

Approved _____

Date

4-23-86

MINUTES OF THE House COMMITTEE ON Ways and Means

The meeting was called to order by Bill Buntin at _____
Chairperson

8:00 a.m./~~p.m.~~ on Monday, April 7, 19 86 in room 514-S of the Capitol.

All members were present except:

Committee staff present: Jim Wilson, Revisor's Office
Gloria Timmer, Research
Laura Howard, Research
Sharon Schwartz, Administrative Aide
Nadine Young, Committee Secretary

Conferees appearing before the committee:

Beverly Gaines, Administrator for Health Department in
Butler and Greenwood counties
Virginia Downing, Barber County Health Department
Ernie Davis, S.E.K. Multi-County Health Department
Chuck Murphy, Health Officer for Manhattan Area
Elizabeth Taylor, KS Association of Local Health
Departments
Barbara Sabol, Secretary of H&E
Steve Paige, S.E.K. Multi-County Health Department
Pat Goodson, Right to Life
Frances Frech, Right to Life
Senator Gerald Karr
Chris Graves, ASK
Mark Tallman, Kansas Independent College Association
Clantha McCurdy, Associate Director for Financial Aid
Board of Regents
Craig Grant, KNEA
Others present (Attachment A)

Chairman Chronister called the meeting to order at 8:05 a.m.

HB 3105 -- concerning county health funds; relating to tax levies therefor; amending K.S.A. 65-204 and repealing the existing section.

The bill would allow county commissioners to initiate up to a 2 mill levy for county health departments, subject to 5% protest petition to call for an election. Presently limited to mill levy for 1974.

Beverly Gaines, Butler-Greenwood County Health Department appeared in support of the legislation and provided written testimony (Attachment B).

Julianne Pottorf testified in support of the bill on behalf of Jefferson County Health Agency. She said her area is the lowest per capita income in the state.

Virginia Downing appeared in support, representing Barber County. She said that more than 50 percent of the population in rural, western Kansas is 65 and over.

Ernie Davis, representing Allen, Bourbon and Linn counties appeared in support and his testimony is Attachment C).

Chuck Murphy, current director and health officer for the Manhattan area addressed the committee in support.

Elizabeth Taylor, Kansas Association of Local Health Departments appeared in support.

Secretary Barbara Sabol spoke briefly in support of the bill and reminded the committee that the state cannot provide public health services to all citizens.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,
room 514-S, Statehouse, at _____ a.m./p.m. on Monday, April 7, 1986

HB 3118 -- Solid waste permits, schedule of fees to be adopted by rules and regulations.

Representative Duncan explained the bill for the committee. HB 3118 would raise the fee for a solid waste processing facility from \$50 to cost of inspections - not to exceed \$2500. There would be a positive fiscal note to general fund of \$127,000.

HB 3125 -- Licensure and inspection of retail food stores by Secretary of Health & Environment, fees.

Representative Duncan explained the bill for the committee. It deals with retail food stores who provide on premises tables to be used for food consumption. Licensing of retail food stores would permit an accurate accounting of the number of retail food facilities in the State.

Department of KDHE supports the bill (see Attachment D).

HB 3138 -- concerning child support, obligation of grandparents, repayment.

Representative Rolfs reviewed for the committee the provisions of the bill. The bill results from the SRS subcommittee report. It is designed to help in addressing the cost of aid to dependent families and promote family responsibility in the case of teenagers with babies.

Pat Goodson, representing the Kansas Right-to-Life testified before the committee, taking a neutral position. She thinks the bill has implications and asked the committee to strongly consider the bill before rushing it through.

Frances Frech, Director of Population Renewal Office in Kansas City spoke at length concerning the implications. She said that if a teenager cannot support her child, then the state should support it just as the state already does for an older mother on welfare. Her testimony also addresses the issue of statutory rape and suggested the committee consider this. The committee specifically asked to be provided with a copy of her testimony (Attachment E).

Representative Rolfs emphasized that his feeling on this issue is strictly economics, adding that teenage pregnancy is becoming a very big drain on SRS.

Mrs. Frech's testimony is neutral on the bill - she added that amendments need to be included.

Belva Ott, Public Affairs Office for Planned Parenthood of Kansas spoke in opposition to the bill. She said the bill would increase the potential for abortions. If parents feel this is the only alternative, then parents will exert pressure on the teenagers. Mrs. Ott's testimony suggested a mandate for additional education in the schools.

Tereasa Shivley spoke briefly in opposition to the bill, saying it takes the decision away from the minor.

Chairman turned to SB 237 -- providing for teacher education scholarships and for designation of teacher education scholars.

Senator Karr addressed the committee and explained the history of the bill. It would establish teacher education scholarship program to help with declining enrollment in teacher education. It is subject to appropriations, \$450,000 the first year; \$900,000 the 2nd year; and \$1,125,000 the third year.

- Chris Graves, Associated Students of Kansas, appeared in support and provided testimony (Attachment F).

Mark Tallman addressed the committee and asked for support, on behalf of the Kansas Independent College Association.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Ways and Means,
room 514-S, Statehouse, at _____ a.m./p.m. on Monday, April 7, 1986

Clantha McCurdy, representing Kansas Board of Regents, urged passage of the legislation, claiming that it will offer a means of attracting some of the better students in the field of teaching (Attachment G).

Craig Grant, speaking for KNEA, asked for support of the proposed legislation (Attachment H).

On the bill, Representative Lowther moved and Representative Mainey seconded, that SB 237 be recommended favorable for passage. Motion carried.

Turning back to HB 3105, Representative Duncan moved and Representative Ott seconded that the bill be reported favorable for passage. Representative Miller offered a substitute motion to strike the 10% protest figure and insert 5%. Seconded by Representative Lowther. Motion carried. Representative Duncan moved that SB 3105, as amended, be reported favorable for passage. Seconded by Representative Ott. Motion carried.

Turning back to HB 3118, Representative Chronister moved that the bill be amended by exempting local units of government. Seconded by Representative Guldner. Motion failed. Representative Duncan moved that HB 3118 be reported favorable for passage. Seconded by Representative Rolfs. On a show of hands vote, the motion failed.

INTRODUCTION OF BILL

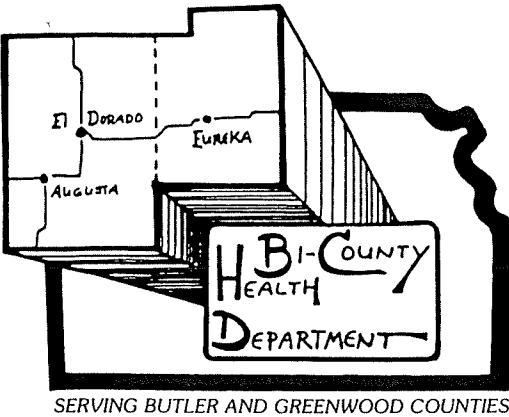
Chairman Buntten brought before the committee, for consideration at the request of Representative Kent Ott a draft bill concerning water. On a motion by Representative Lowther and a second by Representative Miller, the bill was introduced.

A draft amendment to HB 2235 was distributed, and the chairman asked the committee to review the amendment for discussion in a later meeting.

Meeting adjourned.

Date 4-7-86

Name	Address	Representing
Charles Lind	Topeka	KDHE
Steve Paizer	Topeka	KDHE
Beverly J. Lerner	Augusta	Bi-County Health Dept
Julianne Patterf	Oskaloosa	Jefferson Co Health Dept
Virginia Downing	Medicine Lodge	Barber Co Health
Chick Murphy	Manhattan Ks. 7030 Tecumseh	Riley Co Manhattan Health
Elizabeth E. Taylor	"	Kolasa Local Health
PAT SCHAFFER	TOPEKA	BUDGET DIVISION
Belva Ott	Michita	Planned Parenthood of Ks.
Ernie Davidson	Iola	SEK Health Dept
Clantha McCurdy	Topeka	Board of Regents
B. J. SADDL	TOPEKA	KDHE
Chris Graves	Topeka	ASK
Mark E. Sallman	Topeka	Kans. Independent Colleges
Frances Frech	Kansas City	Eastern Kansas Right to Life
Pat Goodson	Shawnee	Right To Life



EL DORADO OFFICE
 Butler County Courthouse
 El Dorado, KS 67042
 (316) 321-3400

AUGUSTA OFFICE
 620 Osage
 Augusta, KS 67010
 (316) 775-6142

EUREKA OFFICE
 Greenwood County Courthouse
 Eureka, KS 67045
 (316) 583-6632

April 4, 1986

HEALTH & ENVIRONMENTAL PROTECTION

- Communicable Disease Investigation
- Food Service & Handling Inspections
- Child Care Licensing
- Adult Care Home Facility Assessments
- Water Quality Control
- Wastewater Management
- Rabies Control
- Animal Control (Butler Co.)

