

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Chairperson Al Ramirez at 1:30 p.m. on March 15, 1994 in Room 531-N of the Capitol.

All members were present except:

Committee staff present: Julian Efird, Legislative Research Department
Fred Carman, Revisor of Statutes
Jackie Breymeyer, Committee Secretary

Conferees appearing before the committee: Senator Ranson
Jane Rhys, Executive Director, Kansas Planning
Council on Developmental Disabilities
Tom Ayres, Board of Regents Counsel
Mike Johnston, Secretary, KDOT
Paul Dickhoff, Jr., KAPE
Jeff Collier, President, Kansas State Troopers Assn.
Ruth Stauffer, Friends of Cedar Crest
Cooper Woodring, Friends of Cedar Crest
Dean Graves, President, Friends of Cedar Crest

Others attending: See attached list

Chairman Ramirez called the meeting to order and began with action on **SB 813**--Legislative Coordinating Council membership.

Senator Reynolds moved to report **SB 813** favorable for passage. Senator Papay seconded the motion. The motion carried.

The committee proceeded to **SB 641**--enacting federal grant review act. The Chairman called on Senator Ranson to begin. Senator Ranson distributed copies of her testimony (Attachment 1) and a copy of page 1 of the bill with proposed amendments (Attachment 2). Senator Ranson read from her testimony and directed attention to the copy of page 1 of the bill which contained the suggested amendments. Line 14, Sec. 2 after the word 'of', insert "an application for" any financial assistance or. On line 28, after the period add "This section and its requirements may not be waived by an agency in the case of a declared disaster or emergency conditions." Senator Ranson stated that what the basically does is require that prior to the application for a federal grant, the application shall be submitted for legislative review during the legislative session. It would go to the Appropriations or Ways and Means committee. During the interim, it would go to the legislative budget committee. She then stated what the remainder of the bill does.

One of the Senator commented that all too often there is a short-term grant and the program left is a good program so it is continued. A prior review would be in order so as not to perpetuate every program. Grants could be applied for during the interim when there is time for review.

The question was asked if these requests could be addressed by the Legislative Coordinating Council during the mid-term. The response was just so it is some entity who is aware of the responsibilities involved.

The Senator Ranson was asked to explain the meaning of Section 5. She used as an example the discontinuation of a federal program. The state would be left to fund the program. Employees could not use state time for letter writing campaigns. The grant people could not promote their own programs. This would not be an infringement of constitutional rights. As individuals they can do as they want, but the use of office equipment and supplies and the use of state time is prohibited. What is beginning to be seen is the federal government pulling out of programs. Federal grants will get a closer look to see if the state wants to get involved with its funds.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION, Room 531-N Statehouse, at 1:30 p.m. on March 15, 1994.

Jane Rhys, Executive Director, Kansas Planning Council on Developmental Disabilities, was next to speak to the bill. She distributed testimony from Pat Terick, Council member, who was unable to be present. (Attachment 3) Ms. Rhys spoke in opposition to **SB 641**. The concern expressed was that the requirement to obtain approval from the House Appropriations or Senate Ways and Means committee was that it would result in many proposals not being submitted. Deadlines are stringent and late proposals will not be considered for funding.

Ms. Rhys was asked if she ever had any grants that had ended. She replied in the affirmative and stated that she then sought employment with another agency. The only expenses involved were in mailing materials as requested by various personnel.

Ted Ayres, General Counsel, Board of Regents, spoke next in opposition to the bill. (Attachment 4) With regard to Kansas State University, The University of Kansas and Wichita State University, a conservative estimate would indicate that 976 proposals were submitted during FY93. With the medical center and the three regional schools, that number rises to 1300 or more submitted to the federal government to support research at the regents institutions during the fiscal year. These proposals are complicated and many total 100 pages or more. Mr. Ayres has been informed that 95% of the grant proposals are submitted within one week of the due date. This indicates a very fine time line. Mr. Ayres ended his testimony by stating has the likely impact of shutting down research efforts at the institutions. The research efforts of these institutions . . . brought in approximately \$60,000,000 of federal support in FY92.

Mr. Ayres was asked if any of these entities ever ask for help or more money for their projects. He responded that particularly with regard to federal research grants or proposals they are very sensitive to any matching requirements or any requirements that may cause them to come back to the Legislature. Very few of these would require coming to the State. When the research projects are done, the faculty is ongoing and there are always research proposals and they are busy with their own activities.

One of the committee commented that this poses another problem. Faculty are active making research proposals instead of teaching. This is a concern - how much research is being done time and how much time is being spent.

Mr Ayres replied that this is a concern also of the Board of Regents. Research does play an important role in a faculty member's activities.

Michael Johnston, Secretary of Transportation, spoke next to the bill. (Attachment 5) He spoke of the concerns with the bill as it would apply to the Department.

The Chairman closed the hearing on **SB 641**.

The next item on the agenda was a continuation of **SB 778**--rules and regulations pertaining to overtime payment to state employees.

Jeff Collier, President of the Kansas State Troopers Association, appeared in opposition to the bill. (Attachment 6) Mr. Collier stated that historically, the State of Kansas has allowed paid leave to be accumulated in conjunction with actual hours of work for the purposes of overtime to reach the maximum numbers required. He stated the disadvantages to law enforcement the bill would bring.

A letter from Lonnie R. McCollum, Superintendent, Kansas Highway Patrol, giving the fiscal impact of **SB778** on the Kansas Highway Patrol budget was entered into testimony as (Attachment 7)

Paul Dickhoff, Jr., Kansas Association of Public Employees, was the last person to address the bill. He distributed copies of his testimony in opposition to the bill (Attachment 8) His testimony contained the concern the impact of the bill would have on the employment contracts currently in effect between KAPE and the state of Kansas regarding these employees.

The Chairman closed the hearing on **SB 778**.

The next item on the agenda was **SB 814** --Governor's residence; Friends of Cedar Crest.

Due to time constraints the following Friends of Cedar Crest made a few brief remarks and distributed testimony to the committee in support of the bill. Ruth Stauffer (Attachment 9); Cooper Woodring (Attachment 10); and Dean Graves, President (Attachment 11).

The chairman thanked all the conferees and adjourned the meeting.
The next meeting is scheduled for March 16, 1994.

Senate

Gov. Organization

DATE: March 15, 1994

NAME	ADDRESS	COMPANY/ORGANIZATION
Wm C Baker	921 main st Oswatimie KS.	State Employee
R. D. Williams	R.R. 1, Box 39 Atlanta, Ia.	State Employee
Jeff Collins	Box 139 Ft Scott KS 66701	K.S.T.A.
Linda McGill	TOPEKA	KSTA
Jim Allen	"	FOP
Michael Kuhn	TOPEKA	KHP
DEAN W. GRAVES	6328 W. 67th St. PRAIRIE VILLAGE, KS.	FRIENDS OF CEDARCREST ASSOCIATION
COOPER C. WOODRING	45 RANDOLPH SQUARE TOPEKA, KS 66611-2045	FRIENDS OF CEDARCREST ASSOCIATION
RUTH STAUFFER	2845 Jewell - Topeka	Friends of Cedar Crest
DAVID Chitwood	Box 21 Garden Springs KS	State Employee
Augustine Villegas	212 Klein	Not AFSCME
Larry F. Rosenbaum	1025 Walnut. 66864 Neosho Rapids, KS.	AFSCME
B. Manami	Topeka	WJA
Jessie Cornejo	4125 S.W. 9th - Suite 200 Topeka, KS 66604	AFSCME Council 64
LONNIE R Mc CALLUM	TOPEKA	KHP
MARK L MANNING	"	"
Paul R Dickhoff JR.	1300 TOPEKA BLVD	KAPE
Pat Ranson		KS Senate

KANSAS SENATE

PAT RANSON
SENATOR, DISTRICT TWENTY-FIVE
SEDGWICK COUNTY
1701 WOODROW CT.
WICHITA, KS 67203
(316) 267-7991



STATE CAPITOL, 143-N
TOPEKA, KANSAS 66612-1504
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COMMITTEE ASSIGNMENTS
CHAIRPERSON: JOINT COMMITTEE ON ECONOMIC
DEVELOPMENT
VICE-CHAIRPERSON: COMMERCE
MEMBER: JUDICIARY
LOCAL GOVERNMENT
ELECTIONS, CONGRESSIONAL &
LEGISLATIVE APPORTIONMENT &
GOVERNMENTAL STANDARDS

March 15, 1994

Chairman Ramirez and Committee Members:

Thank you for taking the time to consider SB 641, A Federal Grant Review Act.

A major problem affecting state legislatures in maintaining fiscally sound government and reconciling competing needs for state revenues is the continuing participation of the states in federal programs that obligate state revenues and resources. State agencies have furthered the problem of onerous federal mandates on states by getting involved in federal programs that place burdens on the state.

According to the Congressional Budget Office, federal funding encourages less effective use of public money. State and local public agencies spend federal money less wisely than they spend funding raised from their own taxpayers. Federally supported state and local projects tend to: cost more than necessary; operate less efficiently; and in the case of capital projects, be over-designed, over-built, and take longer than necessary to complete.

Federal funding increases the demand for higher state and local taxes. The short and long term requirements imposed by federal grants create significant funding obligations for state and local governments. This is of concern to local and state taxpayers, who may be initially told that a particular federally-funded project will require no additional taxes to operate, yet are subsequently faced with a request for higher taxes once the federal government withdraws from the program. What happens next could be referred to as the "flypaper effect." Once a program hits, it sticks, and there is a demand to continue a program with new state or local funding.

