and how many are to be distributed. Mr. Thornburg stated the same number of books and publications will be printed with no anticipated fiscal change. An amendment on the floor of the House will authorize legislators to continue to receive two sets of statutes and three sets of supplements at the beginning of each year while holding office. (Attachment 1)

Further addition is to include distribution of recopies upon request, to the colleges and universities and discontinue personalized imprint of a set for each legislator. Copies of the interim study were distributed to the committee members with explanation of the bill by Julian Efird. (Attachment 2)

Hearing on: HB 2829 - Requirements for state agency communications

Sandy Duncan testified the legislation was requested by SRS to clarify what an official communication from the Department is, in order that identification of each of the offices, throughout the state which are under the auspices of any state agency, that does not have to have correspondence imprinted with the local address and phone number, as it has been too costly to comply with legislation passed by the 1988 legislature. At present, offices identify themselves with rubber stamps on correspondence when communicating with the public on forms used. It was noted by Mr. Duncan that envelope stuffers are exempt from addresses. The bill will simply clarify where correspondence and communication are to be directed for the benefit of the public. (Attachment 3)

Senator Bogina felt the intent of the bill needs further clarification in line 32 with deletion of "if practical."

Hearing on: HB 2840 - Concerning industries for the blind; unclassified service.

Gabriel Faimon stated the agencies employing individuals with disabilities have the tendency to lock them into certain status without the opportunity for advancement. The essence of discussion was to establish the fact that the workers in the Topeka shop for the blind are unclassified state employees which would make them eligible for internal non competitive promotional opportunities within the agency.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,

room 531-N Statehouse, at 1:35 ~~xxx~~ p.m. on March 20, 1990

Mr. Faimon said there is continual effort placed upon the importance of means to advance the capabilities of the employees so they can get into a more competitive setting. It is necessary to make certain that positions of direct production workers would be in addition to any position limitation on the part of the SRS. He is recommending the bill be amended to include this language.  
(Attachment 4)

The bill is aimed at the needs of the shop in Topeka as there are currently 43 workers employed who remain with no classification at all. In discussion the type of work done was reviewed as well as the difficulty in placing them in areas of competitive employment. There is concern that SRS appropriations do not include this particular group with passage of HB 2840. Language clarification will be needed in amending the bill.

A motion was made by Senator Bogina to amend HB 2840 conceptually in accordance with the recommendation and fiscal concerns; seconded by Senator Francisco. Motion carried.

A motion was made by Senator Bogina to recommend favorably as amended HB 2840; seconded by Senator Francisco. Motion carried.

A motion was made by Senator Strick to strike "if practical" in line 32 and recommend favorably as amended HB 2829; seconded by Senator Bogina. Motion carried.

Chairman Oleen recommended there be no action on HB 2017 until the next meeting at which time language cleanup could be proposed to the Committee.

Meeting adjourned. The next meeting will be March 26, 1990.

GUEST LIST

COMMITTEE: SENATE GOVERNMENTAL ORGANIZATION

DATE 3-20-90

NAME	COMPANY / ORGANIZATION	ADDRESS
JS DUNCAN	SRS	TOPEKA
<del>Richard Stutz</del>	<del>SRS/Rehab Serv</del>	<del>Topoka</del>
Richard Stutz	SRS/Rehab Serv	Topoka
David Haury	KSHS	Topoka
Ron Thornburgh	SOS	Topoka
Alice Stutz	SRS	Topoka
Joe Mysen	D & A	Topoka

Bill Graves  
Secretary of State



2nd Floor, State Capitol  
Topeka, KS 66612-1594  
(913) 296-2236

## STATE OF KANSAS

TESTIMONY OF RON THORNBURGH  
MARCH 20, 1990

HB 2017

Thank you Madam Chair and members of the committee for allowing the office of the Secretary of State to appear before you today in support of HB 2017.

House Bill 2017 clarifies the manner in which our office distributes free volumes of several publications of the state of Kansas. The statutes governing the distribution of the four publications currently include provisions that are inconsistent, overly specific, or vague. As a result, these provisions are very difficult to administer.