HEALTH PROMOTION & DISEASE CONTROL

- Health Education & Risk Reduction Programs
- Early Intervention Screening & Detection
- Nutrition Services - WIC Program
- School Health Services
- Dental Health Services

PERSONAL HEALTH

- Parent & Child Health Immunizations
- Family Planning
- V.D. Testing & Treatment
- Tuberculosis Testing & Follow Up

COMMUNITY SERVICES

- Community Health Nursing Visits
- Certified Home Health Agency Visits
- Community & Senior Citizens' Health Clinics
- Coordination of Community Resources & Case Management
- Homemaker Services (Butler Co.)

Dear House Ways & Means Committee Members,

I believe that in Kansas, we care about and take responsibility for four major areas of need - Public Safety, Public Education, Public Welfare and Public Health.

I also believe as legislators representing the people of Kansas, you have an enormous responsibility to meet these community needs.

As you are aware, immediate problems in the community are unemployment related to a decline in the agricultural and oil industries, a growing number of persons over age sixty, and an increasing number of single women in poverty who are bearing and raising children in poverty. These are all problems that deserve attention and long term solutions. I would like to identify some of the problems and potential solutions in the area of Public Health.

In summary, the following problems are:

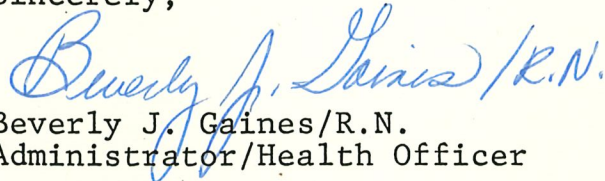
1. Federal Block Grant cuts up to 13% presently may be an additional 26% next year.
2. KDH&E requirements to substantially increase local county matching funds to federal grants. (as much as 100% in some grant programs).
3. Drastic reductions in home visits funded by Medicare.
4. Numerous persons needing health services in the home due to persons being discharged earlier from hospitals.
5. Inadequate funding of Public Health Programs from all levels.

*Atch. B
 J. W. M. 4/7/86*

In order to solve some of these problems the Board of Health is asking for your support of HB 3105. This bill would amend K.S.A. 65-204 to allow the cap (limited in the year 1974) for a county mill levy for the funding of local health departments to be raised to 2 mills, with a protest petition.

In conclusion, the people in our community need your immediate help in addressing these problems. Thank you for your efforts and many long hours given in serving the people of Kansas.

Sincerely,


Beverly J. Gaines/R.N.
Administrator/Health Officer

BJG/nd

enclosures:

KSA 65-204

Tax Rates by County 1986

Bi-County Health Department Services

health building and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 1979 Supp. 12-1774, and amendments thereto, by cities located in the county, upon all tangible taxable property in such county. In counties having a population of more than two hundred fifty thousand (250,000), the board of county commissioners may levy an annual tax upon all taxable tangible property in such county for the purpose of financing garbage and trash disposal in such county, either as a joint operation with any city located in such county or as a sole operation of such county and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 1979 Supp. 12-1774, and amendments thereto, by cities located in the county. The provisions of this act shall not abrogate or amend any other existing health law, or laws incidental thereto. **No levy shall be made by any county for the county health fund in an amount in excess of that which such county was authorized to levy for the year 1974, without the question of making such levy having been submitted to and approved by a majority of the electors of the county voting thereon at an election called and held thereon or at the next regular election. All such elections shall be noticed, called and held in the manner prescribed in K.S.A. 1979 Supp. 10-120.**

History: L. 1929, ch. 289, § 1; L. 1945, ch. 247, § 1; L. 1953, ch. 424, § 2; L. 1957, ch. 334, § 1; L. 1961, ch. 281, § 1; L. 1965, ch. 370, § 1; L. 1967, ch. 336, § 1; L. 1968, ch. 342, § 1; L. 1970, ch. 249, § 1; L. 1971, ch. 203, § 1; L. 1974, ch. 248, § 1; L. 1974, ch. 433, § 2; L. 1975, ch. 162, § 36; L. 1976, ch. 264, § 2; L. 1979, ch. 52, § 157; July 1.

Research and Practice Aids:

Counties—192.

C.J.S. Counties § 281.

65-205. Joint board by cities and counties; agreement; jurisdiction; board in counties over 300,000. Whenever it shall be determined that the public health and sanitation of any city or county may be best promoted by the creation of a joint board of health for any two or more cities, counties, or city and county the governing bodies of such municipalities may so declare by resolution and may, by agreement with each other, establish a joint board of health with the same powers, duties, and limitations as

are now or hereafter may be provided by law for the creation and conduct of boards of health to act severally in such municipalities. Upon the creation of any such joint board of health all the jurisdiction, powers and duties now conferred by law upon any local, municipal or county board of health shall be withdrawn from such local, municipal or county board of health and conferred upon the joint board of health. In all counties having a population of more than three hundred thousand (300,000) such board of health existing on July 1, 1974, is hereby abolished and in its place a joint board of health is hereby created and shall consist of eleven (11) persons who shall be appointed as follows:

Five (5) members, one (1) of whom shall be a medical doctor who is duly licensed to practice in the state of Kansas, shall be appointed by the governing body of the first-class city located within such county; five (5) members, one (1) of whom shall be a psychiatrist who is duly licensed to practice in the state of Kansas, shall be appointed by the board of county commissioners, and one (1) member shall be appointed by the administrative district judge of such county, and such member shall be a pharmacist duly licensed under the laws of the state of Kansas; said members shall hold such office for a term of four (4) years and until their successors are appointed and qualified, except that the members of the first board appointed on or after July 1, 1974, shall hold their offices for terms as follows: Three (3) members appointed by the governing body of the first-class city located within such county for a term of one (1) year and two (2) members appointed by such governing body for terms of three (3) years; three (3) members appointed by the board of county commissioners of such county for terms of four (4) years and two (2) members appointed by such board of county commissioners for terms of two (2) years; one (1) member appointed by the administrative district judge of such county for a term of two (2) years, and the appointing authority, appointing more than one member, shall designate the term for which each is to serve; said members shall be eligible for reappointment, but at no time shall a majority of said board be composed of medical doctors. The actions of said board shall be subject to the approval of the governing bodies of the city and county

1980

Such officer shall upon the opening of the fall term of school, make or have made a sanitary inspection of each school building and grounds, and shall make or have made such additional inspections thereof as are necessary to protect the public health of the students of the school.

Such officer shall make or have made an investigation of each case of smallpox, diphtheria, typhoid fever, scarlet fever, acute anterior poliomyelitis (infantile paralysis), epidemic cerebro-spinal meningitis and such other acute infectious, contagious or communicable diseases as may be required, and shall use all known measures to prevent the spread of any such infectious, contagious or communicable disease, and shall perform such other duties as this act, his or her county or joint board, or the secretary of health and environment may require.

Such officer shall receive for his or her services such reasonable compensation as his or her board may allow and with the approval of his or her board of health may employ a skilled professional nurse and other additional personnel whenever deemed necessary for the protection of the public health.

All of said several sums allowed shall be paid out of the county treasury. For any failure or neglect of said local health officer to perform any of the duties prescribed in this act, he or she may be removed from office by the secretary of health and environment, as well as in the manner prescribed by the preceding section. In addition to removal from office as provided herein, for any failure or neglect to perform any of the duties prescribed by this act, said local health officer shall be deemed guilty of a misdemeanor and, upon conviction, be fined not less than ten dollars (\$10) nor more than one hundred dollars (\$100) for each and every offense.

History: L. 1885, ch. 129, § 8; L. 1909, ch. 102, § 1; R.S. 1923, 65-202; L. 1925, ch. 202, § 1; L. 1927, ch. 240, § 1; L. 1973, ch. 246, § 2; L. 1975, ch. 462, § 70; L. 1980, ch. 182, § 26; July 1.

Cross References to Related Sections:

Authority of health officer to take up certain animals for determination of disease, see 47-125.
Serological tests, duties of health officers, see 23-301.
Tests and inoculations at public expense, duties of health officer, see 72-5210.

Research and Practice Aids:
Hatcher's Digest, Health § 3.

