

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

The meeting was called to order by SENATOR JOSEPH C. HARDER at
Chairperson

1:30 ~~a.m.~~/p.m. on THURSDAY, MARCH 7, 1985 in room 254-E of the Capitol.

All members were present except:

Senator Montgomery, excused

Committee staff present:

Mr. Ben Barrett, Legislative Research Department
Ms. Avis Swartzman, Legislative Revisor's Office
Mrs. Millie Randell, Secretary

Conferees appearing before the committee:

SB 231 - Prohibiting required contributions as a condition to the purchase of season tickets to athletic events at state educational institutions. (Senator Anderson)

Proponents:

Senator Eugene Anderson, author of SB 231
Mr. Harold E. Riehm, Lawrence

Comments:

Mr. Stanley Koplik, Executive Director, Kansas Board of Regents

Following a call to order by the Chairman, the Chair recognized Senator Anderson, author of SB 231. Senator Anderson explained that he had introduced SB 231 at the request of citizens who felt they had been treated adversely by being required to make donations when purchasing season tickets for athletic events at a Regents' institution. These patrons, he said, felt that they have been denied their right to participate freely at athletic events.

Mr. Harold E. Riehm of Lawrence testified in support of SB 231, and his testimony is found in Attachments 1 and 2.

The Chair recognized Mr. Stanley Koplik, Executive Director, Kansas Board of Regents, who stated that he was not testifying for or against SB 231. He explained that the Board of Regents had not taken a position on the bill, nor had it even considered the bill. Mr. Koplik said he wanted to make the Committee aware of certain facts regarding the K.U. athletic department. He explained that the department has a budget of \$6 million with approximately \$450,000, part of which is expended for utilities, coming from state appropriations. Approximately \$5.5 million must be financed through private donations, he continued. He noted that the athletic department is expected to be primarily self-supporting and if SB 231 should be passed, the athletic department may very well ask for additional state aid to pick up the lag. He informed the Committee that Wichita State University charges a premium for their season tickets. Mr. Koplik stated that there was no intention to preclude students from being able to attend games, and he was concerned about this.

The Chairman announced that SB 231 would be taken under advisement.

SB 99 - The Chairman called the Committee's attention to SB 99 relating to professional negotiation between boards of education and professional employees' organizations and reminded members that two motions were on the floor from the last meeting. He said that because of last minute confusion at the previous meeting the motions would be expunged from the record. The Chair then announced that the floor was open for discussion or action on SB 99. After hearing no motion, the Chairman announced that SB 99 will be held in Committee.

SB 196 - In reference to SB 196, the Chairman stated that he had conversed with the author of the bill and that consequently Senator Salisbury had contacted the State Board of Education to inquire about development of a merit pay plan for teachers. He further stated that Dr. Harold Blackburn, Commissioner for Education, had agreed to the formation of a representative committee

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON EDUCATIONroom 254-E, Statehouse, at 1:30 ~~XX~~ p.m. on THURSDAY, MARCH 7, 19 85

to develop a merit pay plan, including a time frame and fiscal note, for implementation. The Chair said that if the idea is agreeable to the Committee, he would suggest that a resolution be introduced to encourage the State Board to develop a plan for merit pay and to direct the Board to report the results to the legislature at the beginning of the 1986 legislative year. After he opened the floor for motions, Senator Anderson moved and Senator Langworthy seconded a motion that the Committee introduce a resolution to direct the State Board of Education to develop a performance-based salary plan and to report its findings to the legislature next year. The motion carried.

SB 224 - During discussion on SB 224, which relates to the installation of FM business band radios in school transportation vehicles, Mr. Dale Dennis, Assistant Commissioner for Education, Department of Education, told the Committee that the fiscal note would be \$300,000 per year for the next two years. Senator Anderson moved that SB 224 be reported adversely. This was seconded by Senator Warren, but the motion did not carry. When the Chair asked for a new motion on SB 224, there was no further action; and the Chairman announced that SB 224 will be held in Committee.