*Senate Gov. by
Attachment 1
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It is important for the state legislature and the Governor to have effective control over federal funding spent in the state. In the longer term, state legislatures can keep state and local government spending under control only if they control the factors that drive the demand for higher taxes-including federal grants.

Review of federal grants would improve the ability of state legislatures to ensure fiscal discipline by requiring state legislative review of federal grants to state agencies and forbid state agencies from using federal funding to lobby any level of government to continue or promote a program.

I encourage your support of SB 641 and I welcome any suggestions or amendments that you might have that would improve or clarify the intent of this proposed legislation.

Thank you,

A handwritten signature in cursive script that reads "Pat Ranson".

Senator Pat Ranson

SENATE BILL No. 641

By Senators Ranson, Bogina, Emert, Harris,
Reynolds and Sallee

2-1

AN ACT enacting the federal grant review act.

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

Section 1. This act shall be known and may be cited as the federal grant review act.

Sec. 2. Prior to the submission of any financial assistance or grants from the federal government, or agency thereof, by or on behalf of the state or any agency thereof, such application shall be submitted for legislative review during the legislative session to the committee on appropriations of the house of representatives and the committee on ways and means of the senate and to the legislative budget committee during the period of time after legislative adjournment sine die and prior to the commencement of the next regular session of the legislature. If the application is approved during the legislative session by the committee on appropriations of the house of representatives and the committee on ways and means of the senate or during the period of time after legislative adjournment sine die and prior to the commencement of the next regular session of the legislature by the legislative budget committee, the agency may submit the application to the appropriate federal agency.

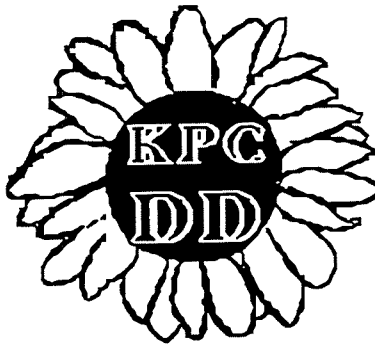
Sec. 3. Each state agency shall submit to the committee on appropriations of the house of representatives and the committee on ways and means of the senate written reports containing an account of all financial assistance or grants from the federal government, or agency thereof, expected to be accepted and expended by such state agencies during the ensuing fiscal year and for the projects or programs for which such funds will be expended. Each report shall be presented to the committee on appropriations of the house of representatives and the committee on ways and means of the senate with such state agency's budget request.

Sec. 4. No federal grant may be used in any attempt to influence the introduction, enactment or modification of any federal, state or local legislation or referenda through the communication with any member or employee of the Congress, state legislature or local government entity, including efforts to influence state or local officials

an application for

This section and its requirements may be waived by an agency in the case of a declared disaster or emergency conditions

Senate For Dry
Attachment 20
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Kansas Planning Council on Developmental Disabilities

JOAN FINNEY, Governor
WENDELL LEWIS, Chairperson
JANE RHYS, Executive Director

Docking State Off. Bldg., Room 141, 915 Harrison
Topeka, KS 66612-1570
Phone (913) 296-2608, FAX (913) 296-2861

*"To ensure the opportunity to make choices regarding participation in
society and quality of life for individuals with developmental disabilities"*

GOVERNMENTAL ORGANIZATION MARCH 15, 1994

Testimony in Regard to S. B. 641, THE FEDERAL GRANT REVIEW ACT

*To ensure the opportunity to make choices regarding participation in society and
quality of life for individuals with developmental disabilities.*

Mr. Chairman, Members of the Committee, I am appearing today on behalf of the Kansas Planning Council on Developmental Disabilities in opposition to S. B. 641, the Federal Grant Review Act. We appreciate the opportunity of appearing before you today.

The Kansas Planning Council is a federally mandated, federally funded council composed of individuals who are appointed by the Governor, including representatives of the major agencies who provide services for individuals with developmental disabilities, and at least half of the membership is composed of individuals who are persons with developmental disabilities or their immediate relatives. Our mission is to advocate for individuals with developmental disabilities, to see that they have choices in life about where they wish to live, work, what leisure activities they wish to participate in and so forth.

We are in opposition to this act because we believe it would result in great loss of federal funds to Kansas. We are aware that the Departments of Health and Environment, Education, and Social and Rehabilitation Services actively solicit and receive large amounts of money through federal grants which benefit many individuals who have disabilities in Kansas. The Department of Health has been reducing the percentage of State General Funds because of an increase in federal funds. The Departments of Education and Social and Rehabilitation Services have received many federal grants which enable Kansas to do research,

*Senate Gov. Org.
Attachment 2
3/15/94*

develop model programs and otherwise provide and improve services for individuals with disabilities which Kansas could otherwise not afford to do.

These grants, which the agencies have been very successful at obtaining, are competitive. Agencies frequently have a very short timeline in which to conceptualize and write their proposals. Our concern is that the requirement to obtain approval from both the House Appropriations and Senate Ways and Means Committees would result in many proposals not being submitted. The U.S. agencies to whom these grants are submitted have very stringent deadlines, a proposal which is even one hour late will not be considered for funding. Each of the previously mentioned agencies has review procedures in place through which all proposals must go before the Secretary or Commissioner approves the submission of the proposal. To add another layer of bureaucracy could result in loss of needed funding for items which the State cannot afford to do with State General Funds.

The Kansas Planning Council on Developmental Disabilities urges the Committee to reconsider the proposal and the reason for the need for such action.

Pat Terick, Council Member
Kansas Planning Council on Developmental Disabilities
Docking State Office Building, Room 141
915 SW Harrison
Topeka, KS 66612-1570
913 296-2608

The Testimony of

Ted D. Ayres
General Counsel and
Director of Governmental Relations
Kansas Board of Regents

before
SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION
1994 Legislative Session

in re
S.B. 641

1:30 pm.
March 15, 1994
Room 531-N
Kansas Statehouse

*Senate Gov. Org.
Attachment 4
3/15/94*

Chairman Ramirez and Members of the Committee:

My name is Ted D. Ayres and I am General Counsel and Director of Governmental Relations for the Kansas Board of Regents. I am here this afternoon representing the Board of Regents and the Regents Institutions. I am here to express concern relative to Senate Bill No. 641.

This legislation would require state agencies, including your Regents institutions, to submit, prior to submission, all applications for federal grants to:

. . . the committee on appropriations of the house of representatives and the committee on ways and means of the senate and to the legislative budget committee during the period of time after legislative adjournment sine die and prior to the commencement of the next regular session of the legislation.
(emphasis supplied)

If the application is approved by both committees (during the session), the agency may submit the application to the appropriate federal agency (lines 22-28, page 1).

As the Senate Committee on Governmental Organization deliberates on Senate Bill No. 641, we thought it important that the Committee be advised of the following:

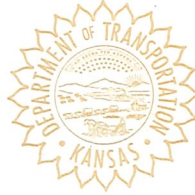
1. We conservatively estimate that for FY 93, 976 research proposals/grant applications were submitted to the federal government on behalf of Kansas State University (276), Wichita State University (200) and the University of Kansas (500).

2. We would further estimate, again conservatively, that approximately 1,300 grant applications were submitted on behalf of our Regents Institutions, including the Medical Center.

3. It is not unusual for individual applications/proposals to total 100 pages or more.

4. I am informed that 95% of our applications/proposals are submitted, under the current process, within one week of the due date for receipt (normally a rigid and unadjustable deadline).

On behalf of our Regents Institutions, I submit that Senate Bill No. 641 would be extremely detrimental to the research efforts of our institutions . . . an effort that brought in approximately \$60,000,000 of federal support to Kansas in FY 92. Thank you for your attention to and consideration of my testimony; I would be happy to now stand for questions.



Michael L. Johnston
Secretary of Transportation

KANSAS DEPARTMENT OF TRANSPORTATION
Docking State Office Building
Topeka 66612-1568
(913) 296-3566
FAX - (913) 296-1095

Joan Finney
Governor of Kansas

**TESTIMONY BEFORE THE
SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION
REGARDING SENATE BILL 641**

MARCH 15, 1994

Mr. Chairman and Members of the Committee:

I appreciate the opportunity to appear before you today in behalf of the Department of Transportation regarding Senate Bill 641. This bill would require a state agency to submit applications for federal grants or financial assistance for legislative review and approval prior to submission to the appropriate federal agency, submit reports concerning the use of federal funding, and refrain from using those funds to influence legislative action. We have several concerns about the intent of this proposed legislation. Depending on the interpretation that applies, its impact on the Department's activities could be either significant or minimal.

We are uncertain whether Senate Bill 641 is intended to take precedence over K.S.A. 68-401 - 407, which provides authority to the Department of Transportation to accept federal aid. If it does not take precedence, its effect on the Department would be minimal. In addition, the Department of Transportation does not receive short-term federal funding for program development with the understanding that the State will become responsible for ongoing support of those programs in the future. If this proposed legislation is clarified to address only the receipt of such grants, or "seed money," the Department should not be affected.

