

Norm Furse, Revisor of Statutes, spoke to the Committee in regard to the permanent journals of the House and Senate. (Attach. 6).

Appearing as a proponent for **HB 2115** was Chuck Knapp, Communications Director for the Office of the Secretary of State. (Attach. 7).

It was moved by Senator Feleciano and seconded by Senator Downey that the recommended amendment be approved and **HB 2115** be passed favorably as amended. The motion passed on a roll-call vote.

HB 2034

State officers and employees rates and procedures for overtime compensation.

Chairman Kerr explained **HB 2034** to the Committee.

Mike Lackey, Assistant Secretary of Transportation, spoke of the problems the agency had with getting emergency workers on holidays when they receive no more than the amount of holiday pay that everyone else is already earning.

It was pointed out that agencies such as the Department of Transportation would absorb out of their existing budget, their share of additional expense necessary.

It was moved by Senator Morris and seconded by Senator Salisbury to amend **HB 2034** by adding into it, **SB 358**, an act concerning the Kansas public employees retirement system and systems thereunder. The motion carried on a voice vote.

It was moved by Senator Feleciano and seconded by Senator Lawrence to favorably pass **HB 2034** as amended. The motion carried on a roll-call vote.

The meeting was adjourned at 12:45 p.m. The next meeting is on call of the Chair.

SENATE WAYS AND MEANS COMMITTEE GUEST LIST

DATE: 4/28/99

NAME	REPRESENTING
Tom Roberts	KSNA
B. Manian	Dept of Adm. DPS
Mike Lackey	KOPT
Nancy Bogina	KDOT
Bob Myer	SOS
Chuck Knapp	SOS
Marlene Beem	KLU
Miki Heur	Helm and Weir
Craig Grant	KWEA
Ron Appleby	W.D. No 1 of Jo Co.
John Campbell	KS A&E
Marc Hamann	Div. of the Budget
Kelly Kuetala	City of Overland Park
Arlene Anture	Cemetery Dist #14 CLYDE, MO
Jim George	Cemetery Dist # 14 CLYDE, MO
Sida Peterson	Marion Co
Randy Allen	Kansas Assoc. of Counties
John Pepperdine	Tobacco Free Ks Coalition

SENATE WAYS AND MEANS COMMITTEE GUEST LIST

DATE: 4/28/99

NAME	REPRESENTING
Marypegue Helbert	Kansas Smokeless Tobacco Kids Initiative
Paula Marrott	KDHE
Bill McEg	K.D.H.S.
Allen Finney	Ks. Public Health Assn.
J. Fittl Meyer	Dept of Administration
Len Jangher	Dept of Admin
Tom PALACE	PMCA OF KS.
JOHN C. BOTTENBERG	Philip Morris
SUE PETERSON	K-STATE
Kathy Kemron	Philip Morris
Gina McDonald	KACIC
Ken Bels	KHA
Benny Nicholas	Children's Mercy
Mary Ellen Conlee	Via Christi Regional Med Center
Jon Josselyn	

April 28, 1999

House Bill No. 2410

We appreciate the opportunity to present written testimony on House Bill 2410 to the Senate Ways and Means Committee. My name is Jim George and my fellow Cemetery District #14 Board Members are Arlene Couture and Cindy Chavey.

House Bill No. 2410's purpose is to allow a cemetery district such as our's to go in debt through no-fund warrants to obtain additional land and to prepare such land for cemetery use.

Cemetery District #14 was established as provided by section 2 of Chapter 176 of Kansas Legislative sessions Laws of 1941. This allowed townships and a city to go together to establish a Cemetery District. The City of Clyde conveyed their already established cemetery over to Cemetery District #14 on July 15, 1954. The statutes give the cemetery Board of Trustees authority to levy a tax not to exceed two (2) mills for an operating budget. However, according to our County Attorney and a Bonding Attorney Firm, we have no authority to go into debt through no-fund warrants or bonds for the acquisition and preparation of additional land.