SB 259 - When the Chair asked for motions on SB 259 relating to special education services for exceptional children, Senator Parrish moved and Senator Karr seconded a motion to report SB 259 favorably for passage. The motion carried.

SB 291 - In response to a question, Mr. Dale Dennis of the State Department of Education replied that the fiscal note on instructional television would be about \$200,000 the first year but that the fiscal implication for the second year would depend on how many schools participate. Senator Salisbury moved to report SB 291 favorably for passage. Senator Anderson then offered a substitute motion to amend SB 291 by inserting, in line 0031, the words "for use during the school day". This substitute motion was seconded by Senator Langworthy, and the amendment was adopted. Senator Salisbury then moved to report SB 291, as amended, favorably for passage. Senator Allen seconded the motion, and the motion carried.

SB 214 - Senator Karr moved that the Committee refer the subject of SB 214 relating to Haskell Indian Junior College to the Legislative Educational Planning Committee for study. This was seconded by Senator Anderson, and the motion carried.

SB 189 - Senator Parrish moved that the Committee report SB 189 (relating to professional negotiation between boards of education and professional employees' organizations) favorably for passage. Senator Karr seconded the motion, but the motion did not carry.

SB 231 - Senator Salisbury moved that SB 231, relating to the purchase of season tickets at Regents' schools, be recommended for study by the Legislative Educational Planning Committee. This was seconded by Senator Anderson. The Chairman broke a tie vote of four yeas and four nays and ruled that the motion had carried.

The Chairman announced that no Committee meetings would be scheduled for the following week but that the Committee would be on call. He then adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: Thursday, March 7, 1985

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Shelley Hoyle	221 W. Spruce, Junction City	USD #475
Pat Anderson	1015 W. Spruce, Junction City	USD #475
Tom Brungardt	202 E. V, ne #21 J.C.	KNEA-JCEA
Katha Hurt	#5, 1921 Anderson Ave, Manhattan	NEA-Manhattan
Mary Holm	2103 Green Manhattan	USD 475 - JCEA
Craig Dwyer	Lawrence	HT-NEA
Richard Funk	Topeka	RAJB
SHAROLD E. KIERM	Lawrence	MYSELF
Jay Coles	Topeka	KNEA
Chris Burt	Topeka	USD 301 #
Michael Joty	Topeka	CC UDK
Barbara Lashier	Box 108, Wamego, KS	USD #320
Jamie Crosson	Rt 3 Box 49 Wamego	USD #320
Mabel Stehring	R.1 Box 105 Westmoreland	USD #320

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 254-E DATE: Thursday, March 7, 1985

GUEST LIST

NAME

ADDRESS

ORGANIZATION

Ken Rogg Bill Albits	Paula Wichita	S O E US 259
M. D. MCKENNEY	Topeka	USA
Bob Johnson	Topeka	U.S.A.
Mary Ann Bumgarner	Topeka	Intern. Sch. Buske
Mae Topple	Lawrence	Law. Jour. World
Zel Lauritsen	Wichita	KPTS
Robert Fitzgibbon	K.C.	KCPT
Gene Hony	K.C.	—
Chris Glaves	Topeka	ASK

Mr. Chairman and Members of the Committee:

My name is Harold Riehm and I appear today in support of S.B. 231. My support is based in part upon my own experience which, incidentally is not exactly the circumstances covered by this bill, and based partilly upon what I expect will characterize the situation regarding basektball season tickets at KU next year.

I have held season basketball tickets for 20 years. I have set in the same seats all twenty years. For 19 of those years, when The Athletic Department sent season ticket renewal forms, they enclosed a notice that I could be guaranteed the same seats upon reordering, or if available, I could request better seats. The tone of some of those letters, particularly following a "down" basketball year, was one of pleading with my loyalty to the program to renew my seats. I always did.

This year, however, I received a new form of letter. It informed me that this was probably the last year I could have my same seats, unless I was prepared to make a contribution in support of the Williams Fund. Though no specific amount was stated, an example was given of what those seeking my seats as first time season ticket buyers would have to donate--in my case, \$1250. The required donation range was from \$750 to \$5000.