The Department's interest in this bill arises from the fact that it may in fact be the recipient of certain grants. The legislation does not specifically define what is intended by "grant" or "financial assistance," and since these are more terms of art than legal definitions, a more clear statement would be beneficial. The term "grant" is defined in 49 C.F.R. Part 18, Subpart A, Section 18.3, as "...an award of financial assistance, including cooperative agreements, in the form of money, or property in lieu of money, by the Federal Government to an eligible grantee. The term does not include technical assistance which provides services instead of money, or other

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assistance in the form of revenue sharing, loans, loan guarantees, interest subsidies, insurance, or direct appropriations. Also, the term does not include assistance, such as a fellowship or other lump sum award, which the grantee is not required to account for." The concept of financial assistance is considerably more tenuous than that of a grant. As noted, this term does not have any accepted legal usage and is so broad as to have no meaningful application. To ensure that there is no confusion between these funds and the major part of our federal funding, a clearer definition would be helpful.

We are concerned this legislation could adversely affect the Department's ability to make timely applications for emergency funding, such as the \$19 million received this past year due to flood damage. If the Legislative Budget Committee is not scheduled to meet almost immediately when an emergency occurs, the review process could delay an application for funds. To avoid this problem, we would appreciate it if the Committee would consider amending the bill to exempt emergency funds from the review process.

It also seems possible that the review process required to implement this bill could be difficult to manage. To have a basic understanding of the financial procedures within which KDOT operates, it is essential to know that the Federal-Aid Highway Program is a reimbursable program; that is, the federal government only reimburses states for costs actually incurred. Federal transportation acts establish programs and set the ground rules under which funds may be used. They also authorize the amounts of funds that the Secretary of Transportation can obligate on behalf of the federal government for those various programs. The authorized amounts distributed to the states represent lines of credit upon which States may draw as they advance federally assisted projects. We are uncertain whether it is the intent of S.B. 641 to review federal funding on a program level or to approve specific projects, but either method could present problems for the Department.

If the bill is expected to be applied on a program level, the Department does generally know what federal programs it will participate in each year, and it has an estimate of the amount of federal funding that will be available in total. However, the specific amount of federal funding available is not announced until October for a list of projects that was published in June. The amount of federal funding available can also change during the year. Further, this bill may affect the Department's ability to apply for redistribution of unused federal spending authority, which generally becomes available each August. At that time, the Federal Highway Administration divides up unused spending authority between states which make application for those funds. Through this process, the Department was able to obtain an additional \$7.8 million in 1992 and \$7.1 million in 1993.

The Department begins each year with a estimate of how much federal funds will be expended in various program categories (such as Interstate Maintenance, or the Surface Transportation Program), but those estimates change frequently during the year as projects are delayed or advanced during development, or other adjustments

are made. Securing legislative approval of each of those changes would require frequent interaction with legislative budget committees.

The approval process would be even more difficult to manage if the intent is to apply S.B. 641 reviews to specific highway projects. We could present a list of projects for approval when the Department's Five-Year Highway Program is published each June; however, the timing, scope, and cost of those projects change as they proceed through the process. The Department could conceivably be required to obtain approval each time one of those changes occurred.

Our final concern is with the interpretation of Section 4. If the intent is to prohibit direct expenditures or lobbying activities from being funded with federal funds, that may be a workable limitation. However, the language of this section, as written, is very broad. If it were to be construed as prohibiting the Department from mentioning that receipt of certain federal funds is contingent upon the passage of certain legislation, it could make it extremely difficult for the Department to take certain actions that are necessary to maximize federal funding, such as requesting legislative consideration of the helmet law and drivers' license suspensions for drug-related convictions.

KANSAS STATE TROOPERS ASSOCIATION

TESTIMONY

SENATE BILL 778

PRESENTED TO THE

COMMITTEE ON GOVERNMENTAL ORGANIZATION

Good afternoon. I am Jeff Collier, President of the Kansas State Troopers Association. I am here today to oppose Senate Bill 778 on behalf of Kansas State Troopers.

Specifically, this bill represents a drastic change to the current methods employed in computing overtime for state employees. Currently, all hours of annual leave, sick leave, compensatory time leave, holiday leave, and discretionary holiday leave are computed together with the employee's regular hours of work for the purposes of overtime. Although this policy is more liberal than what is required in the Fair Labor Standards Act of 1938, as amended, we feel this policy provides both a deserved benefit, and a safeguard against working excessive hours.

Law enforcement employees are already at an economic disadvantage when it comes to overtime. All other non-exempt employees, within and outside state government, except law enforcement and fire prevention employees, are entitled to receive overtime compensation after forty hours per week, but the state has elected to take advantage of an option available only to government employers of law enforcement and fire prevention employees under 29 United States Code, Section 207(k). This provision allows government employers to delay payment of overtime compensation until law enforcement

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employees have worked 171 hours in a 28 day work period, which is the equivalent of forty-three (43) hours in a seven (7) day work period. Therefore, in a 28 day work period, most employees would only have to work 160 hours (which is 4 weeks times 40 hours per week) before receiving overtime pay, whereas, law enforcement employees have to work another eleven (11) hours, up to 171 hours, before being eligible to receive overtime.

State employees, including troopers, are also subject to another disadvantage regarding overtime. Employees of non-governmental employers must be paid overtime, whereas government employers have the option of awarding compensatory time credits rather than paying for the overtime hours worked.

Troopers are subject to another disadvantage regarding pay, a disadvantage which would be compounded if this Bill were to pass. Troopers are not paid for approximately 12 hours that they work each month. Most State employees work an average of 173.33 hours per month (2,080 divided by 12) while most Troopers are required to work 185.67 hours per month [(171 times 13.03 work periods = 2,228.13 per year) divided by 12]. That is a difference of 12.34 hours per month. The State currently pays all other State employees who are on the same Range and Step of the pay Plan as I am, the same monthly amount for working 173 hours as they pay me for working 185 hours.

Translated to a 4 week work cycle, which is the work cycle for most law enforcement employees, Troopers must work 171 hours in a four week period, whereas all other state employees work 160 hours in the same four week period (4 weeks times 40 hours per week). The difference is eleven (11) hours. Other State employees would receive overtime after 160 hours, whereas Troopers would not get overtime until 171 hours, and

under the State's current practice, Troopers would receive the same pay whether they work 160 hours or 171 hours.

This inequity in the State's current practice would be compounded by the passage of this bill because it would eliminate the use of paid leave to satisfy a portion of the eleven uncompensated hours between 160 and 171 for the purpose of reaching the overtime threshold. If we are not allowed to count paid leave towards the overtime threshold, then we will have to work even more uncompensated hours before being eligible for overtime, and often it would mean that we would work uncompensated hours without even the reward of reaching the overtime threshold. **For example**, in a 28 day work cycle, I have three (3) days of annual leave, and one (1) day of sick leave. This would total thirty-six (36) hours away from work based on the Patrol's nine hour work day. With this 36 hours added in as the current practice, I would only be liable for an additional one hundred and thirty-five (135) hours or fifteen more work days in the work period to total my 171 hours. If you remove the 36 hours, I could be required to work an additional four (4) days with no additional compensation to reach the 171 hours threshold. So in that 28 day cycle, I could have two hundred and seven (207) hours, or in the pay period I could have two hundred and twenty-one (221) hours, and still not receive any additional compensation from my normal 171 hours in the work period or 185 hours in the pay period. And, if I did reach the overtime threshold, my hourly rate would be reduced and my overtime rate would also decrease from \$24.84 per hour to \$19.49 per hour.

With consideration of the foregoing, on behalf of Kansas State Troopers, I respectfully request that this Committee find that the provisions of Senate Bill 778 are not in the best interest of neither the State of Kansas as an employer, nor Kansas State Employees.

I thank you for the opportunity to address this Committee, and thank you for your consideration of the Kansas State Troopers' position on this legislation.

I will be happy to answer any questions Members of the Committee may have.

Respectfully submitted.

KANSAS HIGHWAY PATROL

Service—Courtesy—Protection

Joan Finney
Governor



Col. Lonnie R. McCollum
Superintendent

March 15, 1994

Senator Ramirez
Statehouse, Room 128 S
Topeka, KS 66612

Senator Ramirez:

SB 778, as introduced, would have a fiscal impact on the Kansas Highway Patrol budget. In FY 1993, employees of the Patrol worked an estimated 11,657 hours of overtime. The agency paid \$312,528 (including \$223,048 from the State General Fund) for these hours. Had the Patrol calculated FY 1993 overtime based on the provisions of SB 778, an estimated 5,164 hours of overtime would have been incurred, with the remaining 6,493 hours being compensated at the straight-time rate. Not paying the overtime premium for 6,493 hours would have saved the agency an estimated \$58,026 (including \$41,413 from the State General Fund) in FY 1993.

For FY 1994 to date, 13,525 hours of overtime have been incurred and the Patrol has paid an estimated \$352,213 (including \$315,599 from the State General Fund) in overtime payments. Under the provisions of SB 778, the Patrol would have incurred only 6,156 hours of overtime, with the other 7,369 hours being compensated at straight-time. The overtime premium for these 7,369 hours totals an estimated \$63,967 (including \$57,317 from the State General Fund).

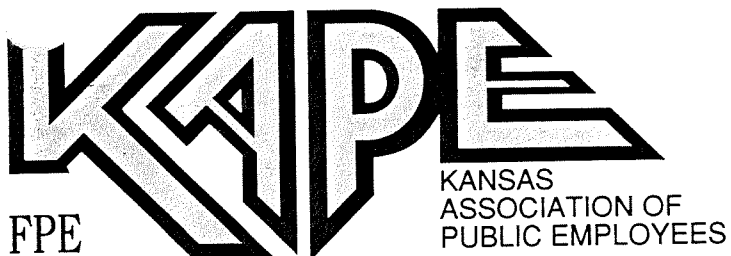
Sincerely,

A handwritten signature of Lonnie R. McCollum in cursive script.

