

Approved March 31, 1992  
Date

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Senator Lana Oleen at  
Chairperson

1:40 ~~am~~/p.m. on March 23, 1992 in room 531-N of the Capitol.

~~All~~ members ~~were~~ present ~~at~~: Senators Oleen, Bogina, Doyen, Francisco, Kanan, Strick,  
and Vidricksen.

Members Absent - Excused: Senators Gaines and Moran.

Committee staff present:

Julian Efirid, Kansas Legislative Research Department  
Fred Carman, Revisor of Statutes Office  
Mary Allen, Committee Secretary

Conferees appearing before the committee:

Representative Carol Sader, State Representative  
Merle Hill, Kansas Association of Community Colleges  
Dave Roos, Allen County Community College  
Representative Richard Edlund, State Representative  
Ralph Bartley, State School for the Visually Handicapped  
Representative Bill Bryant, State Representative  
James Garrison, Kansas Association of Communication Directors  
Laura Nicholl, Department of Commerce  
Janet Stubbs, Home Builders Association of Kansas, Inc.  
Noelle St. Clair, Kansas Chapter of Housing and Redevelopment Officials  
George Wingert, Office of the Governor

The meeting of the Senate Committee on Governmental Organization was called to order at 1:40 p.m. by the Chairman, Senator Lana Oleen, who opened the hearing on HB 2960.

House Bill 2960 - Community Colleges, boards of trustees, student member.

Representative Carol Sader, Kansas House of Representatives, appeared before the Committee as a sponsor and supporter of HB 2960, a bill which would include an elected student representative as a non-voting member of a community college's Board of Trustees. Representative Sader discussed the provisions of the bill and noted that it was developed as an initiative of a Kansas community college's Student Senate. She recommended the concept embodied in the bill, she said, first for it articulates a very clear policy message on the part of the state that community colleges as institutions of public education in Kansas exist for the benefit of the students, and, second, for it would afford the students of community colleges an unusual opportunity to participate in the governance of their institution. She urged passage of HB 2960 as a clear and timely legislative message on the value of student-centered outcomes. Representative Sader informed the Committee that the bill was amended by the House to make the legislation permissive so that it would be up to the Board of each community college in the state as to whether or not a student elected representative would be able to serve on the Board of that institution. (See Attachment I for copy of Representative Sader's testimony.)

Merle Hill, Executive Director of the Kansas Association of Community Colleges, stated that the KACC supports HB 2960 as amended in the House of Representatives. He noted that the amended bill is permissive in nature and excludes any student trustees appointed to community college boards from participating in executive sessions. (See Attachment II for copy of Mr. Hill's testimony.)

Dave Roos, Allen County Community College and an elected representative to the Board of Directors for the faculty section of the Kansas Association of Community Colleges, spoke in opposition to HB 2960. Mr. Roos said that he could "live with" the bill as amended, however, since all boards by law already meet in open session, students can and have voiced their concerns before boards; consequently, this bill adds nothing other than status and potential problems and is largely ineffective. (See Attachment III for copy of Mr. Roos' testimony.)

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,  
room 531-N, Statehouse, at 1:40 ~~xxx~~/p.m. on March 23, 1992

Patrick Carney, Johnson County Community College Student Senate President, was unable to attend, due to a scholarship interview, but presented written testimony in support of HB 2960. (Attachment IX)

There being no further conferees, the hearing on HB 2960 was closed.

Chairman Oleen opened the hearing on HB 3136.

House Bill 3136 - State school for visually handicapped, name changed to state school for the blind.

Representative Richard Edlund, State Representative, testified before the Committee in support of HB 3136 which would change the name of the State School for the Visually Handicapped to the Kansas State School for the Blind. Representative Edlund listed reasons for the name change and pointed out that most blind persons do not consider themselves handicapped. (See Attachment IV for copy of Representative Edlund's testimony.)

Dr. Ralph Bartley, Superintendent of the State School for the Visually Handicapped, stated that the school supports HB 3136 and pointed out that it carries no fiscal impact and does not create any changes in curriculum for students which the school now serves. He reported that among the blind community there is a preference for the use of the word "blind" as opposed to the word "handicapped".

Representative Bill Bryant, State Representative, said that he supports the concept of HB 3136 and he requested that the Committee consider amending the bill to incorporate the provisions of HB 2985, an act concerning guide dogs, relating to public access by trainers of guide dogs. He pointed out that Kansas now has a school for dogs which provides training for these dogs in three services areas, guide dogs, service dogs, and social dogs. He said that the proposed amendment would provide that trainers of these dogs, while engaged in the training of such dog, would have access to public facilities if they are a representative of a certified school.

Representative Edlund had no opposition to the proposed amendment to HB 3136 by Representative Bryant.

No opponents to HB 3136 appeared. The hearing on the bill was closed.

The Chairman opened the hearing on SB 751.

Senate Bill 751 - Establish a division of housing in the department of commerce.

