

Approved: _____

Date

3/22/99

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL & STATE AFFAIRS.

The meeting was called to order by Chairperson Representative Susan Wagle at 1:30 P.M. on March 11, 1999 in Room 313-S of the Capitol.

All members were present except:

Reps. Henderson & Edmonds, excused

Committee staff present:

Theresa Kiernan, Revisor of Statutes
Mary Galligan, Legislative Research
Russell Mills, Legislative Research
Judy Swanson, Committee Secretary

Conferees appearing before the committee:

John Pepperdine, Tobacco-Free Kansas Coalition
Sally Finney, Kansas Public Health Association
Matthew Woehrle, Prairie Star Middle School
Ashley Gillard, Prairie Star Middle School
Leslie Gust, Prairie Star Middle School
Harrison Rivers, Manhattan High School
Kasia Rutledge, Emporia High School graduate
Ben Scott, USD 501 School Board member, Topeka

Others attending:

See attached list

Chair Wagle recognized Representative Ethel Peterson who introduced the Dodge City High School Government Honors Class and Instructor Chris Doussa.

Rep. Ruff made a motion to report **HB 2535**, State lottery; transfers from lottery operating fund to state gaming revenue fund favorable for passage. Rep. Cox seconded the motion.

Rep. Mays made a substitute motion to table **HB 2535**. Rep. Vining second the motion. The motion passed with 12 YES votes and 6 NO votes.

Rep. Vining made a motion to table **HB 2536**, State lottery; use of moneys in lottery prize payment fund; nonmonetary prizes. Rep. Dahl seconded the motion. The motioned passed with 12 YES votes and 6 NO votes.

Russell Mills presented Committee members with a response to their request for additional budget information concerning the Kansas Real Estate Commission. (Attachment #1)

Chair Wagle announced no action would be taken on the parental consent bill as sponsors want to limit judicial bypass, therefore bill is not ready for action.

Hearing was opened on **HB 2305**, Smoking on school property. Revisor Theresa Kiernan explained the bill. She noted there is no penalty section in the bill and will check on that.

John Pepperdine, Manager of Government Relations for the American Cancer Society, testified in favor of the bill. (Attachment #2) He said in regards to enforcement problems, people generally follow what is posted. As of 1998, 23 states restricted or banned tobacco use on school grounds. He testified smoking is not an adult habit, it's a stupid habit.

Sally Finney, Kansas Public Health Association, testified on behalf of KPHA and on behalf of her own life's experiences. Her grandfather Spencer Finney died of tobacco-related illness, and her Mother almost lost her life over 20 years ago from smoking. She said tobacco, when used as directed, kills. (Attachment #3)

Matthew Woehrle, Prairie Star Middle School Student, Leawood, testified in favor of **HB 2305** because adults are supposed to be role models and because adults toss their tobacco products on school property. (Attachment #4)

Leslie Gust and Ashley Gillard, Prairie Star Middle School Students, presented 14 pages of signatures from students who favored the bill. ([Attachment #5](#))

Harrison Rivers, Manhattan High School Student, testified in favor of the bill. ([Attachment #6](#)) He said Manhattan High School has this policy, but it was an uphill battle to obtain.

Kasia Rutledge, Emporia High School graduate, testified she was on the committee in Emporia when their rules were changed. Enforcement is the biggest logistical problem they encountered. ([Attachment #7](#)) She felt if Kansas adopted this policy, it would be a positive message to other states.

Ben Scott, Topeka USD501 School Board member, expressed his personal views. He said USD 501 has had very little problem with enforcement of their tobacco ban. ([Attachment #8](#))

Written testimony was presented from the following:

American Lung Association, ([Attachment #9](#))

Kansas Association of Local Health Departments ([Attachment #10](#))

Northeast Kansas Multi-County Health Department ([Attachment #11](#))

Jefferson West High School ([Attachment #12](#))

Kansas State Nurses Association ([Attachment #13](#))

Rep. Franklin commended the students on their efforts

Committee discussion was held. Pepperdine said they had not explored this issue on college campuses, however there were some colleges outside of Kansas who had such policy. Pepperdine said the definition of school-supervised activities could extend to golf courses where cross-country teams met, major league ball stadiums if they were the site of a field trip, etc. Rutledge said the reason this issue should be addressed rather than at the local school board level was because of better uniformity and enforcement.

The hearing was closed.

Meeting adjourned at 2:30 P.M.

HOUSE FEDERAL & STATE AFFAIRS

GUEST LIST

DATE: 03-11-99

NAME	REPRESENTING
Sally Finney	Ko. Public Health Association
Mary Beth Reese	KS Smokeless Kids Initiative + Manhattan High School
Jacelyn Feeney	KS Smokeless Kids Initiative + Manhattan High School
Kathy Stark	KS Smokeless Kids Initiative + Manhattan High School
Harrison Rivers	KS Smokeless Kids Initiative + MHS
Mary Olson	/
Carol Burkhis	KSKI
Lisa Berglund	Regional Prev. Center
Marypeyne Hellquist	Kansas Smokeless Initiative Inc
HELBG Smith	Tobacco Free Ks. Coalition
Kasia Rutledge	KSKI
Laurie Heller	Visitor
Debbie Donnelly	Visitor
Chris Dorriss	Dodge City High School
Chris Runquist	D.C. High School
Jerrod Frederking	DCHS
Brett Seybold	DCHS
Jason Foskuhl	Dodge City High School
Sadie and Susan Gleason	DCHS

HOUSE FEDERAL & STATE AFFAIRS
GUEST LIST

DATE: 03-11-99

NAME	REPRESENTING
Jon Wendt	Dodge City High School
Joel McBee	Dodge City High School
XXXXXXXXXX	DCHS
Mark Bartel	DCHS
Michael Kuvales	DCHS
Andy Lieben	DCHS
Rich Staton	DCHS
Jeff Reinst	DCHS
Megren Patten	DCHS
Rachel Haskins	DCHS
Amanda Boudle	DCHS
Lizzie Berromo	DCHS
Angela Volk	DCHS
Luke Dierthaler	"
Brenda Schminke	DCHS
Milo J. Dixon	DC Bus Driver
Karen Siv	DCHS
Crystal Robbins	DCHS
monica jurado	dodge city high school

HOUSE FEDERAL & STATE AFFAIRS
GUEST LIST

DATE: 03-11-99

NAME	REPRESENTING
Ryan Rabe	DCHS
David Elliott	Dodge City HS
Julia Shultz	
Cody Garcia	Dodge City
Matt Cross	Dodge City High School

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

45N-Statehouse, 300 SW 10th Ave.
Topeka, Kansas 66612-1504
(785) 296-3181 ♦ FAX (785) 296-3824

kslegres@klrd.state.ks.us

<http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>

March 10, 1999

To: House Committee on Federal and State Affairs

From: Mary K. Galligan, Principal Analyst
Russell Mills, Principal Analyst

Re: Budget Information Requested Concerning the
Kansas Real Estate Commission

In response to the Committee request for additional budget information concerning the Kansas Real Estate Commission, enclosed are copies of the following materials:

- the budget analysis on the Real Estate Commission prepared by Tom Severn, a member of our fiscal staff, and
- the Senate Subcommittee Report on the Real Estate Commission.

Please note that Senate Subcommittee Recommendation No. 2 discusses the issue raised in S.B. 115. Identical language is found in the House Subcommittee Report.

If you have any questions on this material, please call either Mary, Russell, or Tom.

MKG/JRM/jar

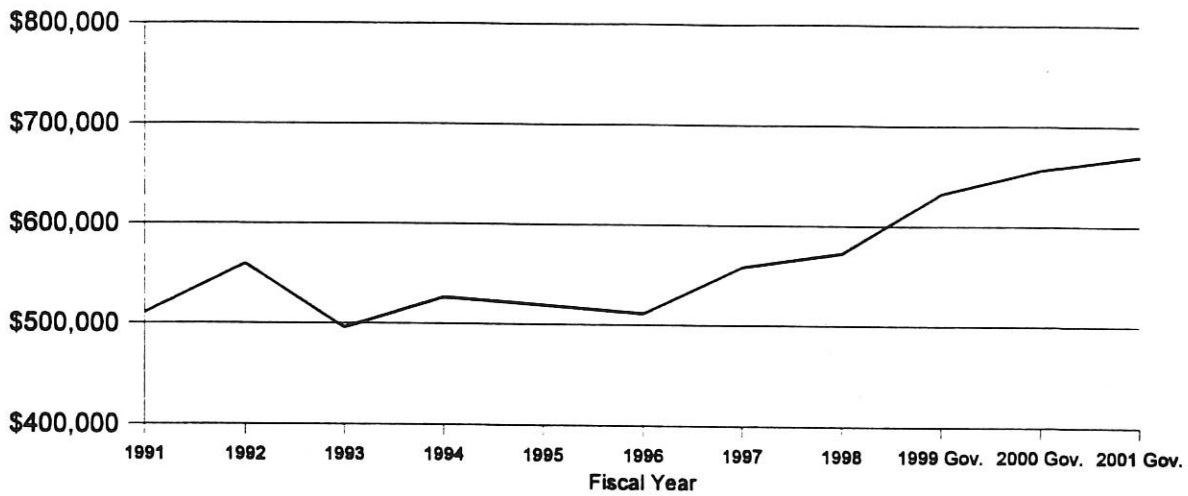
*House Federal & State
Affairs
03-11-99
Attachment #1-1*

