

MINUTES OF THE COMMITTEE ON SENATE WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:35 a.m. on March 26, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Paul Feleciano, Jr. - excused

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department  
Deb Hollon, Kansas Legislative Research Department  
Audrey Nogle, Kansas Legislative Research Department  
Michael Corrigan, Assistant Revisor of Statutes  
Judy Bromich, Assistant to the Chairman  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Representative Shari Weber  
Senator Jay Emler  
Ted Hayes, Executive Director, Kansas Sports Hall of Fame  
Gary Musselman, Executive Director, Kansas State High School Activities Association  
Jerry B. Farley, President, Washburn University (written)  
Roger A. Sink, Sink, Gillmore and Gordon, LLP (written)  
Jim Schaus, Athletic Director, Wichita State University  
Sheila Frahm, Executive Director, Kansas Association of Community College Trustees

Others attending: See attached list

Chairman Morris called the Committee's attention to discussion of:

**SB 644--Medicaid payment and rate schedules**

The Chairman recognized Janis DeBoer, Deputy Secretary, Department on Aging, who explained a proposed amendment that would strike Page 5, Section 2, (Attachment 1). State law would then revert to federal law. Copies of the federal language was also distributed (Attachment 2).

Senator Jackson moved, with a second by Senator Jordan, to strike Section (2). Motion carried on a voice vote.

Senator Kerr moved, with a second by Senator Jackson, to recommend SB 644 favorably as amended. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

**HB 2896--Adding one dollar surcharge to designated athletic event at postsecondary educational institutions to fund the Kansas sports hall of fame**

Staff briefed the Committee on the bill.

Representative Shari Weber testified in support of **HB 2896** (Attachment 3).

Senator Jay Scott Emler testified in support of **HB 2896** (Attachment 4).

Ted Hayes, Executive Director, Kansas Sports Hall of Fame, testified in support of **HB 2896** (Attachment 5).

CONTINUATION SHEET

Dr. Duane Muck, Chairman, Board of Trustees, Sports Hall of Fame, testified in support of **HB 2896**. No written testimony was provided. Dr. Muck asked for support of the Sports Hall of Fame and allow them to continue to be an agency in the State of Kansas that provides education, memorabilia and history for the state in the sports arena.

Gary Musselman, Executive Director, Kansas State High School Activities Association, testified in support of **HB 2896** (Attachment 6). Mr. Musselman expressed concerns regarding anything which increases the prices of admissions to Associations activities events and it has the potential to negatively impact the Association's operating revenue. On behalf of the Kansas' school children and their families, Mr. Musselman asked that the Kansas State High School Activities Association events be amended into the bill.

Written testimony was received from Roger A. Sink, Sink, Gillmore & Gordon LLP, in support of **HB 2896** (Attachment 7).

Written testimony was received from Jerry B. Farley, President, Washburn University, in support of **HB 2896** (Attachment 8).

Jim Schaus, Athletic Director, Wichita State University, testified in opposition of **HB 2896** (Attachment 9). Mr. Schaus noted that they believe it sets a bad precedent for groups associated with state agencies to be taxed for the benefit of other state agencies.

Sheila Frahm, Executive Director, Kansas Association of Community College Trustees, testified in opposition to **HB 2896** (Attachment 10).

Chairman Morris thanked the conferrees for their appearance before the Committee. There being no further conferees, the hearing was closed on **HB 2896**.

The meeting was adjourned at 12:10 p.m. The next meeting is scheduled for March 27, 2002.



(x) The secretary shall establish payment schedules for each group of health care providers. Any payment schedules which are a part of the state medicaid plan shall conform to state and federal law. The secretary shall not be required to make any payments under the state medicaid plan which do not meet the requirements for state and federal financial participation.

(1) The secretary shall consider budgetary constraints as a factor in establishing payment schedules as long as the result complies with state and federal law.