James W. Garrison, President of the Kansas Association of Community Action Directors, spoke to the Committee on SB 751. He said that the concern of his association is that Community Action Programs are not mentioned in the bill along with the weatherization program as they should be. He requested that the bill be amended to include the Community Services Block Grant Office in the transfer to the new Office of Housing. He emphasized that CAPs are not welfare agencies but do operate weatherization programs in their areas. He stated that the logical place for the Community Services Block Grant Office is to be located with the weatherization program. (See Attachment V for copy of Mr. Garrison's testimony.)

Chairman Oleen pointed out that SB 751 was introduced prior to the favorable House action on ERO #23. She called on Laura Nicholl, Secretary of the Department of Commerce, to comment on the difference between the ERO and SB 751. Secretary Nicholl said that there are two key areas of difference. First, the definition of the person who would head the Division of Housing within the Department of Commerce and Housing. She stated that the ERO defines this person as an undersecretary while SB 751 defines the person as a Director. The second area, she said, is that the Community Services Block Grant Office is not included in the transfer under the provisions of SB 751 as it is in the ERO. She said that she believes that the primary success story of the ERO is to provide for Kansas for the first time a comprehensive housing effort by consolidating all of the housing programs currently as they exist. Secretary Nicholl said that the

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION,

room 531-N, Statehouse, at 1:40 ~~a.m.~~/p.m. on March 23, 1992.

Department of Commerce opposes SB 751 and favors ERO #23 as proposed by the Governor.

Janet Stubbs, Home Builders Association of Kansas, spoke in support of the provision in SB 751 for the qualifications of Director of Housing. She pointed out that the individual serving in this capacity must possess the qualifications and expertise necessary to gain the respect and cooperation of both the public officials and private sector representatives if the programs to be promoted by the newly formed division are to be successful. (See Attachment VI for copy of Ms. Stubb's testimony.)

The next conferee on SB 751 was Noelle St.Clair, Kansas National Association of Housing and Redevelopment Officials, who spoke in opposition to the bill. Ms. St.Clair stated that her organization feels that the bill is in direct conflict with ERO #23 which has passed both the House and the Senate. She listed several things which the ERO accomplished which SB 751 would not and she supported the concept of doing a thorough needs assessment of the current housing situation in Kansas. (See Attachment VII for copy of Ms. St.Clair's testimony.)

The final conferee on SB 751 was George Wingert, Legislative Liaison, who appeared in behalf of the Governor's Office in opposition to the bill. Mr. Wingert said that SB 751 would do great harm to ERO #23, sending the Community Services Block Grant and the emergency grant back to the Department of Social and Rehabilitation Services, setting restrictive qualification requirements for the director of Housing, and reversing the departmental name change and undersecretary status. (See Attachment VIII for copy of Mr. Wingert's testimony.)

The hearing on SB 751 was closed by Chairman Oleen.

The meeting was adjourned at 2:25 p.m.

GUEST LIST

<u>NAME</u>	<u>REPRESENTING</u>
George Wingard	Gov.
Jim Garrison	Community Action Agencies
Wren Reynolds	ICASB
Tom Day	KCC
Dick Ellurd	33rd House Dist.
Ralph Barthly	KSSVH
Dave Ross	KACL
Merle Hill	KACC
Beth Sue Shumway	HAARP
Pat Brown	KS CPA Leaders Assn.
Laura Guion	KPOC
Tawny Thome	Community Action
Suzanne Frost	Community Action
Clifford Van Vleck	Community Action
Matt Brungardt	Interw/Vidrickson
Norma Phillips	Weatherization/CSBG Programs

**CAROL H. SADER**  
 REPRESENTATIVE, TWENTY-SECOND DISTRICT  
 JOHNSON COUNTY  
 8612 LINDEN DR.  
 SHAWNEE MISSION, KANSAS 66207  
 HOME: (913) 341-9440  
 CAPITOL OFFICE: (913) 296-7675



TOPEKA

HOUSE OF  
 REPRESENTATIVES

**TESTIMONY ON HB2960**

**SENATE COMMITTEE ON GOVERNMENTAL ORGANIZATION**

**March 23, 1992**

COMMITTEE ASSIGNMENTS  
 CHAIRPERSON: PUBLIC HEALTH AND WELFARE  
 CHAIRPERSON: JOINT COMMITTEE ON HEALTH  
 CARE DECISIONS FOR THE  
 1990'S  
 VICE-CHAIRPERSON: ECONOMIC DEVELOPMENT  
 MEMBER: PENSIONS, INVESTMENTS AND BENEFITS  
 JOINT COMMITTEE ON ECONOMIC  
 DEVELOPMENT

Madam Chairperson and Members of the Committee:

I appear as a sponsor and supporter of House Bill 2960, a bill which would include an elected student representative as a non-voting member of a community college's Board of Trustees.

The student member would be the highest student executive officer elected by the entire student body of the community college. The student member would serve for a term expiring concurrently with his or her term as an elected student officer and upon qualification of a successor. The student member would enjoy the same rights and privileges, perform the same functions and duties, and exercise the same powers as all other trustees except for the power to vote. The student member would also: serve as a liason between the student body and the Board; stimulate awareness in the student body of the rights and responsibilities of the Board and the students; identify student concerns; advocate student positions; disseminate information to the student body about college governance, management and policies of the Board.