BUDGET TRENDS

OPERATING EXPENDITURES FY 1991-FY 2001

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
1991	\$ 0	0.0%	\$ 510,798	2.8%	14.0
1992	0	0.0%	559,751	9.6%	15.0
1993	0	0.0%	495,651	(11.5)%	13.7
1994	0	0.0%	526,439	6.2%	15.0
1995	0	0.0%	519,567	(1.3)%	15.0
1996	0	0.0%	511,266	(1.6)%	14.0
1997	0	0.0%	558,021	9.1%	14.0
1998	0	0.0%	572,260	2.6%	14.0
1999 Gov. Rec.	0	0.0%	631,833	10.4%	14.0
2000 Gov. Rec.	0	0.0%	655,926	3.8%	14.0
2001 Gov. Rec.	0	0.0%	670,293	2.2%	14.0
Eleven-Year Change					
Dollars/Percent	\$ 0	0.0%	\$ 159,495	31.2%	0.0

OPERATING EXPENDITURES FY 1991-FY 2001



Legend
— All Funds

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REAL ESTATE COMMISSION

Expenditure	Actual FY 1998	Agency Est. FY 1999	Gov. Rec. FY 1999	Agency Req. FY 2000	Gov. Rec. FY 2000	Agency Req. FY 2001	Gov. Rec. FY 2001
State Operations:							
Special Revenue Fund	\$ 572,260	\$ 632,104	\$ 631,833	\$ 652,089	\$ 655,926	\$ 666,395	\$ 670,293
Percentage Change	2.6%	10.4%	10.4%	3.2%	3.8%	2.2%	2.2%
FTE Positions	14.0	14.0	14.0	14.0	14.0	14.0	14.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	14.0	14.0	14.0	14.0	14.0	14.0	14.0

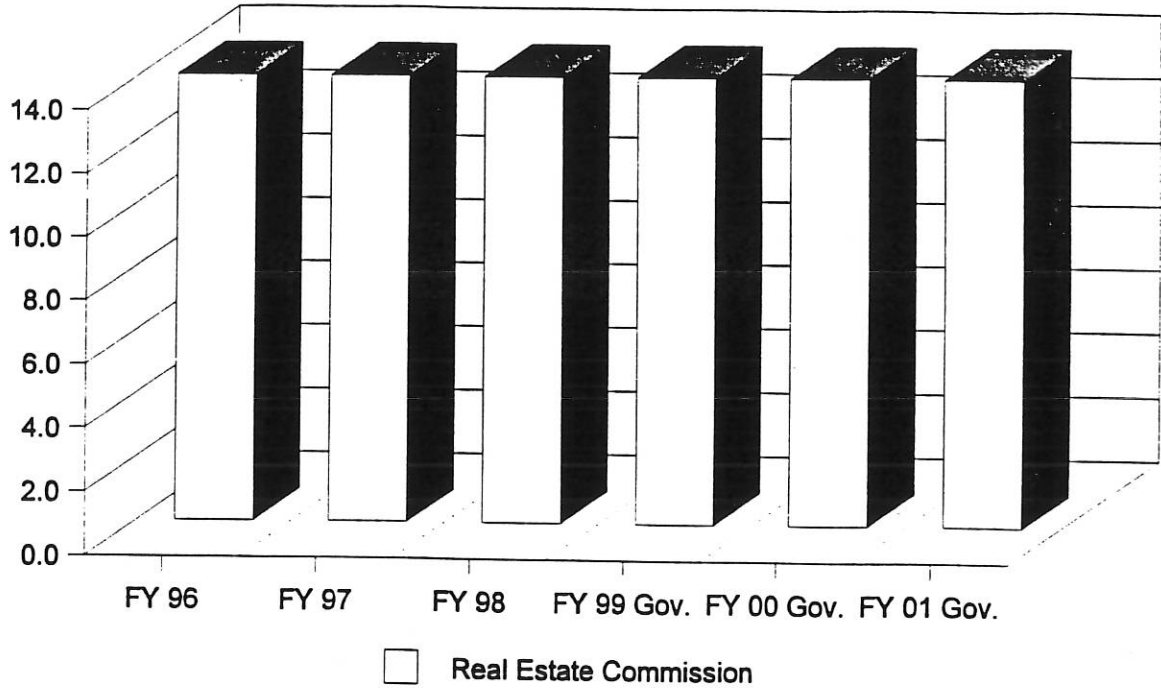
AGENCY OVERVIEW

The Kansas Real Estate Commission is the regulatory and licensing authority for the real estate brokers and salespersons. The Commission approves continuing education courses, examines records of real estate brokers, and investigates complaints from the public. The five-member commission is appointed by the Governor.

The Commission also administers the Real Estate Recovery Revolving Fund, which was created to reimburse persons who suffer monetary damages by reason of certain acts committed in connection with a real estate sales transaction by a licensed salesperson or broker, or by an unlicensed employee of a licensed broker.

Full-Time Equivalent (FTE) Positions by Program. The following graph and table reflect FTE positions authorized for the agency by program from FY 1996 to FY 2001.

FTE Positions by Program—FY 1996-FY 2001



Program	FY 96	FY 97	FY 98	FY 99 Gov.	FY 00 Gov.	FY 01 Gov.
Real Estate Commission	14.0	14.0	14.0	14.0	14.0	14.0

BUDGET OVERVIEW

A. FY 1999—Current Year

	CHANGE FROM APPROVED BUDGET				
	Approved 1998 Legislature	Agency Est. FY 99	Agency Change From Approved	Gov. Rec. FY 99	Gov. Change From Approved
Special Revenue Funds \$	637,926 \$	632,104 \$	(5,822) \$	631,833 \$	(6,093)
FTE Positions	14.0	14.0	0.0	14.0	0.0

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The agency's request for FY 1999 operating expenditures of \$632,100 is a decrease of \$5,822 from the approved budget. This results from:

- two vacant positions which the agency may fill in the second half of the fiscal year.

The Governor's revised recommendation is a reduction of \$6,093 from the approved amount and a reduction of \$271 from the revised request. The difference is due to recalculation of fringe benefits.

Kansas Savings Incentives Program (KSIP) Expenditures.				
Program	Salary Bonuses	Professional Dev. Training	Technology Equipment	TOTAL
This agency does not participate in the Kansas Savings Incentives Program				

B. FY 2000—Budget Year

CHANGE FROM FY 1999				
	Agency Request		Governor's Recommendations	
Dollar Change:				
Special Revenue Funds	\$	19,985	\$	24,093
Percent Change:				
Special Revenue Funds		3.2%		3.8%
FTE Positions		0.0		0.0
Unclassified Temporary Positions		0.0		0.0
TOTAL		0.0		0.0

The Real Estate Commission request for FY 2000 operating expenses funding of \$652,089 is an increase of \$19,985 (3.2 percent) above the FY 1999 estimate. The agency requests:

- Salaries and Wages
 - \$456,627 for 14.0 FTE positions
 - an increase of \$20,658 (4.7 percent) over the FY 1999 estimate
 - the agency experienced two vacancies for part of FY 1999
- Other Operating Expenses
 - \$178,462
 - a decrease of \$672 (0.4 percent), no enhancements requested.

The Governor recommends operating expenses of \$655,926 for FY 2000, an increase of \$24,093 (3.8 percent) from the agency request. The Governor recommends:

- Salaries and Wages
 - A total of \$460,464 or 70.2 percent of the recommended operating expenses, including:
 - \$6,044 for a 2.5 percent classified step movement
 - \$3,035 for longevity bonus payments
 - \$3,531 for a 1.0 percent classified base salary adjustment
 - \$2,024 for a 3.5 percent unclassified merit pool
 - a slight adjustment from recalculating fringe benefits
- Other Operating Expenses
 - a total of \$178,462 or 27.2 percent of the recommended operating expenses.

FY 2000 Enhancements							
Enhancement	Agency Request			Governor's Recommendation			
	SGF	All Funds	FTE	SGF	All Funds	FTE	
This agency does not request any enhancements in FY 2000.							

Governor's Recommended Pay Plan Adjustments. Of the total requested salaries and wages expenditures of \$456,627, the Governor recommends \$14,364 for a 2.5 percent classified step movement, longevity bonus payments, a 1.0 percent classified base salary adjustment, and a 3.5 percent unclassified merit pool.