~~(2) The Secretary shall establish payment schedules for providers of hospital and adult care home medicaid certified nursing facility services under the state medicaid plan. that are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards. The secretary shall not be required to establish rates for any such facility that are in excess of the minimum necessary to efficiently and economically meet those standards regardless of any excess costs incurred by any such facility. The secretary shall not be required to establish or pay at rates which are in excess of the minimum necessary payment requirements regardless of costs incurred by a provider. For purposes of this section, medicaid certified nursing facility services shall mean those services provided by nursing facilities as defined in K.S.A. 39-923(a)(2), nursing facilities for mental health as defined in K.S.A. 39-923(a)(3) and long term care as defined in K.S.A. 65-425a.~~

(y) The secretary shall maintain a system of centralized payment for all welfare expenditures.

Sec. 2. K.S.A 39-708c is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book

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Attachment 1

agency or the Secretary with such information, regarding any payments under such person or institution for providing services under the State plan, as the State agency or the Secretary may from time to time request;

(28) provide—

(A) that any nursing facility receiving payments under such plan must satisfy all the requirements of subsections (b) through (d) of section 1396r of this title as they apply to such facilities;

(B) for including in "nursing facility services" at least the items and services specified (or deemed to be specified) by the Secretary under section 1396r(f)(7) of this title and making available upon request a description of the items and services so included;

(C) for procedures to make available to the public the data and methodology used in establishing payment rates for nursing facilities under this subchapter; and

(D) for compliance (by the date specified in the respective sections) with the requirements of—

(i) section 1396r(e) of this title;

(ii) section 1396r(g) of this title (relating to responsibility for survey and certification of nursing facilities); and

(iii) sections 1396r(h)(2)(B) and 1396r(h)(2)(D) of this title (relating to establishment and application of remedies);

(29) include a State program which meets the requirements set forth in section 1396g of this title, for the licensing of administrators of nursing homes;

(30)(A) provide such methods and procedures relating to the utilization of, and the payment for, care and services available under the plan (including but not limited to utilization review plans as provided for in section 1396b(i)(4) of this title) as may be necessary to safeguard against unnecessary utilization of such care and services and to assure that payments are consistent with efficiency, economy, and quality of care and are sufficient to enlist enough providers so that care and services are available under the plan at least to the extent that such care and services are available to the general population in the geographic area;

(B) provide, under the program described in subparagraph (A), that—

(i) each admission to a hospital, intermediate care facility for the mentally retarded, or hospital for mental diseases is reviewed or screened in accordance with criteria established by medical and other professional personnel who are not themselves directly responsible for the care of the patient involved, and who do not have a significant financial interest in any such institution and are not, except in the case of a hospital, employed by the institution providing the care involved, and

(ii) the information developed from such review or screening, along with the data obtained from prior reviews of the necessity for admission and continued stay of patients by such professional personnel, shall be used as the basis for establishing the size and composition of the sample of admissions to be subject to review and evaluation by such personnel, and any such sample may be of any size up to 100 percent of all admissions and must be of sufficient size to serve the purpose of (I) identifying the patterns of care being provided and the changes occurring over time in such patterns so that the need for modification may be ascertained, and (II) subjecting admissions to early or more extensive review where information indicates that such consideration is warranted to a hospital, intermediate care facility for the mentally retarded, or hospital for mental diseases; and

(C) use a utilization and quality control peer review organization (under part B of subchapter XI of this chapter), an entity which meets the requirements of section 1320c-1 of this title, as determined by the Secretary, or a private accreditation body to conduct (on an annual basis) an independent, external review of the quality of services furnished under each contract under section 1396b(m) of this title, with the results of such review made available to the State and, upon request, to the Secretary, the Inspector General in the Department of Health and Human Services, and the Comptroller General;

State of Kansas

Rep. Shari Weber  
68th District  
934 Union Road  
Herington, KS 67449  
(785) 258-3526