Lonnie R. McCollum,
SUPERINTENDENT, Kansas Highway Patrol

122 SW SEVENTH STREET
TOPEKA, KANSAS 66603-3847
(913) 296-6800 FAX (913) 296-5956

*Senate Gov. Org.
Attachment 70
3/15/94*



1300 South Topeka Avenue Topeka, Kansas 66612 913-235-0262 Fax 913-235-3920

Testimony of Paul K. Dickhoff, Jr.
Director of Negotiations
The Kansas Association of Public Employees
In Opposition to Senate Bill 778

Members of the committee, good afternoon. I appreciate the opportunity to appear before you today on behalf of KAPE to speak in opposition to Senate Bill 778.

While KAPE has several reasons for being opposed to this bill, perhaps the best place to begin is with an example of how this bill would impact state employees. Under current Department of Administration regulations and the Federal Fair Labor Standards Act, the state can require employees to work any number of hours in any given work day without incurring any liability for the payment of overtime. The state need only make sure that the employee does not work in excess of 40 hours in the established work week. For example, the standard 8 hour employee could be required to stay home Monday and Tuesday, and then be required to work 14 hours Wednesday, 12 hours Thursday, and 14 hours Friday without having earned one penny in overtime pay. As stated earlier, that situation can happen currently and Senate Bill 778, whether passed or not will have no impact on that situation. This bill if passed, however, will have an even greater negative impact on state employees.



Senate Gov. Org.
Attachment 8
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Assume in my earlier example that the employee was on vacation or sick leave on Monday and Tuesday, and when they returned were required to work 14 hours on Wednesday, 12 hours on Thursday, and 14 hours on Friday. Again in this example, and despite the fact that the employee has 56 hours of accountable time on the books for the week, they would again not be entitled to one penny of overtime pay under this bill.

To date, KAPE has not taken issue with agency administrators over their need to periodically adjust the work day to respond to special circumstances. A portion of this posture is directly attributable to the state's liberal application of the Fair Labor Standards Act as contained in the current regulations which this bill would effectively abolish. It would appear that our past cooperative efforts on this issue may now be paying negative dividends.

In addition, there are other concerns which KAPE has over this bill. As the certified employee bargaining representative of approximately 15,000 state employees, KAPE is concerned about the impact of this bill on the employment contracts currently in effect between KAPE and the state of Kansas regarding those employees. To the extent that those contracts adopt by reference the provisions of the current regulations, it appears that the bill, at lines 22, 23, and 24, would serve to negate those negotiated agreements. KAPE would view this as a circumvention of the rights it acquired under the provisions of the Kansas Public Employer Employee

Relations Act. (K.S.A. 75-4321 et seq.)

Finally, KAPE is of the opinion that the Fair Labor Standards Act requires all employers under its jurisdiction to pay for overtime worked in the form of real dollars rather than by compensatory time except under limited circumstances. Those circumstances require the existence of a pre-employment agreement between the employer and the employee wherein the employee is made aware that the employer has a policy of paying for overtime through the use of compensatory time rather than by financial compensation. That requirement is then tempered by language that acknowledges the fact that employees may be represented by a labor organization, and if so represented, the only acceptable agreement is one entered into between the employer and the employee representative.

To my knowledge, no such agreement is currently in existence, and I would speculate that with passage of Senate Bill 778, it would become very difficult for our membership to approve of such an agreement. The result being that in accordance with the rights granted to them under the FLSA they could demand cash payment rather than compensatory time payment for any overtime required of them. Violations of those rights have been, and would continue to be, the subject of costly law suits which threaten the financial stability of the state. Very obviously, such a condition would constrict administrators in their assignment of overtime duties, and further strain on the state's financial picture serves no one's interests. If the employees chose to exercise that right there would be very little that KAPE or the legislature could do to

remedy those mutually undesirable ends.

It appears to KAPE that the best solution to this problem would include; (1) the retention of the current regulations governing the payment of overtime compensation, (2) application of the regulations in a manner which does not violate the Federal Fair Labor Standards Act and, (3) the improvement of the relationship between the state and the employee's elected union representation. KAPE, as the largest such union, recognizes the need to work cooperatively with state administration to remedy these problems in an atmosphere of mutual respect. While bilateral problem solving, quality circles, win-win bargaining, and shared governance are becoming the norm internationally, they are virtually non-existent in Kansas state employment. If we are not included in the fashioning of solutions, we are placed in the posture of reacting to unilateral decisions negatively when those decisions negatively affect our members.

KAPE desires not to be an adversary, but a partner with the state in the resolution of the complex problems facing state government and its employees. Passage of Senate Bill 778 would be a destructive step backward in the development of such a relationship.

I appreciate the opportunity to share these concerns with the committee and I would be happy to attempt to answer any questions you may have.

A not for profit corporation -- Friends of Cedar Crest Association -- was organized and signed on September 23, 1981 by incorporators Crosby Kemper, Bucyrus, Ks.; Carolyn Dillon, Hutchinson, Ks.; Evelyn S. Pozez, Topeka, Ks.; and Virginia Ablah, Wichita, Ks.

The not for profit corporation was organized to engage in any lawful act or activity for which corporations may be organized under the Kansas general corporation code.

At the April 28, 1982 meeting of the board of directors, the Friends of Cedar Crest Association, voted to amend the Articles of Incorporation to read as follows:

"The corporation is organized exclusively for charitable, religious educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 C 3 of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue law.)"

"No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its members, trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in paragraph one hereof."

In Article II of the by-laws it states, "the general purposes for the corporation shall be to aid the purposes of the State of Kansas through solicitation and receipt of contributions of financial, technical, professional, cultural and other resources, property and art, for use in the continued maintenance, preservation, restoration and enhancement of Cedar Crest, the state-owned property and residence of the Governor of the State of Kansas, in Topeka, Kansas, and to encourage, through education, the public awareness of the historic and civic importance of Cedar Crest."

The Association is governed by a 27 member non political board of directors, who serve six-year terms of office. Nine members are elected at every second year annual meeting. The affairs of the Friends of Cedar Crest Association are run by the officers including President, Secretary, Treasurer, Vice President plus other Vice Presidents and assistants the board determines are needed.

Since incorporation, the Friends of Cedar Crest Association has raised and spent nearly \$200,000 for the restoration, maintenance and enhancement of Cedar Crest including furniture, carpeting, floor and wall restoration. In addition, many items have been donated by past governors, their families, groups and interested individuals.

Examples (and a list is provided you) are paintings, silverware, art objects, furniture, china and crystal.

The Association concentrates on the beautification of the public rooms and not the private Governor's quarters. The State of Kansas is responsible for the care of the physical structure of the building which has been listed on the Historic Register. The Governor and Spouse are honorary directors of the Association, along with other past governors and interested citizens of the State of Kansas.

The Friends of Cedar Crest Association has worked diligently to meet the purposes stated in the by-laws and to enhance the Historic awarehess of all Kansas concerning Cedar Crest. We are ready, willing, and able to work with any State of Kansas Governor as Cedar Crest is our main concern.

If any legislator has a suggestion, the Friends would gladly receive and discuss the suggestion -- and, if possible, to implement the idea or plan.

You have before you several items of information which will be of interest to you.

Senate Gov. org.
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3/15/94

FRIENDS OF CEDAR CREST

OFFICERS FOR 1993-1994:

President -- Dean Graves
Vice President -- Sue Bond
Secretary -- Nel Richmond
Treasurer -- William Muir

DIRECTORS:

Class of 1995:

Max Alderman -- J. L. Ranch, 5440 Road 9, Goodland, KS 67735-8755 (913/899-2824)
Maxine Anton -- 1550 Westover Road, Topeka, KS 66604 (913/273-0819)
Jill Docking -- 135 South Crestway, Wichita, KS 67218 (316/683-6075 or 1-800-777-8558)
Mary Lee Graham -- 1512 Country Club Place, Manhattan, KS (913/537-9112)
Edward Reilly -- Whitley Park Towers, 5450 Whitley Park Terrace, Apt. 509,
Bethesda, MD 20814 (301/897-9186)
Nel Richmond -- 1401 College, Topeka, KS 66604 (913/234-4704)
William Roy -- 6137 SW 38th Terrace, Topeka, KS 66610 (913/273-6304)
Ruth Stauffer -- 2845 SW Jewell, Topeka, KS 66611 (913/232-1726)
Kay Wells -- 1102 Hackberry, Garden City, KS 67846 (316/275-4531)

Class of 1997:

Sue Bond -- 9823 Nall, Overland Park, KS 66207 (913/648-5201)
Joyce DeCoursey -- 2000 Brooklyn, Topeka, KS 66611 (913/232-2965)
Carol Dickey -- 2514 West 65th, Shawnee Mission, KS 66208 (913/362-9834)
Ann Jeter -- 310 West 23rd, Hays, KS 67601 (913/625-2236)
William Muir -- 2040 Shirley Lane, Manhattan, KS 66502 (913/539-5050 or 532-6269)
Ron Robb -- 2855 MacVicar, Topeka, KS 66611 (913/234-1003 or 273-3111)
Ann Rolley -- 6 Westboro Place, Topeka, KS 66604 (913/233-4461)
Kathleen Sebelius -- 224 Greenwood, Topeka, KS 66606 or P. O. Box 4305, Topeka 66604
(913/233-6535)
Tom Wright -- 3107 Shadow Lane, Topeka, KS 66604 (913/235-9107 or 232-2200)