Program	Classified Step Movement	Longevity	Classified Base Salary Adjustments	Unclassified Merit
Real Estate Commission	\$ 6,044	\$ 3,035	\$ 3,531	\$ 2,024

C. FY 2001—Budget Year

	CHANGE FROM FY 2000	
	Agency Request	Governor's Recommendations
Dollar Change:		
Special Revenue Funds	\$ 14,306	\$ 14,367
Percent Change:		
Special Revenue Funds	2.2%	2.2%
FTE Positions	0.0	0.0
Unclassified Temporary Positions	0.0	0.0
TOTAL	0.0	0.0

The Real Estate Commission request for FY 2001 operating expenses funding of \$666,395 is an increase of \$14,306 (2.2 percent) above the FY 2000 request. The agency's current service level request includes:

- Salaries and Wages
 - \$468,280 for 14.0 FTE positions
 - an increase of \$11,653 (2.6 percent) over the FY 2000 request
- Other Operating Expenditures
 - \$181,115
 - an increase of \$2,653 (1.5 percent), reflecting no enhancements

The Governor recommends operating expenses of \$670,293 for FY 2001, an increase of \$3,888 from the agency request. The Governor recommends:

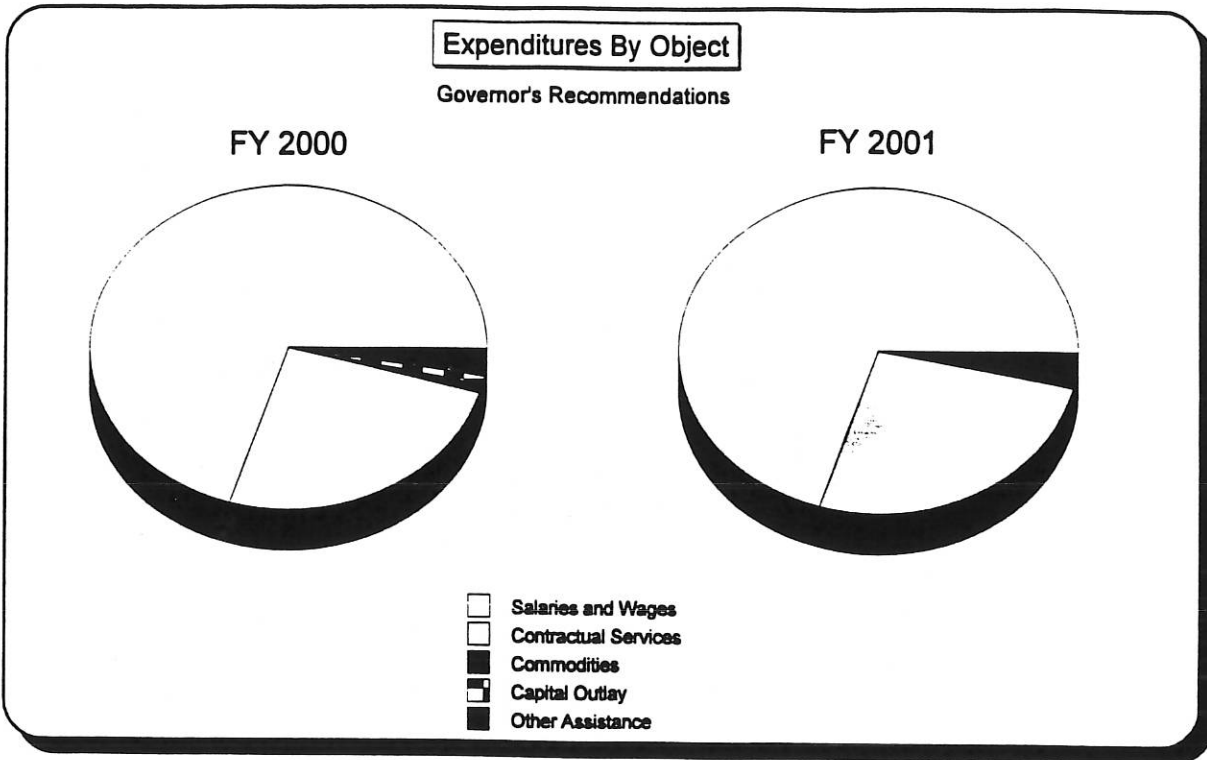
- Salaries and Wages
 - a total of \$472,168 or 70.4 percent of the recommended operating expenses including:
 - \$6,044 for a 2.5 percent classified step movement
 - \$3,255 for longevity bonus payments
 - \$3,610 for a 2.5 percent unclassified merit pool
 - a slight adjustment from recalculating fringe benefits
- Other Operating Expenditures
 - a total of \$181,115 or 29.6 percent of the recommended budget
 - concurs with agency request

FY 2001 Enhancements

Enhancement	Agency Request			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE

This agency does not request any enhancements in FY 2001.

BUDGET DETAIL



Program	FY 00 Gov. Rec.	FY 01 Gov. Rec.
Salaries and Wages	\$ 460,464	\$ 472,178
Contractual Services	167,948	175,560
Commodities	5,000	5,555
Capital Outlay	5,514	0
Other Assistance	17,000	17,000
TOTAL	\$ 655,926	\$ 670,293

Staff Note: There are no State General Fund expenditures in this budget.

- ◆ The agency is at the maximum fee structure permitted by statute. The agency plans to request an increase in the maximum permitted fees so that fee increases may be implemented when they become necessary.

- ◆ The Governor has no budgetary action on this issue.

Fee Fund Analysis

The following table shows an estimate for the Board's fee fund and **excludes** data for the Real Estate Recovery Revolving Fund.

Resource Estimate	Actual FY 1998	Agency Estimate FY 1999	Gov. Rec. FY 1999	Agency Request FY 2000	Gov. Rec. FY 2000	Agency Request FY 2001	Gov. Rec. FY 2001
Beginning Balance	\$ 405,562	\$ 477,395	\$ 477,395	\$ 490,983	\$ 491,254	\$ 631,042	\$ 527,476
Projected Receipts	<u>628,234</u>	<u>628,692</u>	<u>628,692</u>	<u>775,148</u> *	<u>675,148</u>	<u>574,764</u>	<u>574,764</u>
Total Available	\$ 1,033,796	\$ 1,106,087	\$ 1,106,087	\$ 1,266,131	\$ 1,166,402	\$ 1,205,806	\$ 1,102,240
Less: Expenditures	<u>556,402</u>	<u>615,104</u>	<u>614,833</u>	<u>635,089</u>	<u>638,926</u>	<u>649,395</u>	<u>653,293</u>
Ending Balance	<u>\$ 477,394</u>	<u>\$ 490,983</u>	<u>\$ 491,254</u>	<u>\$ 631,042</u>	<u>\$ 527,476</u>	<u>\$ 556,411</u>	<u>\$ 448,947</u>
Ending Balance as a Percentage of Expend.	85.8%	79.8%	79.9%	99.4%	82.6%	85.7%	68.7%

- * The agency's FY 2000 receipts estimate reflects the requested transfer of \$100,000 from the Real Estate Recovery Revolving Fund, which the Governor has not recommended.

Performance Indicators

	Actual FY 1998	Agency Estimate FY 1999	Agency Estimate FY 2000	Agency Estimate FY 2001
No. of Persons taking Kansas Exam	1,240	1265	1242	1218
Licenses Issues	1,446	1,350	1,325	1,300
Based on passing Kansas Exam	1,023	1,012	994	975
Based on Equivalent Qualification	423	338	331	325
No. of Elective Hour Courses Approved	341	325	325	325
No. of Instructors Approved	217	200	200	200
No. of Core Courses Monitored	10	10	10	10
Renewal Applications Timely Received	5,630	4,786	5,135	4,249
Percent of Salespersons Licenses Issued Same Day	77%	80%	85%	85%
Percent of Broker's Licenses Issued Same Day	56%	60%	60%	60%
Complete Investigation of Complaint	42 days	40 days	35 days	35 days
Complaints Received	106	110	110	110
Complaint Investigations Completed	118	112	100	115
Percent of High Priority Offices Inspected	93%	97%	97%	97%
Offices Designated High Priority	628	539	540	540

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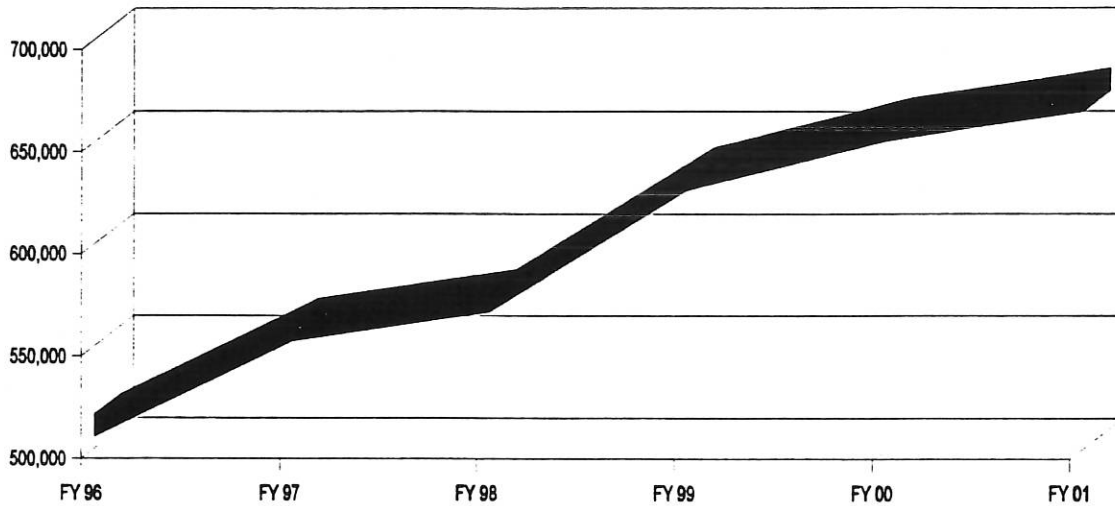
A. State Operations