The bill was developed as an initiative of a Kansas community college's Student Senate. As a former elected member of a community college's Board of Trustees, as a chairperson of that Board, and as a former Chairperson of the KACC Trustees' Section, I recommend this concept for your positive consideration for a number of reasons: First, it articulates a very clear policy message on the state's part that community colleges as institutions of public education in Kansas exist for the benefit of the students. Unfortunately, in reality, this very basic precept is frequently obscured by the voices and interests of far more vocal and visible college constituencies such as administrators, faculty, staff, and even the institution, itself, which, at times, demands policies based on little more than self-perpetuation. A student representative on the policy-making board would serve as a constant reminder to the voting board members of the college's true mission and responsibility. There is no need for any other college constituency, such as faculty, to be similarly represented on the board for no group, other than the students, represents the college's reason for being.

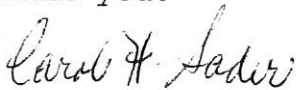
*Senate Committee on Governmental Organization*  
 3-23-92

*Attachment I*

A second reason that HB2960 has merit is that it would afford the students of community colleges an unusual opportunity to participate in the governance of their institution. Unlike the student body of a Regents institution, most of the students in a community college are commuters, are older, have full-time or part-time jobs, and are, consequently, less likely and less able to participate in college activities or communicate directly with Board members or administrators on college policies or governance issues. Limited time on campus and other non-student related responsibilities create a far greater need for student representation on the governing board of community colleges than on the governing board of other postsecondary institutions.

HB2960 is a statement in recognition of the importance of the educational mission of our state's community colleges and the unique character of their student bodies. I urge its passage as a clear and timely legislative message on the value of student-centered outcomes.

Thank you.



Carol H. Sader



# KANSAS ASSOCIATION OF COMMUNITY COLLEGES

Jayhawk Tower, Suite 901 • 700 S.W. Jackson • Topeka, KS 66603

W. Merle Hill  
Executive Director

Phone 913/357-5156  
Fax 913/357-5157

To: Senate Committee on Governmental Organization

From: Merle Hill

Date: March 23, 1992

Subj: House Bill No. 2960, as amended, an act concerning community colleges; affecting the composition of boards of trustees by inclusion of student members

Madame Chairman, members of the Committee, I am Merle Hill, executive director of the Kansas Association of Community Colleges. Thank you very much for giving me the opportunity to express the opinion of the vast majority of the KACC delegates relative to House Bill No. 2960, as amended.

First, a bit of explanation about the KACC Delegate Assembly is in order. Each of the 19 community colleges is represented in the Delegate Assembly by a trustee, an administrator, a faculty member, and a student. Each delegate is entitled to vote on KACC matters, including legislative initiatives.

Mr. Patrick Carney, from whom you have heard, is the student delegate from Johnson County Community College. He chose to ignore the recommendation of the Johnson County Community College board of trustees regarding non-voting student trustees, i.e., to bring the matter to the Delegate Assembly of the KACC for action, and enlisted the support of Representative Sader for the introduction of HB 2960. Mr. Carney is not the chairman of the 19-member Student Section of the KACC. That position is held by Mr. Glenn Stockton, a student at Fort Scott Community College.

When HB 2960 was heard by the House Committee on Governmental

*Senate Committee on Governmental Organization*  
*3-23-92*  
*Attachment II*

Organization, I testified in opposition to the bill's provisions in behalf of the trustees, administrators and faculty delegates. Mr. Stockton, representing the KACC Student Section, testified in support of the student-trustee concept but against mandatory appointments.

Today, on behalf of all four KACC sections, I speak in support of HB 2960, as amended. The amended bill which passed the House is permissive (line 17, page 1: may provide) and excludes any student trustees appointed to community college boards from participating in executive sessions.

The members of the KACC Delegate Assembly recommend that House Bill No. 2960, as amended, be reported favorable for passage.

I shall be happy to stand for questions. Thank you.



## Testimony on HB 2960

My name is Dave Roos. I am a full time faculty member at Allen County Community College. I am also the elected representative to the Board of Directors for the faculty section of the Kansas Association of Community Colleges. I am also an elected member of the USD 257 school board. I am here to testify against this bill. I can live with it **as it is amended** if I have to. Since the amendments stipulate that the student sitting on the board is non-voting, cannot participate in executive session, and it is permissive in nature, it handles most, but not all, of my earlier objections. However, since all boards **by law** already meet in open session, students like any other member of the school community can and have voiced their concerns before our boards. I fail to see what this bill adds other than status and potential problems.

Since this bill as amended is largely ineffective, I am worried that the amendments will be dropped. And should any of these amendments be dropped from the bill I would be **absolutely** against it. As originally constructed this bill would have allowed students to sit in executive session. As a board member in USD 257 I am aware of how frequently complaints against faculty and staff are brought before the board. I felt it would be unfair to allow any student to hear unsubstantiated complaints and rumors against any staff. As a faculty member I would not want a disgruntled student's complaint against me to accidentally be made public. If a board member inadvertently speaks out of executive session it is not on campus among students that I have to deal with every day. There is even the possibility that executive session material could be aired out of anger or at a party where drinking is occurring. In both high school and college this latter danger is very real.

