

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS. **(REVISED)**

The meeting was called to order by Chairperson Steve Morris at 10:40 a.m. on March 13, 2001 in Room 123-S of the Capitol.

All members were present except: All Present

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department  
Debra Hollon, Kansas Legislative Research Department  
Amory Lovin, Kansas Legislative Research Department  
Kathie Sparks, Kansas Legislative Research Department  
Rae Anne Davis, Kansas Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Assistant Revisor, Revisor of Statutes Office  
Julie Weber, Administrative Assistant to the Chairman  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Judge Gary Rulon, Chief Judge, Kansas Court of Appeals  
Representative Mike O'Neal  
Representative Ward Loyd  
Terry Humphrey, Executive Director, Kansas Trial Lawyers  
Ed Collister, Member, Kansas Bar Association  
Tim Shallenburger, State Treasurer  
Greg Vahrenberg, Vice President, U.S. BANCORP, Piper Jaffray  
Alexander Fraser, Dir., Public Finance Ratings, Ratings Services, Dallas, TX, (written testimony)  
Todd Covault, Emporia Unified School District 253  
Michael W. Jones, Topeka Unified School District 501  
Sharon Zoellner, Deputy Superintendent, DeSoto Unified School District 232 (written testimony)  
Janet Chubb, Assistant Secretary of State

Others attending: See attached guest list

**Bill Introduction**

Senator Jordan moved, with a second by Senator Salmans, to introduce a bill (1rs1167) concerning state moneys; relating to remittance to the state treasurer. Motion carried by a voice vote.

Chairman Morris opened the public hearing on:

**HB 2297—Increase court of appeals to 14 judges, increasing by one each year to 2004**

Staff briefed the committee on the bill.

Chairman Morris welcomed Judge Gary Rulon, Kansas Court of Appeals, who spoke in support of **HB 2297 (Attachment 1)**. Judge Rulon mentioned that the Justice Initiative's recommendations buttresses their request in the last two years' budget for more Court of Appeals judges to keep up with caseloads. Judge Rulon also submitted proposed technical amendments to **HB 2297 (Attachment 2)**.

Chairman Morris welcomed Representative Mike O'Neal who spoke in support of **HB 2297 (Attachment 3)**. Representative O'Neal mentioned that recognizing the needs of the Judicial Branch and responding to those needs is the best option. A reasonable proposal to that end exists in **HB 2297**.

Chairman Morris welcomed Representative Ward Loyd who spoke in support of **HB 2297 (Attachment 4)**. Representative Loyd mentioned that the Kansas Citizens Justice Initiative, which Jill Docking and the late former governor Robert Bennett were the co-chairs, recommended that four new positions be

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS on March 13, 2001 in Room 123-S of the Capitol.

authorized for the Kansas Court of Appeals, with attendant staff. **HB 2297** addresses that issue. Representative Loyd noted that the state can ill afford to have the public lose confidence in the courts, and we cannot expect the impossible of our appellate judges, so positions must be authorized.

Chairman Morris welcomed Terry Humphrey, Executive Director, Kansas Trial Lawyers Association, who spoke in support of **HB 2297** (Attachment 5). Ms. Humphrey mentioned that this bill seeks to expand the number of Kansas Court of Appeals judges from 10 to 14 over a four-year period. She noted that all litigants are entitled to a timely and thoughtful decision of each matter submitted to the Court of Appeals. Expanding the Court to 14 members will help meet this objective.

Chairman Morris welcomed Ed Collister, Private Lawyer, Lawrence, who spoke in support of **HB 2297** (Attachment 6). Mr. Collister explained some feeling for what is happening to the judicial system and why this legislation is significant as detailed in his written testimony.

The Chairman thanked the conferees for appearing before the Committee. There being no further conferees, the Chairman closed the public hearing on **HB 2297**.

Chairman Morris called the Committee's attention to discussion of:

**SB 279—Birth certificate fees; increases; newborn infant protection act, public awareness advertisements**

Chairman Morris and the Revisor explained the following information regarding a proposed **Substitute for SB 279** (Attachment 7):

The **Substitute SB 279** would establish the Newborn Infant Protection Act Special Revenue Fund in the state treasury to be administered by the Secretary of Social and Rehabilitation Services who is authorized to accept money from grants, gifts, contributions, or bequests made for the purpose of providing educational materials and advertisements to increase public awareness of the Newborn Infant Protection Act. The act would take effect upon publication in the Kansas Register.

In response to a question by Chairman Morris, Janet Schalansky, Secretary, Kansas Department of Social and Rehabilitation Services, mentioned that she sees no problem in administering the fund as prescribed in the proposed substitute bill.

Senator Schodorf moved, with a second by Senator Jackson, to adopt the Substitute for SB 279 as favorable for passage, and make the bill effective with the Kansas Register. Motion carried by a roll call vote.

Chairman Morris opened the public hearing on:

**SB 353—School district bond payment guarantee fund**

Staff briefed the committee on the bill.

Chairman Morris welcomed Tim Shallenburger, State Treasurer, who spoke as a neutral conferee on **SB 353** (Attachment 8). Treasurer Shallenburger brought concerns about **SB 353** to the Committee's attention. In his written testimony, he detailed the information regarding these concerns.

Chairman Morris welcomed Greg Vahrenberg, Vice President, U.S. Bancorp Piper Jaffray, who spoke in support of **SB 353** (Attachment 9). Mr. Vahrenberg spoke regarding the school bond issue credit enhancement program that would be created under **SB 353** that would create savings for the taxpayers of the State of Kansas by reducing the interest expense and bond insurance cost on general obligation bonds issued by school districts. He explained benefits associated with a school bond credit enhancement

CONTINUATION SHEET

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program in his written testimony.

Chairman Morris welcomed Todd Covault, Assistant Superintendent for Business, Emporia United School District 253, who spoke in support of **SB 353** (Attachment 10). Mr. Covault mentioned that **SB 353** would assist districts like Emporia with acquiring and maintaining high bond ratings. He also noted that since high bond ratings are associated with lower interest rates, ultimately **SB 353** would save communities and the state money. Mr. Covault distributed a letter addressed to him, dated December 12, 2000, from Moody's Investors Service (Attachment 11) and a report regarding Total Assessed Valuation 1995 to 1999, percent of change 1995 to 1999, Total Assessed Per Pupil 1995 to 1999 and 1999 General Fund Assessed Valuation by city in Kansas (Attachment 12).

Chairman Morris welcomed Michael W. Jones, Topeka Unified School District 501, who spoke in support of **SB 353** (Attachment 13). Mr. Jones mentioned that **SB 353** is not a cure all for the funding problems that face K-12 education in Kansas. He noted, however, that it is a no cost way to assist school districts in meeting some of the financial challenges that face them today, as they try to deal with enrollment changes and the rapid expansion of technology, in an effort to improve the educational system in Kansas. Mr. Jones mentioned that **SB 353** simply enacts a school bond guarantee program, similar to those in other states, that he believes will benefit all taxpayers of Kansas while improving the educational environment for children.

Written testimony was received from Alexander Fraser, Director of Public Finance Ratings, Ratings Services of Dallas, Texas, regarding **SB 353** (Attachment 14).

Written testimony was received from Dr. Sharon Zoellner, Deputy Superintendent, DeSoto Unified School District 232 in support of **SB 353** (Attachment 15).

The Chairman thanked the conferees for appearing before the Committee. There being no further conferees, the Chairman closed the public hearing on **SB 353**.

Chairman Morris called the Committee's attention to the:

Confirmation Hearing of Michael Braude, Member, KPERS Board of Trustees, held the day before, March 12, 2001. Senator Kerr mentioned that Mr. Braude appeared to be exactly the person to be on the KPERS Board of Trustees.

Senator Kerr moved, with a second by Senator Schodorf, to recommend Michael Braude, as Member, Kansas Public Employees Retirement System (KPERS) Board of Trustees. Motion carried by a roll call vote.

The Chairman called the committee's attention to discussion of:

**SB 329 - Child support enforcement, Kansas payment center and income withholding**

Senator Feleciano moved, with a second by Senator Kerr, to amend SB 329 by deleting the language about commencing operations; clarify that payments will be handled in the same manner as support payments; and delete the court's obligation to hold in trust undeliverable support payments as these payments are held by the central unit. Motion carried by a voice vote.

Senator Feleciano moved, with a second by Senator Adkins, to pass SB 329 favorably as amended. Motion carried by a roll call vote.

Chairman Morris opened the public hearing on:

**SB 350--Establishing the electronic transactions registration fee fund**

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS on March 13, 2001 in Room 123-S of the Capitol.

Staff briefed the committee on the bill.

Chairman Morris welcomed Janet Chubb, Assistant Secretary of State, who spoke in support of **SB 350** (Attachment 16). She noted that the Secretary of State expects only a few certification authorities to register with the office in the first few years until the use of digital signatures becomes a more common business practice.

The Chairman thanked Assistant Secretary Chubb for her appearance before the Committee. There being no further conferees, the Chairman closed the public hearing on **SB 350**.

Senator Adkins moved, with a second by Senator Downey, to pass **SB 350** favorable for passage and be placed on the Consent Calendar. Motion carried by a roll call vote.

### **Bill Introduction**

Senator Jordan moved, with a second by Senator Adkins, to introduce a bill (1rs1132) concerning unified school district No. 512, Johnson county, Kansas, relating to elections on closure of school buildings; authorizing the levy of an ad valorem tax for operation of school buildings not closed; providing for extraordinary school facilities weighting. Motion carried by a voice vote.

The meeting was adjourned at 11:55 a.m. The next meeting is scheduled for March 14, 2001.

SENATE WAYS AND MEANS COMMITTEE

GUEST LIST

DATE March 13, 2001

NAME	REPRESENTING
Don Cauby	DOB
Scott Brunne	DOB
Ron L. Bruning	Social Work Intern
Ward Coupl	House Dist 123
Virginia Taylor	Judicial Branch
Andy Bertrand	" "
Jerry Sloan	" "
Kathy Pate	" "
<del>James Green</del>	ESU
Bruce Conrad	Ks Trial Lawyers Assoc
Jim Peterson	SRS
John Redger	SRS
Paul Davis	Kansas Bar Assn.
Ed Collier	" "
Todd Covault	Emporia Schools
Mike Jones	USP 501
GREG VAHRENBERG	U.S. BANKCORP PETER TAFFRAY
J. J. Shultz	SOS
Jim Mankin	State Treasurer
Zenick Sonntag	State Treasurer Office
Jean Barbic	KADC
Deleene Cole	Sen Lyons Office Staff



KANSAS COURT OF APPEALS

GARY W. RULON  
CHIEF JUDGE

301 WEST TENTH  
TOPEKA, KANSAS 66612-1507

(785) 296-6184  
FAX: (785) 296-7079

March 13, 2001

Senator Steve Morris, Chairman  
Senate Ways and Means Committee  
Kansas State House

RE: HB 2297 - Additional judges for the Kansas Court of Appeals

Please find attached my remarks to the Senate Ways and Means Committee. I would like to thank the committee for allowing me the time to address the committee, explain our needs and answer any questions you or the committee might have.

If you, or any of the committee members have any further questions or need additional information, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Gary W. Rulon".

Gary W. Rulon  
Chief Judge

Senate Ways and Means  
3-13-01  
Attachment 1



KANSAS COURT OF APPEALS

GARY W. RULON  
CHIEF JUDGE

301 WEST TENTH  
TOPEKA, KANSAS 66612-1507

(785) 296-6184  
FAX: (785) 296-7079

**TESTIMONY PRESENTED BY  
CHIEF JUDGE GARY W. RULON  
OF THE  
KANSAS COURT OF APPEALS**

**DATE:** March 13, 2001  
**RE:** Budget for FY 2002, Court of Appeals

As in previous years, this year's budget request includes additional judges for the Court of Appeals. As you know, the Kansas Justice Initiative has recommended adding four judges to our court and the Kansas Bar Association supports this recommendation. (See attachment I.) The Justice Initiative's recommendations buttresses our request in the last two years' budget for more judges to keep up with our caseload.

**Judges**

In last year's budget request we estimated the decline in new case filings, that began after the high in 1997, may be coming to an end. We also estimated that we could reasonably expect case filings to once again increase at the historic rate of 3% per year unless some new dramatic legislation or changes in case law accelerated the increase. Fortunately, our worst fears did not come to pass. In calendar year 2000 our new appeals declined by approximately 6% from those filed the previous year. (See attachment II.) However, we have no reason to believe this is necessarily the

trend of the future. For example, in 1999 the Legislature changed the law regarding probation and postrelease supervision. We are just beginning to see the appeals from such change and, it still has the potential to generate a significant number of new appeals.

Another factor that must be considered is the impact of the U.S. Supreme Court's decision in *Apprendi v. New Jersey*. A recent National Law Journal article noted that after the United States Supreme Court's June 26, 2000 ruling, hundreds of appeals have been filed and scores of state and federal decisions have been handed down interpreting the ruling. The Chief Judge of the U.S. Court of Appeals for the 3rd Circuit observed that *Apprendi* was a case of enormous potential importance and that a great deal of time was going to be devoted to dealing with the sentencing issues raised. Also, U.S. district courts in Minnesota and North Carolina have held that *Apprendi* applies retroactively.

In the context of our sentencing guidelines, we can reasonably predict that a substantial number of direct and 1507 appeals will be forthcoming. As of February 1, 2001, the Court of Appeals is holding multiple cases raising *Apprendi* issues awaiting the Kansas Supreme Court's ruling on the first test case, *State v. Gould*. Other cases seeking to extend *Apprendi* beyond its stated holdings continue to be filed in this court.

Another consideration is the number of cases transferred to our Supreme Court. In prior years our Supreme Court has been extremely helpful in considering this court's request that certain cases be transferred due to issues of first impression or of statewide significance. We realize, however, that as the number of death penalty appeals increase, our Supreme Court may not have the resources to continue to accept transfer of as many cases as it has in the past.

As we noted in last year's budget request, in 1983 when Governor Carlin asked the Judicial Council to make recommendations on alleviating the problems in the Court of Appeals, there were 152 cases filed per judge. The Council subsequently recommended adding three new judges to the Court. In 2000 there were 172 new cases filed per judge and we requested 4 new judges for the Court of



Appeals. Based upon current and projected caseload, we are requesting at least one new judge along with accompanying staff and office space.

Last year, in line with the recommendation of the Justice Initiative, House Bill 2601 was introduced which contained a provision to expand our court from 10 to 14 judges. As you know, the bill was favorably passed out of committee, but failed on the floor of the House. Of note is the fact that in this legislation the timing for adding judges to this court was staggered over a period of four years beginning in FY 2002, with one judge being added in each of the following years. Our budget proposal follows this methodology.

In the last ten years, our court has heavily relied on the use of assigned district court judges to supplement our panels in order to handle the number of new cases filed each year. The reliance on the use of district judges did not disappear with the reduction in our backlog.

In 1999, the court used outside judges 35 times on regular dockets, and 31 were enlisted for the blitz docket. In 2000 we used 33 outside judges. These judges agree to work with this court despite the fact that most have busy dockets of their own. While having assigned district judges sit with our court is beneficial, the extent that we rely on their help has become excessive in light of the heavy caseload they are responsible for in their own courts. The addition of full time judges to this court would reduce its reliance on trial judges.

### **Renovation:**

Another immediate need is to upgrade the facilities vacated by the Attorney General's office. The carpet in the area is threadbare and worn, and the wall covering is battered and peeling. We are requesting funds to repair the facilities to make it more productive for our current employees.

### **Conclusion**

I realize the Court of Appeals is again asking for more personnel; however,

most of the needs we outlined in last year's budget still exist. Without additional personnel and space for them to work, it is inevitable that, given the current and projected caseload, the backlog could again increase. There is only so much that can be accomplished in terms of increasing efficiency with a given amount of resources.

We realize that even if the Legislature grants our request for more judges, it will take some time for the selection process to be completed. The process, however, must be started or we will be forced to continue to use short term solutions to combat a long term problem.

Thank you for your consideration.

# KBA makes judicial resources a priority for 2001 legislative session

By Paul Davis, KBA Legislative Counsel

Are you itching to call your state legislator? You should be. The judicial budget is again failing to get the attention it deserves from lawmakers. What can we do about it you ask? KBA members can make their voices heard by Kansas legislators.

We have some strong advocates in the legislature for providing adequate funding to the judicial branch but they can only do so much. In the old days, lawyers were plentiful in the legislature. They often served in leadership positions and since most were practicing lawyers, they knew firsthand the need for adequate funding of the judicial branch of government. Now when Chief Justice McFarland goes across the street to plead the judicial branch's case, she is almost always sitting across the table from a committee of non-lawyers, many of whom have never had any interaction with the court system.