SUMMARY OF EXPENDITURES FY 1998-FY 2001

Item	Actual FY 1998	Agency Estimate FY 1999	Gov. Rec. FY 1999	Agency Request FY 2000	Gov. Rec. FY 2000	Agency Request FY 2001	Gov. Rec. FY 2001
Salaries and Wages	\$ 399,221	\$ 435,970	\$ 435,699	\$ 456,627	\$ 460,464	\$ 468,280	\$ 472,178
Contractual Services	148,548	167,152	167,152	167,948	167,948	175,560	175,560
Commodities	4,024	8,687	8,687	5,000	5,000	5,555	5,555
Capital Outlay	4,609	3,295	3,295	5,514	5,514	0	0
Other Assistance	15,858	17,000	17,000	17,000	17,000	17,000	17,000
TOTAL	\$ 572,260	\$ 632,104	\$ 631,833	\$ 652,089	\$ 655,926	\$ 666,395	\$ 670,293
FTE Positions	14.0	14.0	14.0	14.0	14.0	14.0	14.0
Unclass. Temp. Positions	0.0	0.0	0.0	0.0	0.0	0.0	0.0
TOTAL	14.0	14.0	14.0	14.0	14.0	14.0	14.0

* Payments from the Real Estate Recovery Revolving Fund.

All Funds - Six-Year Expenditures (Actual or Gov. Rec.)



Important Issues in This Program

- ◆ The agency requests a revenue transfer of \$100,000 from the Real Estate Recovery Revolving Fund to the Real Estate Fee Fund to ensure adequate carryover balances, especially at the beginning of FY 2001. The transfer will delay the need for further fee increases to real estate licensees.
- ◆ The Governor did not recommend this transfer.

issue should be revisited at omnibus time when the final status of that bill is better known.

3. Remove \$14,364 for the Governor's FY 2000 employee pay plan adjustment.

Fee Fund Analysis

The following table reflects the status of the agency's Real Estate Fee Fund under the Subcommittee's recommendation and excludes data for the Real Estate Recovery Revolving Fund.

Resource Estimate	Actual FY 1998	Agency Estimate FY 1999	Subcommittee and Gov. Rec. FY 1999	Agency Request FY 2000	Gov. Rec. FY 2000	Subcommittee Rec. FY 2000
Beginning Balance	\$ 405,562	\$ 477,394	\$ 477,395	\$ 490,983	\$ 491,254	\$ 491,254
Projected Receipts	628,234	628,692	628,692	775,148*	675,148	675,148
Total Available	\$ 1,033,796	\$ 1,106,086	\$ 1,106,087	\$ 1,266,131	\$ 1,166,402	\$ 1,166,402
Less: Expenditures	556,402	615,104	614,833	635,089	638,926	624,562
Ending Balance	<u>\$ 477,394</u>	<u>\$ 490,982</u>	<u>\$ 491,254</u>	<u>\$ 631,042</u>	<u>\$ 527,476</u>	<u>\$ 541,840</u>
Ending Balance as a Percentage of Expend.	85.8%	79.8%	79.8%	99.4%	82.6%	86.8%

* FY 2000 receipts reflect the requested transfer of \$100,000 from the Real Estate Recovery Revolving Fund, which the Governor has not recommended.

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Senate Subcommittee Report

Agency: Real Estate Commission

Bill No. 326

Bill Sec. 18

Analyst: Severn

Analysis Pg. No. 1777

Budget Page No. 531

Expenditure Summary	Agency Request FY 00	Gov. Rec. FY 00	Subcommittee Adjustments
Special Revenue Funds			
State Operations	\$ 635,089	\$ 638,926	\$ (14,364)
Other Assistance	17,000	17,000	0
TOTAL	<u>\$ 652,089</u>	<u>\$ 655,926</u>	<u>\$ (14,364)</u>
FTE Positions	14.0	14.0	0.0
Unclassified Temp. Positions	0.0	0.0	0.0
TOTAL	<u>14.0</u>	<u>14.0</u>	<u>0.0</u>

Agency Req./Governor's Recommendation

The agency's request for FY 2000 expenditures of \$652,089 would maintain its operations at the current level. The agency requests a \$100,000 revenue transfer from the Real Estate Recovery Revolving Fund to the Real Estate Fee Fund to prevent a possible cash flow problem in that fund.

The Governor recommends expenditures of \$655,926 for FY 2000, an increase of \$3,837 from the agency request. The Governor's recommendation includes \$14,364 for his FY 2000 employee pay plan adjustment, partially offset by a minor adjustment due to recalculating fringe benefits. The Governor does not recommend the \$100,000 transfer from the Real Estate Recovery Revolving Fund to the Real Estate Fee Fund.

Senate Subcommittee Recommendation

The Subcommittee concurs in the Governor's recommendation with the following exception and observations:

1. The Subcommittee notes that the current Director, Ms. Jean Duncan, is retiring at the end of the current fiscal year after 22 years of service to the agency. Ms. Duncan began her service to the agency as an investigator, served for several years as administrative officer, and has served as Director for the past five years. The Subcommittee thanks Ms. Duncan for her many years of service.
2. The Subcommittee notes that Senate Bill 115, which has passed the Senate, would permit the Real Estate Commission to increase its fees and presents a better long-term solution to the agency's cash flow problem than the revenue transfer; however, this

1-12



March 11, 1999

Written testimony by John Pepperdine
Manager of Government Relations

**SUPPORT OF HOUSE BILL 2305 UNDER REVIEW BY THE HOUSE FEDERAL AND
STATE AFFAIRS COMMITTEE**

My name is John Pepperdine and I am Manager of Government Relations for the American Cancer Society, one of the founding members of the Tobacco Free Kansas Coalition, Inc. Representing over 270,000 volunteers and supporters in Kansas for the American Cancer Society and an even greater number for the coalition, I am here to support House Bill 2305, a bill that would prohibit the use of tobacco products in school buildings, property, or school activities.

Simply put, school is no place for tobacco. Smoking or chewing tobacco at school sets a bad example. A favorite coach or older student that smokes in a parking lot or during a school football game can help perpetuate the myth of smoking. A myth that says smoking is an "adult" habit - instead of it being a stupid habit.

In Kansas, state law allows smoking on school grounds and school events. While many schools set up their own policies to restrict this, we now have the opportunity to allow all schools to go tobacco free.

Why single out tobacco in our schools when we seem to have so many other problems?

- Tobacco killed 4,326 Kansans last year, more than AIDS, alcohol, car accidents, fires, cocaine, heroin, murders, and suicides COMBINED (Kansas Department of Health and Human Services, 1997).
- Nearly 1 out of every 5 deaths in Kansas are tobacco related (Kansas Department of Health and Human Services, 1997).
- 11,000 kids (under 18) in Kansas became new daily smokers in 1997 (Centers for Disease Control, "Incidence of Initiation of Cigarette Smoking," Morbidity and Mortality Weekly Report, 1998).
- 90% of smokers began smoking before the age of 18 (Report by the Surgeon General, U.S. Department of Health and Human Services, 1997).
- Smoking among high school students is at a 19 year high at 36.5% in 1997 (University of Michigan, 1998).

Continued -

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*House Fed + State
03-11-99
Attachment #2-1*

Continued pg. 2 -

- Smoking among African American high school boys increased from 14.1% in 1991 to 28.2% in 1997 (Centers for Disease Control, "Youth Risk Behavior Survey," Morbidity and Mortality Weekly Report, 1991-1998).
- Smoking among Hispanic high school students increased from 25.3% in 1991 to 34% in 1997 (Centers for Disease Control, "Youth Risk Behavior Survey," Morbidity and Mortality Weekly Report, 1991-1998).

These are the facts. Please review them carefully before you make any decision on this bill. As for the implementation of the bill for school districts, you will hear testimony from others about this subject.

I would, however, like to pass on what a health educator by the name of Pat MacDonald, Director of Community Education for the Wichita-Sedgwick County Department of Community Health, told me about enforcement of a smoking ban on school grounds and events. Ms. MacDonald explained to me that people generally follow what is posted and few problems will exist if properly explained.