A second area of executive session concern is that of negotiations with the bargaining unit of the employees. Matters of strategy are discussed and during particularly difficult negotiations these discussions can be very sensitive. It is also common that spread sheets containing salaries of the entire staff are used. While this is public information and can be obtained at the court house, it is quite another matter to spread it around as casual information. I feel that even public employees deserve that consideration to their privacy.

The reason that I am still against this bill lies in the fact that all boards that handle schools are elected boards. They have a constituency to which they are responsible. **Part of that group is the student body.** In addition, the question must be asked, "Where do we stop?" If students are on the board, why not the faculty? If the faculty, why not the noncertified staff? Surely an administrator should sit on the board if all of the rest are represented. The difficulty I see is that there could be seven elected board members plus four others. An issue could have a 7 to 4 **consensus** with the actual **vote** being 4 to 3. Then the question could be asked if the will of the "board" was frustrated by the four duly elected members. If the others are called board members then which board has the power? Is it the sitting board or the elected board? I cannot imagine that the legislators that created elected boards had anything like this in mind. This type of trouble we don't need with all the very difficult issues that are coming before us with school reform.

Another question. Who will the non-elected members represent? ~~Will the student have the welfare of the grade school students in mind when they are from the high school?~~ Will the faculty member represent the will of the whole faculty or just the elected bargaining unit which would probably choose them? I think you see the concern that I have. In addition, an elected board member can be recalled as can be seen in Wichita. How can an appointed member be recalled and by whom? Can the elected board members do it? If so, would such an action look punitive?

Finally, consider this. Would your committee want a members of governmental bodies sitting with you as members adding to debate? After all, they can testify as I am now. Why should students be any different with school boards? Aren't you and we **elected** to do the job? The intent of this bill is admirable, but I question the implementation of it in the real world.

*Senate Committee on Governmental Organization*

*Attachment III*

*3 - 13 - 94*

RICHARD J. EDLUND  
 REPRESENTATIVE, 33RD DISTRICT  
 WYANDOTTE COUNTY  
 7061 RIVERVIEW ST.  
 KANSAS CITY, KANSAS 66112  
 (913) 299-3201 HOME  
 (913) 296-7648 CAPITOL OFFICE



TOPEKA

HOUSE OF  
 REPRESENTATIVES

March 23, 1992

COMMITTEE ASSIGNMENTS  
 MEMBER: ECONOMIC DEVELOPMENT  
 FEDERAL AND STATE AFFAIRS  
 LABOR AND INDUSTRY

Testimony before the House

GOVERNMENTAL ORGANIZATION COMMITTEE

I support HB 3136, which would delete the words "visually handicapped" and restore the word "blind".

This is an extremely important change for the following reasons. First, the original deeds that transferred the land from the Wyandotte Indians to the City of Wyandotte to the State of Kansas, specifically use the word blind. Restoration of the word blind should decrease the risks of challenges to the deeds.

Secondly, most blind persons do not consider themselves handicapped. As a blind person, I reduce my blindness to an inconvenience, and I do not consider myself handicapped.

Finally, this change would parallel the action taken by the U.S. Congress who recently removed the word handicap from the "Education of the Handicapped Act" and changed the title of that federal legislation to "Individuals with Disabilities Education Act" (IDEA).

Thank you for your consideration of HB 3136, and I hope that you will vote affirmatively on this matter.

*R. J. Edlund*

Richard J. Edlund  
 State Representative  
 District 33

*Senate Committee on Governmental Organization  
 3-23-92  
 Attachment IV*

Testimony by James W. Garrison, President of the Kansas Association of Community Action Directors, regarding SB 751 before the Governmental Organization Committee on March 23, 1992.

Thank you, Madame Chairperson and members of the Committee, for allowing us to comment on this issue. It is very important to us.

First of all, let me say who I am and who I represent here today. My name is James W. Garrison and I am the Executive Director of the Southeast Kansas Community Action Program, having been there for twenty-five years. I am also president of the Kansas Association of Community Action Directors and am representing all of the agencies today.

You will find attached to this testimony letters which should explain the plight of our agencies with a state office.

We must emphasize that CAP's, as we are called, are not welfare agencies. We are advocates for the poor and disadvantaged and our charge is to try to get people out of poverty and help them to become self-sufficient!

Every CAP in the state is involved in housing in one way or another and we operate these weatherization programs in our area and have since the beginning. The logical place for our office is to be where weatherization is.

We operate Section 8 Housing in the rural areas of our state. The combined number of units is well over a thousand. We own and operate housing for the elderly. We rehabilitate and build houses for the poor and elderly. We operate HUD Programs to help people

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*Attachment V*

gain affordable housing. We also operate rehab programs from the Department of Agriculture and utilize Community Services Block Grant funds to do all of these things. Many of the persons assisted are not on welfare or getting SRS services.