We are out of space to continue to service our District and must expand. Two years ago, we negotiated a land purchase agreement with the adjoining land owner; however we are unable to proceed without authority to borrow the necessary funds.

No-fund warrants are the preferred method for financing this indebtedness. The cost of a bond issue for this small amount is too excessive for the amount raised.

Thank you very much for listening to our problem. With your help, we will be able to continue providing this necessary service to our area.

Cemetery District #14
Jim George
Arlene Couture
Cindy Chavey

Senate Ways and Means Committee

Date 4/28/99

Attachment # 1



State of Kansas

Office of the Attorney General

301 S.W. 10th Avenue, Topeka 66612-1597

CARLA J. STOVALL
ATTORNEY GENERAL

SENATE WAYS AND MEANS COMMITTEE

MAIN PHONE: (785) 296-2215
FAX: 296-6296
TTY: 291-3767

TESTIMONY IN SUPPORT OF

HOUSE BILL 2568

JOHN W. CAMPBELL
SENIOR DEPUTY ATTORNEY GENERAL

Mr. Chairman, members of the Committee, my name is John Campbell, I am the Senior Deputy Attorney General for the State. I am here today to testify in support of House Bill 2568. This bill is crucial to protecting the State's \$1.5 billion settlement of its tobacco litigation.

Under this bill, companies which manufacturer cigarettes for sale in Kansas may join in either the settlement we have reached with 99% of the current cigarette manufacturers or they may elect to pay into an escrow account to provide a source of payment for court judgments that might be rendered against them in the future. Companies affected by this bill would not be required to pay more money than if they had joined in the settlement. In addition, they could at any time withdraw interest earned in their escrow account and would be able to withdraw the principle after twenty-five years, less any amount required to pay judgments.

If this bill is not enacted, Kansas would be subject to a significant reduction in its share of the national tobacco settlement. Depending on future events that reduction could be drastic and begin as early as our year 2000 payment. Passage of the bill, as written, would protect Kansas' share of the national settlement. We urge the committee to adopt House Bill 2568.

Senate Ways and Means Committee

Date 4/28/99

Attachment # 2

**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

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Testimony on House Bill 2568
Presented by Sally Finney, Executive Director
on April 28, 1999

Mr. Chairman and members of the Committee, I appreciate the opportunity to appear before you today. I am here to ask you to support HB 2568. KPHA supports this legislation because it brings the State into compliance with terms of the tobacco master settlement agreement, thereby insuring that Kansas will receive its full share of the settlement.

Although the date certain for receipt of these funds is after the 2000 legislative session, it is possible that funds will be released before that time. Therefore, it seems imprudent to wait to act on this matter.

On behalf of the members of the Kansas Public Health Association, I ask you to support HB 2568.

Thank you.

Senate Ways and Means Committee

Date 4/28/99

Attachment # 3



Tobacco *Free* Kansas Coalition, Inc.

For More Information Contact:

Terri Roberts J.D., R.N.

Kansas State Nurses Association

233.8638 FAX 233.5222

April 28, 1999

H.B. 2568 Model Statue Regarding Non-Participating Manufacturers Multi-State Tobacco Settlement

Chairman Kerr and members of the Senate Ways and Means Committee, my name is Terri Roberts and I'm the Executive Director of the KANSAS STATE NURSES ASSOCIATION and serve as the Chair of the Policy Committee for the Tobacco Free Kansas Coalition. **The Tobacco Free Kansas Coalition asks for your support in passing H.B. 2568 as introduced.**

The Attorney General's office has provided an overview of the background and necessity of this bill to avoid the non-participating manufacturer (NPM) adjustment formula being applied to the Kansas tobacco settlement receipts.

Thank you.

Red/1999tkclegislation/hb2568msa

Senate Ways and Means Committee

Date *4/28*

Attachment # *4*

TOBACCO FREE KANSAS COALITION, INCORPORATED OFFICERS

Gary Doolittle, M.D.