This situation prevails for quality of seating. The next step, and one that I suggest will be here next year, is requiring "contributions" for any purchase of season tickets. The KU Athletic Director was recently quoted as saying he expected that next year, season tickets at Allen Field House would sell out, which would institute, I am sure, a plan of giving season tickets only to those who meet "contribution" qualifications.

Such a policy, when it is instituted as a State Institution and involves a State related program, should be the subject of considerable scrutiny by the State. The basic question is whether we want state supported institutions and/or programs -- or programs that bear the name and good will of our State Institutions -- to base access and availability on the basis of wealth and level of contributions. It is my contention that our Universities--long based upon equality of access--should be the last where we want to tolerate such a practice.

I am well aware of the competitive nature of big time university athletics and the massive financial needs of these programs. But need--in this case an end--should not be allowed to determine what constitutes fairness in the accessibility of these

programs to Kansas citizens. May I suggest the following reasons.

1. Allen Field House, according to information provided by The Board of Regents, was built with State appropriations. Approximately one-half of its upkeep is provided by State appropriations (current) and all utilities are paid by State funds. Thus, Allen Field House is a State built, and partially a State supported facility.
2. Were a policy instituted to grant new season tickets only to donors, we might well have a situation in which Kansas residents were denied access to Allen Field House while out-of-state persons were "awarded" season tickets based on presence of or size of donation.
3. Even now, long time fans who have supported the program for many years apparently are subject to being bumped to less desirable seats to make better seats available for donors--in many cases, persons who have never supported KU Athletic programs before. This raises a basic question of fairness which may not be relevant in professional sports or private institutions (though one would hope it is), but most certainly should be a criterium of determining ticket policy for any State University related program.

The question is not one's ability to give or choice of programs to which one gives. My wife and I support several KU programs, through ticket purchases, contributions or both. Included is the K.U. Crew, a group of dedicated athletes that well and proudly represent The University of Kansas. To pay their coaches and buy equipment these athletes run a concession stand and help park cars at KU games and other tasks, like picking up trash at the Renaissance Festival in Bonner Springs. They receive no financial assistance from either The KU Athletic Department or The Williams Fund.

In conclusion, Mr. Chairman, this may seem like an insignificant bill and a relatively unimportant matter. But there is a matter of principle involved and that basically is whether or not the State of Kansas chooses to permit programs that operate under the name and auspices of our great State Institutions, should be permitted to make availability to events based upon size of contribution. I think the answer to that question should be a resounding "NO".

Thank you for this opportunity to appear.



THE UNIVERSITY OF KANSAS

DEPARTMENT OF INTERCOLLEGIATE ATHLETICS

Allen Field House

Lawrence, Kansas 66045-8881

November 3, 1984

Dear Season Ticketholder:

Enclosed you will find your 1984-85 Season Basketball Tickets as ordered. Since your tickets are located in one of our Williams Educational Fund priority areas, we thought it only fair to tell you at this time that this will probably be the last year we will be able to offer those same seats to you without a contribution to support your locations.

We are asking our contributors to provide more than \$2 million to balance our operating budget this fiscal year. We need to be able to offer priority seating to long time donors who need new or additional seat locations and to attract new donors. The interest in Larry Brown's Jayhawks has dramatically increased the demand for priority locations. To give you some idea of the pressure we face, we have listed the donation level associated with a Williams Fund contributor purchasing season tickets for the first time (for the few tickets which became available).


Sections 5-6-7	Executive	(\$5000)
Sections 4-8-17	Directors	(\$2500)
Sections 15-16-18-19	Blue Chip	(\$1250)
Bleachers	Victory	(\$ 750)

As you can see the demand is great. We just wanted you to be aware of what our problems were.

We understand that you might not be interested in or able to donate to the Williams Fund and ask that you also understand our need to provide incentives to our present and future donors so that we can continue to provide the total resources necessary for our athletic program.

Thank you for your interest in the athletic program.

Monte Johnson
Director of Athletics


Bob Frederick
Director of Williams Fund

ATTACHMENT 2 (3/7)

"Home of the Kansas Jayhawks"