The Chief Justice and the Office of Judicial Administration (OJA) do a superb job of making their case to the legislature but they need our help. Last session, the KBA was instrumental in helping to secure passage of the non-judicial salary initiative. After many of you talked to legislators about the crisis that was going on in our Clerk's offices, the legislature got the message that something needed to be done. We should be proud of our efforts but we must look forward. This is why the KBA will be focusing on three judicial resource issues during the 2001 legislative session.

## THE JUDICIAL BUDGET

Every year the judicial branch submits its budget to the governor, who in turn trims it down and forwards it to the legislature. The cuts that are made by the governor are frequently significant. In FY 2001, the Supreme Court had requests for 117 new positions from all 31 judicial districts (Source: Office of Judicial Administration). The Court then whittled the number of new position requests down to thirty. However, the governor did not recommend any new positions whatsoever. I don't mean to be critical of Governor Graves but to simply point out that the judicial budget doesn't get the attention it deserves throughout the legislative and executive branches.

The KBA is supporting legislation that will allow the judicial branch to submit its budget directly to the legislature. As a separate and equal branch of government, the judicial branch deserves no less. It is time that the judicial branch stops being treated as just another state agency and be recognized by both the executive and legislative branches as a co-equal branch of government. You might be interested to know that when you read the budget the governor submits to the legislature, you will find the judicial branch among the list of state agencies like the Board of Cosmetology.

Article 3, Section 1 of the Kansas Constitution confers upon the Supreme Court the general administrative authority over all state courts. By reason of this constitutional provision and the inherent authority of the Court, it is the responsibility of the Supreme Court to determine the financial needs of the

judicial branch and make those needs known to the legislature. If the legislature is going to devote more resources to the judicial branch, it needs a fair and accurate description of what those needs are.

## NON-JUDICIAL PERSONNEL SALARIES

As I mentioned earlier, the KBA was heavily involved in passage of the non-judicial salary initiative by the 2000 Kansas Legislature. This resulted in docket fees being increased last July to fund immediate pay increases for non-judicial personnel. This has helped to address the problems that have been occurring for years in our Clerk's offices. However, more needs to be done if we're going to be able to attract and retain good quality employees in the judicial branch.

This is why OJA is requesting step increases for many positions and a four percent COLA for judicial branch employees. The step increases and COLAs that judicial branch employees have received over the past decade lag far behind the salary growth that has occurred in the private sector. No wonder so many judicial branch employees flee to the private sector. Furthermore, we are recommending that these step increases and COLAs come from the state general fund and not from further docket fee increases. The interim judiciary committee that met over the summer studied the judicial pay issue in detail and issued a strong statement in its findings that the state general fund should bear further pay increases. Hopefully, the legislature will take note of this recommendation.

## COURT OF APPEALS

After careful study, the Kansas Justice Commission recommended that four judges be added to the ten-member Kansas Court of Appeals. In 1983, a Judicial Council committee concluded that appellate judges should be writing no more than seventy-five opinions per year. However, the Kansas Justice Commission found that judges on the Court of Appeals were writing an average of one hundred thirty-nine opinions on a yearly basis. Cases where the three-member panel is composed entirely of actual Court of Appeals judges have become almost non-existent. Retired judges and district court judges have been called in to help deal with the court's case-load. Although the Court of Appeals log-jam was erased by a blitz docket where even Supreme Court justices were called into action, the backlog will return unless the Court is given the resources it needs to deal with its docket.

The lack of adequate funding for the judicial branch affects all of our practices. You see the problems every day whether its an unpublished opinion from the Court of Appeals; waiting long periods of time for judicial decisions, or court files that aren't updated because of inadequate staffing. These problems impede our ability to practice law and serve our clients. I hope you'll take a few minutes out of your day to write a letter to your state legislators or give them a call through the legislative hotline at 1-800-432-3924. They need to hear from you!

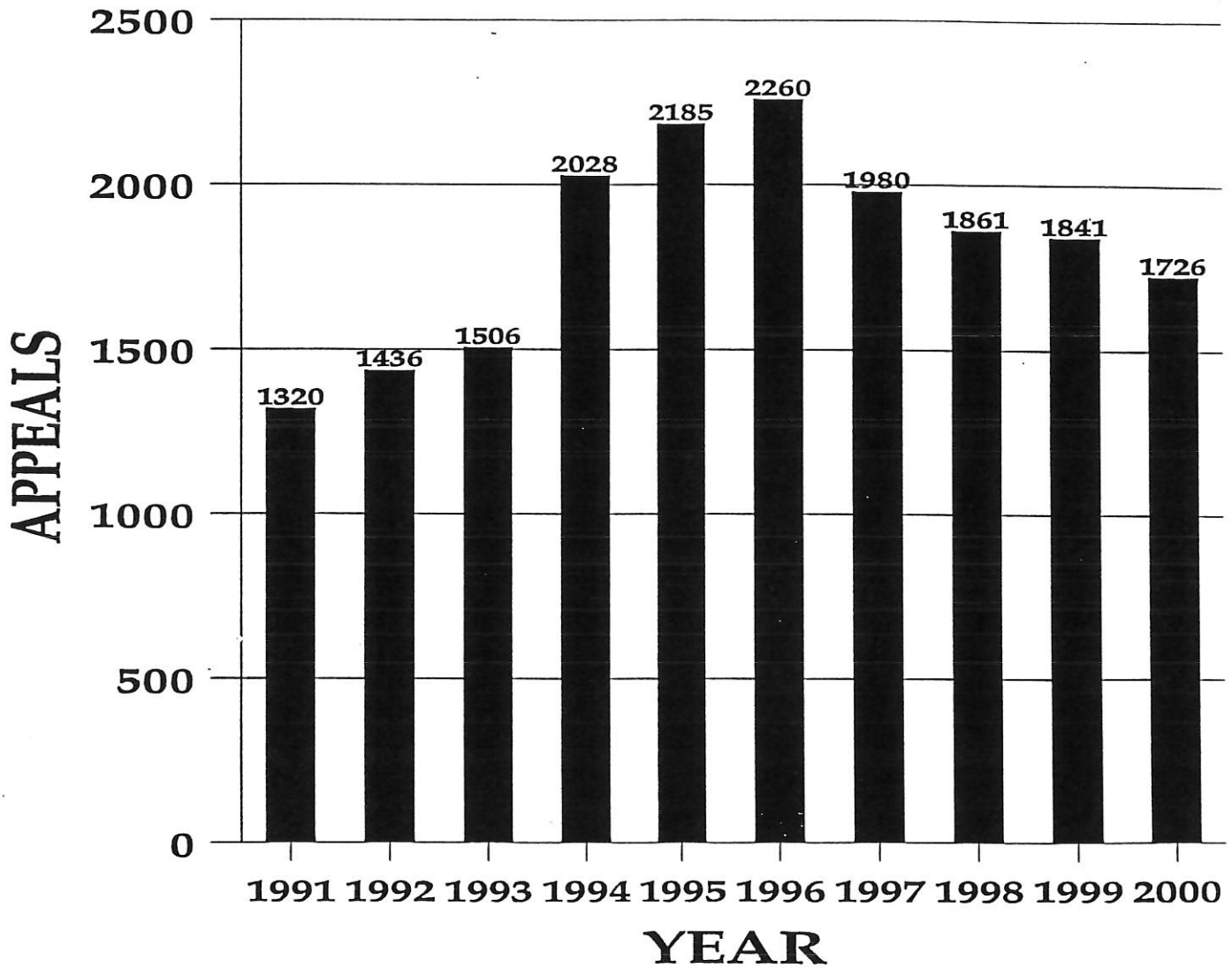
# KANSAS COURT OF APPEALS

## CALENDAR YEAR STATISTICS

(as prepared by the Clerk of the Appellate Courts)

# KANSAS COURT OF APPEALS

## Appeals Docketed

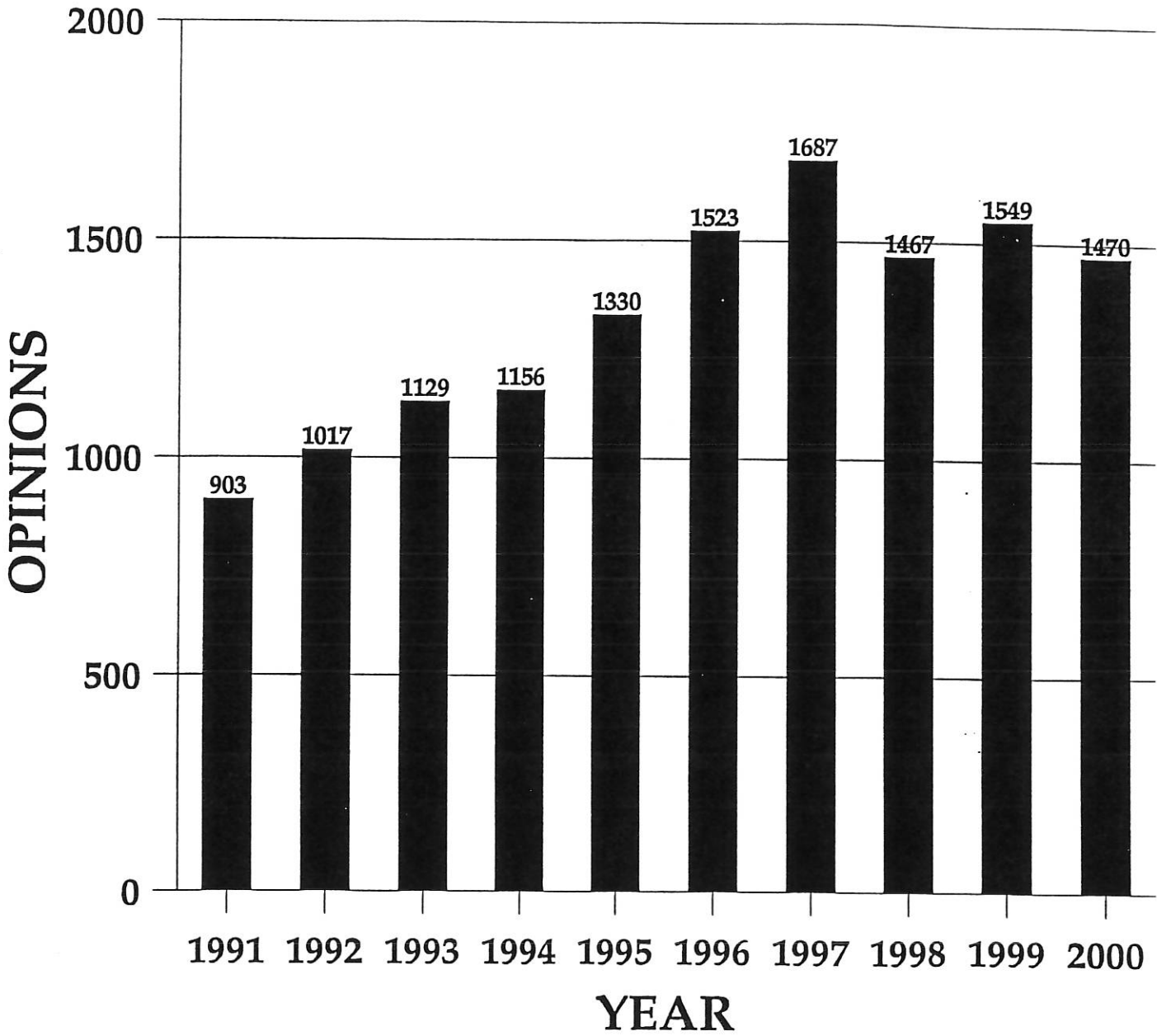


\* Increase in filings beginning in 1994 primarily due to Kansas Sentencing Guidelines Act.

\*\* Decrease in filings, starting in 1997, a result of decrease in cases under Sentencing Guidelines. Case filings have returned to the number projected with normal growth absent the impact of Sentencing Guidelines. Per Gary Rulon - Chief Judge

