



# State of Kansas Legislative Administrative Services

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Thomas A. Day  
Director

To: Legislative Coordinating Council  
From: Tom Day and Gordon Self  
Date: December 18, 2023  
RE: LCC Policy 38 – Correspondence and Mailing  
LCC Directive II – Stationery

At the August 9, 2023 meeting of the Legislative Coordinating Council, Speaker Hawkins made a motion, which was approved, that stated in part “for the purpose of allowing members of the legislature to send newsletters to every household in their district, commencing in Fiscal Year 2025, the LCC consider that the postage allotment for legislators be combined for newsletters in the amount of \$6,000 for Representatives and \$18,000 for Senators and the Revisor of Statutes and the Director of Legislative Administrative Services be directed to draft the appropriate amendments to LCC Policy 38 to effectuate this proposal and present such draft policy at a subsequent meeting of the LCC for review and approval.”

Attached to this memorandum are the draft amendments to LCC Policy 38, that would allow for a combined postage and printing allotment, per calendar year, for all legislators. As stated in Speaker Hawkins motion, Representatives will be allotted \$6,000 and Senators will be allotted \$18,000. Combining both printing and postage will increase the number of newsletters that can be mailed to constituents, with the potential to send a newsletter to every household in each legislative district.

One other item in LCC Policy 38, that should be repealed, deals with expenses for handling, sorting, processing, or other miscellaneous services, except those incurred when using the State’s central mail services. For many years, the mega appropriations bill has included proviso language in the Legislature’s budget, allowing for reimbursement of expenses to legislators incurred in printing correspondence with constituents. (K.S.A. 75-1005 requires printing to be done by the State Printer.) LCC Policy 38 does not allow expenses for handling, sorting, processing, etc., to be reimbursed except through the State Printer/Central Mail. This puts many legislators at a disadvantage, in the printing/postage of newsletters when using other printing/mailing service businesses.

In relation to the draft amendments in Policy 38, combining postage allotments and printing of newsletter allotments, amendments are also necessary to LCC Directive II, removing the language for printing of newsletters. The draft amendments to LCC Directive II are attached.

Although the amendments would be effective on July 1, 2024, per Speaker Hawkins motion, legislators would not be able to use the combined postage and printing allotments until January 2025, since allotments shall not be used by any legislator after the Legislature adjourns *Sine Die* in a year which a general election is to be held to elect members to the Legislature.

**Recommendation:** Accept and authorize the amendments to LCC Policy 38 and LCC Directive II, effective July 1, 2024.



Policy 38. Correspondence and mailing. (a)(1) Only correspondence pertaining to constituent services shall be prepared or mailed at state expense. (2) Except as otherwise provided by this subsection, on and after ~~January 13, 2020~~July 1, 2024: Each representative will be allowed a maximum ~~\$1,335 postage of \$6,000 postage and newsletter printing~~ allotment per calendar year; each senator will be allowed a maximum ~~\$4,005 postage of \$18,000 postage and newsletter printing~~ allotment per calendar year; ~~and a committee chairperson will be allowed an additional \$385 postage allowance per calendar year in response to committee mail, which may allow members of the legislature to send newsletters to every household in their district.~~ The postage and newsletter printing allotment allowed by this subsection shall not be used by any legislator after the day the regular session of the legislature adjourns sine die in a calendar year during which a general election is to be held to elect the members of such legislator's house of the legislature. The maximum allotment amount established under this paragraph will change in relation to postage rate changes made by the U.S. Postal Service for letter-size, first-class mail, and printing costs established by the state printer. (3) Allotments not used are not cumulative from calendar year to calendar year and shall not be used in any other calendar year. (4) Mailings by legislators which exceed this allotment will be charged to the respective legislator at the same amount charged to the legislature by central mail or printing/ mailing service businesses. Failure to pay for any overage in a timely manner will result in loss of legislative mailing privileges.

(b) The use of state postage in the mailing of personal correspondence is a misdemeanor. ~~K.S.A. 21-3911~~K.S.A. 21-6006 states in part: It shall be unlawful for any person to use for such person's personal use, or to allow any unauthorized person to use, any form of postage knowing such postage to have been paid for with state funds.