This bill clarifies how we are to administer the task of distributing books as required by law.

56.0-  
Attach 1  
3-20-90

**Report on Kansas  
Legislative Interim Studies**  
to the  
**1989 Legislature**

**SPECIAL COMMITTEES**

**Filed With the Legislative Coordinating Council**

**December, 1988**

S.G.O.  
ATTACH 2  
3-20-90

RE: PROPOSAL No. 51 -- DISTRIBUTION OF CERTAIN STATE PUBLICATIONS\*

Under Proposal No. 51, the Special Committee on Ways and Means/Appropriations was directed to review and make recommendations concerning the distribution of published volumes and supplements to the Kansas Statutes Annotated, the Kansas Administrative Regulations, the Session Laws, and the Permanent Journals of the Senate and House of Representatives, without charge, to officers and agencies of the executive and judicial branches of the state and to officers and agencies of political subdivisions of the state.

### Background

The distribution of the four publications named in the Committee's charge under Proposal No. 51 is the responsibility of the Secretary of State. The provisions of four separate statutes direct the Secretary of State to distribute certain copies without charge to officials or entities specifically named or generally described therein. The principal sections dealing with distribution are as follows: K.S.A. 45-106, pertaining to the Session Laws; K.S.A. 45-116, pertaining to the Permanent Journals of the Senate and House of Representatives; K.S.A. 77-138, pertaining to the Kansas Statutes Annotated (K.S.A.); and K.S.A. 77-430, pertaining to the Kansas Administrative Regulations (K.A.R.). The 1988 Legislature amended each of these sections. The 1988 amendments conformed provisions relating to distribution of copies of the publications for use of the Legislature and staff, provided that distribution of a no-charge copy of the Session Laws to a third class city be on a request-only basis, and increased the specified price of the K.S.A. volumes and supplements. However, the Secretary of State suggested to the Legislative Coordinating Council that a more general review of present distribution requirements would be a desirable topic for interim study.

### Committee Activity

The Committee reviewed the statutory provisions governing the distribution of the four publications in question and received information from the Secretary of State as to how his office executes the responsibilities for distribution of copies of the publications as delegated by

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\* H.B. 2017 accompanies this report.

statute. The Revisor of Statutes presented the Committee with his observations regarding the current situation, principally in regard to his responsibilities for the publication of the Kansas Statutes Annotated. The Committee also heard testimony from representatives of the Judicial Branch, the Kansas Association of Counties, and the League of Kansas Municipalities.

### Conclusions and Recommendations

The statutes governing the distribution of the four publications includes provisions that are inconsistent, overly specific, or vague. As a result, these provisions are unduly difficult to administer. Another probable result is the inefficient use of state resources; although, from a marginal cost standpoint, the unnecessary distribution of these essential state publications may not constitute a significant dollar amount.

The following are major examples of the Committee's findings:

1. Although the two publications are essential to each other, K.S.A. and Session Laws distributions differ as to recipients of copies and the number of copies so distributed.
2. Distributions to the various officers and entities of the Judicial Branch are individually specified and do not correspond to current needs (in contrast, distributions for the general use of the Legislature and its staff are as needed).
3. Two sets of K.S.A. are directed to be provided to "appointive state officers who are heads of departments," a term which is not clear as to legislative intent and may not be indicative of need, e.g., the Board of Examiners of Dispensers of Hearing Aids receives two free copies, as does the Department of Revenue.
4. The law requires that a copy of the Session Laws be given to certain state agencies specified by title, but not to others in similar circumstances, e.g., the Secretary of Social and Rehabilitation Services and other cabinet officers are excluded, while the Secretaries of Health and Environment and Human Resources are specified.