We do also operate a multitude of other programs not directly related to housing but aimed at developing people to be self-sufficient, tax-paying citizens; therefore relating directly to Commerce.

Our concern here today is that we are not mentioned in Senate Bill 751 along with the weatherization program as we should be. We are asking that the language of the bill be changed to include the Community Services Block Grant Office in the transfer to the new Office of Housing.

Respectfully,

James W. Garrison  
President of Kansas Association of Community Action Directors

**KANSAS**  
**ASSOCIATION OF COMMUNITY ACTION DIRECTORS**  
**KACAD, Inc.**



Board Members

Executive Directors

June 21, 1991

An organization dedicated to meeting the needs of low-income people through the coordinated efforts of Governing Boards and Agency Directors on a state-wide basis.

City of Wichita  
Community Action Agency,  
Wichita, Kansas

East Central Kansas  
Economic Opportunity  
Corporation  
Ottawa, Kansas

Economic Opportunity  
Foundation, Inc.  
Kansas City, Kansas

Harvest America  
Kansas City, Kansas

MID-Kansas  
Community Action  
Program, Inc.  
El Dorado, Kansas

Northeast Kansas  
Community Action  
Program, Inc.  
Horton, Kansas

Shawnee County  
Community Action &  
Assistance, Inc.  
Topeka, Kansas

Southeast Kansas  
Community Action  
Program, Inc.  
Girard, Kansas

Governor Joan Finney  
State Capitol, Second Floor  
Topeka, Kansas 66612

Dear Governor Finney:

Action by the Directors of the State Community Action Agencies has obligated me, as Chairman, to write this letter.

Since the administration of Governor Robert Docking, our state office has experienced a steady decline in importance to state government! During that administration, our office was an adjunct to the Office of the Governor. Now it is so lost in the bureaucracy of SRS that we may soon not even have an identifiable director.

Community Action Agencies are not welfare agencies! We are advocates for the poor, minorities, and disadvantaged in our state.

What we are asking for is to have reestablished, a state office with an identifiable staff and a station commensurate to dealing with the problems of the disenfranchised citizens of Kansas. It will cost no money!

We are pleased to note your announcement to create a housing department in state government. Such a department may well be compatible with our efforts.

I might also suggest that the office would command approximately three million dollars of unmatched federal dollars, \$145,000 of which is available for Administration.

Please hear our urgent plea for recognition and realize the great service we provide to Kansas.

Sincerely,

James W. Garrison, President  
Kansas Assoc. of Community Action Directors

JWG:emk

cc: KACAD Members  
Senator Phil Martin  
Representatives Sam Roper and Ed McKechnie  
House Majority Leader Marvin Barkis

STATE OF KANSAS



OFFICE OF THE GOVERNOR

JOAN FINNEY, Governor  
State Capitol, 2<sup>nd</sup> Floor  
Topeka, KS 66612-1590

913-296-3232  
1-800-432-2487  
TDD# 1-800-992-0152  
FAX# (913) 296-7973

July 25, 1991

Mr. James Garrison  
Box 128  
Girard, KS 66743

Dear Mr. Garrison:

The state agency that I referred your letter to has reported back to me and I am enclosing a copy of their response. I trust that you will find it informative.

If I can be of any further assistance you may write my office or call at 1-800-432-2487

My kindest regards.

Sincerely yours,

Joan Finney

JF/pkm



STATE OF KANSAS

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
915 S.W. Harrison, Docking State Office Building, Topeka, Kansas 66612-1570

JOAN FINNEY, Governor

July 26, 1991

James W. Garrison, President  
Kansas Association of Community  
Action Directors  
KACAD, Inc.  
Box 128  
Girard, Kansas 66743

Dear Mr. Garrison:

Governor Finney has asked that I respond to your letter of June 21, 1991.

I appreciate the concern expressed in your letter.

I am hoping that I will have the opportunity to get some activity started in this area before I leave as the Acting Secretary.

I recognize SRS needs to give more attention to the Community Action Agencies.

I regret the de-emphasis which has taken place over the last several years. I know the good work the Community Action Agencies do and would like to assure continuation of SRS direct involvement with the Community Action Agencies.

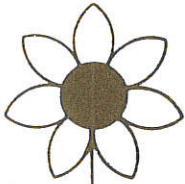
We do want to be responsive to the concerns expressed in your letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert C. Harder".

Robert C. Harder  
Acting Secretary

RCH:kd  
cc: Governor Finney



# HOME BUILDERS ASSOCIATION

OF KANSAS, INC.