CASE ANNOTATIONS

Annotation to L. 1885, ch. 129, § 8:

1. Authority not granted to require vaccination before admission to schools. *Osborn v. Russell*, 64 K. 507, 68 P. 60.

65-203. Obstetrical patients. County boards of health may make a special contract with the state board of regents for the care and maintenance in the hospital conducted by the said board of regents in connection with the state university, of such obstetrical patients as are public charges in their respective institutions: *Provided*, It is necessary to secure professional attention other than that furnished by the institutions of which such public charges are inmates.

History: R.S. 1923, 65-203; Dec. 27.

Source or prior law:

L. 1911, ch. 294, § 1.

65-204. County health funds; health buildings; garbage and trash disposal; tax levies, use of proceeds; election. The board of county commissioners of any county of the state may levy a tax upon all taxable tangible property in such county for the purposes authorized herein and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 1979 Supp. 12-1774, and amendments thereto, by cities located in the county and the proceeds thereof shall be placed into a separate fund designated as "the county health fund," which fund is hereby created, and shall be used to defray the cost of:

(1) Assisting in the carrying out of the health laws, rules and regulations of the state within such county;

(2) paying the salary of the local health officer;

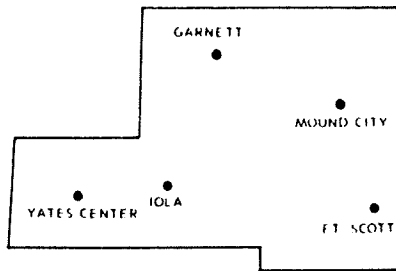
(3) any contract entered into with the governing body of any hospital located in a county having a population of less than fifteen thousand (15,000) as provided by K.S.A. 65-201;

(4) the employment of additional personnel to assist the local health officer and other health authorities within such counties. In all counties having a population over one hundred thousand (100,000) and not more than three hundred thousand (300,000), the board of county commissioners may levy in addition a tax for the purpose of paying the cost of building or equipping a

1985 County Tax

Rates for 1986

County	1985 Population	Assessed Tangible Value	Total Bonded Indeb.	General	Deed & Intest	Ed. & Spec. Inc. Bldg. & Bridge	Social Security	Retirement	Workers' Comp.	Employee Benefits	4-H Buildings & Maint.	Agricultural Extension Council	Fairs	Woods	Excise	County Park Ref.	Health	Mental Health	Historical	Soil Conserv.	Juice Tax	Economic Dev.	Aggr.	Tert. Leas.	Homes for Age	Health	Services for the Elderly	All Other	Total County Tax Rate	County			
Allen	15,876	67,288,700	140,000	3.748	22.700	1.940	0.570	1.300	1.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	Allen	
Anderson	15,876	67,288,700	140,000	3.748	22.700	1.940	0.570	1.300	1.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	0.050	Anderson		
...



file

S. E. K. Multi-County Health Department

221 S. Jefferson
Box 304
Iola, Kansas 66749
February 7, 1986

Sent to

*Bob Ott
Stacy Duncan
Jack Shuman*

Dear *Bob*

I'm writing to you because I understand you are on a Ways and Means subcommittee reviewing the State Health Department budget. I'd like to come to testify or make a presentation on February 19 if that's possible. If not, I'd appreciate your taking a few minutes to read this letter and the attached I had written in early January, 1986.

We knew we weren't adequately funded in 1973 and we asked our locally elected State Representative to write a change to the local public health funding law 65-204, that would allow us to raise our levy from 1/2 mill to 1 mill like many other counties were authorized to levy. Our legislators agreed, but when they introduced the legislation there were already so many special levies and sub-paragraphs in 65-204 for specific counties and sizes that the legislature changed the whole law to say what it says today. That's where the 1974 levy limit came from. You can see the history!

If you could change it again to get rid of that verbage and raise the limit to 2 mills for every county, then the local county can determine what they need, want, and are willing to pay for from zero up to 2 mills. That way is more fair for everyone. Otherwise, we need to ask you somehow to add enough money to the State Health dept.'s budget so they can allocate more funds out here at the local levy!

Our SEK Mental Health covers the same counties that we cover. For 1986 they are budgeted to get \$313,129.00 from the same five counties that we are getting \$144,467.00. It's because it's legal for them to get more, it's not legal for us. We provide more services and see more people and we pay our employees much less! Give the counties the authority to levy more and let them decide how much of their authority they are willing to use.

I'm sure they won't give us a full 2 mills, but they might give us 3/4 or 1 mill. Some counties in the state may be willing depending on their needs and resources that they have in their county.

Sincerely,
[Signature]
Ernie Davidson
*Alh. C
J. W. M. 4/7/86 C*

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

TESTIMONY ON HB 3125

BACKGROUND INFORMATION:

The Kansas Department of Health and Environment (KDH&E) has historically conducted routine inspections and complaint investigations of retail food stores in the State. Such inspections, conducted to address issues related to environmental sanitation, product adulteration and misbranding, have been carried out under the authority of the Kansas Food, Drug and Cosmetic Act. This Act does not provide for licensing authority. HB 3125 defines Retail Food Store, directs the Secretary of KDH&E to adopt rules and regulations establishing specific standards for retail food stores designed to ensure the health and safety of customers of retail food stores, and authorizes the Secretary to establish a retail food store licensing program. Unlike other parts of the food industry, retail establishments are not currently licensed, nor do they pay license or application fees.

STRENGTHS:

Licensing of retail food stores would permit an accurate accounting of the number of retail food facilities in the State, and their locations. A licensing program would facilitate enforcement of regulations and product recall activities. A system of facility plan and pre-operational inspection and approval could result in a significant savings of money to the retail industry since physical deficiencies would be identified prior to construction, thus eliminating the need for costly structural changes following completion. Application and license fees would assist in funding the inspection program which is currently underwritten in total by the State.

WEAKNESSES:

None

DEPARTMENT'S POSITION:

The KDH&E supports passage of HB 3125.

F&D/3

*Atch. D
H. H. M. 4/7/86 D*

4-7-86

I am Frances Frech, Director of Population
Renewal Office in Kansas City. Our office has been engaged
in research on teenage pregnancy for about eleven years, and
we have been asked to provide expert testimony at a number of
legislative hearings--in Kansas, Missouri, Texas, and ^{before several committees} the Un-
ited States Congress. Currently we are researching the Wiscon-
sin "Grandparents' Responsibility Law" which has caught the at-
tention of several state legislatures. ^{we are studying how it came to be, who was behind it and what the possible results may be.}

We were asked by Eastern Kansas Right to Life to
present some material on this which might not be offered other-
wise. It's my understanding, however, that at this point, the
Right to Life group is not taking a stand either for or against
the bill. They merely feel that some points should be brought
up.

Everyone has some concern for the protection of
young people who are minors, to keep them from actions which
could interrupt their educations, darken their futures, and cause
a lot of problems for themselves and others.

The first responsibility, of course, belongs with
their parents, the ones who conceived them and bore them and have
reared them to adolescence, who have invested ^{their} in ~~them~~ hopes and
^{in them and} dreams, time, money, and love ^{in them}.

But in modern life there are others who have input
in determining the values these youngsters will accept, the roads
they will follow. For some but not all there will be churches.
For all there are teachers and counselors who, in these times, of-
ten pass along their own values. There will be family planners
whose main concern is to prevent pregnancy and venereal diseases.

There are television shows, movies, rock lyrics, ^{more and rock} stars who are role
models.
J. W. M. 4/7/86

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models, and a considerable amount of peer pressure^{as well}. So it is hardly fair in this day and age to pass any laws placing all the blame, all the responsibility on parents for what their teenage sons and daughters do.

Furthermore, there are other laws which complicate the whole matter. Anyone under 18 is a minor and the parents are responsible for the health and welfare of minor children, and are also responsible, in many ways, for the actions of said minor children. But adolescents reach the age of consent for sexual involvement before they are eighteen. In most states "age of consent" is sixteen or seventeen. If young people of these ages have sexual relationships, they are making legal choices. Their parents cannot forbid them to make legal choices. They can offer moral guidelines, but they cannot enforce them. If they feel contraception is the solution to a possible pregnancy problem, they can offer birth control advice and even provide contraceptive products, but they can't force their children to use them. Nor can anyone guarantee that such products will ^{always} work if they do use them.