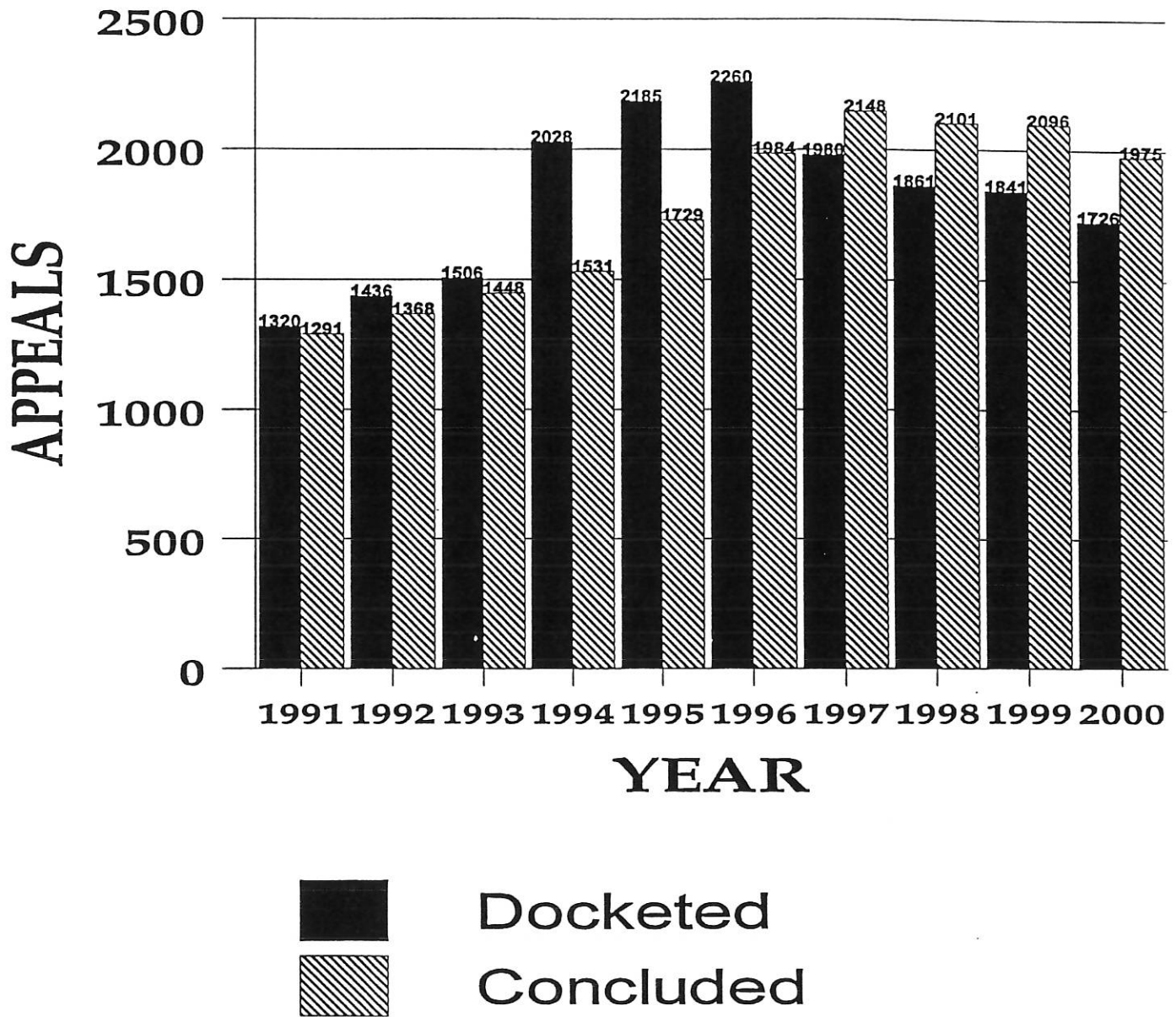
# KANSAS COURT OF APPEALS

## Opinions Filed

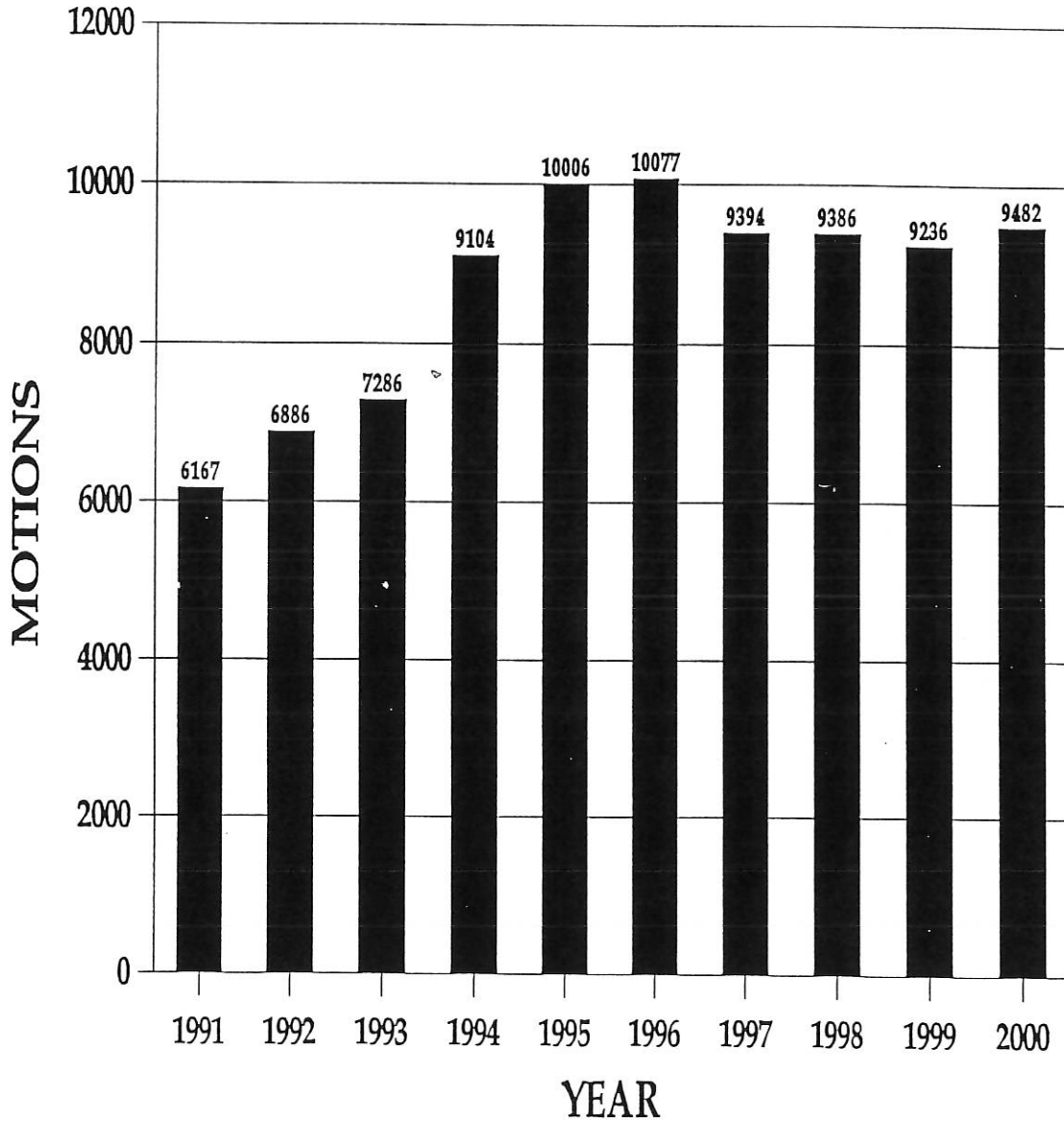


# KANSAS COURT OF APPEALS

## Appeals Docketed v. Concluded



# KANSAS COURT OF APPEALS MOTIONS FILED





# KANSAS COURT OF APPEALS

## Number of District Judges assigned

1999	66*	(35 judges used during regular docket and 31 for the blitz docket)
2000	33	

## Rate Cases

1998	3
1999	3
2000	4

## **Technical Amendment to HB 2297**

Chief Judge Gary Rulon, Kansas Court of Appeals

The House Committee of the Whole amendment to HB 2297 that rolls back by one year the addition of the judicial positions includes one error. On page one of the bill as amended by the House Committee of the Whole, at line 23, the reference to July 1, 2004, should be amended to July 1, 2005. Without the amendment, the bill would require the 14<sup>th</sup> Court of Appeals position to be established on July 1, 2004, rather than July 1, 2005. The intent of the House was that one position be established each year for four years, on July 1, 2002, July 1, 2003, July 1, 2004, and July 1, 2005.

Senate Ways and Means  
3-13-01  
Attachment 2

STATE OF KANSAS  
HOUSE OF REPRESENTATIVES

MICHAEL R. (MIKE) O'NEAL

104TH DISTRICT  
HUTCHINSON/NORTHEAST RENO COUNTY

LEGISLATIVE HOTLINE  
1-800-432-3924  
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CHAIRMAN:  
JUDICIARY COMMITTEE  
REDISTRICTING COMMITTEE

MEMBER:  
KANSAS FUTURES  
FISCAL OVERSIGHT  
UNIFORM LAW COMMISSION  
KANSAS JUDICIAL COUNCIL

**TESTIMONY ON H.B. 2297**  
**March 13, 2001**  
**Senate Ways & Means Committee**

Mr. Chairman and members of the Committee, thank you for allowing me to appear in support of **H.B. 2297**. The timely and professional disposition of appeals before the Kansas Court of Appeals is probably not something many if any Ways & Means Committee members have any direct experience with. I know you are aware of the tremendous workload of the Court, from your work with their budget. Their's is an issue, however, where money shouldn't drive policy. Rather, policy should influence funding. During my time here as an attorney legislator, seventeen years this session, I have been dismayed by our legislative branch's treatment of our co-equal judicial branch in the area of adequate funding. The court system does not enjoy the popular constituency status that our public schools do, yet it enjoys equal constitutional status. Anyone who has been involved in the court system, whether as litigant or officer of the court, knows that "justice delayed is justice denied".

For the past two years we have known that the case has clearly been made for adding judges to the Court of Appeals. The House Judiciary Committee endorsed legislation last year, after substantial and compelling evidence of need was presented. In the end, we agreed to hold off one year, due to perceived budget constraints. This year, the Kansas Supreme Court included expansion of the Court in its budget request to the legislature. Because the Court's budget, while representing a request from a co-equal branch of government, is subjected to revision by the Budget Director before submission

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Attachment 3

to the legislature, the expansion was not included in the Governor's budget for FY 2002. Very reluctantly, we agreed on the House side to again postpone this proven need another year, by proposing that the first new position come on line beginning next year. The Court's patience in achieving this much-needed addition is exemplary and should be met with a showing of our good faith. Endorsement of the legislation this year will allow the Court to set in motion the plans necessary for expansion of the Court on the second floor of the Kansas Judicial Center, in the area vacated by the Attorney General's offices.

The Kansas Justice Commission has endorsed the expansion of the Court of Appeals. In 1983 a Judicial Council committee study recommended that appellate judges should be writing no more than 75 opinions per year. There was also the expectation that decisions from the appellate courts would be heard and written by appellate judges. Over the years, the appellate caseload has required the judges to write nearly 140 decisions per year and has required the temporary assignment of district court judges to the appellate panels to hear and decide appeals. Even then, decisions have been delayed many months. Denial of access to the courts is not an option. Compromising the health of our current judges is not an option. Diluting the Court's strength and effectiveness by assigning one or more district court judges to every appellate panel is not an option. Recognizing the needs of our co-equal partners in the Judicial branch and finally responding to those needs is our best option. A reasonable proposal to that end exists in **H.B. 2297**. Thank you for your consideration.

WARD LOYD  
 REPRESENTATIVE, 123RD DISTRICT  
 FINNEY COUNTY  
 1304 CLOUD CIRCLE, P.O. BOX 834  
 GARDEN CITY, KS 67846  
 ROOM 174-W STATEHOUSE  
 TOPEKA, KANSAS 66612-1504  
 (785) 296-7695  
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TOPEKA

HOUSE OF  
 REPRESENTATIVES

COMMITTEE MEMBERS  
 MEMBER: JUDICIAL  
 RULES AND JUDICIAL  
 TRANSPORTATION  
 UTILITIES  
 JOINT COMMITTEE ON  
 SPECIAL CLAIMS AGAINST  
 THE STATE

TESTIMONY IN SUPPORT OF HB 2297  
 AUTHORIZING POSITIONS FOR THE KANSAS COURT OF APPEALS  
 MARCH 13, 2001

Senator Morris and Committee Members:

Kansas Court of Appeals was re-established in 1977 with 7 judges, based upon a report and recommendation of the Judicial Study Advisory Committee (JSAC). JSAC set forth certain principles which we believe were carried in to the new law. Those principles were

- ✓ every person shall have the right to one appeal;
- ✓ appellate courts should be more accessible to the people (would appear in panels of 3 and appear throughout the state);
- ✓ the delay, cost, and effort incident to the appeal should be no greater than necessary for sound decision making;
- ✓ the appellate courts must be provided sufficient time and Facilities to do justice in each individual case;
- ✓ except in extraordinary cases, appeals should be concluded within 60 to 90 days after the notice of appeal is filed;
- ✓ the court would initially consist of a chief judge and six associate judges, but additional judges would be provided by the legislature as caseload dictates.

JSAC concluded that the main advantage of an intermediate appellate court lies in its flexibility, its mobility and its ability to expedite the review process.

By 1983 a Judicial Council Appellate Process Review Commission was convened, and found the court of appeals to be overloaded. The Commission determined judges were writing 80 opinions per year, when 75 was the recommended maximum. I was recommended that 3 judges be added, with increased staff and technology. In response, the legislature in 1987 added the necessary positions. It is to be noted that in 1987 there were 1,128 new appeals filed, and pending cases had increased from 695 in 1983 to 877 in 1987.

By 1997 new appeals filed reached 1,900, pending cases were 1,403, and each judge wrote 139 opinions. Considering the criteria acted upon from the 1983 study, the appeal volume

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 Attachment 4

would require 6 new positions. As it is, the Court of Appeals has come to use and rely on district judges, and senior judges. While on the face of it these would appear to be good, economic moves, that may not be the case. When district judges serve on an appellate court panel, they are not at home tending to business on an already crowded local docket. It has also been suggested that a district court judge serving on an appellate panel, might be more sympathetic to the rulings of the district judge being appealed, and questions regarding objectivity are to be avoided.

An independent study of the Kansas Court of Appeals was conducted in 1998 by the National Center of State Courts. To the credit of our Court of Appeals, it was found to be very productive, an achievement attained with relatively fewer resources than the six other similar state intermediate appellate courts (Arkansas, Colorado, Georgia, Minnesota, North Carolina, and Oregon.) However, the report found and emphasized that in Kansas there exists at the appellate level "a backlog and a delay in resolving appeals."

In part the NCSC study noted that the Court of Appeals has experienced an increasing trend in the number of appeals filed each year. From 1987 to 1996, the caseload has doubled. (This 101% increase dwarfed the next largest increase – 29% – which occurred in Georgia.) At the time of the study, the clearance rate for cases, that is the number of cases resolved, was 88%, meaning that 12% more cases were filed than could be decided.

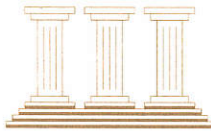
The Judicial Council Appellate Process Advisory Committee set forth a word of caution in 1983:

The backlog of cases in the Kansas Court of Appeals means that decisions in the cases are delayed. If the courts are unable to decide issues in a reasonable time, loss of respect for the judicial system will eventually result. The toll of appellate backlog is measured in many ways; children whose custody or severance is an issue will have unsettled futures, at a time in their lives when stability may be essential; persons guilty of crimes may be on the street and persons improperly convicted of crimes may be spending unjustified time in jail; titles to real estate may be clouded, so owners cannot make desired use of lands; and deserving plaintiffs may be denied use of needed money while defendants must live with uncertainty as to what may or may not happen in their case. In some cases appellate delay may affect persons not involved in the litigation who are in similar circumstances or in an affected business. Some of the judges of the Kansas Court of appeals have experienced health problems which may be related to the heavy workload of the court.

Before the Senate Ways and Means  
Committee  
Testimony Supporting HB 2297  
March 13, 2001  
Page 3

Most recently, the Kansas Citizens Justice Initiative, for which Jill Docking and the late former governor Robert Bennett were the co-chairs, recommended that four new positions be authorized for the Kansas Court of Appeals, with attendant staff. House Bill 2297 addresses that issue.

The state can ill afford to have people lose confidence in the courts, and we cannot expect the impossible of our appellate judges, so positions must be authorized.



KANSAS TRIAL LAWYERS ASSOCIATION

*Lawyers Representing Consumers*

TO: Members of the Senate Ways and Means Committee

FROM: Terry Humphrey  
Executive Director  
Kansas Trial Lawyers Association

RE: 2001 HB 2297

DATE: March 13, 2001

Chairman Morris and members of the Senate Ways and Means Committee. Thank you for the opportunity to offer our comments in support of HB. 2297. This bill seeks to expand the number of Kansas Court of Appeals judges from 10 to 14 over a four-year period.

It has long been the philosophy in Kansas that every litigant is entitled to at least one level of appeal. The Kansas Court of Appeals has been hampered by an overwhelming caseload. Due to the current backlog of cases, it is not unusual for a matter to pend in the Court of Appeals for periods of one and half to two and half years. It is not uncommon for the Court of Appeals to have in excess of 1,250 cases pending before it at one time. Appellate judges, in an attempt to keep up, are issuing in excess of 125 opinions each year. To expedite the appeals process and to allow the appellate judges more opportunity for a thorough and equitable review of the matters before them, the Court must be expanded.

We recognize that there is a cost associated with increasing to 14 the number of Court of Appeals judges. Increasing the number by one judge per year over a four-year time span, eases the burden on the judicial system's operating budget.

All litigants are entitled to a timely and thoughtful decision of each matter submitted to the Court of Appeals. Expanding the Court to 14 members will help meet this objective.

Thank you for the opportunity to comment and we urge the committee's support of HB 2297.

*Terry Humphrey, Executive Director*



Testimony of Ed Collist

**TESTIMONY BEFORE THE  
SENATE WAYS & MEANS COMMITTEE  
Re: House Bill 2297**

**March 12, 2001**

Ladies & Gentlemen:

Thank you very much, ladies and gentlemen, for allowing me to testify concerning HB 2297 which proposes adding Judge and support staff to the Kansas Court of Appeals. I've given some thought how I might approach this topic so that we all might have some feeling for what is happening to the judicial system in the first place, and secondly why this legislation is significant. The bottom line is the work load of the Court of Appeals has increased tremendously since the last addition of Judges in 1986. However, not only are the work load numbers staggering, but the private observations of some long time acquaintances on the Court concerning work load on the individual judge are depressing.

I think several issues are worthy of consideration. The first issue why consider legislation about the judiciary's operation, and how it is funded. Having practiced law going on 37 years it has been common place for me to hear or read about a lawyer's interest in the judicial system as being nothing more than protecting the lawyers' collective turf. It is commonly perceived that courts ultimately are important to lawyers because it is important to the lawyer's pocketbook. If you think about that approach for just a minute, the fallacy in the conclusion is apparent. Lawyers represent clients who are the ones that

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ultimately pay them. Regardless of the efficiency of the judicial system lawyers will have clients and those clients will be obligated to pay for services. If the court system runs badly, is adequate, is inadequate, etc., there will still be lawyers in court representing their clients. The lawyers are still going to have the same clients that they would otherwise have, and they are still going to be compensated for their services like any other business person. So to say that lawyers work to assist the judicial system or ask for improvements or benefits in the system simply to feather their own nest is inaccurate.

Think about who are the true patrons or customers of the services offered by the judicial branch. It is not the lawyers, it is the clients. It is people like all of you and every other citizen of the State of Kansas who may have a legal problem that has to be resolved in the court. And, it does not even have to be a bad legal problem. Lawyers protect the individual rights of citizens in criminal cases, juvenile cases, civil cases, divorce cases, probate cases, business related cases, property related cases, and others. One never knows when there will be a legal problem to be faced, that unfortunately results in an adjudication of rights in court. It is those who need the services of the court; the clients, or in other words the average person, whose interests lawyers advocate in the courts. Ultimately, if the judicial system is not provided with adequate resources to operate, it is the citizen who suffers, or in other words your constituents, not the lawyer.

Your task today is to consider requests for additional personnel, both judge and support, in the Kansas Court of Appeals. The current Kansas Court of

appeals consists of 10 Court of Appeals judges. It was originally established in 1975, to be effective January 10, 1977, after the submission of a Kansas Judicial Study Advisory Committee Report requested by this legislature, on May 13, 1974. That study analyzed many aspects of the Kansas judicial system and made recommendations concerning, among other things, the appellate court system.

Let me first invite your attention to some of the findings concerning the Kansas Appellate Court system made at the time of that study.