5. With respect to local units of government and certain of their entities, there is inconsistency among the publications as to the number of copies to be distributed and whether or not distribution is made on a request basis.
6. There is inconsistency as to pricing the copies distributed to nonspecified recipients of the publications. K.S.A. and K.A.R. prices are specified by law; the price of the Session Laws is set by rule and regulation of the Secretary of State; and the Permanent Journals of the Senate and House of Representatives are distributed without charge. The current statutory price of K.S.A. replacement volumes substantially exceeds the cost of printing and binding.

To address these and other issues, the Committee recommends the introduction of H.B. 2017, passage of which would accomplish the following major recommendations of the Committee:

1. The Judicial Branch should receive without charge the number of copies it needs, as certified by the Chief Justice.
2. Constitutional executive officers of the state should receive one copy of each publication without charge.
3. All other officers and agencies of the Executive Branch should purchase such copies as are needed, subject to appropriation acts of the Legislature.
4. The number of copies distributed of K.S.A. and the Session Laws should be identical.
5. Cities and counties, certain entities thereof, and other nonstate governmental recipients should receive copies without charge up to the number specified in the law, but only upon request.
6. In lieu of the present statutory provisions, members of the Legislature should receive two sets of K.S.A. and one set of K.A.R. upon commencement of service and, thereafter, should receive such supplements and revisions as are necessary to keep the sets current.



7. Prices of all four publications should be based upon recovering the cost of printing and binding, as is now the case with respect to the Session Laws. The Committee recommends that such prices for the K.S.A.'s and the permanent journals be established by the Legislative Coordinating Council and in the case of K.A.R. by the Secretary of State. In addition, the present statute providing for recovering the costs of delivery should be extended to include the Permanent Journals of the Senate and House of Representatives.

Respectfully submitted,

November 16, 1988

Rep. Rochelle Chronister, Chairman  
Special Committee on Ways and  
Means/Appropriations

Sen. Gus Bogina, Vice-  
Chairman  
Sen. Ross Doyen  
Sen. Frank Gaines\*  
Sen. Michael Johnston  
Sen. Dave Kerr  
Sen. Merrill Werts

Rep. William Brady  
Rep. Harold P. Dyck  
Rep. Duane Goossen  
Rep. Henry Helgersen  
Rep. Martha Jenkins  
Rep. Kenneth King  
Rep. Jack Shriver  
Rep. Burr Sifers  
Rep. George Teagarden  
Rep. Thomas Walker

\* Ranking Minority Member

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KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
Winston Barton, Secretary

March 20, 1990

Statement Regarding: H.B. 2829

**TITLE:**

AN ACT relating to communications from state agencies.

**PURPOSE:**

To amend the state statute which requires that all agency written communications contain the name, address, and phone number of the principal office, and allow a more practical application of this informational requirement.

**BACKGROUND:**

Effective July 1, 1989, KSA 75-3027a requires that all agency written communications must contain the name, address, and phone number of the principal office. This provision has been interpreted to mean that every written communication issued by SRS, including general information notices, brochures, envelope stuffers, and other forms, must contain the address and phone number of the central SRS office here in Topeka or the local SRS office which the client deals with on a regular basis.

SRS currently has 119 local offices. In most cases, the local office is the most appropriate contact point for the client. Putting a centralized address and phone number on general information notices and brochures would misdirect the client from the local to central office which would confuse the client as to the appropriate contact point for individual case matters.

Putting the address and phone number of each local office on all SRS documents is impractical and expensive. Maintaining an inventory of 119 versions of each document would be impractical, and manually stamping each item would require excessive staff time and expenditures. In addition, existing stocks of brochures and forms would be obsolete unless staff modified them manually. We estimate the cost of using local addresses on such forms at \$1,500,000 in FY 1991, of which \$1,012,050 would be from the State General Fund. About \$600,000 of the expenditures would be one-time costs, but the remaining \$900,000 would be on-going expenditures. Additional expenditures would include 15 additional office assistants (one per area office) to handle county level forms, four additional central office positions for administrative, warehouse and clerical functions, additional printing costs, increased inventories of documents, a software inventory package, and additional warehouse space.