Thus, it would seem unfair that parents should bear the ^{main} ~~full~~ financial burden for the natural consequences of legal choices made by their children. Some might argue that the state permits a 16 year-old ~~to drive a car~~, to obtain a license, ~~that~~ ^{is}, to drive a car. Yet the parents are responsible for damages that 16 year-old driver may do in an accident. But having an accident isn't the natural consequence of driving a car. One cannot mix natural laws and manmade legislation and come up with completely rational answers.

If ~~some~~ ^{but} some might wish to argue that pregnancy can be an accident, that's really not true. Methods to try to prevent

pregnancy have been devised, but if it occurs in spite of them, it is not an accident but the natural consequence of sexual intercourse between a male and a female of child-bearing age.

For those adolescents who have not reached the legal age of consent there are other laws. They are not making legal choices. Their sexual partners are not making legal choices. Their parents may forbid them to engage in sex, and in fact, do not legally have the right to give consent for them to do so. Furthermore, anyone who provides contraceptives for them is encouraging them to engage in practices that are not legal. That would include family planning agencies but also their own parents. So here you have a new dilemma. How can parents be responsible for the natural consequences of acts that are not legal choices? The law has not permitted them, their parents have not permitted them, unless they have given their approval, but family planning agencies have encouraged them, simply by giving them contraceptives /without inquiring into the situation or warn- the underage girl that she cannot legally consent to having sex.

By now ~~per~~^{now} perhaps you can see that what appears on the face of it to be a simple little bill establishing financial responsibility can become something quite hopelessly complicated.

If, however, you plan to go ahead with it, in fairness to parents and for the protection of teenagers, we think some additions should be considered.

(1) If the young people involved in the situation have reached the age of consent, no one but the couples themselves are responsible for the natural consequence of sexual intercourse. If they cannot support the child they have parented, then the state shall have to do so, the same as they do when post-teen

unmarried women who have babies go on welfare. Teens who have reached the age of consent are in the same category as twenty year-olds--and above--who are getting pregnant. They have made legal choices, and if that includes getting pregnant, having babies, and applying for welfare, they have the same right ^{to do so} as older women ~~do~~.

(2) If the teenagers who have reached the age of consent have received contraceptives, then whoever supplied them should bear some financial responsibility. We suggest that responsibility should include the medical costs of the pregnancy and delivery plus ^{at least some portion of the} support of the child to the age of eighteen, or at ~~least some portion of the costs~~. For the contraceptive-users had the right to expect they would not get pregnant. Even if they have been told the odds, ^{it should be understood that immature persons} ~~they have the right to expect a great~~ ^{may not realize the full meaning of such odds,} ~~deal of safety.~~

(3) If the teenagers involved in the situation have not reached the age of consent, then anyone who deals with them in the matter of contraception, either with or without ^{consent} must be required to inform them of the law and to warn them that anyone who has knowledge of sexual crimes does have the legal responsibility to report such crimes to the proper authorities. All sex education classes should ^{be required to} include information about the laws regarding sexual activity with ^{any} ~~any~~ one below the age of consent. Past generations ^{were aware} understood that a man who "fooled around" with an underage girl risked being sent to prison if anyone found out. She was "jail bait" and he knew it. Greater knowledge of such laws might very well prevent more pregnancies than greater knowledge of contraception would. Everyone involved with young people, including their own parents, ought to make ~~greater~~ more effort to get them to "cool it" until they're ^{de} enough. If ^{counselors} ~~ee~~ ^{relors}, tea-

chers, doctors, family planners were all willing to cooperate with parents on the matter, it ^{could} would make a lot of difference. Young teens who might not listen to their parents would pay more attention if others were telling them the same things.

(4) We would suggest that the statute of limitations regarding medical injuries should be extended for teenagers on the matter of possible harm from hazardous types of contraceptives or from abortions. If the users are minors, they may not have the legal ^{or actual} capability ~~to be considered mature enough to~~ understand the hazards, which may take several years to surface. Even if they have received parental consent, they should be protected by being given a longer period of time to claim damages, for no one should be able to sign away someone else's rights.

(We know that family planning agencies will insist that most of these suggestions will hamper their efforts to reduce teenage pregnancy. They will especially object to having to make warnings or to be required to report sexual crimes, such as statutory rape. They'll say the kids won't come to them and then they'll get pregnant. The truth is, birth control isn't all that easy for young teens to handle and they are likely to get pregnant, anyway. ^{We believe} Much good would come from family planners being honest enough to say to an underage girl, "Look, young lady, you are engaged in an activity which the state says you are not supposed to do. It isn't just Mom and Dad saying it--there's really a law. ^{that says it, a law intended} And we can't promise we can keep you from getting pregnant. So to avoid a lot of trouble for your boy friend as well as for yourself, we think you ought to avoid sex until you've reached the age of consent."

^{for your protection.}

In any case. it's only fair to require those who have become involved in the sex education and guidance of adolescents to share the responsibility and act in cooperation with the parents if, after all said parents are to be held accountable for the support of the children of their children.

Thank you.

I apologize for not having a neatly finished copy, but it was so late when I completed the first draft, I couldn't re-type it.

F.F.



ASSOCIATED STUDENTS OF KANSAS

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Topeka, Kansas 66603
(913) 354-1394

STATEMENT BY
CHRISTINE GRAVES
ASSOCIATED STUDENTS OF KANSAS
(ASK)

BEFORE THE
HOUSE WAYS AND MEANS COMMITTEE

ON

SB 237

An act providing for teacher education scholarships and for designation of
teacher education scholars

APRIL 7, 1986

*Atch. F
H. W. M. 4/7/86*

Representing the Students of:

Emporia State • Fort Hays State • Kansas State • Pittsburg State • University of Kansas • Washburn University • Wichita State

F

Mr. Chairman and members of the Committee, thank you for this chance to be here today. My name is Chris Graves and I am the Executive Director of the Associated Students of Kansas; representing the student government associations of the seven public universities. I am here to express our strong support for SB 237.

It was once said that "Long-range planning does not deal with future decisions, but rather with the future of present decisions." As lawmakers, it is your responsibility to identify and respond to the pressing issues of our times. You also have the responsibility to look ahead to the future to provide for your children and my children. I am here today to suggest to you that we do have a problem in Kansas in the quantity and quality of teachers which have been prepared in our teacher education institutions and unless you respond, the situation may well turn into a crisis within the next few years.

ASK has a long history with this issue. As most Committee members will recall, Speaker Hayden, during the 1983 session, introduced a bill providing special stipends to teacher education students. ASK testified in support of the proposal, suggesting that a repayment plan be included if in fact the teacher scholar did not teach in Kansas upon graduation.

In April of 1983 the National Commission on Excellence in Education in its report, "A Nation at Risk" recommended that "incentives, such as grants and loans, be made available to attract outstanding students to the teaching profession, particularly in those areas of critical shortage".

The Carnegie Report, released a few months later, called for "colleges and universities [to] establish full tuition scholarships for the top 5% of their gifted students who plan to teach in public education. These scholarships would

begin when students are admitted to the teacher preparation at the junior year."

The 1983 interim Education Committee examined this issue of teacher shortages and how best to respond. Among those who endorsed the idea of a program to aid teacher education students were KNEA, KICA, and schools of education at the public universities. That interim committee endorsed and had drafted essentially the same bill before you today.

During the 1984 session the bill was assigned to your Committee. Hearings were held very early in the session; yet a vote was never taken and the bill died. Over the past interim period, the Legislative Educational Planning Committee endorsed the Program. Last week the House Education Committee overwhelmingly approved the measure. Mr. Chairman and members of the Committee, it seems as though this bill has been among the pieces of legislation most closely and most carefully scrutinized.

Delegates to our Legislative Assembly, for 2 years now, have ranked the creation of a teacher scholarship program among our top priorities. We rank it so highly because: 1: It responds to the declining supply of teacher education graduates by providing an incentive and special financial assistance to gifted students to choose teacher education over other courses of study; 2. It responds to the concern about the quality of students entering the teaching profession by providing significant benefits to talented students who major in education. It also helps compensate for the tougher standards for admission, graduation and provides an increase in student assistance by enlarging the total pool of student aid available.

I would like to explain each of these points in a little more detail.

Only a few years ago, there was an oversupply of teachers in America. How did we so quickly get into a situation where we must worry about having

teachers?

The most obvious reason is the sharp decrease in teacher education graduates. Dr. Jack Skillett, Dean of the College of Education at Emporia State University through the Center for Educational Research and Service for seven years, has tracked the supply and demand for teachers in Kansas. The diagram in the appendix are from his most recent report. As Tables 1.,2., and 3. and Charts 1.,2., and 3., the number of graduates from Kansas teacher education programs has declined by 58% since 1972. This has already produced shortages in some sciences in the secondary levels, library in the elementary levels, personal and social adjustment, gifted and learning disabilities in special education.