1. Delay in the disposition of appealed cases is excessive. In the fiscal year that ended June 30, 1973 the average lapse time from notice of appeal to decision in criminal cases was 17.6 months.

2. The appellate case load in Kansas has increased in diversity and complexity during the past decade.

3. The volume and complexity of appellate litigation in Kansas will continue to increase.

4. The existing appellate court structure and procedure is not adequate to permit the adjustments that will be required for the prompt and judicious handling of future appellate case loads.

An analysis of some of the causes of the resultant delays was made. "Delay in processing appeals results from the operation of many factors. However, the heart of the problem is a lack of sufficient number of appellate court judges to handle the appellate docket." Report of the Kansas Judicial Study Advisory Committee - Recommendations for Improving Kansas Judicial System,

Washburn Law Journal, Volume 19, Number 1, Winter 1974, Page 337. "There is a deeply rooted tradition in Kansas, as in most American jurisdictions that each litigant is entitled to at least one appeal as a matter of right. The objective of judicial reform ought to make the appellate courts more, not less, accessible to the people." Judicial Study Advisory Committee Report, 19 Washburn Law Journal, Pages 341-342.

The recommendations of that judicial advisory committee, among others were that the legislature should create an intermediate appellate court consisting of seven appellate judges. "Additional judgeships may be created when the proper administration of justice requires." Judicial Study Advisory Committee Report, Washburn Law Journal, Volume 19, Number 1, Winter 1974, Page 280.

Although an additional three judges were added in 1986, case load explosions in number since then have again led to the same problems in volume that led to the creation of the court in the first place. Witness the comments in past reports made by Supreme Court Chief Justices to the legislature.

On January 19, 1995 former Chief Justice Richard Holmes reported to the legislature, among other things that, "...we must face a reality that getting tough on crime, regardless of the merits of any particular program, costs big bucks....[I]t involves more than police, prosecution, and the penitentiary. The means of getting from the first point to the last involves a judicial branch and we cannot be overlooked when it comes to financing or the entire system will break down and be for naught."

Chief Justice McFarland's 1996 report recounts, "The Court of Appeals has experienced an explosive growth in the number of appeals it received."

Chief Justice McFarland's 1997 report to this body states, "The Court of Appeals has an exploding case load and a serious backlog of ready cases. Additional staffing for that court is also urgently needed." There have been no additional judges added to the Court of Appeals since 1986.

I appear here today as a representative of the Kansas Bar Association. The Kansas Bar Association, the state's largest group of lawyers in this state, numbering some 6,000, acting through its governing body, supports the recommendation of the Kansas Justice Initiative (Recommendation 7) that four additional judges be added to the Court of Appeals. That conclusion was reached after much study by the commission. It reflects the input of a number of varied sources. Again, I want to emphasize that adding resources to that court and reducing the length of time it takes from the initiation of appeal to the decision doesn't mean more money in the lawyers' pocket, it means avoiding unnecessary delay caused by lack of judges and staff.

Earlier I referred to comments of Chief Justice Holmes and Chief Justice McFarland in 1995 and 1996 concerning an explosion of the case load of the Court of Appeals. There are normal circumstances concerning the business of the courts, causing us to expect yearly increases for a variety of reasons, including such factors as more population, more disputes, more government regulation, etc. However, the observations reported above, in part, arose out of a

tremendous jump, in appellate court business, as a specific result of new legislation. In 1993 this legislature adopted a concept referred to generically as Sentencing Guidelines for criminal cases. It was a total revamping of the sentencing portion of criminal cases. It was predicted that the legislation would both increase criminal appeals and also trials. Experience has demonstrated that to be the result. In 1995 when appeals from Sentencing Guidelines cases commenced to hit the appellate level, in one month the number of filings in criminal cases doubled. The legislature has amended Sentencing Guidelines for various reasons and in various ways since 1993, and one of the effects of each change is new business for not only the trial court but the appellate court system. And, the increase in the business of the court system apparently has not been unnoticed in the Department of Corrections. They repeatedly asked for new funding to build new prisons. That result is ironic because the institutional proponents of sentencing guidelines promoted the new legislation in 1993 as reducing the number of prison population.

Be that as it may, the result for the court system is more business, specifically for the appellate portion of the system; a tremendous increase in business. But, there has been no corresponding increase in the resources of the appellate branch of the judiciary to respond to those increases. What's the result? Let me give you just one example.

Five years ago, I represented a young man who had been charged with first-degree murder and child abuse in a case in which he was accused of

participating in the child's death; a shaken baby syndrome case. The issue was whether or not he caused the death or was an innocent bystander. There was a trial; he was acquitted of the first-degree murder and was convicted of a felony child abuse. I handled only the appeal. From the time his jail time started counting toward a sentence, until the time the appeal was complete he had served the entire guidelines sentence for the crime. The Appellate Court set aside the conviction and sent the case back for further proceeding. I thought there were pretty clear severe errors that occurred in the trial. After realizing that the law precluded being charged with both of those crimes for the same incident, in other words being charged in violation of double jeopardy protection, the case was dismissed. This young man has no felony record. His constitutional rights were protected by the judicial process, principally based on pretty strong evidence produced during the trial that factually he did not commit the crime, but regardless, he had still served the entire sentence even though he was innocent. That result does not sit well. The length of time his case was in the system was, in part, because of the press of business. The length of time cannot be attributed solely to the appellate system because there were lack of resources throughout the system, *i.e.*, court reporter, clerk's office, trial court, attorney preparation, as well as the time on appeal, that contributed to the delay. One significant cause throughout the system is lack of resources to handle the case load. Some of the delay that was attributable to the appellate system has been temporarily reduced by a blitz docket program last fall. The only real

solution is to increase the number of court of appeals judges. The system is not able to function smoothly and expeditiously.

In 1983, the Judicial Council Appellate Process Advisory Committee recommended that appellate judges write no more than 75 opinions each year. The same committee found judges then were writing 80 opinions a year, which the committee observed was a clearly overwhelming task.

In 2000, current Court of Appeals judges wrote in the neighborhood of 100-110 opinions each. And, were not able to keep up. Further compare the motions docket; 4,123 motion filed in 1987 after Court of Appeals judges 8, 9, and 10 were added, compared to 9,482 in the year 2000.

Ultimately it is not the judges who suffer. It is not the lawyers who suffer. It is the parties, the customers who suffer. The Kansas Constitution provides in § 18 of our Bill of Rights: "Justice without delay. All persons...shall have remedy by due course of law, and justice administered without delay." Struggle and work as hard as they are able your Court of Appeals Judges may not be able to achieve this goal without your help to provide them with additional help.

Yours very truly,

Edward G. Collister, Jr.  
Collister & Kampschroeder  
3311 Clinton Parkway Court  
Lawrence, Kansas 66047-2631  
(785) 842-3126



AN ACT establishing the newborn infant protection act special revenue fund.

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

Section 1. (a) There is hereby established in the state treasury the newborn infant protection act special revenue fund. Such fund shall be administered as provided in this section by the secretary of social and rehabilitation services.

(b) Moneys credited to the newborn infant protection act special revenue fund shall be used to prepare, publish, purchase and disseminate educational materials and advertisements to increase public awareness of the newborn infant protection act.

(c) Expenditures from the newborn infant protection act special revenue fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of social and rehabilitation services.

(d) The secretary of social and rehabilitation services is hereby authorized to receive moneys from any grants, gifts, contributions or bequests made for the purpose of providing revenue for the fund and may expend such money for the purpose for which received.

(e) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the newborn infant protection act special revenue fund interest earnings based on:

(1) The average daily balance of moneys in the newborn infant protection act special revenue fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

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3-13-01  
Attachment 7



STATE OF KANSAS

**Tim Shallenburger**  
TREASURER

900 SW JACKSON ST, SUITE 201  
TOPEKA, KANSAS 66612-1235

TELEPHONE  
(785) 296-3171

March 13, 2001

To: Senate Ways and Means Committee

From: Tim Shallenburger, State Treasurer

Re: SB 353

Chairman Morris and members of the committee:

I am here today to bring concerns about Senate Bill 353 to the committee's attention. While I think a state guarantee of school district issued debt could be helpful to the school districts, I also believe that guarantee would work to the detriment of the state agency-issued bonds.

Rating agencies would look more favorably on the school district-issued bonds with a state guarantee. However, because of the state's current and future cash positions, the rating agencies were questioning the KDOT bonds recently issued. Ultimately, they were convinced that the cash situation was not as bleak as it appeared but continue to watch on a monthly basis the cash position of the state treasury. A state guarantee for over \$2.0 billion in school debt would add to their concerns.

Having said all of this, I am happy to report the Treasurer's office, as paying agent for over \$7.0 billion in state and municipal debt, has never experienced a default on a school bond payment.

Again, thank you for your time.

Tim Shallenburger  
State Treasurer

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Plaza West Building  
Suite 1200  
4600 Madison Avenue  
Kansas City, MO 64112-3025

816 360-3000

March 13, 2001

Senate Ways and Means Committee  
Kansas State Senate  
Topeka, Kansas

Mr. Chairman and Members of the Committee:

Thank you for giving me this opportunity to submit testimony in favor of Senate Bill No. 353. The school bond issue credit enhancement program that would be created under Senate Bill No. 353 would create a savings for the taxpayers of the State of Kansas by reducing the interest expense and bond insurance cost on general obligation bonds issued by school districts.

Currently 24 other states offer similar programs to strengthen the credit standing of their school districts in the municipal bond market. Credit enhancement programs allow participating school districts to receive higher credit ratings for their bond issues, generally resulting in lower borrowing costs for the districts. School district bonds that are backed by a state sponsored credit enhancement program can provide investors with an extra degree of credit protection, a higher credit rating, and improved liquidity relative to school district bonds that are not supported by a state program. All of these benefits translate into lower borrowing costs on school bond issues.

The benefits associated with a school bond credit enhancement program are as follows:

- **Lower Interest Rates.** For nearly all school districts in Kansas the bond rating received from participation in the proposed program will be higher than their existing bond rating. In the municipal bond market a higher bond rating results in lower interest rates.
- **Reduce the Need for Bond Insurance.** A municipal bond insurance policy provides investors with the assurance that, if a school district cannot make the debt service payments on the bonds, then the insurance company will make the debt service payments on behalf of the district. A school bond credit enhancement program provides investors with virtually the same assurance thereby eliminating the need to buy municipal bond insurance.

- **Broader Market for Bonds.** Non-rated bonds are sold primarily to Kansas investors such as banks or individuals. Rated bond issues often times can be sold to a much broader group of investors. For example, some institutional investors have investment policies which limit their investments to rated bonds only. It is not uncommon for trust departments to require that a school district maintain an underlying rating of "A" before they can purchase the district's bonds. This restriction precludes smaller school districts that sell non-rated bonds from selling their bonds to such investors.

During 1999, there were 39 school bond issues completed in Kansas. Of these issues, 89% were sold as either a non-rated issue or as an issue backed by municipal bond insurance. These are the issues that would benefit the most from this proposed program. The following table sets for the school bonds issued in Kansas during 1999:

	All Bond Issues	Non-Rated	Rated	Insured
Number of Issues	39	12	4	23
Total Dollar Amount	\$453,024,015	\$24,385,000	\$97,200,000	\$331,439,015
Average Size of Issue	\$11,616,000	\$2,032,083	\$24,300,000	\$14,410,391

The following is an estimate of the projected annual savings resulting from a school bond credit enhancement program in Kansas:

- During 1999, it is estimated that school districts in Kansas paid approximately \$994,317 in premiums for municipal bond insurance. A School Bond Credit Enhancement Program would eliminate or minimize the need for bond insurance.
- A School Bond Credit Enhancement Program would generally result in lower interest rates for most participating school districts. It is estimated that a reduction in the interest rate of 1/10<sup>th</sup> of 1% (0.10%) on all outstanding school bonds in Kansas would save approximately \$1.89 million per year in interest expense.

Senate Ways and Means Committee  
March 13, 2001

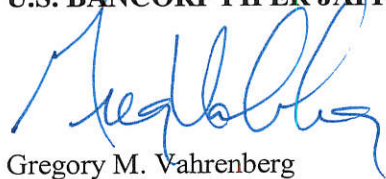
- Based upon an average percentage of 18% for State Aid on Debt Service, it is estimated that the State of Kansas would annually save approximately \$340,326 in interest expense and \$178,977 on principal which is allocated towards purchasing bond insurance for a total annual savings of \$519,303. This savings is a result of a reduction in the amount of State Aid for Debt Service paid by the State of Kansas.

This program provides significant benefits with very little cost to the state of Kansas. Since the program would be a passive guaranty rather than an active intercept program, there will be very little, if any, annual administrative cost. It also should be noted that this type of program would not have an adverse impact on the State's underlying issuer bond rating.

School district bond issue credit enhancement programs have been successfully implemented in 24 other states. The State of Kansas has the opportunity to implement this type of program which will provide significant savings for school bond issues. This savings will be passed on to the taxpayers of the State.

Thank you for your consideration of Senate Bill No. 353.

Sincerely,  
**U.S. BANCORP PIPER JAFFRAY**



Gregory M. Vahrenberg  
Vice President

Adult Basic Education  
526 Congress  
316-341-2253

Alternative School  
315 S. Market  
316-341-2252

Butcher Children's School  
1200 Commercial  
316-341-5301

Campus Center  
620 Constitution  
316-341-2390

Emporia High School  
3302 W. 18th  
316-341-2365

Emporia Middle School  
2300 Graphic Arts  
316-341-2335

Flint Hills Special  
Education Cooperative  
216 W. 6th  
316-341-2325

Flint Hills Technical College  
3301 W. 18th  
316-341-2300

Head Start Center  
315 S. Market  
316-341-2260

Logan Avenue Elementary  
521 S. East  
316-341-2264

Lowther North  
Intermediate School  
216 W. 6th  
316-341-2350

Lowther South  
Intermediate School  
215 W. 6th  
316-341-2400

Mary Herbert Elementary  
1700 W. 7th  
316-341-2270

Maynard Elementary  
19 Constitution  
316-341-2276

Stanton Street  
Early Childhood Center  
1211 Stanton  
316-341-2254

Village Elementary  
2302 W. 15th  
316-341-2282

Walnut Elementary  
801 Grove  
316-341-2288

William Allen  
White Elementary  
902 Exchange  
316-341-2294

March 13, 2001

Chairperson Morris and members of the Ways and Means Committee:

Thank you for this opportunity to testify in favor of Senate Bill 353.

As the Assistant Superintendent for Business in the Emporia School District, I act as the chief financial officer for the K-12 school district, the Flint Hills Special Education Cooperative, and the Flint Hills Technical College. I oversee a \$40 million budget.

This past November, the Emporia community passed a \$35 million bond issue to build two new elementary schools, provide additions to the Flint Hills Technical College, Emporia High School, and Emporia Middle School, and provide upgrades to many other buildings.

Emporia does not have a strong tax valuation basis. In ranking all school districts from the lowest property valuation per student to the highest, Emporia is at the top of the bottom quartile. (See the attached pink sheets.) That is, over 75% of the districts in Kansas have a stronger tax valuation per student than does Emporia. State aid for bond and interest projects greatly helps communities like Emporia to maintain relatively high bond ratings. However, it is not enough.

As part of the first \$10 million issue for our \$35 million bond projects, the Emporia School District received an "A3" rating from Moody's Investors. This was a downgrade from the "A2" rating the district had previously received. There are many various factors that determine the bond rating for general obligation bonds. Moody's provided three primary reasons for this downgrade. (See the attached yellow sheets.)

1. An above average debt level with significant future borrowing. The Emporia School district was required to exceed the 14% statutory limit for bonded indebtedness. This is compounded with indebtedness relevant to the new Lyon County Courthouse, as well as the City of Emporia's new aquatics facility.
2. A weakened financial position. Moody's noted that cash balances in the 1998 and 1999 fiscal years had declined \$489,000 and \$190,000 respectively. They expressed concerns regarding the Emporia School District's ongoing financial stability.

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3. A modest tax base growth expected to continue. Although the economy in Emporia appears to be stable, there are no expectations that the tax base will have significant growth.

As the Emporia Board of Education prepares to sell the next \$10 million in general obligation bonds, we have concerns about our future Moody's ratings. Recently, Didde Corporation, a major Emporia employer, filed bankruptcy. Didde's was one of the best paying employers in the Emporia area. Nearly 250 employees lost their jobs when this business closed their doors. In addition, Birch Telecom recently laid off nearly 100 employees in the Emporia branch. In a community the size of Emporia, these losses have a major impact on the community as well as the ongoing financial stability of the community.