(c) Except as otherwise provided by law, questionnaires may be prepared, answered or mailed at state expense if: (1) The questionnaire is limited to soliciting opinions or facts relating to legislative issues or studies; (2) the questionnaire is specifically authorized by a legislator and the identity of the legislator sponsoring the questionnaire is disclosed on the questionnaire; (3) the questionnaire does not expressly advocate the nomination, election or

defeat of a clearly identifiable candidate to state or local office; (4) the questionnaire has a return address other than an address at the state capitol; and (5) the questionnaire, including preparation and mailing or other distribution, is in compliance with all other applicable statutes, rules and policies, including postage and printing allotments and other limitations prescribed by the LCC.

(d) Petitions should not be answered at state expense, other than to the individual who submitted it.

~~(e) The copy-making machines in the revisor's office are to be used primarily for reproduction of bills and other documents used in the legislative process. Copies of other items for individual legislators should be obtained from the division of legislative administrative services, except that the revisor's equipment may be used as backup when not required by such office for use in the legislative process.~~

~~(fe)~~ Exceptions to the above should be referred to the chairperson or vice-chairperson of the LCC for determination.

~~(gf)~~ ~~Commencing with mailings posted on or after January 1, 2004, and~~  
sSubject to the provisions of this subsection, a legislator may be reimbursed for the postage and newsletter printing expense of correspondence and other mailings authorized under this section which are mailed other than through central mail services. The claim for reimbursement shall be submitted to the director of legislative administrative services and shall be accompanied by the receipt or receipts for the postage and newsletter printing expense incurred and paid and by a sample of each item included in each mailing for which the claim is being submitted, which shall be kept on file by the director. A claim for reimbursement under this subsection may be submitted for more than one mailing. No claim for reimbursement shall be paid unless the aggregate claim is for reimbursement of the postage expense of mailing 500 pieces or more. ~~No expenses incurred for any handling, sorting, processing or other miscellaneous service or expense shall be reimbursed for~~

~~any mailing which is mailed other than through central mail services.~~ The amount reimbursed for any such claim for postage and newsletter printing expense reimbursement shall not exceed the outstanding balance in the postage and newsletter printing allotment of the legislator for the calendar year in which the postage and newsletter printing expense was incurred and shall be credited against such balance. Postage and newsletter printing expenses shall be incurred on or before December 14, during each calendar year. A postage and newsletter printing expense reimbursement for postage and newsletter printing expense incurred during a calendar year, on or before the last day the postage allotment may be used during such calendar year under this section, may be submitted within 30 days after the last day the postage and newsletter printing allotment may be used in such calendar year, but shall be credited against the outstanding balance in the postage and newsletter printing allotment of the legislator for such calendar year. The provisions of this subsection are intended to facilitate the use of metered postage by legislators at local postal facilities or through mailing service businesses in lieu of using central mail services to mail correspondence pertaining to constituent services or to mail questionnaires or correspondence pertaining to questionnaires in compliance with all applicable provisions of this or other policies or rules of the Council and applicable statutes and rules and regulations. Reimbursement for the purchase of postage stamps under this section is prohibited. (Adopted June 11, 1976; amended Oct. 3, 1980; amended January 10, 1986; amended Nov. 4, 1991; amended July 24, 2001; amended November 16, 2001; amended November 20, 2003; amended June 1, 2012; amended December 19, 2019; amended December ??, 2023)

Note: Allotments for postage and printing of newsletters combined effective July 1, 2024. Printing allotments for newsletters previously contained in LCC Directive II.



## II. Stationery.

A. Stationery printed by the state should not be used for campaign purposes. (May 7, 1992)

B. Limitations on printing of legislator documents: Legislators shall be allotted \$750 for stationery, envelopes, business cards, postcards, etc.; ~~Members of the House of Representatives shall be allotted \$1,000 per calendar year for newsletters; Members of the Senate shall be allotted \$3,000 per calendar year for newsletters. The maximum allotment amount established under this directive will change in relation to printing costs established by the state printer.~~ (November 4, 1991; amended July 24, 2001; amended December 14, 2004; amended December 19, 2019; amended December ??, 2023).

C. Note: Under K.S.A. 46-1207a the Legislative Coordinating Council “may provide for additional legislative stationery or other printed material supplies for members of the legislature to be provided at cost as determined by the council.”

D. Note: Removal of newsletter allotment due to change in Policy 38-Correspondence and Mailing. Allotments for postage and printing of newsletters combined in Policy 38, effective July 1, 2024.