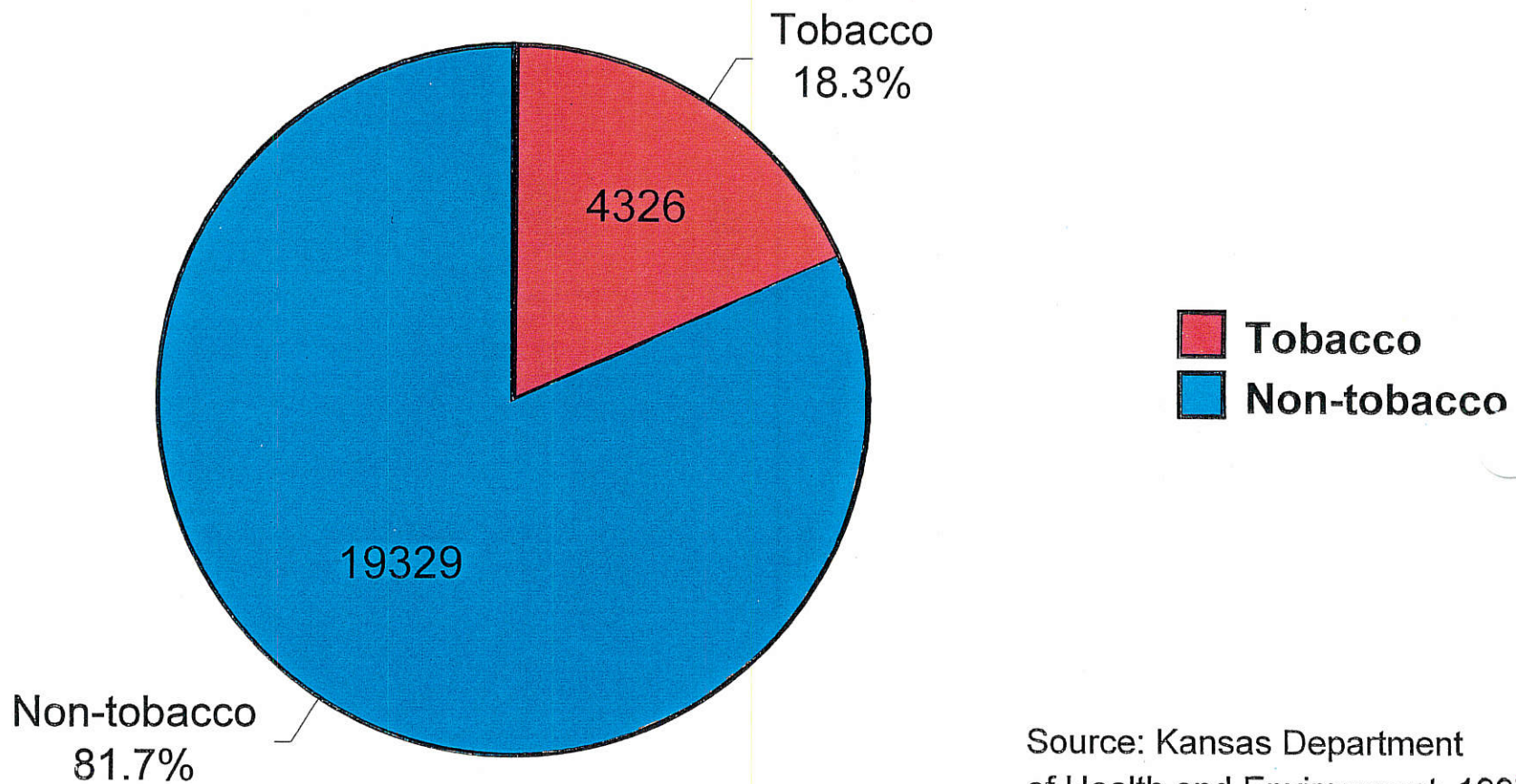
This explanation concurs with polling data gathered by the Tobacco Free Kansas Coalition in 1998. The data showed 69.7% supported a ban of smoking on school grounds with 29.3% opposed. In fact, 50.4% of smokers supported such a ban and 75.7% of non-smokers.

As of 1998, 23 states restricted or banned tobacco use on school grounds. The American Cancer Society along with the Tobacco Free Kansas Coalition, strongly supports **HB 2305** and urges you to pass it out of committee.

It's time our kids grew up tobacco free.

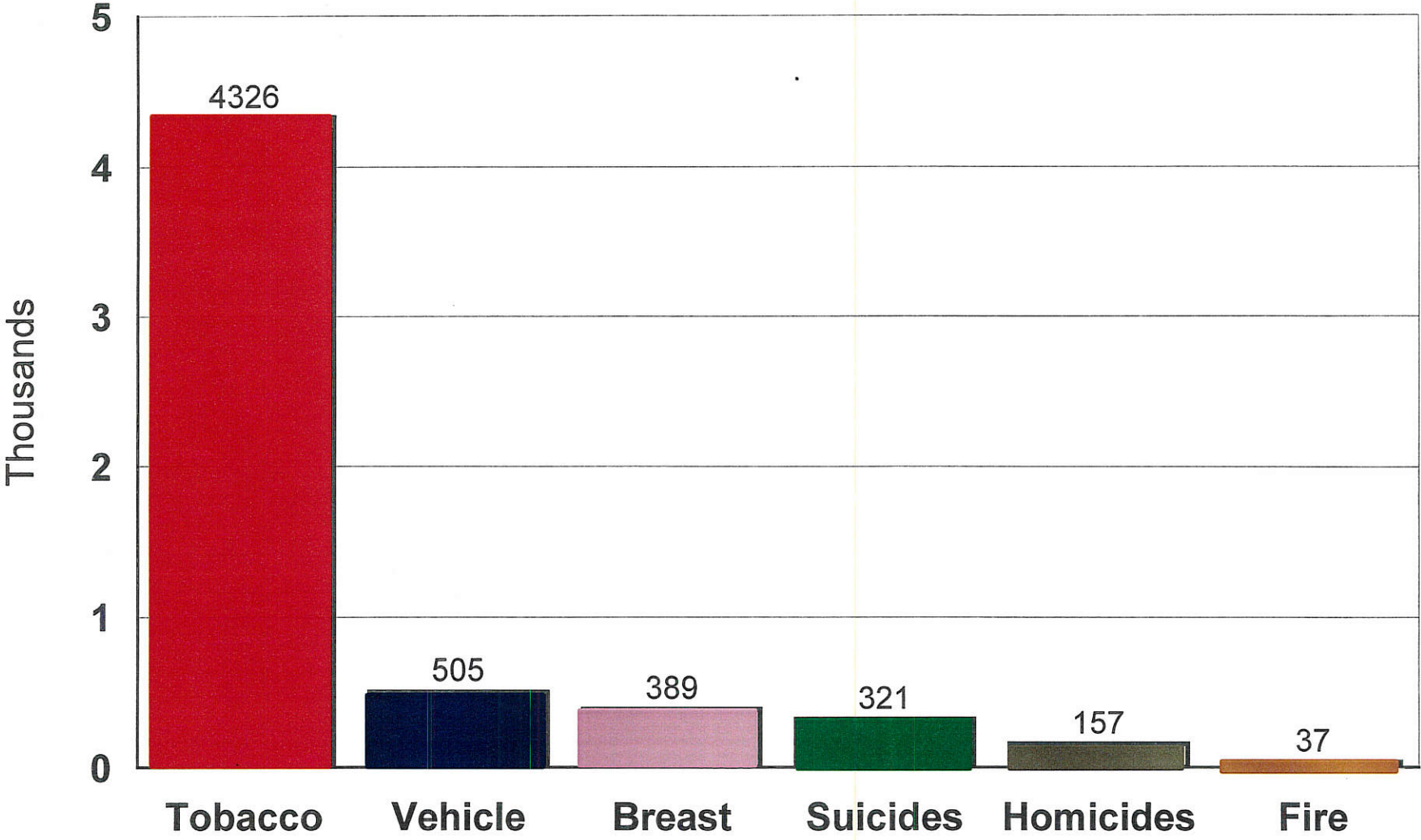
Nearly 1 in 5 Deaths in Kansas are Tobacco Related

23,609 Deaths in 1997 for Kansas



Source: Kansas Department
of Health and Environment, 1997

Deaths in Kansas: Why single out tobacco?



Source: Kansas Department of Health and Environment, 1997

**KANSAS
PUBLIC
HEALTH
ASSOCIATION, INC.**

KANSAS PUBLIC HEALTH ASSOCIATION, INC.

AFFILIATED WITH THE AMERICAN PUBLIC HEALTH ASSOCIATION

215 S.E. 8TH AVENUE

TOPEKA, KANSAS 66603-3906

PHONE: 785-233-3103 FAX: 785-233-3439

E-MAIL: kpha@networksplus.net

Testimony on HB 2305

Presented by Sally Finney, Executive Director

March 11, 1999

I am here today to ask your support of HB 2305 prohibiting the use of tobacco products on school property and at school functions.

Consideration of this legislation is about public policy and whether or not it makes sense to condone the use of tobacco which, when used as directed, kills. This distinguishes it from every other ingestible product marketed in the United States. The tobacco companies will try very hard to distract you by making quips like, "What will the 'health nuts' want next? A ban on McDonald's french fries?" What they do not want you to think about is that this is not about french fries, hamburgers, or ice cream. These things, when used as directed, are all part of a balanced diet. If all I ate were apples, a very healthful food, I would eventually become very ill. Everyone here is capable of distinguishing between use and abuse.

We spend millions of dollars and countless hours in the United States trying to get our children to understand that tobacco is a lethal substance. Yet, we defeat our own efforts with the hypocrisy of our public policies. We tell our children that we care about them and do not want them to hurt themselves by smoking or chewing tobacco. We also teach them to respect their teachers and other adults. Why? Because we understand the power of role models in shaping the behavior of children. Yet we send them off each day to school and school functions where they see adults, their mentors, using tobacco, the same substance against which we have tried so hard to warn them. The tobacco companies understand the value of using role models to advertise. That is why they pay movie producers to have their stars smoke on screen. They know it will entice youngsters to use their products.