Senate Bill 353 would assist districts like Emporia with acquiring and maintaining high bond ratings. As you can see from Moody's recent rating, the primary issue relevant to a "lower" rating is the community or district's ability to repay their debt. Since high bond ratings are associated with lower interest rates, ultimately Senate Bill 353 would save communities and the state money.

Thank you again for allowing me to testify in support of Senate Bill 353. I look forward to your support in passing this important legislation.

Sincerely,



Todd Covault



**Moody's Investors Service**

99 Church Street  
New York, New York 10007

December 12, 2000

Mr. Todd Covault  
Assistant Superintendent  
Unified School District 253  
501 Merchant  
P.O. Box 1008  
Emporia, KS 66801

Dear Mr. Covault:

\* [ We wish to inform you that on December 8, 2000, Moody's Rating Committee reviewed and assigned an A3 rating on the Lyon County Unified School District 253 (Emporia) General Obligation bonds.

In order for us to maintain the currency of our ratings, we request that you provide ongoing disclosure, including annual financial and statistical information.

Moody's will monitor this rating and reserves the right, in its sole discretion, to revise or withdraw this rating at any time in the future.

The rating as well as any revisions or withdrawals thereof will be publicly disseminated by Moody's through normal print and electronic media and in response to oral requests to Moody's ratings desk.

Should you have any questions regarding the above, please do not hesitate to contact me or the analyst assigned to this transaction, Patrick Williams at (212) 553-4940.

Sincerely,

Nicole Johnson  
Senior Vice President

NJ:ko

cc: Mr. Greg Vahrenberg  
Piper Jaffray  
Plaza West Building  
4600 Madison Avenue, Suite 1200  
Kansas City, MO 64112-3025

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## Lyon County U.S.D. 253 (Emporia), KS

### Contacts

Patrick Williams	212-553-4940
David Hamburger	212-553-4135
Linda Ebrahim	212-553-4132

### Moody's Rating

Issue	Rating
General Obligation Bonds, Series 2000	A3
Sale Amount	\$9,900,000
Expected Sale Date	12/12/00
Rating Description	Unlimited Tax General Obligation

MOODY'S ASSIGNS A3 RATING TO THE LYON COUNTY (EMPORIA) U.S.D. NO. 253, (KS) G.O. BONDS, SERIES 2000

DOWNGRADE AFFECTS 7.38 MILLION OF DEBT

### Opinion

Moody's assigns A3 rating, with a stable outlook, to the Lyon County (Emporia) Unified School District No. 253's, (KS) \$9,900,000 General Obligation Bonds, Series 2000. At this time Moody's also downgrades the district's \$7.38 million of outstanding general obligation bonds to A3 from A2. Proceeds from the bonds, which are backed by an unlimited tax general obligation pledge of the school district, will be used to finance various district-wide improvement projects including the building of two new schools and class room additions at existing facilities. The A3 rating reflects the district's: above average, and rising debt level; weakened, yet satisfactory financial position; and modest tax base growth.

#### ABOVE AVERAGE DEBT LEVELS; SIGNIFICANT FUTURE BORROWING

Moody's believes that the district's already above average debt burden will increase as a result of expected future debt issuance. Both direct and overall debt burden are moderately above average at 2.2% and 4.3% respectively. Officials indicate that the remaining \$25 million of a total \$35 million authorization for district-wide improvements will be issued over the next three years, thereby nearly doubling the amount of outstanding general obligation debt and significantly impacting the debt burden. While Moody's acknowledges state support for general obligation debt, it does not significantly factor that support into rating analyses. Principal amortization is slightly below average with approximately 45.9% retired in 10 years.

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MADE IN U.S.A

DISTRICT NAME	#	TOTAL ASSESSED VALUATION					% OF CHANGE 1995-99	TOTAL ASSESSED PER PUPIL					1999 GEN. FUND ASSESSED VALUATION	
		1995	1996	1997	1998	1999		1995	1996	1997	1998	1999		
FT LEAVENWORTH	D0207	983,948	919,781	1,003,185	1,032,053	1,068,226	8.57							
GALENA	D0499	7,438,511	7,894,259	8,677,888	9,041,645	9,925,392	33.43	565	526	577	612	597	1,068,226	
JUNCTION CITY	D0475	85,508,268	85,317,379	91,776,660	89,264,010	93,285,854	9.10	10,141	10,412	10,896	11,377	12,548	7,002,951	
DOUGLASS PUBLIC	D0396	12,823,224	13,127,815	13,912,834	14,735,259	15,279,462	19.15	13,676	13,930	14,979	14,689	15,262	77,805,502	
BELLE PLAINE	D0357	12,542,946	13,251,388	14,264,292	14,897,007	14,635,987	16.69	14,963	14,859	15,481	16,293	16,915	12,449,208	
HAYETTA	D0337	13,589,194	14,075,763	14,306,976	15,050,174	16,177,243	19.04	15,897	16,704	17,853	17,809	17,838	11,770,214	
ROSE HILL PUBLI	D0394	26,471,964	27,737,066	29,648,483	31,736,834	33,889,559	28.02	16,323	16,415	16,549	17,621	18,499	13,389,462	
MULVANE	D0263	28,929,073	30,226,726	32,893,968	34,924,659	36,338,659	25.61	15,828	16,098	17,000	18,084	18,554	28,275,507	
HAYSVILLE	D0261	67,209,530	69,288,860	71,361,927	76,026,191	80,274,268	19.44	15,155	16,074	17,217	18,026	18,693	28,972,238	
CANBY VALLEY	D0436	14,772,998	15,340,805	16,718,898	16,902,401	18,414,264	24.65	17,813	17,460	17,667	18,112	19,403	64,925,877	
NEODESHA	D0461	14,390,845	14,967,164	16,762,232	16,871,832	16,474,973	14.48	16,627	16,781	17,931	17,616	19,671	14,942,296	
SEDGWICK PUBLIC	D0439	7,605,738	7,773,196	8,137,439	8,680,084	9,467,018	24.47	17,280	17,996	20,771	22,258	19,873	13,256,670	
ARKANSAS CITY	D0470	61,902,177	63,091,782	58,714,129	54,687,675	55,971,897	-9.58	18,087	17,606	17,924	18,747	19,952	7,911,578	
TROY PUBLIC SCH	D0429	6,200,094	7,064,807	7,398,167	7,598,718	7,949,527	28.22	20,031	21,037	19,998	19,138	19,994	42,732,288	
IOLA	D0257	30,374,662	30,034,703	32,093,465	32,713,068	33,125,200	9.06	14,365	17,522	17,531	19,068	20,075	6,427,634	
LABETTE COUNTY	D0506	31,336,785	32,763,784	34,097,023	35,316,753	36,466,374	16.37	17,391	17,261	18,687	19,557	20,125	26,136,329	
CHERRYVALE	D0447	11,378,080	12,094,596	12,830,186	13,135,187	14,105,173	23.97	17,579	18,304	18,797	19,832	20,637	30,347,746	
VALLEY FALLS	D0338	8,207,003	8,575,278	9,122,739	9,320,738	9,655,144	17.65	16,364	17,190	18,771	19,425	21,021	11,387,557	
CHETOPA	D0505	5,028,245	5,055,540	5,390,372	5,316,212	5,687,486	13.11	17,062	18,091	19,431	20,175	21,174	7,805,752	
OSWEGO	D0504	10,786,630	10,872,726	10,881,948	10,892,637	11,363,123	5.34	18,797	19,437	19,891	19,653	21,182	4,323,816	
WESTMORELAND	D0323	13,013,448	14,315,802	15,770,115	16,612,002	17,497,608	34.46	22,449	22,914	22,934	21,895	21,420	9,447,888	
HERINGTON	D0487	10,768,648	10,915,427	11,841,039	12,311,741	12,401,897	15.17	17,166	19,346	20,409	21,424	21,669	14,404,078	
CHENEY	D0268	14,762,444	14,813,794	15,596,558	15,849,743	15,869,831	7.50	17,882	18,885	20,304	21,550	21,689	9,637,688	
BROWN COUNTY	D0430	14,412,485	14,185,055	15,106,346	14,909,654	15,370,702	6.65	20,999	21,469	22,076	22,336	21,704	13,317,502	
NORTHEAST	D0246	10,608,394	11,242,207	11,671,936	12,602,383	11,946,687	12.62	19,893	18,736	20,408	20,557	21,735	12,746,988	
UNIONTOWN	D0235	10,662,133	10,719,259	11,109,418	11,012,567	11,229,144	5.32	17,935	18,809	19,716	21,841	22,042	8,558,172	
ERIE-ST PAUL	D0101	24,247,832	24,974,273	26,677,827	25,722,432	25,845,405	6.59	22,423	21,383	21,323	22,078	22,113	9,523,966	
AUGUSTA	D0402	40,369,416	42,475,919	44,994,051	46,900,024	49,311,154	22.15	21,354	21,174	22,112	21,754	22,271	21,273,053	
CHANUTE PUBLIC	D0413	37,252,365	39,220,816	41,832,426	42,302,554	43,950,482	17.98	18,890	19,492	20,357	21,063	22,470	40,419,178	
SANTA FE TRAIL	D0434	22,804,787	24,296,005	26,787,444	28,728,991	29,897,465	31.10	18,982	19,564	21,011	21,639	22,520	34,630,939	
PLEASANTON	D0344	7,422,668	7,740,419	8,755,741	8,749,677	9,346,061	25.91	16,825	18,209	19,791	21,806	22,615	24,746,404	
FRONTENAC PUBLI	D0249	13,119,529	14,075,248	14,646,045	15,216,595	15,345,679	16.97	18,305	18,014	20,922	20,587	22,712	7,556,207	
OSKALOOSA PUBLI	D0341	13,196,580	14,046,867	15,345,674	16,690,479	16,709,429	26.62	20,894	22,103	22,218	23,150	22,931	12,270,228	
BURLINGAME PUBL	D0454	6,200,619	6,735,857	7,579,800	8,026,770	8,212,042	32.44	17,015	18,561	19,963	23,053	23,182	13,601,800	
SOUTH HAVEN	D0509	6,390,612	6,068,681	6,147,181	6,221,243	5,981,821	-6.40	16,588	17,962	21,149	21,997	23,303	6,683,989	
PARSONS	D0503	33,682,237	35,105,559	37,013,726	38,302,351	39,557,707	17.44	26,245	24,082	23,598	23,521	23,412	5,306,561	
BAKTER SPRINGS	D0508	16,547,966	16,996,073	18,873,423	19,749,515	20,547,342	24.17	18,248	19,381	20,868	22,413	23,474	30,565,375	
SILVER LAKE	D0372	14,077,130	14,792,124	15,776,443	16,010,983	16,983,887	20.65	18,151	18,999	20,609	22,339	23,658	16,469,718	
WELLINGTON	D0353	39,553,147	40,744,992	42,831,094	43,870,906	45,025,184	13.83	20,979	21,737	22,978	23,031	23,668	14,596,786	
OXFORD	D0358	10,001,427	10,173,015	10,598,826	10,878,826	10,380,139	3.79	19,444	20,122	21,458	22,263	23,679	36,456,101	
CHAUTAQUA COUN	D0286	13,042,495	12,910,942	13,660,954	12,786,086	12,462,105	-4.45	21,234	21,948	21,240	23,831	23,873	8,716,540	
CENTRAL HEIGHTS	D0288	12,472,744	13,662,278	15,162,691	15,049,887	15,759,815	26.35	24,749	23,263	25,392	25,105	23,961	10,317,510	
MOLTON	D0336	21,578,226	21,943,102	23,044,007	24,731,364	25,772,975	19.44	18,663	19,829	21,717	21,439	24,079	13,371,978	
CONWAY SPRINGS	D0356	11,472,733	11,282,880	12,011,030	12,866,767	13,123,480	14.39	21,333	21,534	21,713	22,771	24,123	21,032,938	
JEFFERS' UNT	D0339	9,806,428	10,262,397	10,950,963	11,342,627	11,789,848	20.23	22,478	22,400	22,371	23,318	24,155	11,067,855	
W & B	D0451	5,935,122	6,356,649	6,273,696	6,266,017	6,436,342	8.44	20,388	21,073	22,696	23,576	24,274	9,821,423	
								23,740	24,686	23,585	23,207	24,334	5,749,538	