Class of 1999:

Jessie Stewart Adams -- 518 Prairie Road, Maple Hill, KS 66507 (913/256-4300)
Marianna Beach -- 3511-B Fairway Drive, Hays, KS 67601 (913/625-2210)
Dean Graves -- 5328 West 67th, Shawnee Mission, KS 66208 (913/262-0691 or 816/471-0007)
Ginny Graves -- 5328 West 67th, Shawnee Mission, KS 66208 (913/262-0691)
Sherman Parks, Jr. -- 3744 SE Fremont, Topeka, KS 66609 (913/267-4615 or 296-3469)
Jan Ray -- 3300 Tomahawk Road, Shawnee Mission, KS 66208 (913/384-3030 or 816/531-7003)
Robert Richmond -- 1401 College, Topeka, KS 66604 (913/234-4704)
Ginny Shackelford -- 7924 ElMonte, Shawnee Mission, KS 66208 (913/648-6655)
Cooper Woodring -- 45 Randolph Square, Topeka, KS 66611-2045 (913/267-6068 FAX: 273-9936)

Advisory Board:

Thomas Schwartz
Carolyn Dillon
Don Lambert
William Stolzer
Karen Northup

Honorary:

Mrs. Alfred M. (Theo) Landon
Mrs. Payne (Cliffe) Ratner
Gov. Edward F. Arn
Mrs. Fred (Leadell) Hall
Mrs. John (Cora) McCuish
Mrs. George (Virginia) Docking
Gov. and Mrs. John (Arlene) Anderson
Gov. and Mrs. William (Hazel) Avery
Mrs. Robert (Meredith) Docking
Gov. and Mrs. Robert (Olivia) Bennett
Gov. John Carlin
Gov. and Mrs. (Patti) Hayden
Gov. Joan and Spencer Finney

Further information:

KANSAS FIRST FAMILIES AT HOME, first edition published in 1982, sold out 5000 copies netting the Association over \$35,000.

KANSAS FIRST FAMILIES AT HOME, revised and updated second edition published in 1993 when sold out of 5000 copies will have netted the Association over \$40,000.

Please be aware that all the redecorating, including wall coverings, floor refinishing and coverings, light fixtures, furnishings, furniture recoverings, etc. were underwritten by the Friends of Cedar Crest Association. Also, the original sconces for living room and reception hall were located, purchased, refurbished and installed by the Association.

GIFTS TO THE PERMANENT COLLECTION
AT CEDAR CREST

BENEFACTOR

Secretary-Bookcase, Renaissance Revival period c. 1860 (Property of Kansas' second governor, Thomas Carney, Leavenworth)	Friends of Cedar Crest Association
Personal safe (Property of Kansas' first governor, Charles Robinson, Lawrence)	Episcopal Church of the Messiah, Santa Ana, CA
Marble-topped sideboard, Victorian period c. 1885 (Property of Kansas' seventh governor, George Anthony, Leavenworth)	FOCCA
Green leather sofa (Property of Kansas' 20th governor, Arthur Capper, Topeka)	M/M Stanley Stauffer
Cabinet-Bookcase with glass doors (Property of Kansas' 23rd governor, Ben Paulen, Fredonia)	FOCCA
Wedgewood demitasse set of 12, two ivory carvings (Property of Kansas' 30th governor, Frank Carlson)	The Carlson Family
Green leather wingback chair (Property of Kansas' 35th governor, George Docking, Lawrence)	Virginia Docking
Commemorative plates (Property of Kansas' 38th governor, Robert Docking, Arkansas City)	Meredith Docking
Black leather Cabinet chair with brass plate inscribed "Secretary of War, 1936-1940"	The Woodring Family
Two sterling silver six-branch 24-inch candelabra	"
Sterling silver 15-inch vase with "HC" monogram	"
Twelve grey and white procelain place plates	"
Fifteen red and gold dessert plates	"
Commemorative brass bookends from 1932 Governors' Conference	"
Leather bound volume SPEECHES OF FRANKLIN D. ROOSEVELT inscribed to "The Hon. Harry Hines Woodring from his old friend, Franklin D. Roosevelt"	"

Primitive wood carving campaign item	"
Bound volume of Governors' Conference Proceedings, 1932 (The nine foregoing entries all property of Kansas' 25th governor, Harry H. Woodring)	"
Needlepoint tapestry "Great Wall of China" (Property of Kansas' 40th governor, John Carlin, Smolan) -- on loan to Kansas Museum of History	Gov. John Carlin
Silver punch bowl	Margaret McCoy Masoner, Garden City
Lace dinner cloth	"
Twenty place settings, official state china (Lenox <u>Eternal</u> pattern with Great Seal of Kansas in gold on rim)	Kansas Bankers' Association
Twenty-four each goblets, wines and champagnes (Lenox <u>Monticello</u> pattern)	FOCCA
Dresden china candelabrum (Property of Kansas' 34th governor, John McCuish, Newton)	Mrs. John McCuish
Sterling silver pitcher and tray (Property of Kansas' 24th governor, Clyde Reed, Parsons)	The Reed Family
Bronze sculpture "Ad Astra Per Aspera," 20" signed piece by Beverly Frazier, Lawrence	Mrs. Norman (Jane) Plummer

To 1 January 1987

Addendum to
GIFTS TO PERMANENT COLLECTION
AT CEDAR CREST

BENEFACTOR

Joan Foth watercolor
to hang over living room mantle
(\$3,000)

Purchased by
FOCCA Board
members

Glass enclosure of sun porch (removable
glass to revert to screen when desired)
fitted with sun protection shades; new
furnishings for sun porch/garden room

Tom and Helen
Schwartz

\$2,000 (to be used to purchase significant
art work by Kansas artist)

Phillip-Morris
(John Botten-
berg)

24 five-piece place settings of Etruscan
sterling with myriad extra pieces
including fish forks and ice cream
spoons as well as the more usual
extra pieces (\$5,000)

M/M Ross Beach

12 five-piece place settings of Etruscan
sterling (\$1,200)

Purchased by
FOCCA Board
members

Two five-piece place settings of Etruscan
sterling

Marcene Grimes

Large glass top coffee table (Baker), a
period piece copy, for living room
between two large white sofas (\$2,000)

FOCCA

Oil by Birger Sandzen, given specifically
to Friends of Cedar Crest Ass'n

Margaret Sand-
zen Greenough

Simon Willard Lighthouse clock (\$250,000),
given specifically to FOCCA

Cooper Woodring

Sizable gifts of upscale stainless flatware
and crystal

Legislative
Wives

Lenox china bearing the Great Seal of
Kansas (a large amount)

Kansas Bankers
Association

MONETARY GIFTS TO FRIENDS OF CEDAR CREST ASSOCIATION:

George and Virginia Ablah, Wichita -- \$20,000.00

Mr. and Mrs. Ray Dillon, Sr. -- \$12,250.00
(in the name of Carolyn Dillon, Hutchinson)

Crosby Kemper Foundation, Kansas City, MO -- \$10,000.00

Crosby Kemper, Bucyrus -- \$10,000.00

M/M Shaol Pozez, Topeka -- \$10,200.00

Buddy and Beverly Rogers, Beverly Hills, CA -- \$5,000.00

Thomas R. and Linda Clevenger, Topeka -- \$1,500.00

M/M Thomas J. Schwartz, Topeka -- \$1,000.00

Wendell and Carol Dickey, Shawnee Mission -- \$1,000.00

Dr. and Mrs. William R. Roy, Topeka -- \$1,000.00

Fourth Financial Bank Charitable Trust, Wichita -- \$1,000.00

Mrs. Richard Seaton, Coffeyville -- \$500.00

Harrison Johnson, Independence -- \$500.00

William L. Muir, Manhattan -- \$500.00

Jim Hershberger, Wichita -- \$500.00

Ray Stekoll, Wichita -- \$500.00

Carol Duffy McDowell, Topeka -- \$500.00

Ross and Marianna Beach, Hays -- \$500.00

Jessie Stewart Adams, Maple Hill -- \$500.00

Jessie Stewart Adams, Maple Hill -- \$500.00
(in the name of Ann Adams Russell, Lawrence)

Mrs. William D. P. Carey, Hutchinson -- \$500.00

Richard and Shirley Baker, Hutchinson -- \$300.00

Maxine Jeanes Anton, Topeka -- \$250.00

Nel and Robert Richmond, Topeka -- \$250.00

West Hills Garden Club, Topeka -- \$224.51
(for roses along fence at Cedar Crest)