There are other factors which may worsen the shortage problem.

The Regents' institutions now require a 2.5 grade point average for students in their Colleges of Education. Entrance examinations, a 1-year internship obligation upon completion of formal education and a fifth-year program at KU, all are additional obstacles students must consider before entering education. Unquestionably, some students won't choose education because of these factors. The former Dean of the School of Education at KU, Dr. Dale Skannell, attributed the sizeable drop in enrollment 2 years ago and the 17% decrease in enrollment last year in the School of Education to the fifth year program.

The trend continues for women and minorities to pursue careers in other areas once closed to them. Ten years ago, 18% of all females who entered college were enrolled in teacher education programs. Today, only 6% of the females are preparing to become teachers.

External forces threaten to make the recruitment of able teacher candidates

more difficult than ever before. Demographic studies indicate that by 1990 there will be 800,000 fewer 18 year olds than in 1980. In other words, the pool for the recruitment of teachers is shrinking. By 1990 the U.S. will need a million new teachers. Assuming traditional teacher education programs will be the only source of teachers, 1 in 10 college students will have to enroll on teacher education to meet the demand. In 1982 fewer than 1 in 20 entering freshman listed teaching as a probable career occupation - a significant decrease from almost 1 in 5 in 1970.

Enrollments in the primary and secondary schools in Kansas are beginning to increase and are expected to continue climbing into the 1990's. Rapid growth is expected in grades K-5 from now through the 1989 academic year. A chart from "K-12 Enrollment Trends for the State of Kansas," by Gordon Nelson, KASB Director of Research, January 1985, shows this and is included in the appendix.

High schools, universities and their governing boards continue to call for higher graduation requirements and more rigorous college preparation standards, which will further increase the demand for math, science, computer science, and foreign language instructors.

The evidence is clear: we are headed for possibly severe shortages of teachers unless some kind of corrective action is taken.

Teacher education programs come under fire most often because of the poor quality of those admitted to and graduate from its programs. Articles report that a large percentage of teacher education graduates are from the bottom quarter of high school and college classes. In the study, "An Analysis of ACT Scores of 1973 and 1983 Graduates of Kansas Regents' Institutions" by Dr. Jack Skillett, test scores of education majors ranked 15th out of 19 academic disciplines in 1983.

The program as outlined in SB 237 would award scholarships to students based on performance on a competitive examination of scholastic ability. This means that awards would go to the most talented students. It would also encourage talented students to choose teaching over other majors, as the immediate financial benefits would be considerably greater.

An undeniably attractive aspect of the program outlined in SB 237 is the financial assistance it provides to students. Many times we have told you how quickly tuition, fees, and living expenses have increased. Teacher education students have a special need for student aid, because much of their time is spent in blocs of classes which reduces their flexibility for scheduling part-time jobs. Also in student teaching, which requires them to take over a classroom for most of a semester with responsibility for teaching, planning, grading, and counseling, no financial compensation is received; yet tuition must still be paid.

The \$750 per semester award is significant enough to be a meaningful incentive for students, as it would more than cover tuition and would help defray the cost of books, supplies, and other living expenses.

Mr. Chairman and members of the Committee, this Program obviously costs money to implement, and after sitting in on the Committee's discussion last week of the Regents' Appropriations bill, I certainly know that there is just no money in the State General Fund for next year. But Mr. Chairman and members of the Committee, I'm very sincere when I suggest that you fund this Program for FY'87. It is my opinion that there is just no way for the regents' office to write the necessary rules and regulations to properly promote the Program, and award the scholarships by July 1, 1986. The Regents' office will need a year to properly prepare and implement this initiative. We need only look to the State

Work-Study Program, advocated by our Association and supported by you just a few sessions ago, to see what can happen to a program passed late in the session, and implemented just a few months later. Although now universally considered to be a successful and valuable student aid program whenever legislation staff is asked to report on the success of the Program, comments usually included. "The Program was slow in starting. The financial aid directors were not all supportive of it at first. Proper promotion was not done. Schools were lucky if they were able to use one-half their allocation that first year." If needed the State can establish a Teacher Education Scholarship Program, let's be sure adequate time for planning and promotion is provided so that we are sure we have the best Scholarship Program possible.

Education is primarily a state function and the responsibility for teacher education is with the states. States must commit themselves to improving the quality of teachers. Kansas must commit itself and respond as 31 other states have and be willing to bid for the talents of its young people.

I do not believe this program would be a cure-all for the problems facing American and Kansas education. Rather, I believe it is an important part of a comprehensive plan to improve education, along with higher teacher salaries, better preparation of teachers, stronger high school graduation requirements, and incentives for academic achievement.

Thank you again Mr. Chairman and committee members. I will be happy to answer any questions.

Chart 1

Composite of the Number of Students Completing Preparation for Teaching Certificates for the First Time at All Regents' Institutions

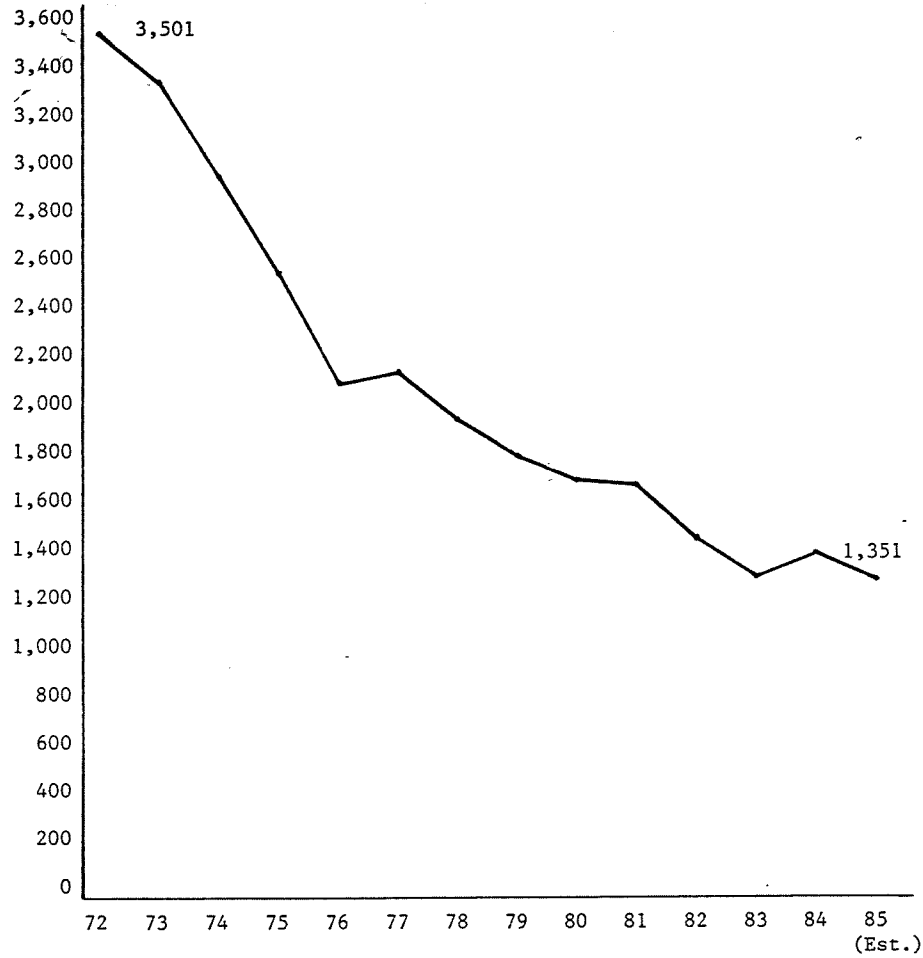


Table 1

Number of Students Completing Preparation for Teaching Certificates for the First Time at Kansas Four-Year Regents' Institutions

1972	3,501	1979	1,798
1973	3,233	1980	1,624
1974	2,949	1981	1,618
1975	2,548	1982	1,448
1976	2,128	1983	1,361
1977	2,180	1984	1,410
1978	1,959	1985 (Est.)	1,351

Chart 2

Composite of the Number of Students Completing Preparation for Teaching Certificates for the First Time at Kansas Four-Year Private Institutions