Our adversaries will also tell you that this is about choice. They are right. This is a matter of choice, but not the kind of choice of which they speak. The issue before you today is about the choice you as leaders of this state will make. Will you allow this hypocrisy to continue, or will you choose to stand up to the tobacco companies and say, "Enough!"

The members of the Kansas Public Health Association and the Tobacco Free Kansas Coalition to implore you to send a message to our citizens and, more importantly, to our children, that it is no longer tolerable to allow the use of this deadly substance on school property or at school functions.

Thank you for your time.

*House Fed + State
March 11, 1999
Attachment #3*

**MATTHEW WOHRLE'S TESTIMONY
MARCH 10, 1999**

Ladies and Gentlemen of the House:

My name is Matthew Woehrle. We are representing Smoke Free Teens are Rising (STAR) at Prairie Star Middle School in Leawood, Kansas. There are two specific reasons we would like House Bill 2305 to be passed.

Our first reason is adults are supposed to be role models to students. If students see adults using tobacco products on school grounds, they think it is okay for them to use tobacco products, too.

Our second reason is adults at sporting events and custodians on the school loading docks are smoking and throwing their cigarette butts on the sidewalk. That then puts the paraphernalia of tobacco products right in front of the students.

Some statistics are every day approximately 6,000 students try cigarettes; about 3,000 become regular smokers. The average age for the first use of tobacco is 13 years old. That makes us very impressionable. Tobacco smoke contains more than 4,000 chemicals and at least 43 of these are known to cause cancer in humans and animals. 53,000 non-smokers die each year from second-hand smoke. Little children who breath in second-hand smoke have more ear infections. Asthmatic children who breath second-hand smoke have more attacks.

Other school districts, as Shawnee Mission, Emporia, Manhattan and Derby USD 260, have already banned tobacco use on school grounds.

We ask for your support in voting and passing House Bill 2305 for the healthy future of Kansas students.

*House Fed & State
03-11-99
Attachment #4*

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS

SUPPORTS HOUSE BILL No. 2305

SMOKING ON SCHOOL CAMPUSES

We, the undersigned, ask the Kansas House of Representatives to pass HB 2305, prohibiting the use of cigarettes and tobacco products in any school building, on any school property or at any school supervised activity.

All youth and children should be protected from the dangerous health consequences of exposure to secondhand tobacco smoke. We ask that you support this Bill and send a clear message that Kansas school grounds will be a safe, breathable environment for everyone.

Print Name	Grade in School
Jay Kurtz (STAR) *	Sixth
David Tafesch	Sixth
Richard Johnson	Sixth
Biley Powell (STAR) *	Sixth
Simon Gerritt	Sixth
Kyle Luetjen	Sixth
Megan Johansen	6
Fanny Perez	Sixth
Josh Raza (caddie)	sixth
MAITE CRAWFORD	6
Morgan Kobbis	6th
Curtis (Pirelli)	6th
Sara Beck	6th
Natalie Wilson *	6th
Monica Randall	6th
Elise Salzmann	6th PSMS
Sandy Sauer	6th PSMS
Maneereza Iqbal	6 PSMS
Jessica Parker	6th PSMS

House Fed + State
 03-11-99
 Attachment #5-1

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS
SUPPORTS HOUSE BILL No. 2305
SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Kim Hilber	6 th
Katie Laughlin	6 th
Whitney Moore	6 th
Sarah Smith	6 th
Ashley Binger	6 th
Susie Kue	6 th
Christina Miller	6 th
Carly Fogle	6 th
Melby Baker	6 th
Katie Anderson	6 th
Ali Pollock	6 th
Kaitlin Morris	6 th
Jennifer Burki	6 th
Whitney Stalsberg	6 th
Kaycee Allman	6 th

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS

SUPPORTS HOUSE BILL No. 2305

SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
John Cory	6 th PSMS
Jeremy Klein	5 th PSMS
Tack Ingraham	6 th PSMS
Jon Baldwin	6 th PSMS
Kellie Jensen	6 th PSMS
Laine Bruhn	6 th PSMS
Hayley Hooper	6 th PSMS
Jay Vagler	6 th PSMS
Brett Dance	6 th PSMS
Justin M. [unclear]	6 th PSMS
Eric Montgomery	6 th PSMS
Jim [unclear]	6 th PSMS
Sandra	6 th PSMS
Mike Miller	6 th PSMS
Elise Salzmann	6 th PSMS
Miss [unclear]	6 th PSMS
Charlie Miller	6 th PSMS
Tanner Rippen	6 th PSMS
Chris Lee	6 th PSMS
J.P. Miller	6 th PSMS

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS

SUPPORTS HOUSE BILL No. 2305

SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Simon Garrett	6 PSMS
Fanny Perez I & Josh	6 PSMS
Kyle Byerd	6 PSMS
Michael Johnson	6 PSMS
Seamus McFlee	6 PSMS
Ally Ross	6 PSMS
Cecily Miller	6 PSMS
Nicole Koehler	6 PSMS
Lauren Gallet	6 PSMS
Sarah Normanik	6 PSMS
Nick Biagioli	6 PSMS
Andy Lawender	6 PSMS
Ryan Kanan	6 PSMS
Willie Ball	6 PSMS
Jonathan Evans	6 PSMS
Christal Pittman	6 PSMS
Chelsea Farrell	6 PSMS
Lindsey Schaefer	6 PSMS
Megan Gasser	6 PSMS
Kim Berberich	6 PSMS

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS

SUPPORTS HOUSE BILL No. 2305

SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Austin Apple	7th
Steven Combs	7th
Reid Pritchett	7th
Andrew Winer	7th
Nick Kline	7th
Austin Ehlers	7th
Andrew Morris	7th
Joe Cullinan	7
Adam Marks	7
Andrew Christ	9 th &
DREW BOWER	7th
JP LELAND	7th
Eric Kellner	7th
Collin Donahue	3 rd
Chris Espinoza	7th
Shayne Dumbauld	
Juan Barragan	7th
Brad Siefert	

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS

SUPPORTS HOUSE BILL No. 2305

SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
	7th
	7th
Cameron, Jameson	7th
Jared Keers	7th
John Harlan	7th
Danielle Hurst	7th
Lauren Ibenhal	7th
Corry Wasy	7th
Tracy Young	7th
	7th
	7th
Josh Plomin	7th
Andrew Newberry	7th
Sean Mattice	7th
Michael Adam	7th
Tyler Rodriguez	7th
Edie White	7th
Matthew Raymaker	7th
Iris Abramoff	7th
Dana Silver	7th

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS
SUPPORTS HOUSE BILL No. 2305
SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Sam Ayre	8 th
Paul White	8 th
Paul Hill	8 th
Brandon Ferguson	8 th
James Fisher	8 th
Dan Bidler	8 th
Tom Malowany	8 th
Brandon Carver	8 th
Michael White	8 th
John White	8 th
Regan Hilly	8 th
Chris Madden	8 th
Carroll Johnson	8 th
Ashley C. Anthony	8 th
Shelby Zimmerman	8 th
Jessica Wangen	8 th
Margaret Roth	8 th
Hishley Ansaldo	8 th
Betsy Rouse	8 th
Emily Gumbel	8 th

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS
SUPPORTS HOUSE BILL No. 2305
SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Ashley Farab.	8
Cynthia M ^{rs} Donald	"
Linda Caveltz	8
Emily Carpenter	8
Jaime Allman	8
Emily Lewis	8
Caitlin Schutz	8
Amey J. Oaden	8
Michelle Watts	8
Kelly Richardson	8
Lauren Greenough	8
Erin Edmondson	8
James Vahi	8
Baird Riley	8
Trevor Tally	8
Christina Biagioli	8
Amanda Hinton	8
Andrea Edelblute	8
Jessica Schaller	8
Jamie Wakeup	8

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS
SUPPORTS HOUSE BILL No. 2305
SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Chase Jackson	8 th PSMS
Mike Seeswick	8 th PSMS
Michael Boehm	8 th PSMS
Chris Mikel	8 th PSMS
Grant Crannick	8 th PSMS
John Doe	8 th
Babe Barry	8 th
Joe Crannick	8 th
Jeffrey Palmer	
Leslie Gust	8 th PSMS
Emily Hall	8 th PSMS
Leisha Harrison	8 th PSMS
Ashley Nebbia	8 th PSMS
Cindy Marshall	8 th PSMS
Chad Koslowzy	8 th PSMS
Brian Biegel	8 th PSMS
to Jared	
Arby	8 PSMS
Walker Winters	8 PSMS

Allen Schiup



PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS
 SUPPORTS HOUSE BILL No. 2305
 SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Allen Schiup	8
Emur S.	8
Travis Miles	8
George Rubacts	8
Jenny B.	8
Willy D.	8B
Louist.	5
Pat Jensen	8
SAIM Elliot	8
Jimmy O'Donnell	8
Matt Elavin	8
Dan Durante	8
Denver Porter	8
Lee Smith	8
CHRIS RISEL	IND. TECH.
Andrew Navak	8
sterl Torok	8
JEFF GRAY	8
Adam Powell	8
Derek Insart	8

Brad Praccaglia
 D. J. (D.J. Salgado)
 Ann... ..