Ritchie Foundation, Wichita -- \$200.00

University of Kansas Women's Club, Lawrence -- \$125.00

M/M John Stauffer, Topeka -- \$100.00

M/M Stanley Stauffer, Topeka -- \$100.00

M/M Dolph C. Simons, Jr., Lawrence -- \$100.00
Samuel Marcus, Wichita -- \$100.00
(prefers name not be made public)
Gene A. and Gretchen Budig, Lawrence -- \$100.00
Mrs. Fred Chase Koch, Wichita -- \$100.00
Dr. and Mrs. S. Dow Lee, Topeka -- \$100.00
M/M Ken Peirce, Hutchinson -- \$50.00
M/M David Neiswanger, Topeka -- \$50.00
Jim Ploger, Topeka -- \$50.00
Irma Jones, Wellington -- \$25.00
Louise Samuelson, Solomon -- \$25.00
Mrs. John Fontron, Hutchinson -- \$25.00
Fort Riley Officers' Wives, Fort Riley -- \$25.00
Douglas County Homemakers' Council, Lawrence -- \$25.00
Rosemary H. Waddell, Topeka -- \$25.00
Ellen May Stanley, Dighton -- \$25.00
Dr. and Mrs. Jack C. Shroll, Hutchinson -- \$20.00
Alice D. Hixson, Kansas City -- \$10.00
Clara Ruth Clark, Kansas City -- \$5.00
Dorothy Hager -- \$5.00
Delores Allen, Junction City -- \$10.00
Mrs. Mark J. Green, Manhattan -- \$25.00
Ervin H. Sanders, Topeka -- \$5.00
Ron Scheffler, Topeka -- \$5.00
Jeffrey O. Blackwell, Topeka -- \$5.00
Nel White Thompson, St. Petersburg, FL -- \$25.00
Margaret Wolfe, Winfield -- \$5.00
Mary Jane Youngblood, Atwood -- \$10.00
Doris Schoff, Holton -- \$10.00
Hiawatha PEO, Hiawatha -- \$15.00
Beta Sigma Phi, Garden City -- \$20.00

To 1 January 1987

Government Organization Committee
Kansas State Senate
Al Ramirez, (R) 5th District, Chairman

Senate Bill 814

1:30 PM, Tuesday, March 15, 1994
Room 531 North
State Capitol Building
Topeka, Kansas

Testimony of:

Cooper C. Woodring

45 Randolph Square, SW
Topeka, Kansas 66611-2045

Tel: 913.267.6068
Fax: 913.267.6069

*Senate Gov. Org.
Attachment 10
3/15/94*

I come before you as a donor to the Friends of Cedar Crest Association to support the adoption of Senate Bill Number 814 - a simple act, authorizing the Friends of Cedar Crest Association to continue what they have been doing so successfully for more than a decade.

Only you have the power and the authority to establish for the Friends of Cedar Crest Association the legitimacy they deserve to continue their remarkable success in attracting furnishings and gifts of cultural and historical significance in behalf of the people of Kansas.

I am a late member of an early First Family. My father, a poor Elk City farmer who never finished high school, and who never before sought public office, was elected Governor of Kansas in 1930. He was our state's fourth Democratic Governor and our first and only bachelor. His salary was \$5,000. a year, but being Depression years, he cut his and all other Kansas employee's salaries by 10%.

Allow me to take you on a brief verbal tour of Cedar Crest - to examine a few of the eight or ten objects the Friends of Cedar Crest Association has acquired from this one First Family.

In the front room, on the second shelf of the Carney bookcase, is a large leather-bound presentation book titled, "Addresses of the President of the United States on the Occasion of his Visit to South America, 1936". Inside the front cover is handwritten, "To the Honorable Harry H. Woodring, Secretary of War of the United States, from his old friend Franklin D. Roosevelt, President of the United States". It is noteworthy that the book, printed in 1937 by the Government Printing Office, was published in both English and Spanish.

Toward the rear of the ground-floor "public-space", is the Governor's home-office. Behind the desk is a high-backed black leather and American gun-stock walnut chair - used almost daily by the Governor. On the back is a discreet brass plaque inscribed, "The Secretary of War, 1936 - 1940".

Tradition has it that when a cabinet member leaves office, his or her "seat at the President's table", retires with the individual.

In the front hall are an imposing pair of two foot high sterling candelabra, each with five arms and a center shaft. They were taken directly from the Reich Chancellory of the Third Reich in Berlin and presented, unpolished, to my father following World War II - in appreciation for the year he spent helping the Marshall Plan with the reconstruction of Europe - which he helped destroy.

And, returning to Cedar Crest early next month, after more than a year's museum-quality restoration, is a Simon Willard Lighthouse Clock - circa 1825. It was made personally by Simon Willard of Roxbury, Massachusetts 170 years ago and is reportedly one of seven such clocks remaining. It is considered to be among the most rare and significant examples of American artistic talent, craftsmanship, and ingenuity - in that Willard was the inventor and patentee of the first alarm clock. In 1837, Willard was commissioned by the U.S. Government to design and execute two clocks - one for the Capitol lobby and one for the U.S. Senate chamber. Both remain and keep time perfectly.

Cedar Crest's Lighthouse clock is in mint condition and retains it's original hand-blown Sandwich glass dome. A similar example sold at Sotheby's in New York in 1985 for \$286,000. This magnificent example of Federal period American furniture was highly sought after by the State Department in Washington for the Department's Official Reception Room for Foreign Dignitaries, however the Friends of Cedar Crest Association presented an overwhelmingly convincing case that it should come back home to Kansas.

The real value of these and other similar treasures residing at Cedar Crest is not their monetary worth, it is that they represent a glimpse into the culture and history of our state - and it's former elected leaders.

The Governor's residence, like the State Capitol, is a showcase for our state - our people - and our pride. It should be a place all Kansans are proud to to have our highest elected officials receive visiting dignitaries.

The Friends of Cedar Crest have been the advocates and the champions of Cedar Crest for over a decade. Now, they need your help in passing this Bill, to legitimize their efforts to date, and to equip them to be even more successful in the future. I think you will all agree that these artifacts enhance our Governor's residence. I suspect that you will also agree that the acquisition of these artifacts by tax dollars is highly inappropriate. Therefore, the role that the Friends of Cedar Crest plays is vital.

While I had the necessary confidence to donate to Cedar Crest, due primarily to the personal integrity of the individuals involved, others may not have. Your granting the Friends of Cedar Crest Association this somewhat more official status may be the catalyst required for attracting an even higher plateau of giving by First Families and others who share in the belief of historic preservation and in the enhanced qualities of our Governor's residence.

Thank you,

Cooper C. Woodring

Cooper C. Woodring

45 Randolph Square SW, Topeka, Kansas 66611-2045, USA
Phone: 913.267.6068, Fax: 913.267.6069

Woodring is past-President and past-Chairman of the Industrial Designers Society of America (IDSA). He earned a Bachelor's in Industrial Design from the University of Kansas and a Master's in Design from Cranbrook Academy of Art in Bloomfield Hills, Mich. Woodring was responsible for WORLDESIGN(™) - the International Congress of the Societies of Industrial Design's (ICSID's) Conference in Washington D.C. in 1985 - "the world's largest gathering of industrial designers".

Woodring received a Presidential Appointment to head the United States Information Agency's (USIA's) Cultural Exchange Mission, "Design in America" behind the Iron Curtain; is the first industrial designer invited to address the Conference Board - the prestigious Fortune 500 organization; is the recipient of over a dozen United States patents; is past-Mayor of Plandome, New York; is ICSID's representative to the United Nations; is IDSA's Chair of the Task Force on Design Legislation; and testified in 1992 before the U. S. House of Representatives on the Industrial Design Innovation and Technology Act (HR-1790).

At WORLDESIGN(™), San Francisco '92, Woodring received his profession's highest award, IDSA's Personal Recognition Award, awarded to only ten other designers in history, including the legendary Raymond Loewy.

Woodring is currently President of Better Mousetraps, Inc., (BMI) a Connecticut corporation "dedicated to the creation of intellectual property for equity income". For 20 years prior to founding Better Mousetraps, he was Manager of New Product Development and Design for 20 billion dollar JCPenney Company in New York City.

Better Mousetraps was founded by Woodring and Ira Gaber in 1987. The firm invents market-driven new products. Typically, BMI invents, patents, develops and prototypes new consumer products, then offers rights to manufacturers who can evaluate market potential and costs prior to investment or ownership, in return for royalty payments.

BMI has several products currently paying royalties. Other patents have been licensed to manufacturers and are under joint development. BMI has inventions not yet disclosed, and is currently manufacturing and controlling the channel-of-distribution of one proprietary new consumer product themselves - a garlic press. Their inventions range from light bulbs, to window treatments, to kitchen appliances, to collections of furniture.

Woodring returned to Topeka from New York in 1992 and serves on the Kansas Historic Sites Board of Review, the Heritage Trust Fund Grant Program, the Board of Directors of Historic Topeka, Inc., the Board of Directors of the Friends of Cedar Crest Association, is a member of the Kansas Association of Inventors, and has taught Advanced Problem Solving in Design at the University of Kansas. His most recent article, "U.S. Policy and it's Effect on the Economic Value of Design" was published by the Design Management Institute of Cambridge, Mass., in cooperation with Harvard.

Dean W. Graves, FAIA Architect

Testimony given by Dean W. Graves, FAIA, Architect and
Current President of Friends of Cedar Crest Association (FOCCA)
Governmental Organizations Committee of the Kansas State Senate
1:30 PM Tuesday, March 15, 1994, Room 531N, State Capitol Building, Topeka, KS.
Senator Al Ramirez (R) 5th District, Chairman.

It is important for you to approve SB814 because it will clearly establish the Friends of Cedar Crest as the appropriate conduit through which gifts and donations can be given to benefit the enhancement of Cedar Crest, our Kansas Governor's Residence, a most important symbol to all Kansans.

The Friends of Cedar Crest Association came into existence in order to have a single focus, special interest, politically non-partisan citizens group dedicated to the preservation, maintenance, restoration and enhancement of the Kansas Governor's Residence. This is what we have been about doing.

