

Approved February 21, 1989
Date

MINUTES OF THE SENATE COMMITTEE ON EDUCATION

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

1:30 ~~XXX~~ p.m. on Thursday, February 16, 1989 in room 313-S of the Capitol.

All members were present except:

Committee staff present:

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

Conferees appearing before the committee:

SB 113 - School districts, procedure for disposition of unneeded property
(Education)

Proponents:

Mr. John Koepke, Executive Director, Kansas Association of School
Boards
Mr. Gerald W. Henderson, Executive Director, United School Administra-
tors of Kansas
Ms. Kathryn Dysart, legislative liaison, USD 259, Wichita

After calling the meeting to order, Chairman Joseph C. Harder welcomed members of the Kansas Association of School Boards. The Chairman explained that members from throughout Kansas were in Topeka to attend their annual Governmental Relations Seminar. He thanked the members for the work they have done on behalf of education in Kansas and told them that their input is always appreciated.

SB 113 - The Chairman called upon Mr. John Koepke, Executive Director, Kansas Association of School Boards. Mr. Koepke explained, in his testimony found in Attachment 1, why his association is requesting SB 113. Mr. Koepke recommended, however, that the Committee amend the bill by deleting lines 55-59, ending with the word "property.", so as to further broaden the authority of school boards with respect to the disposition of the property.

Mr. Gerald W. Henderson, Executive Director, United School Administrators of Kansas, testified in support of SB 113 but expressed one concern in his testimony provided in Attachment 2.

Ms. Kathryn Dysart, USD 259, Wichita, testified that her district supports SB 113 and described a situation which arose in her district to affirm this support.

When the Chairman heard no further response from conferees, he announced that the hearing on SB 113 was concluded and asked the Committee's pleasure. Senator Karr moved to amend SB 113 by deleting the language in lines 55-59 as recommended by Mr. Koepke. Senator Parrish seconded the motion, and the amendment was adopted.

Senator Montgomery moved that SB 113, as amended, be recommended favorably for passage. Senator Allen seconded the motion, and the motion carried.

The Chairman adjourned the meeting.

SENATE EDUCATION COMMITTEE

TIME: 1:30 p.m. PLACE: 313-S DATE: Thursday, February 16, 1989

GUEST LIST

<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Fritz Bergmeier	Longford	USD 379
Dennis W. Wilson	Lacrosse	USD 395
Mark R. Baker	Fredonia	484
Loene Helmes	Fredonia	USD 484
John Minsky	Atwood	USD 318
GP Baumgardner	Syracuse	SI Bd
Hummer Clay	Syracuse	USD 494
Ray Fisher	Syracuse	USD 494
Barton L. Doering	Pretty Prairie	USD 311
Ray E. Liebert	PRETTY PRAIRIE	USD 311
John S. Best	Pretty Prairie	USD 311
Christine Weiblad	Loringfield	USD 465
Kitt Brack	Albert	USD 403
Jim Thompson	Blue Valley	USD #229
Richard A. Fancher	Blue Valley BOE	USD #229
Gene Williams	Clearwater	" 264
Sue Roland	Clearwater	" 264
Mary A. Richardson	Clearwater	264
David Walter	Anteville	298
Diane Windemuter	Waterloo	498
Fred Kaufman	Wayz	489
Miss Sarsell	Wayz	209

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<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
Key Cole	Topeka	K-NEA
Jim Yonally	Shawnee Mission	USD #572
Don Gauer	Sabetha, Ks.	USD #441
Glen R. Stoller	Sabetha, Ks.	USD 441
Ken Burgess	Meriden, Ks	USD 340
Wesley Skreyer	Rose Hill	USD 394
Charles Hubbard	Deerby	USD 260
Steve Cook	Stockton	USD 271
Chris McDonald	Stockton	USD 27 (KASB)
Leo Kollman	"	"
Bob Wells	Stockton	USD 271
James Stanger	Plainville	USD 270
Barbara Wether	Manhattan	USD 383
Richard Benavente	Rodge City	USD 443
Howard Gray	Prairie	USD 382
Paul Dingle	ERIE	USD #101
Maurin Johnson	Chanute	USD 413
Jan Collins	Highland	USD 425
Leroy Anderson	Topeka	USA
Peggy A. Unruh	El Dorado	USD 490
Sumner Barnett	Goatland, Ks	KASB President 9280.32
Harry M. Cull	El Dorado	USD 490
Larry M. Schell	Alexander	K.A.S.B. Past Pres USD 490
Dyle & Springer	Independence	USD 446