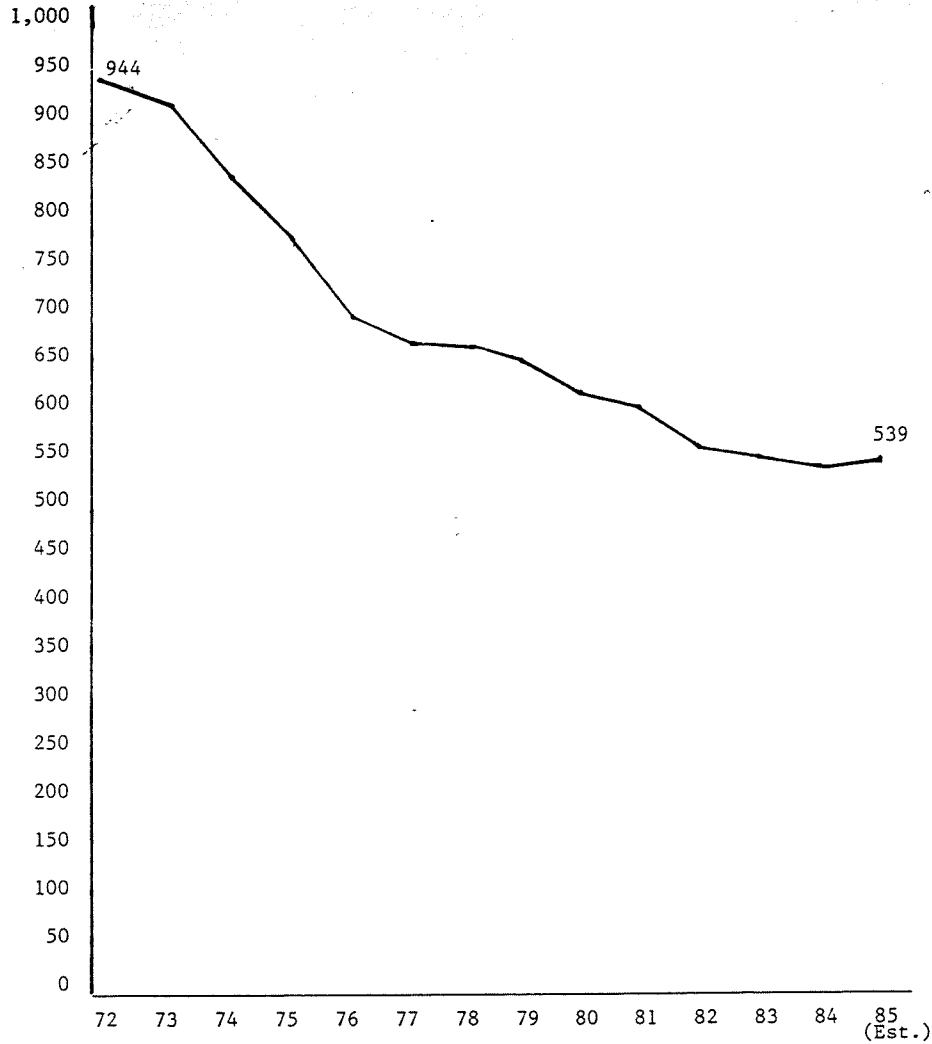


Table 2

Number of Students Completing Preparation for Teaching Certificates for the First Time at Kansas Four-Year Private Institutions

1972	944	1979	647
1973	904	1980	615
1974	834	1981	590
1975	769	1982	546
1976	693	1983	539
1977	671	1984	534
1978	654	1985 (Est.)	539

Chart 3

Composite of the Number of Students Completing Preparation for Teaching Certificates for the First Time at All Kansas Four-Year Institutions

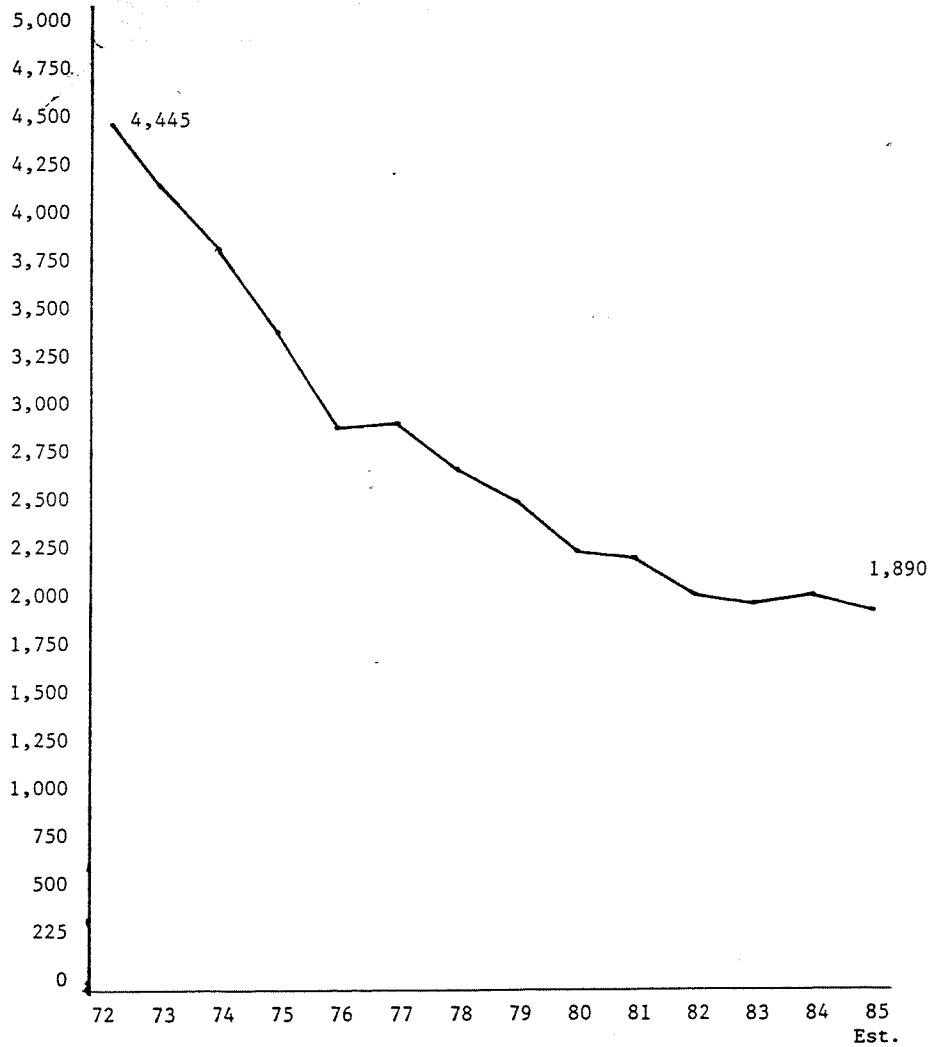


Table 3

Number of Students Completing Preparation for Teaching Certificates for the First Time at All Kansas Four-Year Institutions

1972	4,445	1979	2,445
1973	4,227	1980	2,239
1974	3,783	1981	2,208
1975	3,317	1982	1,994
1976	2,821	1983	1,900
1977	2,851	1984	1,944
1978	2,613	1985 (Est.)	1,890