It is important to recognize that as a Governor's residence Cedar Crest has some significant shortcomings.

In 1985, some 9 years ago, with the blessing and encouragement of the current Governor, John Carlin, the FOCC prepared a preliminary design for an addition to the Governor's resident.

This Addition addresses two important programmatic issues defined as follows:

The first, Cedar Crest is a highly visible symbol of the top political office, in the state of Kansas; the seat of economic, social and political power. But public usage of the space is now limited because Cedar Crest is lacking in facilities to accommodate social events of even modest size presented by the State of Kansas and the head of state. First impressions are important, and visiting dignitaries, trade delegations and important personages from across the country and around the world should not come to Kansas and be taken to an ordinary hotel/motel banqueting facility when the dramatic vista of Cedar Crest could welcome them to a social engagement that they would long remember. All that is needed to make this possible is a "public reception/banquet facility," amply planned, to comfortably accommodate one hundred plus people.

The second issue notes that when tours are conducted and meetings are held at Cedar Crest, the First Family is captive on the second floor of the residence. This does not seem right and is a hardship that the First Family should not have to tolerate. Related to this is the fact that adequate lodging accommodations for visiting heads of state and/or dignitaries are non-existent and therefore more private and amply planned family living quarters should be provided somewhat removed from the premises of the national register building. Space above the "public reception/banquet facility" could serve this purpose. This would make adequate space on the second floor of the historic residence available for guest quarters.

The Plans that you see before you addressed these two issues.

The FOCCA's preliminary plans were well received in 1986 by the Governor's Residence Advisory Commission (GRAC) and the legislature appropriated planning money to take the project through the Design Development Phase of Architectural and Engineering Services. Regrettably no funds were appropriated for detailed planning and construction and when the election for Governor was decided "political ownership" of Cedar Crest was established for the next four years which made discussion, let alone approval of such an expenditure politically impossible.

Some eight years later, in the Fall of 1993, the FOCCA held their annual meeting and we were especially pleased that Senator Bogina attended and were pleasantly surprised when he suggested that the Governor's decision to not seek re-election had made the timing right for a joint venture of state

810 Baltimore • Kansas City, Missouri 64105 • 816/471-0007 • Fax 816/421-1262

*Senate Gov. Org.
Attachment 11
3/15/94*

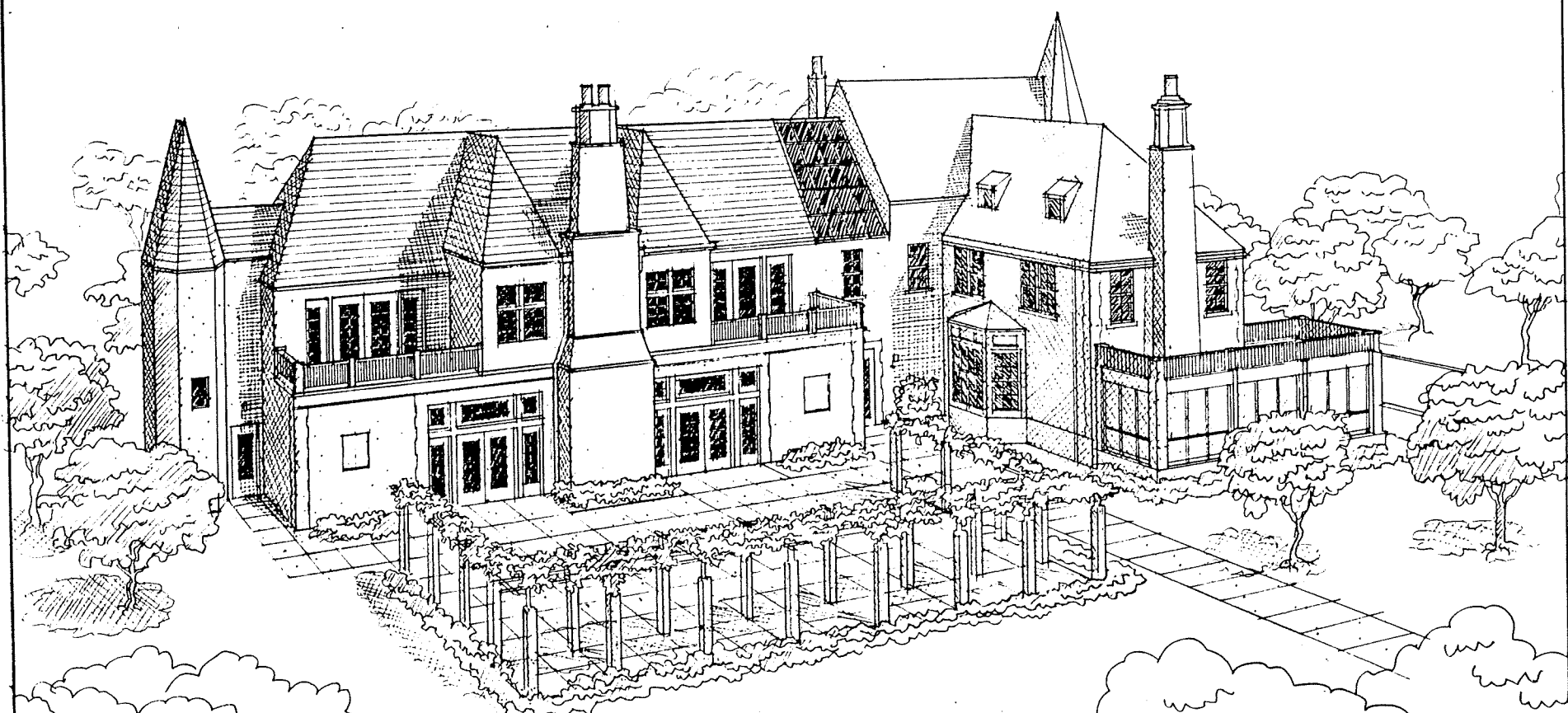
and private funding of the Cedar Crest Addition Project. With that in mind a dusting off and reviewing of the project determined that in the vicinity \$2.4 million dollars would be needed. And, would the FOCCA commit to delivering \$1.0 million dollars of this amount? Our 27 member board responded in the affirmative.

So now I believe that you can clearly understand why we need our status precisely defined.

When the State has committed to funding a million dollars for detailed planning and construction for this project we must have all doubt removed as to the official status of the FOCCA, for we will be seeking money ranging from millionaires to school children, because Cedar Crest belongs to the people of Kansas and everyone must have the opportunity to participate in investing in their state.

Please create the mechanism that will let us go after the money to pay our citizen's contribution share of Cedar Crest ownership. Passage of Senate Bill 814 will make it happen.

11-3

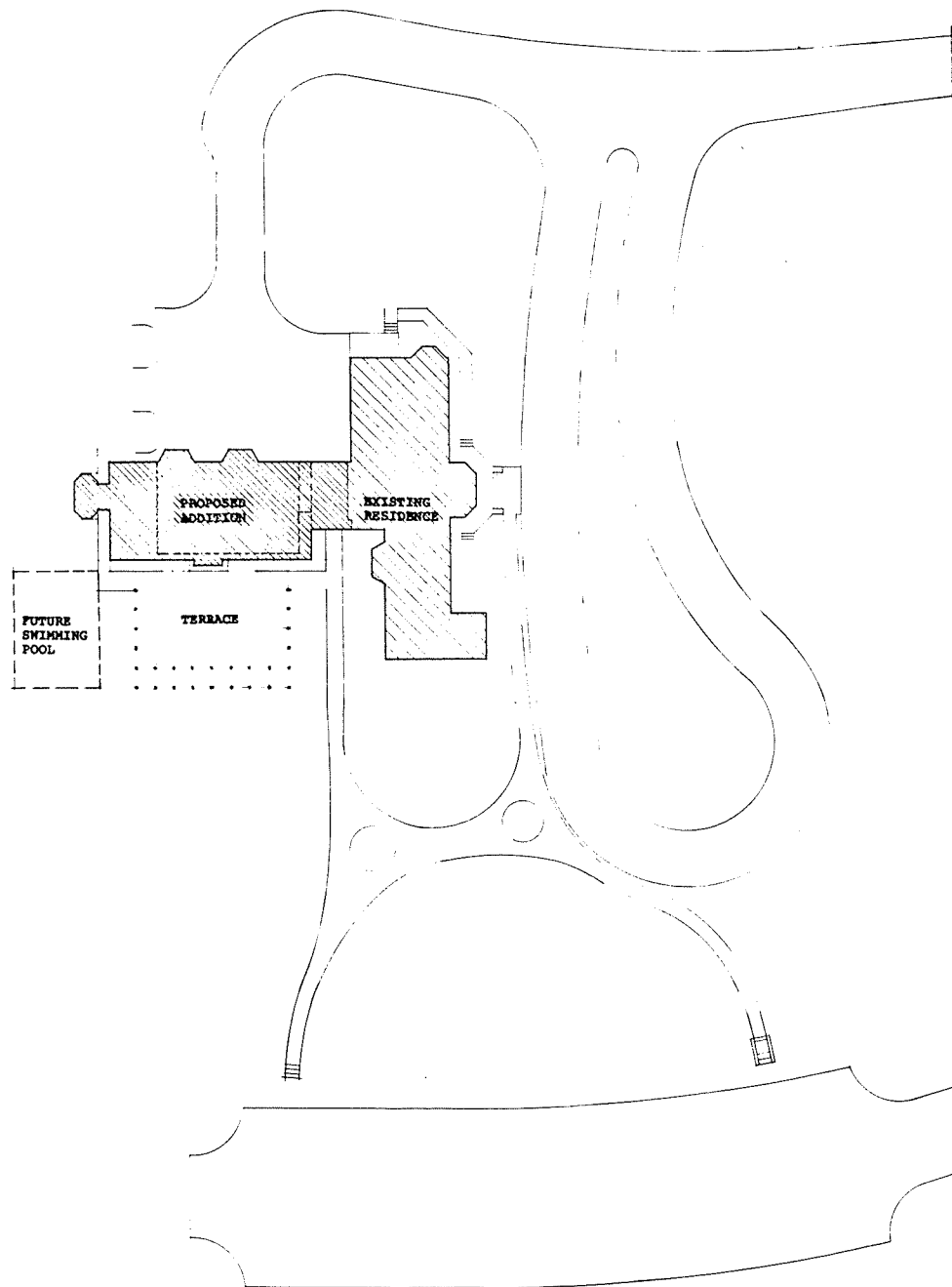


VIEW FROM NORTHWEST

A Proposal by the
FRIENDS OF CEDAR CREST for:
Additional Banquet Facilities and
New Governor's Quarters at