Capitol Building  
Room 381-W  
Topeka, KS 66612  
(785) 296-7662  
weber@house.state.ks.us

Majority Leader  
House of Representatives

TESTIMONY ON HB 2896  
SENATE WAYS AND MEANS COMMITTEE  
March 26, 2002

*Thank you, Mister Chairman and members of the committee, for the opportunity to appear before you today in support of House Bill 2896.*

*HB 2896 would mandate a \$1.00 surcharge on athletic events for Regents institutions, including community colleges, and Washburn University. The bill would require the institutions to place a surcharge on one men's varsity basketball game, one women's varsity game and one football game or baseball game (WSU). This legislation is similar to current voluntary Hall of Fame games held by some of the Regents universities in which the schools place a surcharge on one football game and one men's basketball game every year. This legislation would add a women's sport and mandate that all institutions participate. HB 2896 directs the Regents institutions and Washburn to collect and remit the surcharges on a semiannual basis to the Kansas Sports Hall of Fame Surcharge Fund. The bill provides for enforcement of the surcharge deposits from the Chief Executive Officer of the Kansas Board of Regents.*

*As a legislator, I have worked for on-going funding for the Kansas Sports Hall of Fame. Over the past ten years, the Kansas Sports Hall of Fame has struggled financially, despite the efforts of the Governor-appointed Board of Trustees, a non-profit board comprised of volunteers and donors, and several qualified employees. Together, the trustees, volunteers and staff have raised over \$2-million which has been used to develop exhibits and to operate a museum open daily to the public since July 19, 1997.*

*The Legislature (which created the Board of Trustees and empowered them to enter agreements, hire staff and host induction ceremonies) has not provided an on-going source of funds nor have they provided any direction for how to go about receiving permanent funding. The Legislature has failed to act on several bills placed before them over the past few years.*

*In 1986, legislative action (74-2915) established a one-time funding mechanism for the Hall of Fame through a \$0.25 surcharge on tickets for all intercollegiate athletic events from July 1, 1987 to June 20, 1988 at all state Regents institutions. The action generated around \$215,000 in revenue for the Hall of Fame - the annual derived interest of \$8,000 - \$10,000 was used for operation of the Hall of Fame through the Watkins Museum in Lawrence.*

*Ten years later during the 1997 session of the Kansas Legislature, SB 370 was introduced. The bill would have required the six Regents institutions and Washburn University to honor the terms of the agreements which were in place since 1993 to designate certain games at which they would collect \$1 for the Hall of Fame from each paid attendee at those specific games. During the hearings on Senate Bill 370, the Hall of Fame was asked to meet with the Regents institutions to see if a compromise could be reached to eliminate the need for the legislature to intervene. Representatives from both parties met and reported back to the committee the following compromise points:*

*(1) The Hall of Fame agreed to withdraw its request for legislation (SB 370) with the right to submit in the event of contract default or failure to reach an agreement on the business plan.*

*(2) The Regents institutions agreed to assist the Hall of Fame in preparing a five-year business plan for the Hall of Fame.*

*(3) The Regents institutions agreed to continue their support of the Hall of Fame under the present terms and conditions of the contracts until the five-year business plan was completed. At that time, the Board of Regents would evaluate their continuing support giving consideration to: (a) the findings of the business plan; (b) the needs of the Regents institutions' athletic budgets; and (c) the ability of the Hall of Fame to sustain itself through other revenue means.*

*It should be noted that from 1993 to 1997, the voluntary surcharge was collected by contract with the Regents. In 1998, several Regents institutions ceased to collect the surcharge.*

*The very first state appropriation in that decade occurred in 1998. Governor Graves was instrumental in the Hall of Fame receiving \$150,000 from the Omnibus Bill of 1998 and has continued to pledge his assistance by assuring the Hall of Fame that he would sign legislation placed before him to permanently fund the Hall of Fame. So far, the legislature has been unable to pass anything for the Governor to sign.*