8
 8
 8

PRAIRIE STAR MIDDLE SCHOOL, LEAWOOD, KS

SUPPORTS HOUSE BILL No. 2305

SMOKING ON SCHOOL CAMPUSES

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Print Name	Grade in School
Robbie VanTrump	8th
Nathan Jones	8th
Amin Othman	8th
Deaver Porter	8th
Bellig Jannatt	8th
Dan Durante	8th
Erica Knida	
Nickie McLaughlin	8th
Spencer Ferguson	8th
Nathan Johnson	8th
Jordan Stark	8th
Ronnie VanWoessik	8th
Sarah Myers	8th
April Lindahl	8th
Amy Milligan	8th
MATT Blavin	8th
Jane Urabe	8th grade
Fritesh Urabe future son	5th grade

MANHATTAN HIGH SCHOOL

HARRISON RW

618 BLUEMON

In recent years MANHATTAN
66502
~~Most people don't smoke but we~~
~~as Kansans~~ have grown so accustomed
to ^{public} tobacco use that smoking has become a
societal norm. This habit which has
been proven detrimental to the users health
is ^{accepted throughout our state and our country} modeled on TV in movies in restaurants
sports events and on street corners.

I urge you to vote for House Bill 2305 ~~to ban~~
~~all tobacco use~~ on school grounds across the state
to combat this ^{negative norm} ~~norm~~.

Our district superintendent always says "Unless
you model what you teach you're teaching something
else." ^{you must} If you want youth to make healthy
choices provide them with good examples to
emulate. A line ^{must} ~~needs~~ to be drawn. A
line that sends a positive message.

We changed the grounds policy in Manhattan
and many other schools have done the same,
but each time it is an uphill battle. We
need you at the state ^{level} to support us students
parents teachers and other concerned individuals in
taking a stand in our communities. Please vote
for HB 2305. We shouldn't have to fight to be
smoke free. It should be a given.

HOUSE FED & STATE
03-11-99
ATTACHMENT #6

HB 2305- Ban tobacco use on school property and at school sponsored events.

Chairwomen Representative Susan Wegle and members of the House federal and state affairs committee,

I would like to start off today by thanking the committee for allowing me to speak in support of HB2305. My name is Kasia Rutledge and I live at 4944 Grand Apt. 17 Kansas City MO 64112. My phone number is area code 816-753-8927. I am a freshman at the University of Missouri at Kansas City where I am an Environmental Politics major and American Studies minor. Last year I graduated from Emporia High School in the USD #253 where I effectively changed school district policy by eliminating tobacco use on school property. It is under this role that I am here today instead of in class to speak in favor of this legislation.

Before the regulation passed, any one of legal age, excluding students, could smoke or chew tobacco on school grounds and at school sponsored events. I decided that there were several reasons this policy needed to be changed. First, were the obvious negative health consequences that occurred when students entered or left the building and were bombarded with a cloud of smoke. Second, I believe that teachers for all ages are role models and when students of any age see their teachers smoking or chewing, it sends them the message that it is okay and cool to smoke. Third, there is a large amount of hypocrisy occurring when teachers smoke and then teach students to make good decisions. After a full year of school board meetings and planning committees- the new regulation went into effect June 1st of 1997.

Several triumphs occurred during the next year, my senior year, which reinforced why it was so important that the policy change happened. First, when I started the Tobacco- Free Schools Coalition the first semester of my junior year- my goal was to see the school free of tobacco by the time I graduated. Mid January of my senior year- I was instructing a first year student how to get to a classroom and told them "go to the end of the hall and turn left at the smoker's door and it will be on your right." A puzzled look came over the girl's face as she asked me "where's the smoker's door?" This was a huge triumph for me and for the hundreds of other students who remembered walking by this door in between classes and having a cloud of smoke billow out as teachers left to smoke or entered after smoking. In addition, the cigarette butts and chew stains that littered the front walks of the school disappeared. At sporting events, (which we thought were going to be the hardest to enforce) the smoking stopped and occasionally when one person would light up a cigarette- the people in front of them informed the smoker of the new regulation and asked them to stop. The most rewarding experience for me was my in senior year when one of my favorite teachers who was a smoker- took me aside one day after school and thanked me for working so hard to change the policy because not only did it help the school but it gave him a reason to quit smoking. This was not only important because the policy change had an impact on individuals but also because my junior year had been filled with rude comments by teachers when they passed me in the halls, disrespect when I went to their class room to get assignments, smoke being blown in my face when I left the building, and one especially memorable day when I presented the change to the teachers in an in-service meeting and a couple of teachers verbally attacked me saying everything from "we aren't going to let a little student dictate our actions" to "don't expect an 'a' this semester."

While it was a tough and long process the benefits that have resulted from it have been enormous. 1) The school is rid of tobacco; 2) teachers and other individuals have taken steps to quit smoking and/or chewing; 3) I am positive the sick days that teachers and students alike take, for respiratory illnesses has and will continue to substantially decline. Other school districts from around Kansas and some even further away have called for information about how they too can change their policies. The net benefits of the change greatly outweighs the struggle it was to change the policy and despite everything- I would do it again in an instant. I strongly encourage this committee to approve HB 2305 to prohibit tobacco use on school property and at school sponsored events. While these changes can be done on a local level- a state law would eliminate the challenges I encountered while reaping the benefits Emporia discovered. To close I wish to leave you with a quote I try to live by. It is from Gandhi and he says, "You must be the change you wish to see in the world." Thank you again.

*House Fed & State
03-11-99
Attachment #17*

MEMO



To: Honorable Susan Wagle, Chair
House Federal and State Affairs Committee

From: Ben J. Scott, Sr.
Board of Education Member
USD No. 501

Subject: House Bill 2305

Date: March 10, 1999

Thank you for the opportunity to present my views on the need for House Bill 2305. I am a member and past president of the Board of Education of USD 501, Topeka Public Schools. Since I have not had time to confer with our entire Board before providing this testimony, please consider the views expressed herein to be my personal opinions. However, since October of 1995, our Board has banned smoking and the use of tobacco products by students and staff on our grounds, as is now being proposed by House Bill 2305.

I am presenting this testimony in support of House Bill 2305. I have attached to this memorandum, copies of our school district's three policies prohibiting smoking or the use of tobacco products at our schools or on any school district owned or operated grounds (including parking lots). Our purpose in doing so was to model a consistent message to our students regarding the ills inherent in smoking and other use of tobacco products. We asked ourselves what kind of message our kids get when the health teacher teaches them about lung cancer and then is seen during his/her planning period smoking on the back porch of the school? We view all of our staff from part-time food service workers to the superintendent as role models for our students. Allowing them to smoke in front of students, even at outside events such as football games, just sets up the kind of double-standard that really offends kids.

I can tell you that we have had very little problem with enforcement of our tobacco ban. Staff, parents and patrons have understood our purpose and have voluntarily abided by the policies. Those that must smoke are kind enough to do so before or after an activity or do so off premises. That's their choice as informed adults.

House Bill 2305 would give this important message uniformly to all students in this state and I whole-heartedly urge you to pass the bill into law.

*House Fed & State
03-11-99
Attachment #8 ✓*

USE OF TOBACCO IN DISTRICT FACILITIES

Applicable state law (K.S.A. 72-53,107 and K.S.A. 21-4009 et seq.) and/or Ordinance No. 15584 of the city of Topeka and provisions contained therein shall govern the use of tobacco products in district buildings by persons who are not employees or students of the district. No building or grounds owned or operated by USD 501 shall have a designated smoking area. It is the intention of the Board of Education that all school district buildings and grounds be smoke-free.

USE OF TOBACCO BY EMPLOYEES

All district employees are prohibited from smoking or otherwise using tobacco products inside any building owned or operated by the Topeka Public Schools. All district employees are prohibited from smoking or otherwise using tobacco products during duty hours outside on any grounds, including parking lots, owned or operated by the Topeka Public Schools pursuant to the following schedule:

- A. Effective immediately, all district employees shall be informed of this policy.
- B. Effective August 1, 1996, all district employees may not use or smoke tobacco products during duty hours outside on any grounds, including parking lots, owned or operated by the Topeka Public Schools.

Violations shall be subject to appropriate discipline pursuant to the applicable employment handbook or contract. Any employee expressing a desire to quit smoking or otherwise using tobacco products may be provided appropriate support and written information to facilitate his/her effort. Information on the adverse effects to health caused by smoking and other use of tobacco products shall be periodically made available to employees, including annual inservice training.

USE OF TOBACCO BY STUDENTS

Elementary school students, middle school students, and high school students under the age of 18 are forbidden to possess, use, or smoke tobacco products in school buses, in the buildings, or on the grounds, including parking lots, of the Topeka Public Schools. High school students 18 years of age or older and postsecondary students are forbidden to use or smoke tobacco products in school buses, in the buildings, or on any grounds owned or operated by the Topeka Public Schools pursuant to the following schedule:

- A. Effective immediately, all students, including postsecondary students, shall be informed of this policy. The superintendent of schools shall begin implementation of education programs, including cessation support and information on the adverse effects to health caused by smoking and other use of tobacco products.
- B. Effective January 16, 1996, no student will be allowed to use or smoke tobacco products on any grounds, including parking lots, owned or operated by the Topeka Public Schools.