CEDAR CREST
Topeka, Kansas

Dean
Graves
AIA
ARCHITECT

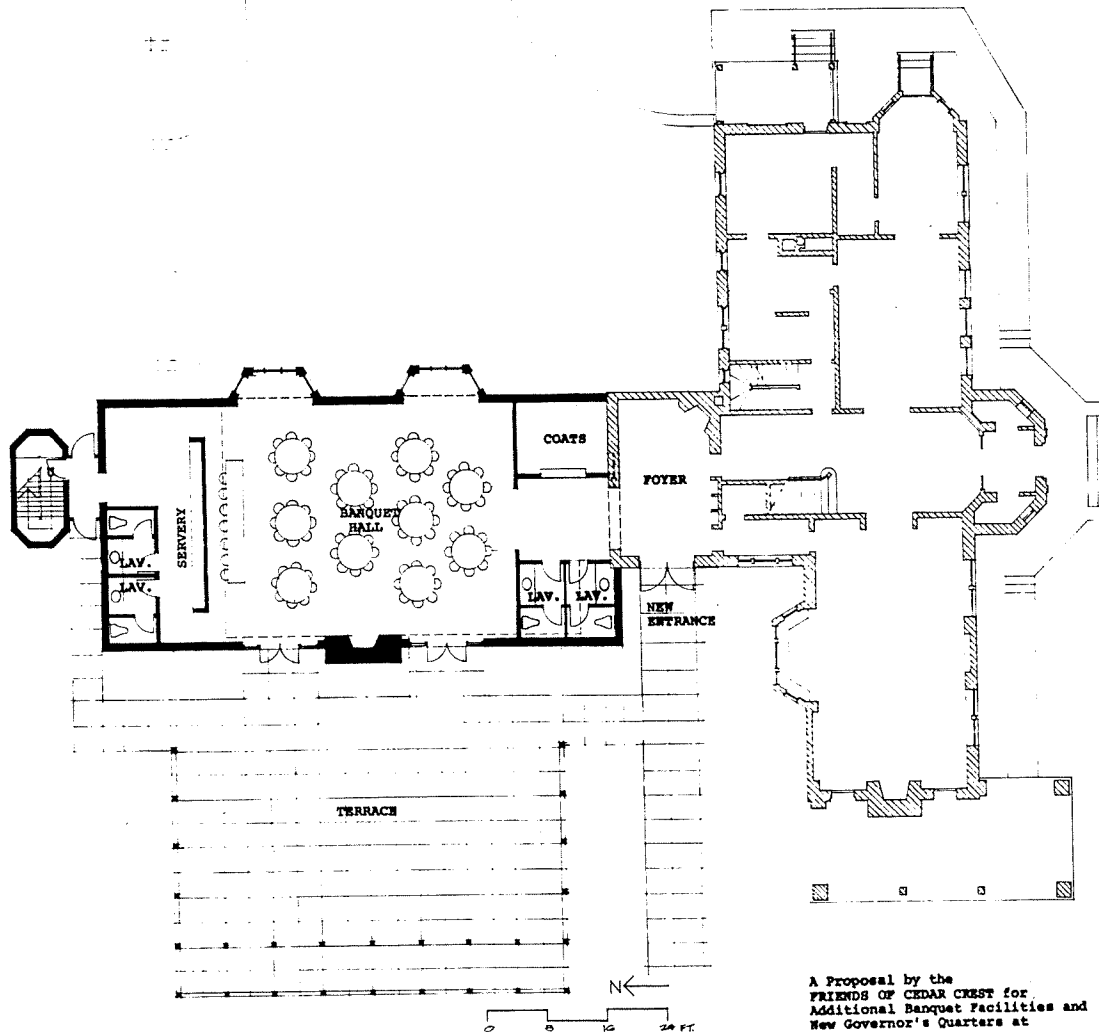


0 20 40 60 FT.
N
SITE PLAN

A Proposal by the
FRIENDS OF CEDAR CREST for
Additional Banquet Facilities and
New Governor's Quarters at
CEDAR CREST
Topeka, Kansas

Dean
Graves
AIA
ARCHITECT

11-4

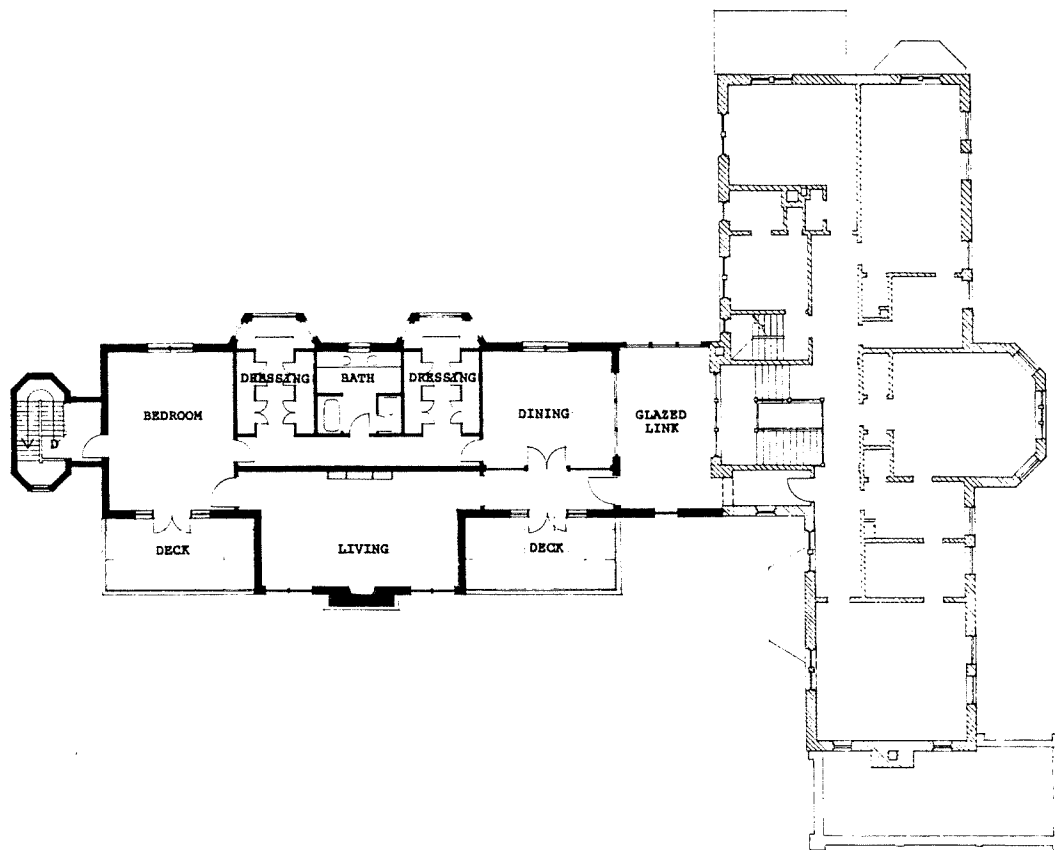


MAIN FLOOR PLAN

A Proposal by the
 FRIENDS OF CEDAR CREST for
 Additional Banquet Facilities and
 New Governor's Quarters at
CEDAR CREST
 Topeka, Kansas

Dean
 Graves
 AIA
 ARCHITECT

11-5



9-11
 0 8 16 24 FT.
 N
 UPPER FLOOR PLAN.

A Proposal by the
 FRIENDS OF CEDAR CREST for
 Additional Banquet Facilities and
 New Governor's Quarters at
CEDAR CREST
 Topeka, Kansas

Dean
 Graves
 AIA
 ARCHITECT

FRIENDS OF CEDAR CREST ASSOCIATION 1993-94
Board of Directors

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President: Dean Graves
Vice President: Sue Bond
Secretary: Nel Richmond
Treasurer: William Muir
Assistant Secretary: Karen Northrupp

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State KS
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Name Ginny Shackelford
Street 7924 El Monte
City Prairie Village
State KS
Zip 66208

Name Cooper Woodring
Street 45 Randolph SW
City Topeka
State KS
Zip 66611-2045