*During the 2000 Legislative Session, House Bill 2732 was introduced to provide a demand transfer of \$80,000 each July 1<sup>st</sup> from sales tax currently collected at high school playoff games.*

*The bill was amended with a special education provision and failed to pass the House.*

*At that time, in order to continue operations of the State of Kansas Sports Hall of Fame, a permanent source of income amounting to approximately \$150,000 per year needed to be identified. The Trustees, appointed by the Governor, were uncertain where to turn to receive the funding they needed to pay the staff they are empowered by the Legislature to employ and to conduct the annual induction ceremony they are mandated to conduct. The non-profit organization, which was covering those expenses for the Trustees in part, by borrowing funds from the First National Bank in Abilene, could not continue to borrow money when the funds to repay were not available from the Legislature and there were no written commitments in place from the Regents institutions to continue adding the \$1 surcharges.*

*The absence of commitment from the Legislature to provide on-going funding for the Hall of Fame, which it created, is one of the reasons the Hall of Fame is facing the current financial situation. Additionally, the Regents universities could only remit surcharges if University leadership allowed the designation of a Hall of Fame game and the collection of the \$1 surcharge.*

*During the 2000 Legislative Session, \$50,000 was appropriated to the Sports Hall of Fame from the State budget. Again in 2001 Session, \$50,000 was appropriated and now, in the 2002 Session, the Governor has not recommended an appropriation of any amount. Because of this fact, I have proceeded in crafting the legislation you have before you today.*

*Throughout this process, I have enlisted the comments of the Regents institutions as well as those from my colleagues who represent Regents institutions located in their legislative districts. I would like to share a few of their suggestions:*

- For instance, Kansas high school athletes are recognized in the State of Kansas Sports Hall of Fame with a data base of record holders. Therefore, many individuals believe the high school institutions should participate with a surcharge collected at a designated Hall of Fame game during the year or at championship games to assist in funding the agency.*
- Additionally, it has been suggested that other sports, such as car racing and rodeos, have Hall of Fame events with a \$1.00 surcharge on a designated event.*
- Supporters of the current voluntarily held Hall of Fame games have suggested that the mandate be consistent with the number of current Hall of Fame games - one football and one men's varsity basketball. The current legislation adds one women's varsity event to these two games for a total of three games per year.*



*I appreciate the comments of my colleagues and those interested in supporting the ongoing mission of the Kansas Sports Hall of Fame. I am not opposed to any of these suggestions if such added components would work to strengthen the support of this important legislation.*

*In sponsoring this legislation, many individuals have asked me, "Why should I support the State of Kansas Sports Hall of Fame?" There is not one answer to this question, but several.*

*First, the Kansas Sports Hall of Fame's fundamental mission is to educate citizens and visitors about the rich tradition of Kansas' sports heroes.*

*Second, this agency celebrates the achievements of Kansas athletes and coaches from across the state, not just in Abilene.*

*And third, if the Kansas Sports Hall of Fame is able to establish a stable funding source, it will be able to actively market itself through "on-campus" activities and special events. This enables the agency to further their mission and raise more private funds. Additionally, a foundation could be established for funds that would enable the Hall of Fame to operate for years to come on the interest from the invested dollars.*

*Finally, by supporting the Kansas Sports Hall of Fame, you give your local university or college the ability to have ownership in the agency. It becomes a part of the school's history and notoriety.*

*Again, thank you for your time and favorable consideration of HB 2896. I will stand for questions.*