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<u>NAME</u>	<u>ADDRESS</u>	<u>City</u>	<u>ORGANIZATION</u>
Joseph J. [unclear]	119 W. Washington	Washington	USD # 70
Sherry Thomas	106 Wilshire	Coffeyville, Kansas	USD # 445
Sharon K. Jones	Coffeyville		USD # 445
Richard Brent	Oswatimie, Ks		USD # 367
Kathy Bartlett	Oswatimie, Ks		USD # 367
Jim Jrey	Melvern Ks.		USD 456
John E. Smith	Humboldt Ks.		USD # 258
Bob Winter	Lacey Ks.		USD 378
Ralph Weller	Riley Ks		USD 378
Jim Olson	Lennardville Ks		USD # 378
Debbie Jantz	R4 Box 15 McPherson Ks.		USD # 418
Jack [unclear]	514 N Main McPherson Ks 67460		USD 418
Jack Beep	Coffeyville, KA		USD 445
Wilson Thurston	" "	" "	" "
Marge Beebe	McPherson, Ks.		" 418
Adam S. Donahue	8480 Ottawa, DeSoto, Ks. 66018		USD 232
Jim Drake	900 N Main Box 1334 McPherson Ks 67460		USD 418
Tony Allen	Rt 1 Box 41 Hanston, Ks		USD 228
John [unclear]	Box 132 Hanston, Ks		USD 228
Bill [unclear]	quies Center Ks		USD # 366
L. McNett	quies Center Ks.		USD 366

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<u>NAME</u>	<u>ADDRESS</u>	<u>ORGANIZATION</u>
John W. Kuyler	Topeka	KHSB
Frances Sypert	Wichita	USD 259
John Battisti	Gerard	USD 248
Bob Haderlein	Gerard	USD 248
Sean Bergmann	Gerard	USD 248
Frank Meyer	Herington	USD 487
Thomas W. Myers	Herington	USD 487
Dave Floyd	" "	" "
Michael J. Wilberg	Gelden, Ks.	USD #316
Das M. Wilburn	Rexford	#316
Eldon Piffel	Hope, Ks.	U.S.D. #481
Marilyn R. Dealhouse	Colby Ks.	" 315
Robert L. Spore	Claiborne	U.S.D. 274
Quinn Simmons	Cliffing, Ks.	USD 354
Richard Connell	Cliffing, Ks.	USD 354
Linda Sue Hammett	Cliffing Ks.	USD 354
Pat Miller	Topeka	DoB
Carole Jeeha	Jinkey, Ks.	USD 403
Paula Adman	Olmitz, Ks.	USD 403
Brian Jay Brack	OTIS, Ks.	USD 403
Virginia Urban	Bison, Ks.	USD 403
Ann J. Schriener	Albert, Ks.	USD 403
Robert Van Arsdale	Maessel, Ks.	USD 411
Debra Umran	Maessel, Ks.	USD 411



Testimony on Senate Bill 113
before the
Senate Education Committee

by

John W. Koepke, Executive Director
Kansas Association of School Boards

February 16, 1989

Mr. Chairman and members of the Committee, on behalf of the 301 unified school district boards of education which are members of the Kansas Association of School Boards, we wish to express our appreciation to the Committee for introducing S.B. 113 at our request. The change which we are proposing to the statutes regarding disposition of property would address a problem that has become a matter of increasing concern to our members.

The provision which was written into statute several years ago requiring a unanimous vote when disposing of property for less than 3/4 of its appraised value was a matter of concern at that time, since we have no legal history of what constitutes a unanimous vote of a board of education. This statute is the only one of its kind which requires more than a majority vote of the board to take an action. We believe that public pressure and the prospect of board elections con-

stitute a sufficient safeguard against a capricious board action in matters of this kind.

In order to fully accomplish our goal in this matter, we would also suggest that the language in lines 55-59 of the bill also needs to be deleted from the statute. We would appreciate your favorable consideration of the request of our members in this matter and I would be happy to answer any questions you may have about our proposal.



SB 113

Testimony presented before the Senate Committee on Education
by Gerald W. Henderson, Executive Director
United School Administrators

February 16, 1989

Mister Chairman and members of the Committee.

United School Administrators of Kansas rises in support of SB 113. We are of the opinion that the rule of four ought to apply to most issues addressed by a board of education much like the rule of 21 applies to issues addressed by the Kansas Senate. Disposing of unneeded property by whatever means deemed appropriate by a majority of the board would not appear to be an issue requiring extraordinary voting measures.

Our one concern is that under current law a board could by unanimous vote choose to sell unneeded property by private sale at less than 3/4 of the appraised value. For example, abandoned school buildings have been transferred to other governmental agencies, girl scout or boy scout troops, churches, or to other community groups for nominal compensation. As we understand SB 113, this option would no longer be available.

Again, we support the idea of the bill, but believe this one issue requires attention.

GWH/sh

Education
2/16/89
Attachment 2