Executive Director  
JANET J. STUBBS

## OFFICERS

### President

VERNON WEIS  
P.O. Box 314  
Salina, Ks. 67401  
913-827-9169

### Vice President

GILBERT BRISTOW  
1916 Bluestem Terrace  
Manhattan, Ks. 66502  
913-539-4779

### Treasurer

JIM PETERSON  
P.O. Box 171  
Hutchinson, Ks. 67501  
316-662-7616

### Secretary

TOM AHLF  
7247 Oxford Ct.  
Wichita, Ks. 67226  
316-685-2025

## H.B.A. ASSOCIATIONS

Dodge City  
Hutchinson  
Junction City  
Manhattan  
Montgomery County  
Salina  
Topeka  
Wichita

## PAST PRESIDENTS

Lee Haworth 1965 & 1970  
Warren Schmidt 1966  
Mel Clingan 1967  
Ken Murrow 1968  
Roger Harter 1969  
Dick Mika 1971-72  
Terry Messing 1973-74  
Denis C. Stewart 1975-76  
Jerry D. Andrews 1977  
R. Bradley Taylor 1978  
Joel M. Pollack 1979  
Richard H. Bassett 1980  
John W. McKay 1981  
Donald L. Tasker 1982  
Frank A. Stuckey 1983  
Harold Warner, Jr. 1984  
Joe Pashman 1985  
Jay Schrock 1986  
Richard Hill 1987  
M.S. Mitchell 1988  
Robert Hogue 1989  
Jim Miner 1990  
Elton Parsons 1991

## TESTIMONY

### SENATE GOVERNMENTAL ORGANIZATION COMMITTEE SB 751

March 23, 1992

### MADAM CHAIR AND MEMBERS OF THE COMMITTEE:

My name is Janet Stubbs, appearing today in support of SB 751 on behalf of the Home Builders Association of Kansas.

Our primary support for the qualifications of Director of Housing outlined in SB 751 is due to the significant role the individual in this position must play in accomplishing the overriding goal of this division. We see this goal as providing access to affordable housing for all Kansas families through programs designed to reduce the cost of housing, both new and existing stock, and providing assistance as required by some families.

The minimum education and experience requirements delineated in the bill appear to provide the necessary guidelines for the selection of a person of the caliber needed. We feel specific emphasis should be placed on the importance of this individuals insight, experience and working knowledge of private sector initiatives as well as government programs.

There has long been a need to coordinate efforts of both the public and private sectors with a focus on the goal of affordability in housing. Therefore, the individual serving in the capacity of Director must possess the qualifications and expertise necessary to gain the respect and cooperation of both the public officials and private sector representatives, if the programs to be promoted by the newly formed division are to be successful. It is also the opinion of the leadership of HBAK that the abilities of all employees selected to perform the tasks of the Division is extremely important.

In conclusion, we urge your support of SB 751 to assure the success of this newly formed Division of Housing.



*Senate Committee on Governmental Organization  
3-23-92  
Attachment VI*





**KANSAS NATIONAL  
ASSOCIATION OF  
HOUSING AND  
REDEVELOPMENT  
OFFICIALS**

Testimony  
Governmental Organization Committee  
SB 751

By Noelle St.Clair  
For Kansas NAHRO  
March 23, 1992

Senator Oleen, members of the committee; I am Noelle St.Clair the Legislative Co chair for the Kansas Chapter Of Housing and Redevelopment Officials. I am here today to speak as a representative of our organization in opposition of Senate Bill 751.

Our members expressed outraged when they learned that this bill was introduced and felt it is in direct conflict with the Governor's ERO # 23 that recently passed the Senate and House.

Kansas NAHRO supported the ERO because it accomplished several things that this bill does not.

- a. The ERO provides for a name change to the Dept. Of Commerce to The Dept. Of Commerce of Housing. This will give housing the visibility it deserves and needs.
- b. The ERO provides for the transfer of the Weatherization and the Community service block grants from SRS to the new housing division. This bill only transfers the weatherization program not the CSBG programs. NAHRO was please to see that the ERO included the CSBG programs because it will allow us to address all the support needs of individuals and families who are unable to sustained their housing. Support services are one of the priorities that was identified in the State CHAS.
- c. The ERO provided for the position of Under Secretary with cabinet level status. NAHRO feels this position establishes a leadership role with direct link to the Governor and the leadership that evolves from the Governor's office. This bill provides for the positon of director of housing.

NAHRO does not object to language that establishes qualifications but questions if this is done for other division' heads. In checking with legislative research found that there are no minimum job requirements for other division heads.

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- d. The ERO provided for the creation of 8 new positions. Recently the Senate Ways and Means Committee cut 6 of those positions which if allowed to stand will severely cripple the housing division and its ability to carry out all of the tasks it must do in the next 12 months. This bill would affect one of those positions.

Finally I would like to address the issue of doing a needs assessment and when it needs to be completed. KS NAHRO supports the concept of doing a through assessment of our current housing stock but are concerned that you will hold up the creation of an effective housing division because we lack such an assessment.

We already know that Kansas does indeed have a need for more affordable housing as documented by our state CHAS. There was an attempt by the housing office staff to do a through assessment but because of lack of staff, time, money and up to date information it was not possible, but we do know staff was able to ascertain that there is a need even though it was based on old data and input from housing organizations, etc. across the state.

Having had first hand experience in researching and writing a needs assessment for Topeka I can relay to you that there are many elements to consider when doing one. Focus of an assessment is paramount. What is it you want to know? Next is the challenge of collecting the data; Complete 1990 housing census data is still not compiled. There is no standardized way of collecting housing data other than the census and even with census data you will not have a clear accurate description of the condition of our housing stock. We will need to establish a standardized way of collecting data across the state. We also need to decide if we will do the study from inhouse staff or, contract within the state or hire outside agencies from other states who have experience in doing needs assessments and know what the process is. These are all unanswered questions.