ASSISTANT PROFESSOR
OF ONCOLOGY, UNIVERSITY
OF KANSAS MEDICAL CENTER



Judy Keller, B.A., M.B.A.

EXECUTIVE DIRECTOR
AMERICAN LUNG
ASSOCIATION OF KANSAS



Maxine Burch, M.S., R.D., L.D.

CHRONIC DISEASE RISK REDUCTION
HEALTH PROMOTION COORDINATOR
MARION COUNTY HEALTH DEPARTMENT

Topeka Office

4300 SW Drury Lane
Topeka, Kansas 66604

Phone 785-272-8396

Fax 785-272-9297



April 28, 1999

Written testimony by John Pepperdine
Manager of Government Relations

House Bill 2568 Model Statute reviewed by the Senate Ways and Means Committee

Chairman and Senate Ways and Means Committee, I am manager of the American Cancer Society as well as Chair of the Communications Committee for the Tobacco Free Kansas Coalition. The Tobacco Free Kansas Coalition is asking that you support **House Bill 2568**. Without discussing the merits of the tobacco settlement, **H.B. 2568** is a necessary provision of the agreement, if Kansas wishes to claim the full amount of settlement payments from the tobacco manufacturers.

Thank you for your time.

HEARTLAND DIVISION, INC.
1315 S.W. ARROWHEAD ROAD • TOPEKA, KANSAS 66604-4020
(785) 273-4422 • 800-359-1025 • FAX (785) 273-1503
DISTRIBUTION FAX (785) 273-7560

Senate Ways and Means Committee

Date 4/28/99

Attachment #5

45-116.

Chapter 45.--PUBLIC RECORDS, DOCUMENTS AND INFORMATION Article 1.--LEGISLATIVE SESSION LAWS, JOURNALS AND DOCUMENTS

45-116. Permanent journals of house and senate; preparation, binding and number of volumes and copies; sale and distribution; disposition of volumes; sale price for volume fixed by legislative coordinating council; proceeds to state general fund. (a) At the conclusion of each legislative session, the secretary of the senate and the chief clerk of the house of representatives shall prepare permanent journals of the senate and house of representatives to be entitled "Senate and House Journals of the State of Kansas for _____," and the blank shall be filled with the year and words indicating whether the sessions journalized are regular or special, or both. In preparation of such journals, the secretary of the senate and chief clerk of the house shall work under the supervision of the legislative coordinating council. Such journals shall include the matters contained in the daily journals of the two houses and such additional materials and information as may be directed by the legislative coordinating council. Such journals shall be published in one or more volumes as determined by such council. Such journals shall be printed in clothbound copies by the director of printing from copy prepared by the secretary of the senate and chief clerk of the house of representatives.

(b) Upon the advice of the secretary of the senate and the chief clerk of the house of representatives, the secretary of state shall specify the number of copies of such journals which shall be printed and clothbound, which shall not be more than 750 copies and, in addition thereto, such number of copies as are needed for the purposes of the publication collection and depository system established under K.S.A. 75-2566 and amendments thereto, for disposition by the secretary of state, as follows:

(1) One copy to the governor, the lieutenant governor, the secretary of state, the attorney general, the state historical society library, and each member of the legislature;

(2) two copies to the board of county commissioners of each county, upon request therefor;

(3) to the several offices of the judicial branch of state government, the number of copies necessary to conduct the official business of such offices, as requested by the chief justice of the supreme court;

(4) to the office of attorney general, the state library, the office of the revisor of statutes, the division of post audit and the legislative research department, the number of copies necessary to conduct the official business of such offices, as requested by the chief administrative officers thereof;

(5) the number of copies necessary for use by the legislature, as requested by the director of legislative administrative services;

(6) the remainder of such copies shall be kept by the secretary of state for sale at the per volume price for such copies fixed by the legislative coordinating council under this section, until the inventory of the volume is reduced to 50 copies.

(c) When the inventory of any volume is 50 copies or less, the secretary of state, with the approval of the revisor of statutes, may dispose of copies from such inventory by distribution without charge.