Senate Ways and means  
 3-13-01  
 Attachment 12

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DISTRICT NAME	#	TOTAL ASSESSED VALUATION					OF CHANGE 1995-99	TOTAL ASSESSED PER PUPIL					1999 GEN. FUND ASSESSED VALUATION	
		1995	1996	1997	1998	1999		1995	1996	1997	1998	1999		
GIRARD	D0248	23,326,177	24,306,765	26,147,994	26,928,003	27,446,907	17.67	21,165	21,987	23,243	23,820	24,462	23,000,324	
SPEARVILLE-WIND	D0381	8,936,586	8,777,414	8,877,822	8,506,505	8,880,633	-0.63	27,971	25,295	25,329	23,499	24,566	7,902,814	
VALLEY CENTER P	D0262	44,101,134	44,987,881	49,346,768	57,374,926	56,221,518	27.48	20,069	20,123	21,912	24,913	24,680	46,867,961	
FT SCOTT	D0234	41,839,716	44,883,162	48,158,061	49,888,963	50,871,338	21.59	19,852	21,038	22,698	23,593	24,707	40,989,320	
OSAWATOMIE	D0367	24,018,559	26,567,753	28,633,369	29,930,853	30,747,951	28.02	20,492	22,030	23,317	23,887	24,737	25,273,828	
JEFFERSON WEST	D0340	18,387,351	19,833,728	20,925,552	22,175,829	23,462,489	27.60	20,239	21,563	22,321	23,484	24,973	19,732,175	
PIPER-KANSAS CI	D0203	32,232,291	27,244,300	30,407,993	31,103,712	32,219,212	-0.04	25,340	21,517	23,953	24,262	25,093	27,786,802	
ELLINWOOD PUBLI	D0355	17,779,587	18,131,562	20,201,381	17,724,714	15,387,408	-13.45	31,452	31,726	33,675	29,482	25,329	12,896,909	
NORTON COMMUNIT	D0211	15,335,439	16,154,053	16,762,043	17,097,051	18,173,930	18.51	19,877	20,435	21,598	22,912	25,383	14,989,522	
WATHENA	D0406	8,163,087	8,231,188	8,811,049	9,225,586	9,880,664	21.04	17,405	18,539	20,515	22,949	25,498	8,098,068	
LANSING	D0469	34,081,654	40,617,698	41,886,396	44,887,534	49,262,982	44.54	17,682	21,129	21,720	23,464	25,565	42,241,747	
CHEROKEE	D0247	18,446,401	18,922,005	19,589,807	20,497,136	21,258,855	15.25	21,676	22,048	23,341	24,320	25,635	17,450,956	
OSAGE CITY	D0420	14,650,842	15,947,255	17,645,314	18,929,620	19,430,653	32.62	23,182	23,587	23,877	25,409	25,688	16,159,673	
ELL-SALINE	D0307	9,812,542	10,658,142	11,234,996	11,406,009	12,001,703	22.31	22,714	24,891	24,889	24,774	25,755	10,527,155	
NORTH JACKSON	D0335	9,515,201	9,852,918	10,101,644	10,527,902	10,996,688	15.57	21,950	22,117	24,000	24,381	25,771	9,373,928	
EASTON	D0449	14,100,566	16,223,603	16,726,439	17,225,623	17,992,531	27.60	21,478	24,788	23,675	24,482	25,982	15,246,020	
DEXTER	D0471	5,867,001	5,919,630	6,258,217	5,823,096	5,377,904	-8.34	31,714	31,025	33,737	29,043	26,018	4,848,053	
GODDARD	D0265	60,396,444	65,263,281	73,352,327	80,059,540	90,458,692	49.77	23,423	23,534	23,847	24,560	26,039	77,799,865	
CENTRAL	D0462	10,893,206	10,733,995	11,218,400	11,235,103	11,060,834	1.54	26,660	26,200	27,170	27,727	26,149	9,460,807	
TWIN VALLEY	D0240	13,636,879	14,332,607	15,477,014	16,486,272	17,033,801	24.91	24,691	23,710	24,489	26,290	26,307	14,961,005	
VALLEY HEIGHTS	D0498	10,855,956	11,379,224	11,932,268	12,886,947	12,974,252	19.51	23,791	23,851	24,502	25,096	26,696	11,126,395	
RILEY COUNTY	D0378	13,081,865	13,469,761	14,264,706	15,201,971	16,131,060	23.31	20,235	20,323	21,990	24,319	26,716	13,252,756	
MAIZE	D0266	79,012,890	87,846,333	102,369,807	116,295,278	134,796,153	70.60	19,189	19,700	21,877	23,757	26,777	118,357,270	
HOISINGTON	D0431	21,047,617	21,739,288	22,792,681	21,398,061	20,216,843	-3.95	25,602	27,062	29,532	28,745	26,813	16,729,002	
EMPORIA	D0253	106,095,396	110,341,897	115,289,791	116,529,940	124,585,006	17.43	23,392	24,250	25,756	25,498	26,830	106,641,308	
ELK VALLEY	D0283	5,324,719	5,282,189	5,490,241	5,559,433	5,304,000	3.37	22,094	20,113	20,875	25,386	26,849	4,822,917	
RENWICK	D0267	43,663,082	44,378,717	45,128,576	47,353,113	49,961,840	14.43	28,007	26,937	25,825	26,191	26,905	44,624,415	
RIVERTON	D0404	18,289,200	18,691,938	19,148,594	20,554,693	21,806,571	19.23	24,467	23,832	24,040	24,816	27,055	18,879,987	
LEON	D0205	19,403,092	19,294,731	20,366,318	20,635,171	21,017,471	8.32	24,309	23,339	25,215	26,602	27,172	17,750,107	
WEST FRANKLIN	D0287	22,399,848	23,509,604	25,048,070	25,107,941	26,183,235	16.89	26,399	26,451	27,847	27,339	27,232	22,243,903	
CLAFLIN	D0354	11,853,805	11,601,623	13,530,747	10,770,075	9,109,074	-23.15	33,571	32,362	38,277	33,169	27,256	8,035,954	
EUDORA	D0491	19,735,221	23,200,151	26,872,679	28,263,092	30,834,987	56.24	20,895	23,027	25,839	25,691	27,278	26,965,893	
BASEHOR-LINWOOD	D0458	33,344,557	42,495,362	45,913,680	50,077,725	53,330,060	59.94	20,893	26,026	28,005	29,606	27,468	46,208,881	
LYNDON	D0421	10,136,641	11,218,306	12,004,053	12,831,077	13,314,373	31.35	19,817	21,227	23,491	25,308	27,537	10,994,929	
TURNER-KANSAS C	D0202	88,010,764	88,557,764	95,452,585	93,231,620	97,755,186	11.07	22,732	23,556	25,296	25,607	28,028	83,714,515	
LYONS	D0405	21,918,084	23,137,836	24,837,778	25,430,302	26,533,914	21.06	24,025	24,955	26,060	27,224	28,099	23,123,487	
KANSAS CITY	D0500	418,999,562	447,938,435	482,611,217	514,490,525	556,353,358	32.78	20,366	21,601	23,733	24,400	26,386	28,425	477,513,613
WAMEGO	D0320	29,911,427	33,364,230	34,669,834	37,268,158	39,140,805	30.86	26,329	27,734	28,584	28,765	28,688	30,239,343	
DODGE CITY	D0443	125,334,878	132,122,649	138,562,842	141,434,921	146,434,044	16.83	26,329	27,734	28,584	28,765	28,688	129,131,274	
CONCORDIA	D0333	31,268,416	31,682,408	32,930,594	34,525,639	36,109,079	15.48	22,959	23,902	25,528	26,394	28,883	30,239,343	
TONGANOXIE	D0464	29,296,724	34,968,817	37,781,568	39,215,287	41,424,088	41.39	19,440	23,373	25,306	26,737	28,958	35,771,577	
MARMATON VALLEY	D0256	12,029,647	12,160,387	12,610,022	12,230,735	12,303,691	2.28	28,206	27,637	28,922	29,472	28,984	10,992,249	
NEWTON	D0373	79,220,287	86,875,368	90,222,034	94,904,051	99,044,370	25.02	23,234	25,327	26,308	27,387	29,121	82,754,689	
BALDWIN CITY	D0348	26,675,651	29,254,781	31,968,740	34,211,751	37,292,319	39.80	21,371	23,784	25,504	27,559	29,295	32,301,737	
GOESSEL	D0411	7,275,192	7,699,665	8,248,797	8,362,208	9,154,780	25.84	22,317	22,686	25,381	26,429	29,465	7,888,803	
MANKATO	D0278	7,441,403	7,397,642	7,707,614	7,954,092	8,131,002	9.27	24,681	24,908	25,692	28,977	29,514	6,905,179	
CENTER	D0379	38,417,827	39,589,360	41,975,492	43,062,871	45,776,828	19.16	22,209	23,499	25,782	27,099	29,589	38,809,604	
LD	D0465	67,235,725	69,298,614	75,601,318	74,582,288	78,625,277	16.94	25,508	26,382	27,960	28,227	29,756	67,355,137	

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DISTRICT NAME	#	TOTAL ASSESSED VALUATION					% OF CHANGE 1995-99	TOTAL ASSESSED PER PUPIL					1999 GEN. FUND ASSESSED VALUATION
		1995	1996	1997	1998	1999		1995	1996	1997	1998	1999	
MARION D0408		17,251,110	18,703,288	20,077,460	20,505,632	21,796,561	26.35	24,094	26,085	28,006	28,256	29,883	18,123,710
BONNER SPRINGS D0204		54,017,035	57,215,737	58,561,044	62,550,325	64,812,656	19.99	26,080	28,094	27,945	29,373	29,924	56,383,085
ELLSWORTH D0327		22,411,536	21,799,261	22,948,391	22,192,638	22,148,965	-1.17	25,338	25,143	27,599	29,453	29,972	18,719,080
WASHINGTON SCHO D0222		9,839,961	9,959,836	10,288,206	10,462,826	11,035,760	12.15	23,797	24,263	27,457	27,901	30,111	9,342,701
QUINTER PUBLIC D0293		11,339,962	11,345,749	11,713,015	11,463,600	11,788,187	3.95	30,649	30,418	31,444	29,394	30,226	10,495,441
SOLOMON D0393		11,450,705	11,634,268	12,342,422	12,631,448	12,987,693	13.42	29,137	28,204	29,527	29,568	30,317	11,345,735
GREAT BEND D0428		83,073,790	89,984,062	91,773,452	92,158,876	94,550,508	13.82	25,142	27,899	28,888	29,178	30,328	80,073,431
WACONDA D0272		15,453,718	15,250,854	15,581,273	16,138,140	16,659,778	7.80	26,576	26,137	26,612	28,880	30,357	13,980,402
GARDEN CITY D0457		180,533,530	185,822,628	214,840,424	224,301,493	220,043,956	21.89	26,339	27,000	30,689	31,594	30,401	199,654,059
OTTAWA D0290		54,209,126	58,575,989	64,531,996	66,495,953	68,506,098	26.37	22,912	24,812	27,824	29,064	30,650	57,786,020
OSBORNE COUNTY D0392		13,766,558	13,867,652	14,219,539	14,741,570	14,701,131	6.79	26,940	26,875	28,576	29,721	30,788	12,656,311
SABETHA D0441		26,613,929	27,888,045	29,487,201	30,691,144	31,873,406	19.76	24,908	25,786	28,299	29,539	30,885	27,992,236
LEAVENWORTH D0453		100,835,135	115,037,622	120,978,231	123,614,404	127,209,823	26.16	23,333	27,126	28,947	30,593	31,137	107,133,372
EL DORADO D0490		59,680,814	60,587,855	63,447,483	63,637,472	66,499,154	11.42	26,703	27,914	28,814	29,212	31,190	55,946,161
MCLOUTH D0342		13,471,463	14,248,701	16,083,465	16,590,289	17,347,794	28.77	23,717	24,081	26,873	28,748	31,314	14,553,315
PEABODY-BURNS D0398		13,020,204	13,602,049	14,621,140	14,514,509	14,835,245	13.94	29,141	29,506	32,064	31,114	31,431	12,788,851
ABILENE D0435		34,660,551	36,368,706	40,063,008	42,094,170	46,330,376	33.67	22,984	25,597	28,341	27,960	31,442	39,539,365
LEBO-WAVERLY D0243		15,132,921	16,398,301	17,095,280	17,829,354	18,604,527	22.94	25,736	28,371	28,736	30,661	31,453	16,371,741
FREDONIA D0484		25,627,949	26,430,674	28,128,111	28,012,728	28,556,924	11.43	27,811	29,173	30,405	31,757	31,625	23,985,970
LIBERAL D0480		116,134,996	114,671,349	129,738,540	128,670,076	129,217,428	11.26	28,735	27,682	31,672	31,769	31,726	116,914,825
ALTOONA-MIDWAY D0387		10,393,636	10,671,212	11,279,818	10,854,061	10,835,574	4.25	26,115	28,419	32,228	30,192	31,823	9,326,073
VERMILLION D0380		17,931,261	18,345,273	19,160,614	19,398,994	19,989,817	11.48	27,800	28,267	30,103	30,836	31,933	17,719,761
NORTH LYON COUN D0251		19,835,705	20,986,829	21,817,916	22,052,630	22,631,755	14.10	27,228	28,927	28,975	30,821	32,079	19,876,511
PHILLIPSBURG D0325		21,321,097	21,768,265	23,056,466	22,168,867	21,813,414	2.31	28,673	30,083	31,802	31,815	32,168	18,638,666
INDEPENDENCE D0446		58,201,325	63,058,255	72,888,905	70,829,334	72,382,125	24.37	25,201	28,075	31,924	31,895	32,641	60,670,745
STOCKTON D0271		15,588,221	15,458,776	16,470,740	14,752,479	14,177,506	-9.05	35,347	35,054	36,319	33,559	32,743	12,382,639
ANTHONY-HARPER D0361		35,127,684	34,095,395	35,380,855	34,983,704	34,650,128	-1.36	33,433	32,803	32,400	32,425	32,766	29,769,003
WELLSVILLE D0289		18,876,060	20,123,851	22,231,162	23,327,481	24,780,625	31.28	25,787	27,066	29,777	30,355	32,800	21,457,710
SHAWNEE HEIGHTS D0450		92,035,405	95,226,573	98,817,588	103,283,411	109,235,558	18.69	27,119	27,848	28,891	30,517	33,033	95,394,125
ATCHISON PUBLIC D0409		43,286,323	44,738,616	49,433,916	50,842,031	53,902,975	24.53	26,459	28,042	29,994	31,462	33,108	44,897,053
DERBY D0260		158,579,526	170,187,826	206,725,904	220,783,280	217,099,359	36.90	24,836	26,200	31,700	33,086	33,296	196,061,718
ARGONIA PUBLIC D0359		8,559,817	8,180,671	8,465,302	8,296,403	8,426,928	-1.55	33,833	33,390	35,346	30,727	33,573	7,449,300
CHAPMAN D0473		37,834,765	37,570,277	38,773,457	39,163,399	40,665,688	7.48	27,974	28,807	30,999	31,918	33,589	35,680,088
EASTERN HEIGHTS D0324		5,840,903	5,950,168	6,027,572	6,038,587	6,333,094	8.43	34,058	33,617	30,911	31,047	33,687	5,635,415
COFFEYVILLE D0445		61,216,935	68,501,667	67,022,120	70,224,486	75,449,443	23.25	25,996	28,386	28,440	31,413	33,737	63,244,667
HIGHLAND D0425		7,144,402	7,921,467	8,372,144	8,529,459	9,061,656	26.84	24,096	26,898	28,380	30,626	33,749	7,823,146
FT LARNED D0495		35,263,663	34,822,561	35,142,800	35,090,712	34,964,760	-0.85	30,545	30,898	32,381	32,694	33,890	29,553,100
NORTH OTTAWA CO D0239		19,538,067	21,123,434	21,589,475	22,212,155	23,000,970	17.72	26,190	27,587	29,656	32,327	34,025	19,886,366
UDALL D0463		8,930,401	8,998,818	9,458,252	10,301,049	10,876,711	21.79	22,215	23,038	27,376	32,191	34,075	9,175,645
JAYHAWK D0346		16,427,055	17,202,320	18,248,539	19,451,534	20,306,009	23.61	27,378	28,434	30,851	32,419	34,128	17,077,946
DURHAM-HILLSBOR D0410		19,196,673	20,821,922	22,078,254	23,017,985	24,249,295	26.32	27,593	28,867	29,054	31,283	34,352	20,817,005
LINDSBORG D0400		31,287,415	32,039,027	34,710,365	33,806,569	35,627,803	13.87	30,877	31,801	34,759	34,138	34,456	30,634,042
STERLING D0376		16,877,716	16,685,253	17,076,943	17,434,738	18,171,196	7.66	30,482	29,636	30,686	32,803	34,665	15,847,146
CREST D0479		8,816,001	9,042,323	9,730,826	9,749,185	10,137,088	14.99	28,810	28,125	31,139	31,348	34,776	8,955,497
PLAINVILLE D0270		19,593,976	20,341,854	23,404,431	19,819,202	15,237,031	-22.24	39,560	42,988	51,883	43,722	34,820	13,008,398
HUTCHINSON PUBL D0308		133,911,643	148,047,498	159,302,736	163,480,009	168,847,564	26.09	26,523	29,704	31,918	33,417	34,896	141,741,595
VISTA D0481		13,084,323	13,142,696	13,642,933	13,871,776	14,641,091	11.90	32,307	30,423	32,253	30,656	35,111	12,715,601
S COUNTY D0417		30,242,534	31,875,894	33,484,997	35,026,688	35,256,222	16.58	27,228	29,325	31,297	33,806	35,130	29,844,356