H.B. 2829 would amend the state statute to resolve these problems. It would specify that official written communications, i.e., the documents which must contain the agency name, address, and phone number, are "communications addressed to specific citizens of this state which contain information particular to them." General informational notices, brochures, envelope stuffers and similar forms would be exempt, although a local office address and phone number shall be used if practical.

S.G.O.  
ATTACH 3  
3-20-90

**EFFECT OF PASSAGE:**

Passage of H.B. 2829 would give SRS the flexibility it needs to provide information to clients effectively and without the additional expense of maintaining 119 separate stocks of each form or brochure.

**RECOMMENDATION:**

The department requests passage of this legislation.

J. S. Duncan  
Commissioner of Administrative Services  
296-3272

Department of Social and Rehabilitation Services

Winston Barton - Secretary

**Statement Regarding: House Bill No. 2840**  
(As Amended by House Committee of the Whole)

Title: An act concerning the Division of Services for the Blind of the Department of Social and Rehabilitation Services; designating the positions of certain persons employed at the Industries for the Blind Workshop as being within the unclassified service under the Kansas Civil Service Act.

Purpose: The purpose of the bill is to establish by statute that workers of Kansas Industries for the Blind at the Topeka workshop are unclassified State employees, which would then make them eligible for consideration for internal noncompetitive promotional opportunities within the Kansas Civil Service System.

Background: A sheltered workshop provides employment to persons with disabilities in a noncompetitive, i.e., sheltered setting. Although it is a sheltered setting, the Topeka workshop is primarily a textile manufacturing plant. The workshop employs 43 individuals in direct production of goods or services who currently are not part of the Kansas Civil Service System, 30 of whom are blind or severely visually impaired. The remaining 13 employees supervise, help set up work or perform other work which requires eyesight.

The workers receive essentially the same fringe benefits of all other classified or unclassified part-time or full-time State employees who are part of the Kansas Civil Service System. However, the workers do not have access to internal noncompetitive promotional opportunities under provisions of the Kansas Civil Service Act. Consequently, should these workers choose to become competitively employed in the Kansas Civil Service System, their only recourse is to compete with other individuals who may or may not be disabled and are seeking employment under provisions of the Kansas Civil Service Act.

The number of employees within the Kansas Civil Service System is constrained by headcount limitation. Since the workshop is a production plant, the size of the workforce is determined by the volume of production orders and costs to produce the finished goods. Headcount limitation must not be used to constrain the number of workers employed in the direct production of goods or services.

When House Bill No. 2840 was before the House Committee, consensus was established that the appropriations bill for the Department of Social and Rehabilitation Services should include a proviso that positions of direct production workers shall be in addition to any position limitation imposed on the Agency. House Bill No. 3088, as passed by the House Committee of the Whole, does not include such a proviso.

S.G.D.  
ATTACH 4  
3-20-90

Effect of Passage: If House Bill No. 2840 was amended to reflect that the positions of direct production workers of Kansas Industries for the Blind in Topeka shall be in addition to any position limitation imposed on the Department of Social and Rehabilitation Services, passage of the Bill would: 1) provide such workers with access to internal noncompetitive promotional opportunities; 2) encourage such workers to pursue a goal of competitive employment; 3) be fiscally neutral; and 4) encourage the State to develop and implement strategies to support employment of such workers in competitive settings. However, passage would not overcome barriers to State employment for other individuals with disabilities, including others who may be blind or visually impaired.

Recommendation: With amendment as outlined above, the Department of Social and Rehabilitation Services recommends House Bill No. 2840 be reported favorably for passage by the Kansas Senate.

For more information contact:  
Gabriel R. Faimon, Commissioner  
Rehabilitation Services  
296-3911

Presented to:  
Senate Committee on Governmental  
Organization  
March 20, 1990

Amend House Bill No. 2840, as amended by House Committee of the Whole, by inserting the following after the last sentence of Section 1:

These positions, engaged in direct labor in production of goods or services, shall be in addition to any position limitation imposed on the Department of Social and Rehabilitation Services.

ATTACH 4-3  
3-20-10