Chart 1

TEACHER SUPPLY AT THE ELEMENTARY LEVEL AS PERCEIVED BY KANSAS SUPERINTENDENTS IN 1985

6

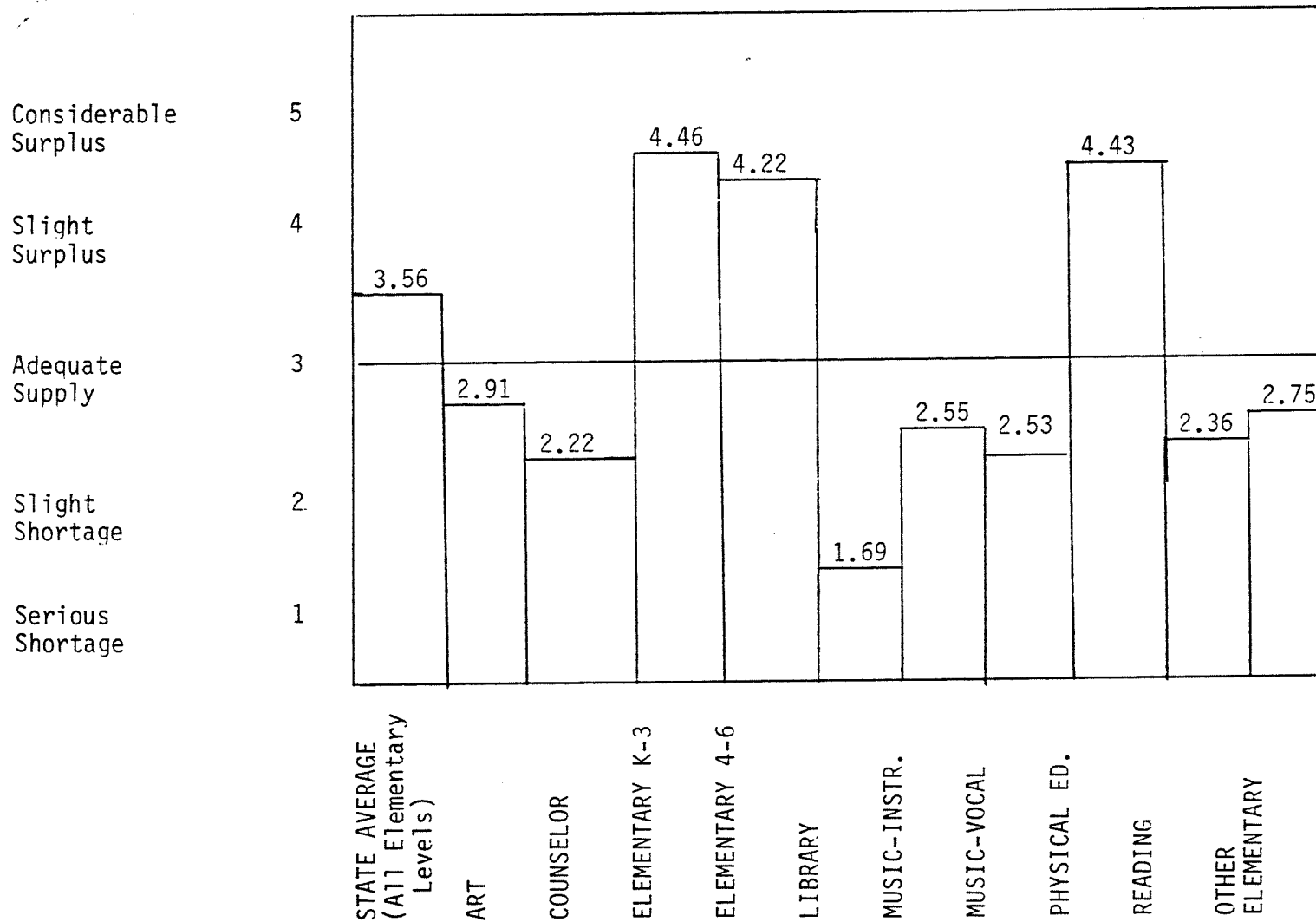
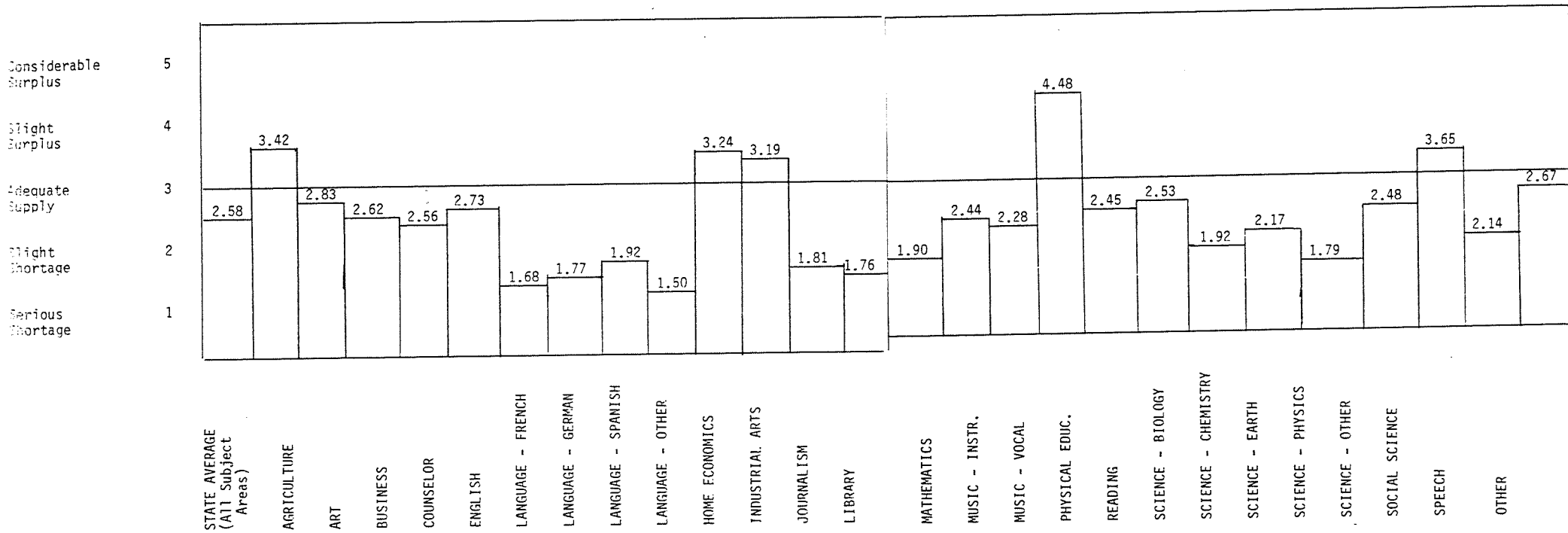
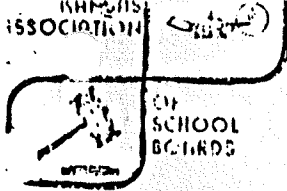


Chart 2

TEACHER SUPPLY AT THE SECONDARY LEVEL AS PERCEIVED BY KANSAS SUPERINTENDENTS IN 1985

Chart 2 (continued)