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DISTRICT NAME	#	TOTAL ASSESSED VALUATION					OF CHANGE 1995-99	TOTAL ASSESSED PER PUPIL					1999 GEN. FUND ASSESSED VALUATION
		1995	1996	1997	1998	1999		1995	1996	1997	1998	1999	
WOODSON D0366		20,031,800	20,607,786	21,785,617	21,040,471	20,789,118	3.78	31,601	32,301	33,059	33,958	35,206	18,079,288
RUSSELL COUNTY D0407		47,545,060	49,871,999	50,276,414	44,346,199	38,613,223	-18.79	37,337	40,252	41,845	38,049	35,312	32,476,740
WEST SMITH COUN D0238		6,904,248	6,809,075	6,776,692	7,131,447	7,415,813	7.41	33,500	34,476	34,140	36,478	35,398	6,690,925
SOUTHERN LYON C D0252		17,997,796	20,593,337	22,201,822	22,372,090	23,421,909	30.14	27,882	31,155	33,336	33,974	35,488	21,079,739
HUMBOLDT D0258		16,208,398	17,129,647	18,294,926	18,788,192	18,010,842	11.12	27,150	30,948	34,228	35,059	35,489	15,662,560
EUREKA D0389		23,974,658	26,434,551	27,646,945	27,227,265	27,389,416	14.24	28,507	30,741	34,559	34,227	35,594	22,453,338
WABAUNSEE EAST D0330		17,111,879	17,995,244	19,434,031	20,103,719	20,738,588	21.19	25,091	27,369	30,461	31,634	35,633	17,636,986
HESSTON D0460		23,285,736	24,899,843	25,741,710	27,432,767	29,338,755	25.99	29,476	30,340	30,320	32,639	35,644	26,711,081
ANDOVER D0385		59,490,703	68,958,817	77,203,773	88,291,964	103,395,711	73.80	26,295	28,236	28,546	31,630	35,670	92,992,808
MARAI DES CYGN D0456		7,464,398	7,975,752	9,197,707	9,898,341	10,458,587	40.11	26,659	26,410	31,445	34,191	35,695	9,089,523
ELWOOD D0486		13,383,850	12,201,230	11,272,706	11,178,098	11,856,063	-11.42	61,677	48,533	41,216	35,770	35,743	11,096,700
PERRY PUBLIC SC D0343		27,429,375	29,959,257	31,798,972	33,778,521	36,337,717	32.48	25,767	28,492	29,498	32,321	35,818	31,885,516
AXTELL D0488		10,980,073	11,515,871	11,959,447	12,454,178	13,089,760	19.21	30,930	32,257	31,639	33,300	36,150	11,715,210
CSDAR VALE D0285		7,403,234	7,701,614	7,982,309	7,724,310	7,594,624	2.59	37,675	41,743	36,449	37,588	36,165	6,832,000
ATCHISON CO COM D0377		21,903,694	22,985,895	25,235,774	25,911,924	28,641,238	30.76	27,042	29,545	32,752	32,169	36,177	25,038,436
PRATT D0382		40,757,743	40,977,612	42,726,840	45,229,341	45,214,101	10.93	28,672	28,943	30,761	32,918	36,206	38,112,870
JETMORE D0227		13,748,320	12,896,627	14,024,341	13,239,545	12,164,294	-11.52	46,369	39,140	41,370	39,938	36,311	10,974,131
CALDWELL D0360		12,045,428	11,740,318	12,264,539	12,832,583	11,941,183	-0.87	35,324	35,794	36,447	37,304	36,329	10,346,544
BLUE VALLEY D0384		8,563,674	9,126,053	9,702,377	9,787,202	10,052,611	17.39	27,273	27,994	31,822	32,354	36,423	8,465,266
STAFFORD D0349		13,945,850	12,601,122	13,341,466	12,801,051	12,158,262	-12.82	42,844	37,898	40,429	37,895	37,023	10,856,086
HALSTAD D0440		20,681,531	22,191,169	24,797,961	25,529,301	27,297,794	31.99	28,370	30,237	31,813	34,007	37,226	23,833,907
BUHLER D0313		61,014,583	67,633,666	74,635,186	77,825,281	83,881,467	37.48	27,937	30,627	33,701	35,180	37,322	74,776,289
SPRING HILL D0230		31,180,030	33,090,542	38,552,699	40,857,761	50,937,721	63.37	24,208	25,529	29,542	30,187	37,372	45,909,448
COLUMBUS D0493		40,973,270	43,183,884	41,781,189	50,529,333	51,413,204	25.48	29,564	30,673	29,392	36,730	37,405	44,934,570
GARNETT D0365		34,931,573	37,178,929	40,997,057	41,312,499	42,125,946	20.60	30,796	33,231	35,483	36,830	37,475	36,233,414
KINGMAN D0331		46,232,025	45,791,677	48,718,936	49,372,423	46,748,392	1.12	37,502	37,794	40,538	40,542	37,501	41,100,539
BURRTON D0369		9,367,378	9,504,039	10,244,738	10,256,014	9,973,106	6.47	32,201	34,273	39,282	41,776	37,606	8,693,492
PAOLA D0368		53,824,459	58,239,912	63,931,263	68,960,979	76,688,113	42.48	28,048	30,002	31,195	33,558	37,651	68,287,818
NEMAHA VALLEY S D0442		16,888,258	17,515,709	18,246,653	18,952,010	19,589,176	15.99	32,040	34,385	35,069	36,679	37,839	16,886,559
WEST ELK D0282		17,554,533	19,536,473	19,569,585	19,243,308	18,550,257	5.67	33,342	37,212	36,436	36,724	37,858	15,795,475
PRETTY PRAIRIE D0311		10,643,616	11,113,774	11,369,447	11,572,448	11,946,633	12.24	34,279	35,507	34,484	35,411	37,926	10,562,297
HAVEN PUBLIC SC D0312		36,091,107	37,396,108	40,381,056	40,970,948	41,041,625	13.72	30,416	31,431	35,974	36,487	38,044	36,313,077
ELLIS D0388		14,132,972	14,565,188	16,186,420	14,713,594	14,012,085	-0.86	36,248	39,601	43,512	39,983	38,076	11,797,255
TOPEKA PUBLIC S D0501		439,697,539	451,486,910	470,200,671	482,350,508	510,707,955	16.15	32,739	33,756	34,908	35,787	38,081	437,005,829
PITTSBURG D0250		75,372,297	81,956,032	88,606,365	93,519,271	97,627,609	29.53	27,506	30,859	33,306	36,251	38,353	80,635,332
FLINTHILLS D0492		11,289,338	11,204,330	11,552,175	12,597,022	12,721,198	12.68	39,336	38,110	37,205	37,159	38,433	11,557,320
ONAGA-HAVENSVIL D0322		13,450,095	13,866,150	14,164,379	14,348,324	15,115,634	12.38	31,499	31,407	31,652	33,977	38,462	13,323,869
NORTHERN VALLEY D0212		7,004,905	7,318,595	7,021,022	7,216,773	7,523,045	7.40	37,459	37,920	35,105	36,541	38,481	6,820,628
NICKERSON D0309		39,068,871	42,487,558	46,686,124	47,708,285	51,554,398	31.96	27,167	30,063	34,137	35,131	38,603	45,563,051
HILL CITY D0281		17,487,978	16,466,685	19,165,687	17,020,968	15,507,352	-11.33	33,722	35,450	44,161	39,955	38,701	13,503,214
PIKE VALLEY D0426		10,028,541	10,744,373	11,083,067	11,021,309	11,131,570	11.00	31,686	35,227	35,984	36,738	38,854	9,971,258
BELLEVILLE D0427		19,769,503	20,762,044	21,266,802	21,668,555	23,298,275	17.85	31,158	32,619	34,000	35,786	38,993	20,181,949
HIWATHA D0415		33,207,046	34,906,783	36,664,347	38,444,180	40,249,637	21.21	27,243	29,211	31,968	35,083	39,191	35,105,162
INMAN D0448		14,897,655	15,653,636	17,075,677	17,964,558	18,932,945	27.09	31,529	31,245	34,891	36,964	39,207	16,982,710
WICHITA D0259		1,528,358,844	1,575,453,288	1,629,175,192	1,688,534,862	1,790,121,241	17.13	35,325	35,819	36,824	37,586	39,509	1,558,845,955
LOGAN D0326		10,271,320	10,562,828	11,249,166	9,651,182	8,534,596	-16.91	47,774	48,013	53,567	46,378	39,604	7,651,830
W-GALVA D0419		14,226,987	14,969,594	16,373,025	16,268,379	16,222,610	14.03	28,683	32,297	37,918	38,198	39,752	14,111,387
A D0305		222,867,307	234,911,502	258,854,301	276,810,799	293,463,754	31.68	30,829	32,111	35,426	38,144	39,780	256,300,278

DISTRICT NAME	#	-----TOTAL ASSESSED VALUATION-----					OF CHANGE 1995-99	+-----TOTAL ASSESSED PER PUPIL+-----					1999 GEN. FUND ASSESSED VALUATION
		1995	1996	1997	1998	1999		1995	1996	1997	1998	1999	
ATWOOD	D0318	15,557,053	15,435,703	15,565,034	15,471,129	15,742,981	1.20	33,242	33,813	35,327	35,607	39,906	
CLEARWATER	D0264	46,988,356	44,826,878	46,121,597	46,358,502	46,852,025	-0.29	44,819	42,514	40,957	40,498	39,908	13,908,793
BELOIT	D0273	26,298,208	26,613,625	27,928,854	30,144,857	31,718,649	20.61	30,856	31,930	34,841	37,345	39,928	42,773,043
ALMA	D0329	17,324,744	18,482,621	19,993,964	21,032,261	21,746,491	25.52	29,152	30,270	35,819	37,719	39,931	27,368,065
MARYSVILLE	D0364	32,469,391	32,941,134	35,795,217	36,602,556	37,788,100	16.38	30,997	32,419	35,892	37,703	40,115	18,866,306
MADISON-VIRGIL	D0386	10,393,751	10,863,671	11,553,259	11,227,760	10,614,343	2.12	35,173	37,919	41,410	39,815	40,513	33,069,274
VICTORIA	D0432	13,238,368	13,210,835	14,425,370	13,364,661	11,645,515	-12.03	38,428	40,462	45,722	44,254	40,719	9,294,526
SMITH CENTER	D0237	21,044,946	20,718,758	21,307,461	22,217,352	22,790,786	8.30	34,359	34,280	34,339	37,959	40,880	9,963,993
COLBY PUBLIC SC	D0315	42,663,093	43,539,049	46,356,810	45,215,231	45,624,912	6.94	33,638	35,554	39,901	40,292	40,967	20,133,367
INGALLS	D0477	11,614,094	11,426,280	12,450,210	11,840,285	12,110,289	4.27	41,628	38,799	40,357	40,342	41,760	40,368,775
SKYLINE SCHOOLS	D0438	17,419,966	15,638,125	16,366,396	16,586,201	16,147,450	-7.30	49,986	46,335	46,562	47,937	41,779	11,494,686
LINCOLN	D0298	15,515,095	15,137,748	16,165,691	16,481,667	16,855,417	8.64	37,934	38,130	39,190	40,053	41,866	15,148,471
REMINGTON-WHITE	D0206	21,280,791	21,352,426	22,490,476	22,440,434	23,018,384	8.17	37,968	37,421	41,388	40,912	42,158	14,621,468
BARBER COUNTY N	D0254	32,413,211	30,154,736	31,850,039	31,442,484	29,975,310	-7.52	42,117	39,993	41,230	41,432	42,296	20,190,730
HAYS	D0489	113,532,250	121,745,221	133,042,917	136,788,666	139,558,563	22.92	32,829	34,596	37,936	39,965	42,458	27,100,998
MANHATTAN	D0383	191,693,122	200,028,034	218,051,494	226,817,316	246,675,482	28.68	30,506	33,150	36,872	38,976	42,915	122,481,901
GARDNER-EDGERTO	D0231	65,865,130	68,734,000	82,226,493	89,869,744	109,904,125	66.86	32,459	31,669	36,361	37,692	42,972	218,169,592
MCPHERSON	D0418	92,396,111	98,253,367	104,846,570	108,792,501	115,524,672	25.03	34,444	35,943	38,047	40,137	43,060	100,583,598
CIMARRON-ENSIGN	D0102	22,219,949	23,428,304	24,542,339	25,132,105	26,185,245	17.85	34,992	37,366	38,649	39,616	43,068	104,467,148
SYLVAN GROVE	D0299	8,273,022	7,992,409	8,276,072	8,414,687	8,823,344	6.65	41,573	39,371	39,693	41,047	43,146	23,766,469
SEAMAN	D0345	126,007,718	122,833,696	129,429,937	128,131,119	137,567,313	9.17	36,895	36,824	40,070	40,297	43,618	7,886,882
GOODLAND	D0352	42,219,286	44,691,426	46,610,622	48,146,777	50,347,645	19.25	34,763	37,206	39,635	41,667	43,629	123,284,801
LEROY-GRIDLEY	D0245	15,001,529	15,608,446	15,796,134	15,862,744	15,894,457	5.95	39,374	43,967	44,939	43,460	43,786	44,887,389
GOLDEN PLAINS	D0316	8,226,886	7,665,275	8,662,896	8,128,248	7,745,956	-5.85	47,417	41,659	46,575	46,183	44,011	14,391,616
PALCO	D0269	11,854,926	11,956,092	13,651,460	9,820,259	7,176,420	-39.46	71,201	62,762	76,479	55,015	44,027	7,104,591
ST JOHN-HUDSON	D0350	20,309,515	19,745,814	21,170,981	19,106,583	17,879,658	-11.96	41,635	39,101	45,237	43,081	44,366	6,495,479
WAKEBNEY	D0208	23,271,987	23,471,210	25,267,681	23,642,328	24,519,084	5.36	37,415	38,252	42,148	41,369	45,591	16,127,273
REPUBLICAN VALL	D0224	15,889,009	14,890,324	15,528,889	16,759,560	17,290,697	8.82	40,699	36,730	38,677	43,128	45,986	21,739,644
CENTRE	D0397	12,410,147	12,621,306	13,473,488	13,729,666	13,753,427	10.82	42,573	39,790	44,175	44,737	45,998	15,629,448
MIDWAY SCHOOLS	D0433	7,736,228	8,749,624	9,237,242	9,737,499	10,551,959	36.40	35,899	40,602	42,666	41,972	46,281	12,367,860
HEALY PUBLIC SC	D0468	6,470,978	6,506,351	6,949,569	5,568,584	4,844,920	-25.13	61,628	59,149	60,169	53,803	46,586	9,698,216
DESOTO	D0232	69,604,792	81,986,315	93,144,532	111,075,684	131,212,915	88.51	34,832	38,222	40,790	44,165	46,807	4,525,270
OTIS-BISON	D0403	15,826,197	14,747,052	14,877,394	14,143,745	14,186,379	-10.36	42,147	39,717	42,776	42,157	46,820	118,693,901
SMOKY HILL	D0302	10,648,307	10,670,478	11,503,466	8,463,935	7,050,663	-33.79	58,830	61,501	67,469	52,735	47,162	12,803,039
OBERLIN	D0294	22,713,620	23,423,899	23,718,513	23,992,890	25,098,261	10.50	38,530	39,904	41,466	43,037	47,400	6,387,124
LOUISBURG	D0416	40,206,028	46,351,162	51,597,147	59,308,895	63,584,096	58.15	33,455	36,889	40,596	45,517	47,646	22,298,363
HOXIE COMMUNITY	D0412	20,020,088	19,134,530	21,845,255	20,735,070	20,716,999	3.48	43,100	40,047	46,778	46,387	47,790	58,303,256
JEWELL	D0279	7,764,162	7,636,519	8,176,999	8,176,999	8,588,487	10.62	38,153	39,670	42,082	43,962	47,980	18,811,048
SOUTH BARBER	D0255	17,639,096	16,121,821	17,083,881	17,311,477	15,873,238	-10.01	46,863	43,869	49,447	53,266	48,028	7,879,018
BARNES	D0223	18,361,001	18,540,486	19,259,634	19,543,962	19,326,509	5.26	51,374	55,345	51,263	49,617	48,184	14,477,016
HILLCSREST RURA	D0455	6,451,554	6,552,089	6,548,486	6,800,619	7,335,519	13.70	39,053	41,866	38,184	44,275	48,228	17,310,058
BUCKLIN	D0459	13,680,286	13,500,239	14,307,354	15,300,398	15,587,891	13.94	36,096	35,905	40,021	43,221	48,260	6,641,175
CHASE	D0401	11,431,114	11,330,802	11,658,356	10,561,317	9,412,913	-17.66	56,843	57,226	60,095	58,029	49,026	14,307,109
DIGHTON	D0482	17,375,725	17,629,991	18,726,788	17,141,716	16,603,857	-4.44	46,261	48,104	54,597	49,629	49,095	8,687,138
ST FRANCIS COMM	D0297	17,878,966	18,743,455	19,401,415	19,932,605	21,599,324	20.81	42,068	42,647	44,144	45,199	49,483	14,978,163
OWATHE	D0233	578,518,380	617,806,000	725,337,391	865,930,438	976,967,728	68.87	34,281	35,191	40,340	46,488	50,466	19,473,493
COUNTY	D0466	47,661,144	50,644,796	52,558,252	50,989,433	52,285,175	9.70	42,707	45,405	45,794	45,478	50,493	907,757,911
BY-OFFERLE	D0347	17,317,423	17,067,588	17,176,990	16,757,893	16,941,516	-2.17	39,976	43,484	45,696	47,139	50,587	47,799,917
													14,757,789