I would add that I'm also aware the Dept Of Commerce is very eager to have a through needs assessment done and are working hard to make that happen in the coming months.

In closing I would urge you to continue to support housing efforts by our state by allowing the ERO to stand and voting down this bill.

STATE OF KANSAS



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TESTIMONY ON SB 751  
BY GEORGE WINGERT, LEGISLATIVE LIAISON  
BEFORE THE  
SENATE GOVERNMENTAL ORGANIZATION COMMITTEE  
MARCH 23, 1992

I appear before you today representing the Governor's Office in opposition to SB 751.

On February 26, 199<sup>2</sup>~~0~~, the Kansas Senate approved Governor Finney's Executive Reorganization Order #23 which provides for a Housing Division in a renamed Department of Commerce and Housing, and heads that division with an undersecretary. ERO #23 also transfers the weatherization, community services block grant, and the emergency community services homeless grant to the new Housing Division from SRS. The House also approved ERO #23 on March 17, 1992.

SB 751 would do great harm to ERO #23, sending the CSBG and emergency homeless grant back to SRS, setting restrictive qualification requirements for the director of Housing, and reversing the departmental name change and undersecretary status that both houses of this legislature just approved.

ERO #23 has finally positioned the state of Kansas to join the other 49 states in this level of support for housing. The new federal HOME program makes it imperative that a cohesive fully-staffed housing component be given a chance to properly administer this critical new federal housing initiative.

I urge your rejection of SB 751. Let us give ERO #23 and the new Housing Division a chance to work.

14471

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*Attachment VIII*

Patrick Carney  
Johnson County Community College  
Student Senate President  
March 23, 1992

## Student Position On Community College Board of Trustees

Before I start I would like to thank the Government Organizations Committee and its chair in taking time to consider this bill. Because I was made aware that you much work to complete today, I did not ask additional student leaders to speak on behalf of this legislation but recently the Student Section of the Kansas Association of Community Colleges agreed to support this bill. Thus, the student governments from the 19 community colleges has agreed that this legislation is instrumental toward assisting the evolution of student government within the State of Kansas.

I initially began this proposal to consider the the various avenues that could be investigated by student government in community colleges in order to gain a more prominent role on the campus that we reside. This review led me to the likely conclusion that the role of the student, especially student leaders within the community college, has never been thoroughly explored. Once I had made this the basic understanding that student leadership needed to be further explored, it became obvious that there was no student representation on the very board that currently maintains local control over each community college. That board, which makes and votes on policy changes effecting the student body is the Board of Trustees for Community Colleges. While I understand it would take changes of the most dramatic form to gain a voting position on the board of trustees for community colleges, I believe it to be in the best interest of all community colleges that input and direct communication with the student voice be maintained.

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While there are many facts that lend support to the creation of this position, I would like to first review some of the precedents that have taken place which would highlight legitimacy to the passage of this legislation and the creation of such a student position. To begin, student membership positions were created on the state councils directing higher education within the State of Illinois. During this time, Dr. Charles Carlson, the President of Johnson County Community College assisted the student government in creating and lobbying for legislation that allowed for the creation of a student position on the regents like council which supervised activities for higher education institutions. In fact, Dr. Carlson has lent support to this initiative and specifically stated, "while he was in Illinois and serving as Dean of Students, he found that the students were very effective and helpful in offering various alternatives and solutions to proposals that were being discussed."

The second case comes from this very state. Within the Kansas education system, student delegates from the six state universities are chosen to sit and discuss issues with the members of the State Board of Regents. During these meetings, these students can interject and debate various issues with the Regents members over issues that could impact either the students or the institutions themselves. With this opportunity, the opinions of the students can be transmitted to the very officials who are supposed to act in the best interest of the students and the university system. It is for this reason that I believe that since local control is maintained by community colleges, the students need a position to voice the concerns of each local community college student body.

With each of these cases, the impact that was allowed to occur also allowed for an effective student opinion and response to key issues that effected the institutions

of higher educations and the students within them. While each of these cases offers a strong foundation from which a case may be built upon creating the position proposed by this legislation, there are reoccurring trends and facts that would further emphasize the need for such a position.

Across this state there are budgetary problems facing this house of government. With the growing cost of government and its programs, the available resources for education will either continue to decline in the future or taxation will increase for the communities that have community colleges. With the latter of this two possibilities being less likely to occur in a nation facing a serious recession, the amount of monetary responsibility facing a student will continue to rise. Whether the increased cost to the student will occur in higher tuition rates, users fees or activity costs is not the question, the question is the oversight of those funds by those who assist in the payment into the system. Currently in Johnson County, tax payer dollars represent forty-six percent (46%) of the revenues needed to run Johnson County Community College (JCCC). While this is a large section of the budget for JCCC, every member of the Board of Trustees is elected by the tax paying residents of Johnson County. On the other hand, student tuition and fees pay for approximately nineteen percent (19%) of the total costs to operate the community college. While this percentage may fluctuate from community college to community college the fact still remains that with the exception of a Student Government Association (SGA) there is not seat or position from which a student voice may be spoken or heard within community colleges. Thus, for forty-six percent (46%) of the cost to operate the college, the tax payers of Johnson County receive one-hundred percent (100%) of the representation in the highest and most powerful policy making body of the community college.