1980, W. 21st St. in E
TOPEKA, KANSAS 66604

RESEARCH BULLETIN

January, 1985

Number 9

K-12 ENROLLMENT TRENDS FOR THE STATE OF KANSAS

By Gordon Nelson, KASB Director of Research

ENROLLMENT STARTS AN UPWARD SWING

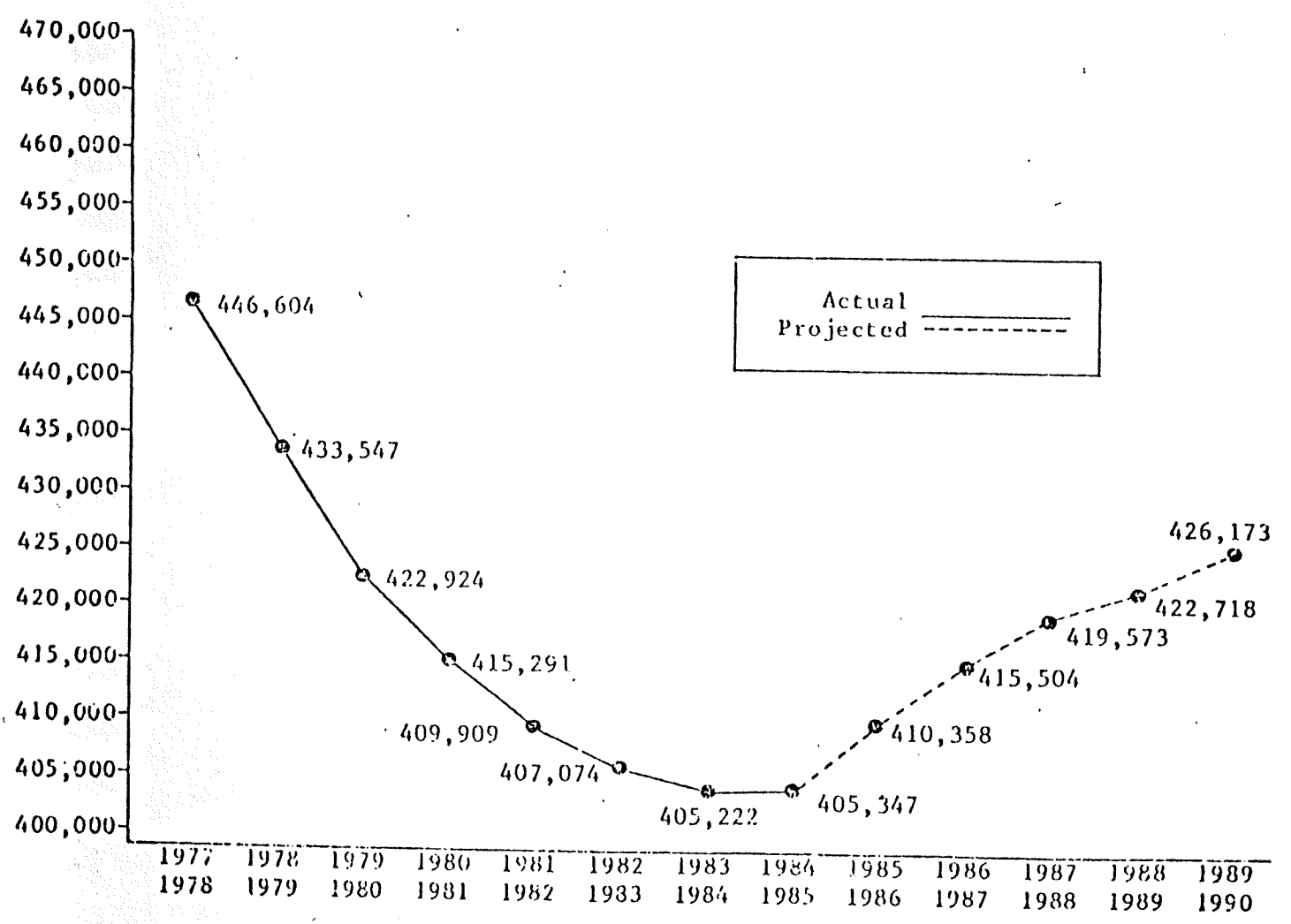


FIGURE I

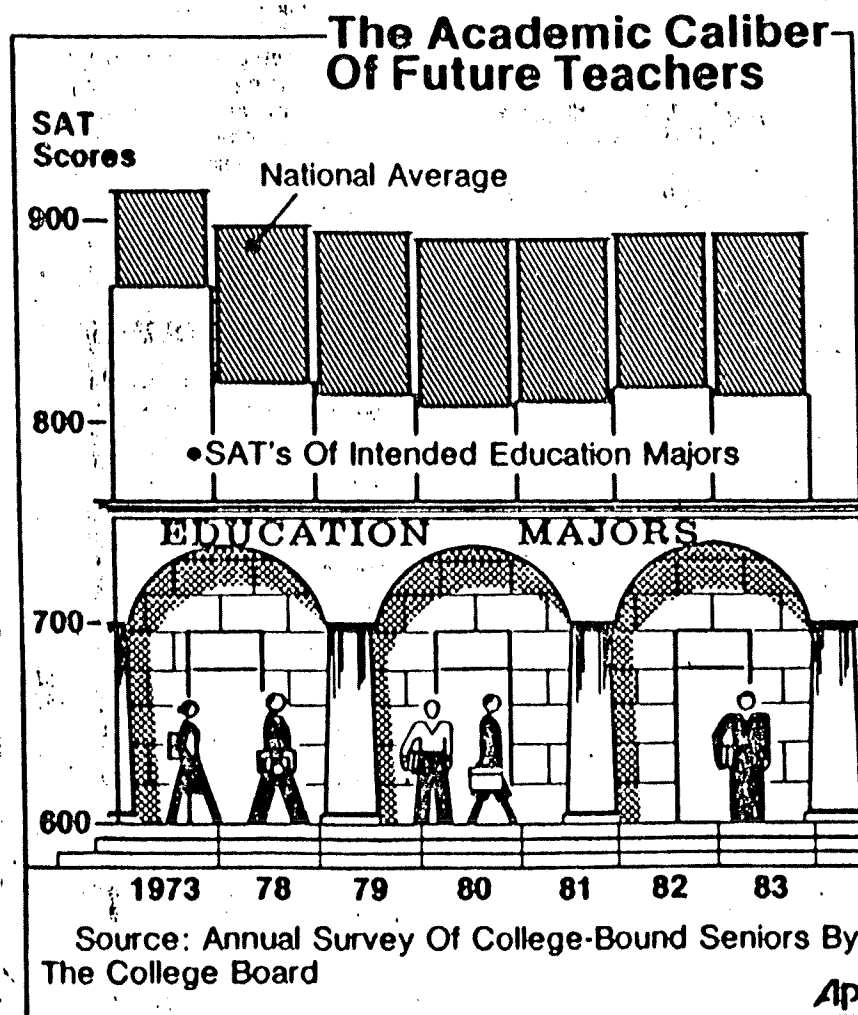
ANNUAL HEAD COUNT ENROLLMENT TOTAL (AS OF SEPTEMBER 15)
FOR THE STATE OF KANSAS FOR YEARS 1977-78 THROUGH 1989-90

College-Bound Seniors, 1984

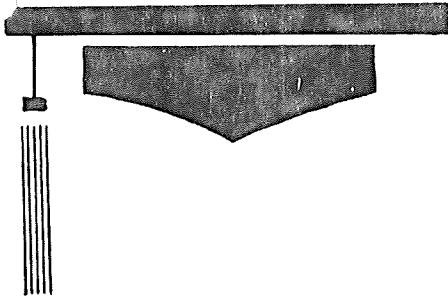
Top Six Intended Areas of Study

	% Males	% Females	% Total
Business and Commerce	17.6	20.5	19.1
Health and Medical	9.2	20.3	15.1
Engineering	21.4	3.6	12.0
Computer Science	12.1	7.7	9.7
Social Sciences	7.3	7.4	7.3
★ Education	2.1	6.8	4.6

Source: The College Board, 1984



In 1973, high school seniors intending to major in education scored 59 points below the national average on the math and verbal SAT college entrance exam. In 1983, the gap had widened to 81 points.



KANSAS BOARD OF REGENTS

Suite 609 Capitol Tower 400 S.W. Eighth
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April 7, 1986

TESTIMONIAL SUMMARY

Senate Bill 237 - Teacher Education Scholarships
Clantha McCurdy
Associate Director for Student Financial Aid

Mr. Chairman, members of this Committee, I wish to thank you for allowing me to appear before you today. I am Clantha McCurdy, the Associate Director for Student Financial Aid. I am here to express the Board of Regents support for Senate Bill 237.

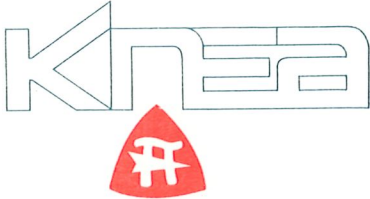
As the Board of Regents maintains an interest in the continued enhancement of the quality of teacher education in Kansas as well as an interest in keeping the brightest and best students in the state, we urge your support for the passage of this bill. Not only will this bill provide financial assistance in an area currently lacking adequate scholarship funding in institutions across the state, it will also serve as a means of attracting some of the better students to the field of teaching. An area of study that is overlooked by many of our brighter students due to the lack of scholastic rewards.

Senate Bill 237 addresses many of the concerns of the Board of Regents and represents what we think is an excellent program for teacher education. Additionally, we would support ASK's recommendation of funding the program in FY 1988 to allow for adequate planning and start up activities.

The Board of Regents is excited about the prospective consequences of Senate Bill 237 and hope that you are able to make yet another commitment to education in Kansas through your favorable response.

Atch. G
D. Ann 4/7/86

G



Craig Grant Testimony Before The
House Ways and Means Committee
April 7, 1986

Thank you, Mr. Chairman. Members of the Committee, my name is Craig Grant and I represent Kansas-NEA. I appreciate this chance to speak to you on SB 237.

With an impending teacher shortage as early as 1990, SB 237 could provide an incentive for college students to enter the teaching profession. This bill also speaks to providing these scholarships to the 300 most scholastically able applicants who are residents of Kansas. There are many ways to attract our best and brightest into the classrooms of Kansas; however, each new method could encourage a few more to become teachers.

The other favorable aspect of the bill would guarantee that these scholars stay in Kansas classrooms by requiring teaching in the state for the same number of semesters which they earned the scholarship or be forced to repay the amount provided. This actually combines a scholarship-loan repayment plan which would be similar to the medical type programs devised to meet doctor shortages in our rural areas.

Kansas-NEA supports the concepts in SB 237 as ones which can help us meet the needs in an extremely important area--the teaching profession. We hope that you will pass SB 237 and that we can find some funding for the program now or in the future. It is an investment worth exploring. Thank you for listening to our concerns.

Atk. H
Z. M. M. 4/7/86