(d) The legislative coordinating council shall fix the per volume price for clothbound copies of the permanent journals of the senate and house of representatives, sold under this section, to recover the

Senate Ways and Means Committee

Date 4/28/99

Attachment # 6-1

costs of printing and binding such volumes. The legislative coordinating council shall revise such prices from time to time as necessary for the purposes of covering and recovering such costs.

(e) The secretary of state shall remit all moneys received under this section to the state treasurer at least monthly and the state treasurer shall deposit the entire amount of each such remittance in the state treasury to the credit of the state general fund.

History: L. 1971, ch. 184, § 15; L. 1974, ch. 210, § 3; L. 1976, ch. 147, § 8; L. 1987, ch. 194, § 1; L. 1988, ch. 178, § 1; L. 1990, ch. 339, § 2; July 1.





Ron Thornburgh
Secretary of State

2nd Floor, State Capitol
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STATE OF KANSAS

TESTIMONY ON HB 2115

Presented to the
Senate Ways and Means Committee

By

Chuck Knapp
Office of the Secretary of State

Wednesday, April 28, 1999

Senate Ways and Means Committee

Date 4/28/99

Attachment # 7-1

Mr. Chairman and members of the committee:

Thank you for the opportunity to testify on House Bill 2115. The Secretary of State enthusiastically supports this legislation for two reasons; it will save the state money and allow the printer to complete the *Session Laws* sooner for earlier distribution by the Secretary of State.

State law mandates that the secretary of state print the laws of each legislative session in a hardbound book in a quantity of 3,750. Current law also stipulates that the secretary can only order additional books in quantities of 1,000.

The proposed legislation would allow the secretary of state to print softbound books in the quantity that he or she deems sufficient. By printing a softbound book, the state general fund would realize savings of approximately 29 percent. For example, if the *1999 Session Laws* were the same size as the *1998 Session Laws*, the state would save approximately \$27,000. This figure does not include the likelihood of printing a smaller quantity of books, which would result in additional savings to the state general fund.

By allowing the secretary of state to print a softbound book, the state printer will be able to do the binding here in Topeka rather than using an out-of-state subcontractor. A softbound book also takes less time to bind, which will allow the secretary of state to distribute the *Session Laws* well before most laws take effect on July 1. Kansas judges should be most appreciative of this change.

We urge your support of this legislation and thank you again for the opportunity to appear before you today.

FISCAL NOTE

TO: Duane A. Goossen, Director of Budget
FROM: Chuck Knapp, Office of the Secretary of State
DATE: February 1, 1999
SUBJECT: Fiscal note for HB 2115

- 1) This legislation would eliminate the requirement for the Secretary of State's office to print a specified number of hard bound copies of the laws passed at each session of the legislature. Currently, the Secretary of State is required to print 3,750 copies and can only increase the order in quantities of 1,000.
- 2) This legislation would not impact the human resources required to publish Session Laws. However, by allowing the Secretary of State's Office to print paperbound books, distribution of the books could be commenced at an earlier date.
- 3) This legislation would potentially save the State General Fund approximately \$27,000 in FY 2000.
- 4) The State Printer produced a cost estimate comparison between hard bound and softbound books. This estimate was based on the page count from the 1998 Session Laws. It is important to remember that it is impossible to guess accurately how many laws the legislature will pass each session. This estimate also assumes the quantity of books ordered remains at 4,750.

Hard Bound Book each volume	\$46,222.50	
(Two volumes recommended)		\$92,445.00
Perfect Bound Book each volume	\$32,658.00	
(Two volumes recommended)		\$65,316.00
Savings with Perfect Bound Book (29% reduction in cost)		\$27,129.00

- 5) This legislation could be implemented with existing staff and current operating expenditure levels.
- 6) Under current printing procedures there would be a potential savings of approximately 29 percent each year over the next three years. The Secretary of State also believes the quantity of books printed can be reduced by approximately 750, resulting in additional savings to the State.