*Sincerely,*



*Shari Weber*

*Representative, 68<sup>th</sup> District*

# STATE OF KANSAS SPORTS HALL OF FAME

## CASH FLOW HISTORY (January 1, 1991 through January 31, 2002)

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002
1. CASH (First of Year)*	253,502	218,118	179,008	172,990	175,608	100,905	2,662	34,099	84,176	6,493	3,240	1,257
2. CASH RECEIPTS												
(a) State	0	0	0	0	0	0	0	150,000	0	50,000	50,000	0
(b) HOF Games	0	0	71,851	84,163	82,107	82,136	119,074	48,899	61,046	33,884	70,604	0
(c) Admissions	0	0	0	0	0	0	5,345	13,279	10,268	10,125	8,151	234
(d) KS Magazine	10,795	20,468	54,048	92,522	102,304	39,619	48,037	26,803	36,615	41,470	39,007	3,641
(e) Other Income	0	0	4,461	5,400	5,050	1,300	0	318	3,169	0	RB - 1,952	631
(f) Interest	0	** 20,194	640	642	3,585	1,725	292	1,594	1,354	524	238	4
(g) Donations	1,000	1,140	18,543	2,032	145,413	185,210	124,836	95,304	39,355	37,478	36,095	570
(h) Loan Proceeds	0	0	0	0	0	54,923	35,022	25,994	0	40,000	76,000	16,727
(i) Golf Tourney	0	0	0	0	0	0	0	0	0	61,505	44,053	0
(j) HS Ceremony	0	0	0	0	0	0	0	0	0	0	5,851	275
3. TOTAL RECEIPTS	11,795	41,802	149,543	184,759	338,459	364,913	332,605	362,191	151,807	274,986	332,051	22,081
4. TOTAL AVAILABLE	265,297	259,920	328,551	357,749	514,067	465,818	335,267	396,290	235,983	281,479	335,291	23,339
5. CASH PAID OUT												
(a) Operations	39,679	70,037	116,851	163,198	192,900	134,937	160,258	247,193	202,158	277,705	334,034	21,980
(b) Museum	7,500	10,875	38,710	18,943	220,262	328,219	140,910	64,922	27,332	534	0	0
6. TOTAL PAID OUT	47,179	80,912	155,561	182,141	413,162	463,156	301,168	312,115	229,490	278,239	334,034	21,980
7. CASH POSITION	218,118	179,008	172,990	175,608	100,905	2,662	34,099	84,176	6,493	3,240	1,257	1,359

\* Source of Beginning Cash on Hand was 1987 Kansas Legislative 25-cent surcharge proceeds (\$215,000 plus 38,502 in accumulated interest).

\*\* Includes \$20,061 in additional Interest from surcharge proceeds.

Note: All entries rounded to the nearest dollar.

NOTE PAYABLE - BALANCE AS OF 1-31-2002: \$25,098 Approximate

**74-2915.** Surcharge on tickets for certain intercollegiate athletic events; payment in lieu of surcharge; collection and disposition of amounts remitted. (a) Except as otherwise provided by this section, in addition to any other excise tax imposed by law, there is hereby imposed for the purpose of providing funds for the all-sports hall of fame a surcharge of \$.25 added to the sale price of each ticket which is sold during the period beginning July 1, 1987, and ending June 30, 1988, for each intercollegiate athletic event or contest which is sponsored by an institution of higher education. In the case of a season ticket, the surcharge imposed by this section shall be computed on the basis of \$.25 for each such event or contest for which admission is provided by the season ticket. Each activity card or ticket, which is issued to students of an institution of higher education upon paying a nonoptional activity fee charged and collected by the institution of higher education and which provides admission to activities or events in addition to intercollegiate athletic events or contests, is exempt from the surcharge imposed by this section.

(b) Except as otherwise provided by this section, each institution of higher education shall collect and remit not less often than monthly the total amount of such surcharge collected under this section to the state treasurer who shall deposit the entire amount of each such remittance in the state

treasury to the credit of the all-sports hall of fame trust fund.

(c) In lieu of the provisions of subsections (a) and (b), an institution of higher education may remit an amount equal to the amount that would have been collected under the provisions of subsections (a) and (b) if such provisions had been in effect for the period from July 1, 1986, through June 30, 1987, and no tax shall be collected under this section for intercollegiate athletic events and contests sponsored by such institution of higher education during the period from July 1, 1987, through June 30, 1988, if such institution of higher education makes such remittance. Such amount shall be remitted to the state treasurer prior to January 1, 1988, and shall be remitted from nonstate funds. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the all-sports hall of fame trust fund.