DISTRICT NAME	#	TOTAL ASSESSED VALUATION					OF CHANGE 1995-99	TOTAL ASSESSED PER PUPIL					1999 GEN. FUND ASSESSED VALUATION
		1995	1996	1997	1998	1999		1995	1996	1997	1998	1999	
OAKLEY D0274		23,946,710	24,408,319	26,647,591	25,483,990	24,026,385	0.33	46,616	47,166	50,184	50,018	50,849	21,633,652
LACROSSE D0395		20,896,379	20,068,590	21,830,771	18,619,643	17,286,495	-17.28	57,094	58,766	61,582	52,097	51,250	15,101,843
WESKAN D0242		7,412,801	6,907,640	8,137,946	7,558,063	6,645,322	-10.35	65,025	60,860	72,017	60,465	51,315	6,398,248
AUBURN WASHBURN D0437		190,356,239	204,430,474	226,693,529	243,050,487	255,047,820	33.98	38,812	40,980	45,559	49,037	51,658	234,313,478
HERNDON D0317		4,564,727	4,669,641	4,505,516	5,145,462	5,325,473	16.67	40,939	42,451	41,718	51,455	51,704	5,071,876
SOUTHERN CLOUD D0334		11,559,037	11,381,902	11,546,661	12,514,618	13,176,526	13.99	40,701	38,258	39,476	45,925	52,433	11,890,752
NESS CITY D0303		17,733,790	17,983,831	18,922,333	16,944,832	14,876,704	-16.11	53,657	56,199	62,823	58,633	52,605	13,236,177
GRAINFIELD D0292		9,484,053	9,415,512	10,143,116	9,885,140	9,858,316	3.95	51,265	50,757	57,961	53,724	52,831	9,077,022
WALLACE COUNTY D0241		13,881,252	13,778,263	14,989,791	15,467,264	15,143,854	9.10	49,754	48,946	47,814	50,547	53,607	13,987,618
ATTICA D0511		9,092,782	8,471,183	8,716,877	8,464,578	7,653,977	-15.82	44,247	40,243	47,374	51,930	53,712	6,925,859
HAMILTON D0390		6,648,939	6,910,363	7,265,758	6,835,317	6,487,557	-2.43	49,805	49,679	52,460	56,027	53,839	5,938,186
CIRCLE D0375		61,243,896	68,130,731	72,138,320	74,385,343	79,447,419	29.72	43,203	47,946	49,675	52,906	54,142	73,132,177
LEOTI D0467		25,497,854	24,936,306	26,659,488	25,350,628	25,612,722	0.45	44,978	48,704	51,816	53,090	54,207	23,613,526
GRINNELL PUBLIC D0291		7,898,716	7,702,589	8,420,233	8,103,530	7,810,097	-1.12	46,327	44,913	51,032	50,647	54,237	7,232,222
FAIRFIELD D0310		24,655,772	23,661,884	25,802,444	25,139,650	24,176,058	-1.95	52,493	50,711	57,595	56,078	55,963	21,995,409
MINNEOLA D0219		14,001,286	13,644,243	14,394,447	15,172,564	15,593,854	11.37	50,184	47,624	51,593	54,676	56,808	14,747,018
PAWNEE HEIGHTS D0496		9,790,549	8,912,626	9,149,299	9,309,298	9,183,239	-6.20	52,779	55,187	53,194	58,549	57,039	8,497,945
HANSTON D0228		7,826,216	7,798,390	7,915,692	8,093,035	7,914,827	1.13	58,844	55,902	54,032	58,433	57,772	7,495,731
CHASE COUNTY D0284		24,175,085	25,915,193	27,742,976	28,884,901	28,748,512	18.92	42,705	48,530	52,544	58,638	57,996	26,050,696
LAWRENCE D0497		424,089,901	462,290,621	505,080,789	539,510,476	586,455,826	38.29	45,252	48,116	51,551	53,865	58,056	538,298,174
MONTEZUMA D0371		11,604,830	11,774,873	12,543,694	12,133,174	12,641,628	8.93	65,937	64,875	63,352	56,433	59,073	11,504,309
MOUNDRIDGE D0423		22,250,336	22,758,233	23,770,856	24,048,243	26,835,710	20.61	48,529	48,473	51,766	53,192	59,214	24,292,040
KISMET-PLAINS D0483		42,975,580	40,911,391	48,066,986	46,759,699	43,892,918	2.13	64,095	59,629	69,032	67,465	59,783	41,885,747
PRAIRIE HEIGHTS D0295		5,166,269	5,306,849	5,428,629	5,349,128	5,520,748	6.86	52,717	56,157	59,007	58,460	60,336	5,099,281
GREENSBURG D0422		20,930,366	20,461,651	21,972,123	21,965,245	20,204,966	-3.47	59,716	59,138	69,335	74,712	60,676	18,294,287
WEST GRAHAM-MOR D0280		7,529,297	7,087,249	7,382,466	5,964,083	5,185,580	-31.13	73,817	65,021	65,332	65,539	62,856	4,756,395
BREWSTER D0314		10,042,980	9,952,209	10,422,495	10,362,763	10,042,491	0.00	64,793	64,001	63,942	64,566	63,560	9,529,333
WHITE ROCK D0104		10,901,340	10,783,125	11,145,258	11,635,255	12,141,146	11.37	57,832	59,906	68,798	58,322	65,275	11,407,628
NORTH CENTRAL D0221		8,975,905	8,908,782	8,692,106	8,864,390	9,428,706	5.04	56,099	54,655	54,496	55,230	65,935	8,883,554
HAVILAND PUBLIC D0474		15,285,211	12,539,818	14,571,126	13,258,103	11,969,382	-21.69	87,344	79,668	82,091	73,944	67,854	11,354,736
BAZINE D0304		7,310,446	7,342,846	7,945,449	7,314,683	6,766,926	-7.43	55,593	62,759	69,393	65,310	68,353	6,323,131
LEWIS D0502		12,769,483	12,077,033	12,981,019	12,800,691	12,580,049	-1.48	67,208	62,093	67,259	67,019	69,121	11,946,188
NES TRES LA GO D0301		8,373,074	8,497,664	9,244,591	6,945,688	4,990,720	-40.40	115,491	111,664	104,341	91,391	69,800	4,714,684
SOUTHEAST OF SA D0306		38,054,298	40,614,746	43,213,023	43,121,722	48,151,870	26.53	58,054	59,561	65,884	63,545	71,527	45,501,777
PARADISE D0399		13,191,051	12,226,602	13,522,541	12,265,402	10,680,364	-19.03	109,469	81,240	91,990	79,645	72,165	10,110,302
ASHLAND D0220		19,805,613	18,233,445	18,922,403	20,453,069	19,256,264	-2.77	78,656	76,131	77,392	82,974	72,202	18,151,857
FOWLER D0225		12,920,714	11,666,750	12,494,303	12,640,870	12,316,769	-4.67	76,004	68,227	69,801	74,533	72,409	11,541,410
SHAWNEE MISSION D0512	1,713,668,158	1,758,926,238	1,917,832,562	2,064,894,690	2,295,095,699	33.93	56,184	57,712	62,660	68,163	76,224	2,129,557,291	
GREELEY COUNTY D0200		26,298,664	24,370,590	26,798,655	26,797,570	24,487,356	-6.89	75,789	70,232	78,130	83,742	80,024	23,190,262
SOUTHEAST JOHNŞ D0229		774,410,067	849,313,522	967,961,689	1,126,170,746	1,290,465,715	66.64	59,512	61,304	66,338	73,040	80,714	1,234,760,587
MACKSVILLE D0351		24,790,797	23,265,892	24,725,953	24,190,037	22,764,683	-8.17	78,204	74,762	79,890	82,000	81,448	21,764,004
WEST SOLOMON VA D0213		7,419,322	7,641,696	7,581,566	7,656,184	8,178,336	10.23	73,604	84,439	73,252	81,018	83,029	7,688,286
LORRAINE D0328		49,591,034	49,392,865	50,003,911	48,724,903	46,934,728	-5.36	87,772	93,370	94,615	87,399	83,070	44,646,652
COMMANCHE COUNT D0300		29,689,649	25,000,284	28,612,358	28,832,163	25,633,122	-13.66	74,224	67,025	74,221	80,402	83,414	23,943,004
LITTLE RIVER D0444		21,529,642	21,509,319	24,474,456	21,448,975	23,401,617	8.69	76,238	79,488	87,253	77,798	87,712	22,239,022
COPELAND D0476		9,900,964	9,340,805	10,022,578	9,991,575	10,392,281	4.96	87,233	75,634	77,097	82,235	89,976	9,801,442
ISE D0494		47,175,988	43,029,665	51,130,871	53,651,300	46,492,545	-1.45	106,013	96,263	106,857	105,405	90,452	44,503,108
N D0103		16,442,266	16,516,200	16,450,757	16,344,572	16,700,083	1.57	81,884	82,996	87,504	85,128	91,759	15,592,638



DISTRICT NAME	#	TOTAL ASSESSED VALUATION					% OF CHANGE 1995-99	TOTAL ASSESSED PER PUPIL+					1999 GEN. FUND ASSESSED VALUATION
		1995	1996	1997	1998	1999		1995	1996	1997	1998	1999	
ELKHART	D0218	48,523,649	46,310,129	56,764,758	56,965,044	51,523,625	6.18	89,034	85,129	103,397	103,479	95,273	49,420,233
MEADE	D0226	41,263,568	43,337,571	47,500,241	45,932,455	45,546,908	10.38	97,897	99,398	111,112	104,155	101,103	43,710,504
CUNNINGHAM	D0332	32,166,587	33,252,800	32,272,557	32,890,929	32,029,879	-0.43	105,292	101,380	94,641	98,623	102,496	30,685,476
MULLINVILLE	D0424	12,021,678	12,349,268	13,447,968	13,042,118	12,019,456	-0.02	116,715	126,013	122,700	119,652	119,597	11,634,415
TRIPLAINS	D0275	10,476,174	10,624,973	11,040,593	11,096,412	10,864,957	3.71	97,002	99,299	106,160	119,961	119,922	10,478,405
HOLCOMB	D0363	127,983,375	118,251,605	143,119,794	131,196,518	113,667,955	-11.19	158,592	142,644	171,606	150,801	125,323	111,847,118
SUBLETTE	D0374	59,009,892	57,631,351	70,956,821	71,148,787	62,828,884	6.47	121,545	114,689	144,662	144,026	129,065	61,123,428
PRAIRIE VIEW	D0362	129,224,738	129,045,963	126,856,384	128,073,173	133,407,003	3.24	134,023	136,832	132,778	140,524	140,606	128,485,175
STANTON COUNTY	D0452	98,140,286	90,882,039	110,261,114	97,433,120	76,979,281	-21.56	184,578	174,004	210,502	180,599	145,299	75,292,339
ULYSSES	D0214	282,379,357	276,060,404	327,914,245	322,400,059	267,398,442	-5.31	165,086	157,848	185,577	182,188	187,155	261,930,315
DEERFIELD	D0216	55,337,765	50,908,374	66,431,368	62,836,674	51,342,256	-7.22	152,362	131,853	170,599	167,699	158,758	50,604,610
LAKIN	D0215	163,463,192	157,473,913	187,394,043	167,739,793	135,576,445	-17.06	219,120	211,176	253,750	229,623	182,349	133,362,837
SATANTA	D0507	106,415,790	104,185,238	137,491,702	126,062,120	97,106,544	-8.75	307,738	267,485	325,039	287,813	224,784	95,831,675
KAW VALLEY	D0321	236,296,516	241,204,448	241,350,751	231,666,323	248,553,566	5.19	225,797	229,762	229,748	216,815	236,155	243,907,479
HUGOTON PUBLIC	D0210	281,246,030	260,520,016	333,723,313	340,075,429	261,375,969	-7.07	274,574	265,891	333,723	355,541	262,031	257,664,057
ROLLA	D0217	86,735,867	74,345,143	103,405,390	92,869,432	68,377,325	-21.17	449,409	423,619	533,017	450,167	305,529	67,742,269
MOSCOW PUBLIC S	D0209	74,911,814	70,901,877	92,312,600	87,044,407	66,501,784	-11.23	379,300	327,189	446,818	452,885	312,950	65,964,351
BURLINGTON	D0244	547,256,005	529,208,251	501,815,639	493,162,388	494,336,948	-9.67	557,457	547,042	530,292	537,214	557,125	490,890,190
STATE TOTALS		16,155,147,026	16,673,121,149	18,125,264,289	18,849,314,965	19,608,421,719		13,632,659	13,541,223	14,711,725	14,678,387	14,355,152	17,653,580,345

TESTIMONY IN SUPPORT OF SENATE BILL 353

Michael W. Jones  
Topeka Public Schools  
13 March 2001

Thank you for the opportunity to speak on behalf of Senate Bill 353. Senate Bill 353 is not a cure all for the funding problems that face K-12 education in Kansas. However, it is a no cost way to assist school districts in meeting some of the financial challenges that face us today, as we try to deal with enrollment changes and the rapid expansion of technology, in an effort to improve the educational system of Kansas. It is truly a rare opportunity when a piece of legislation can reduce state expenditures, while increasing funding available for school improvements and/or at the same time reduces the property tax levy at the local level.

The school districts with less taxable wealth and smaller districts with concentrated assessed valuations stand to benefit the most from Senate Bill 353.

Topeka Public Schools currently has a \$24.5 million bond issue before its voters. If the bond election is successful and Senate Bill 353 is enacted the Board of Education would have the following choices.

1. Reduce the bond issue by \$100,000, since they would no longer be purchasing bond insurance to get the rates as low as possible. This option would on the average, save the State's Capital Improvement Fund \$1,978 and the taxpayers of USD 501 \$6,622 ( .0124 mills) per year for 20 years. About \$172,000 over the term of the bond issue.

One key point to keep in mind here is that USD 501's current bond rating with Moody's is A1. Not the highest Aaa rating but, a very good, well above average rating of Kansas school districts. Thus, the expected results would be much more impressive in a district with a lower bond rating due to their lower assessed valuation per pupil or simply due to the fact their assessed valuation is concentrated in a limited number of taxpayers.

2. The Board of Education could increase the scope of its construction project from adding the 26 classrooms as currently planned, to 27 classrooms. This would allow the District to further its objective of reducing class sizes at the lower grade levels. The cost to the State and the taxpayers of USD 501 would be the same as the cost of adding 26 classrooms under current law.

Senate Bill 353 simply enacts a school bond guarantee program, similar to those in other states, that I believe will benefit all taxpayers of Kansas while improving the educational environment for our children. Thank you for your time and if I can assist in answering any of your questions on this topic I would be pleased to do so.

Senate Ways and Means  
3-13-01  
Attachment 13

**Ratings Services**  
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Alexander Fraser

Director  
Public Finance Ratings

## Standard & Poor's

March 12, 2001

Senator Stephen Morris, Chairman  
Senate Ways and Means Committee  
Kansas State Senate  
Topeka, Kansas

Dear Senator Morris and members of the Senate Ways and Means Committee,

I would like to offer the following testimony on Senate Bill No. 353:

For over twenty-five years, Standard & Poor's has worked with state legislatures to develop and maintain state credit enhancement programs in order to provide broader access to the capital markets for eligible school districts. The twenty-three programs throughout the country offer a proven means of state support and enjoy wide market recognition. Over the past year, we have offered our services to those interested in establishing such a program in Kansas. We welcome any questions from the Committee regarding the bond rating potential of the school district bond payment guarantee fund proposed in Senate Bill No. 353. We would also be happy to discuss our experiences with programs in other states.

Standard & Poor's reviews state oversight and procedures for all recognized programs. We maintain regular contact with state agencies administering such programs such as the Kansas Board of Education as referenced in Section 1 of the Bill. Before Standard & Poor's would provide a rating for a district issuing bonds secured by the school district bond payment guarantee fund, a review of the policies and procedures contemplated in Section 1 (a) (1) would have to be conducted. Of primary importance is that all notification and timing issues are resolved. Furthermore, Standard & Poor's would provide a review of all bond documents related to any district bond issue to ensure that the Board would be properly notified of a potential default.

The committee might be concerned with the potential for such a guarantee to impact the general creditworthiness of the State itself. With a twenty-five year history of rating state credit enhancement programs, Standard & Poor's anticipates default risk for any participating district to be remote and that with the repayment provisions in Section 1 (a) (3), we would expect that the duration of such a default would be short. Thus, the impact to the state's credit standing is negligible.

Respectfully,



Alexander Fraser

Senate Ways and Means  
3-13-01  
Attachment 14



**D E S O T O**

**UNIFIED SCHOOL DISTRICT 232**

35200 West 91st Street  
DeSoto, Kansas 66018  
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**Dr. Sharon Zoellner**  
**Deputy Superintendent**

March 13, 2001

To: Members of the Ways and Means Committee  
From: Sharon Zoellner, Deputy Superintendent  
Re: Testimony on Senate Bill 353

Thank-you Mr. Chairman and members of the committee for permitting me time to submit written testimony on Senate Bill 353.

The possibility of knowing that the school districts in Kansas would be in a better position to receive a favorable bond rating for funds is extremely encouraging. The Credit Enhancement Program as presented would help all districts in the state have a better chance of receiving bond dollars at a lower cost through the following methods:

- Lower Interest Rates.
- Reduce the Need for Bond Insurance.
- Broader Market for Bonds.

As school districts continue to search for ways to maximize their local dollars this legislation will provide an avenue for increasing our spending power with fewer costs.

Thank-you for your time and consideration of this bill. It would be a great benefit for all school districts and taxpayers in the state.

Sincerely,

Sharon Zoellner, Ph.D.  
Deputy Superintendent

Ron Thornburgh  
Secretary of State



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## STATE OF KANSAS

### SENATE WAYS AND MEANS COMMITTEE

SB 350, Testimony of Janet Chubb  
Assistant Secretary of State  
March 13, 2001

Mr. Chairman and members of the committee, the secretary of state's office supports passage of SB 350, concerning the electronic transactions registration fee fund.

During the 2000 session, the legislature passed the Kansas uniform electronic transactions act. The first 16 sections of that act concern electronic transactions in general. The last four sections address the registration of those who would provide digital signatures in particular.

Those who seek to act as registered certification authorities for digital signatures must register with our office and pay an annual registration fee of \$1000, among other requirements. A person who violates or fails to comply with the requirements may be subject to a civil penalty not to exceed \$10,000 for each failure or violation. The purpose of SB 350 is to establish a fee fund into which monies related to the enforcement of this act may be paid.

The secretary of state expects only a few certification authorities to register with the office in the first few years until the use of digital signatures becomes a more common business practice.

*Senate Ways and Means  
3-13-01  
Attachment 16*