Over the next few years the tuition rate for those attending community colleges will be rising substantially. In fact, at JCCC the rate of tuition will possibly increase at least five dollars per credit hour for student as I am told by our Dean of Students. While the ramifications of such drastic tuition hikes may not be known for some time, the reality is that as tuition increases, the percentage that students in community colleges pay for their education will also increase. As a student leader and a student of JCCC for three years, I have had the opportunity to see some of the inner workings of the community college but not all students have had the opportunities that I have. Furthermore, even as the current Student Body President, I still have to play catch-up on most of the issues that our Board of Trustees considers throughout the year. With the creation of such a position, there would be a student who could be fully versed in the numerous issues that face the community college and its student body throughout the year. Overall, as the price for our educations increases the need for a larger student role in the policies and issues that are discussed and decided at our schools also rises considerably.

This bill and the position it seeks to create was not constructed to build a "student watch post" which could be used to "keep an eye" on the activities of the Board of Trustees. To the contrary, its purpose is to give students and student leaders a way to effectively communicate the issues, ideas and opinions in an open forum for the members of each Board and the Community College as a whole to review and consider. This position would establish a formal line of communication between students and their trustee members. With the rising burden of cost for students, I believe that it is essential that formal communication lines be established so the needs of all groups involved will be considered prior to the passage of decisions and the expenditure of future funds on various educational programs.

I understand that the idea of allowing a student on the Board of Trustees for a community college may not be at the fore most of concerns for the legislature this year but the ramifications of this position cannot be measured in mere economic indexes or numbers. The impact that I speak of is the idea of control and responsibility that is needed if a person is going to truly understand the gift that education offers them. As a student leader, I am faced every day with the student perception that to be in student government within a community college is ridiculous and that we have basically no control and no say in the decision making process of the college. While I try to debate with perception, at this point student government in community colleges has very little to any say in the decision making structure its own school. With this perception, comes apathy and with apathy comes a lack of initiative and action within the educational system by those very people the system has been created. This position would send a clear and undeniable signal to the 60,000 to 70,000 community college students that they have an option and a voice. If there is a change that needs to be made within community colleges or in the least considered by the state legislature, then it should be the creation of a recognized channel of communication for students to follow.

At one time my father told me that I would not understand the value of a dollar until I worked for it. At that young age I just brushed it off as something my dad would say, but once I had the opportunity to go out and work for a paycheck and pay bills, I understood all too well what a dollar meant and that it should not be wasted. This example stands true here for every student. Either students are currently too apathetic to care or just do not understand the value of our education because, with the exception of the classroom, they have never had the opportunity to work for its growth and progression. We have never had the opportunity to understand and respect the value of our education in the community college



system. Unless we have that chance to review and discuss the issues that confront a Board of Trustees, I fear the students never shall understand what a glorious gift we have and that we and others should take full advantage of it.

The question that needs to be put forward is what good could this position do for community colleges? The increased responsibility given to students would help to ignite a fire that could help in assisting the growth and development of the community colleges. At this time, many if not all community colleges are experiencing growth in student enrollment, but with less aid available, new solutions need to be offered. Why not listen to those who know and function within the current educational system? The student has a view of a community college from the ground level. We can look around and see whether or not changes that were made are effective and whether they helped their school to flourish. This position is about responsibility for the student to his or her community college. We have the opportunity to give the students of next year and many years to come the chance to express their concerns to people who should hear them the loudest, the members of the Board of Trustees.

As I am sure you are aware, I cannot guarantee total success if this bill is passed into law but it will stand as a progressive step forward for the students of community colleges. More, now than ever, we need to tell the future leaders and workers that they can take responsibility and have a voice in our education, our jobs and our institutions so that other states and countries can look on and say that Kansans and American alike are not lazy and have the initiative to create and facility change for the better within the very institutions that we constructed to make us free.

Community colleges hold almost half of all college freshmen and sophomores of higher education within Kansas and who may be this state's future leaders. The responsibility given by creating this position for community college students will help to revive the message that a United States President sent some thirty plus years ago. "Ask what your country what it can do for you, but what you may do for your country." I believe that our future will be brighter and more successful for everyone within this state and nation because the next generation's leaders will begin to understand the importance of speaking out for the ideas that they believe in and hold an optimistic view that government and its officials are merely out for themselves and their own interests. As a student and a leaders, all I am asking for is the opportunity and the responsibility to help participate within a system that effects my life and those yet to come. I would like to thank the chair and the members of this committee for your time and patience, I realize that there are many trying issues that face this state which are large and important, but I ask you to consider the message that we can send today for leaders of tomorrow who can benefit from a system that was constructed to listen and their ideas to them as well as others.