10/05/95

Revisions: 07/18/96; 08/07/97

Topeka Public Schools

8-4

Ronald Weiner, MD
President
Al Baldwin, PhD, RRT
President-Elect
Karen Schell, BSRT, RRT
Vice President
Jim Pelch, RRT, RPFT
Secretary
Robert A. Whippo
Treasurer
Judy S. Keller
Executive Director

State Office
4300 SW Drury Lane
Topeka, KS 66604-2419
Phone: (785) 272-9290
In State: 1-800-LUNG-USA
Fax: (785) 272-9297
E-mail: jkeller@kslung.org



**Written Testimony in support of HB 2305
Before the House Committee on Federal and State Affairs
Ronald Weiner, MD
March 11, 1999**

Madame Chairman and members of the Committee, thank you for your attention today.

My name is Ronald Weiner. I represent the American Lung Association of Kansas, where I am currently president of the Board of Directors. I am a physician specializing in allergies and asthma from Lawrence. I present this testimony in support of House Bill 2305.

Today, the hazards of tobacco use to the user are well recognized. We all know that smokers are damaging their lungs and their health — shortening their lives because of their deadly habit.

What is less well recognized is that these smokers are sharing this death and disease with those around them, the people exposed to their secondhand smoke.

Mounting scientific evidence indicates that the health of nonsmokers, especially children, can be affected when they are exposed to secondhand smoke, or technically, environmental tobacco smoke, the smoke that fills the air around someone who is smoking. Nonsmokers are exposed to the same toxins that the smoker inhales.

Environmental tobacco smoke has been recognized as a Group A carcinogen by the Environmental Protection Agency.

In my practice, I see the effect of being exposed to smoke in the asthma problems experienced by my patients, young and old. Often it takes only the smoke that travels through a ventilation system to set off an attack.

The American Lung Association estimates that secondhand smoke worsens the condition of between 200,000 and one million children in this county and makes even healthy children sick with more ear infections, asthma and other respiratory problems.

**When You Can't
Breathe,
Nothing Else
Matters®**

*House Fed & State
3-11-99
Attachment #9*

Dr. Ronald Weiner
Page 2

Secondhand smoke is estimated to be responsible for approximately 3,000 lung cancer deaths annual in U.S. nonsmokers. This is why we strongly urge that **all** workplaces be kept smokefree.

A school is a workplace for teachers, administrators and maintenance personnel. They deserve a safe, smokefree environment. But, more importantly, young lungs in the buildings and on the grounds deserve clean air. A parent has told me how his son suffered an asthma attack by simply walking into the school building for a school carnival because of the "corridor" of smokers standing just outside the doorway.

Schools are where we expect our children to be taught lessons that will help them make their way through life. Is one of those lessons we want reflected by their role models — their teachers — tobacco use? Public smoking restrictions are an important component of the social environment that supports non-smoking behavior. Smoking restrictions reduce the number of opportunities to smoke, making smoking less convenient and less socially acceptable.

I urge you to support and recommend passage of HB 2305.



The Kansas Association of Local Health Departments supports H.B. 2305.

As the organization representing local county health departments, K.A.L.H.D. urges passage of this bill. Cardiovascular disease is the number one cause of premature death and disability in the state of Kansas, and is the major cause of lost productive hours of employment within our Kansas economy. It is well documented that use of tobacco products provide the primary cause of cardiovascular illness, with cancer being the second. The effects of second hand smoke also increase health risks to individuals exposed to tobacco smoke in their environment.

This bill would prohibit the use of tobacco products in any school building, on any school property, or at a school supervised activity. Eliminating this source of environmental health risk would be of benefit to those students in the school building or activity, this also sends a positive health lifestyle message, and reduces the amount of tobacco an adult could take in during each day that time is spent on a Kansas school property or at a Kansas school supervised activity.

Thank you for voting in support of H.B. 2305

*House Fed & State
3-11-99
Attachment #10*

N.E.K. MULTI-COUNTY HEALTH DEPARTMENT
P.O. BOX 182
HIAWATHA, KANSAS 66434
(785)742-7192 Fax (785)742-4237
E-mail: nekmulti@midusa.net

Strength through Unity

Atchison County
616 Commercial
Atchison, KS 66002
(913)367-5152 Fax (913)367-4580

Brown County
907 South 2nd St.
Hiawatha, KS 66434
(785)742-2505 Fax (785)742-7988

Jackson County
326 E. 9th, P.O. Box 444
Holton, KS 66436
(785)364-2670 Fax (785)364-3001

031199

Dear Legislators,

My name is Michael Pruner. I am the administrator of the Northeast Kansas Multi-County Health Department of Atchison, Brown and Jackson Counties and also the Franklin County Health Department.

As a public health provider and concerned citizen, I would like to encourage you to promote **House Bill 2305**, a bill that would prohibit smoking on schools grounds.

I have always been appalled walking into a gym during a basketball game or concert to be meet with a cloud of smoke from smokers huddling around the entrance. A child seeing a teacher or older student smoking at school sets a bad example and tends to perpetuate the myth that smoking is O.K.

- In 1996 tobacco killed 4326 Kansans*.
 - 154,000 Kansas kids, 0-17 years of age will become smokers, of these 49,000 will die prematurely as adults due to smoking related illnesses.
 - In 1995, tobacco costs Kansas 350 Million dollars a year in direct and indirect health care costs*.
- *CDC SAMMEC data obtained from KDHE.
- According to the Kansas Communities That Care Survey in 1997, 61,900 kids between the ages of 11 and 17 smoke.

A big thank you to Becky Hutchins for her call back today and a big thanks to the committee for considering this testimony and very important legislation.

Respectfully,

Michael G. Pruner, R.N., M.P.H.

*House Fed + State
3-11-99
Attachment # 12*



Jefferson West High School

UNIFIED SCHOOL DISTRICT 340
P.O. BOX 268
MERIDEN, KANSAS 66512
Telephone 785-484-3331

MS. BONITA DEITER, Principal DON MENELEY, Activity/Athletic Director JACKIE VAN PETTEN, Counselor

March 9, 1999

Federal and State Affairs Committee
Susan Wagle, Chair
Kansas House of Representatives
Room #170W
Topeka, KS 66612-1504

Dear Representative Wagle,

We are members of an organization called Teens As Teachers at Jefferson West High School. Our goal is to influence younger students to make wise decisions about risky behaviors, especially the use of tobacco.

We are writing at this time to encourage the passage of HB # 2305, which we understand would prohibit tobacco product use at any school activity. We support this bill for the following reasons:

-- tobacco use by adults in the presence of students makes it look like an acceptable "adult" privilege

-- commonly the "smoking area" outside is immediately out the front or back doors and students and patrons must pass through the "smoke corridor", be exposed to secondhand smoke, and also see the smokers' debris

-- secondhand smoke is known to be a significant health hazard

Districts who have already enacted this prohibition as a policy have found few enforcement problems. If it were to become a state-wide policy, the ABSENCE of tobacco products on school property would become a norm.

Let's Make Tobacco History!!!

Sincerely,

Jefferson West Teens as Teachers

Bobby Myers	Robert Helton	Kasey Starr
Matt Shirley	Jeff Patton	Emily Foster
Pam Rutter	Josh Monfollon	Jake Farrant
Kristin Berry	Angela Putthoff	April Cherry
Jane Shirley, RN, BSN, sponsor		

House Fed + State
03-11-99
Attachment #12



700 SW Jackson, Suite 601
Topeka, Kansas 66603-3758

785/233-8638 * FAX 785/233-5222
www.nursingworld.org/snas/ks

the Voice of Nursing in Kansas

Debbie Folkerts, A.R.N.P.--C.
President

Terri Roberts, J.D., R.N.
Executive Director

FOR MORE INFORMATION CONTACT:

Terri Roberts, J.D., R.N.
700 S.W. Jackson, Suite 601
Topeka, Kansas 66603-3758
785.233.8638

March 11, 1999

H.B. 2305 SMOKING PROHIBITION ON SCHOOL GROUNDS

Written Testimony

Representative Wagle and members of the House Federal and State Affairs Committee, the KANSAS STATE NURSES ASSOCIATION encourages your support of HB 2305 which would impose a ban on smoking within public school grounds or at public school events.

Currently 16 states prohibit smoking on public school grounds (CA, CO, HI, IL, ME, MD, MN, NH, NM, NY, OH, RI, UT, VT, WA, WI). The KANSAS STATE NURSES ASSOCIATION supports that as a matter of public policy the Legislature adopt this legislation to eliminate Kansas children's exposure to second hand smoke and the social context effects of young children seeing role models and authority figures smoke in a place designated for "learning."

Please support HB 2305 to foster healthier lifestyles of our public employees and the children in public schools.

Thank you.

*House Fed & State
03-11-99
Attachment #13*