(d) As used in this section, "institution of higher education" means any institution under the supervision and control of the state board of regents, any community college organized and operating under the laws of this state and Washburn university of Topeka.

**History:** L. 1986, ch. 289, § 1; L. 1987, ch. 294, § 2; May 21.

**Attorney General's Opinions:**

Activity passes are exempt from surcharge for admission to certain events other than intercollegiate athletic events. 87-90.

**74-2915.**

**History:** L. 1986, ch. 289, § 1; L. 1987, ch. 294, § 2; Repealed, L. 1989, ch. 229, § 4; April 27.

**Kansas Sports Hall of Fame Games Funding by University  
(1993-2001)**

Emporia State University

1993 - \$3,402.00  
1994 - \$1,435.00  
1995 - \$1,229.00  
1996 - \$2,688.00  
1997 - \$1919.00 (FB/BB)  
1998 - \$6,694.00 (FB/BB)  
1999 - \$2,145.00 (FB/BB)  
2000 - \$2,871.00 (FB/BB)  
2001 - \$2,014.00 (FB/BB)  
**Total - \$24,397.00**

Fort Hays State University

1993 - \$851.00  
1994 - \$1,306.00  
1995 - \$1,047.05  
1996 - \$2,031.05  
1997 - \$1,275.05 (FB/BB)  
1998 - \$0.00  
1999 - \$0.00  
2000 - \$0.00  
2001 - \$0.00  
**Total - \$6,510.15**

Kansas State University

1993 - \$11,464.00  
1994 - \$52,062.00  
1995 - \$7,849.00  
1996 - \$47,456.00  
1997 - \$41,928.00 (FB/BB)  
1998 - \$9,115.00 (BB)  
1999 - \$0.00  
2000 - \$8,530.00 (BB)  
2001 - \$8,000.00  
**Total - \$186,404.00**

Pittsburg State University

1993 - \$2,723.00  
1994 - \$622.00  
1995 - \$2,665.67  
1996 - \$3,130.00  
1997 - \$5,081.17  
1998 - \$0.00  
1999 - \$0.00  
2000 - \$3000.00 (FB/BB)  
2001 - \$358 (BB)  
**Total - \$17,579.84**

University of Kansas

1993 - \$39,381.00  
1994 - \$15,478.00  
1995 - \$54,785.00  
1996 - \$16,385.00  
1997 - \$55,246.03 (FB/BB)  
1998 - \$16,807.29 (BB)  
1999 - \$53,550.05 (FB/BB)  
2000 - \$17,246.02 (BB)  
2001 - \$56,309.64 (FB/BB)  
**Total - \$325,188.03**

Washburn University of Topeka

1993 - \$3,147.00  
1994 - \$4,085.00  
1995 - \$2,063.68  
1996 - \$2,805.00  
1997 - \$3,357.00 (FB/BB)  
1998 - \$3,935.00 (FB/BB)  
1999 - \$3,750.00 (FB/BB)  
2000 - \$1,447.00 (BB)  
2001 - \$2,568.00 (FB/BB)  
**Total - \$27,157.68**

Wichita State University

1993 - \$10,882.50  
1994 - \$9,175.00  
1995 - \$12,468.00  
1996 - \$7,641.00  
1997 - \$10,268.00 (BB/Baseball)  
1998 - \$12,348.00 (BB/Baseball)  
1999 - \$1,601.00 (Baseball)  
2000 - \$0.00  
2001 - \$0.00  
**Total - \$64,383.50**

Bethany

2000 - \$590.00 (FB)  
2001 - \$1115.00 (FB/BB, BB02)  
**Total - \$1,705.00**

Kansas Wesleyan

2001 - \$139.00 (FB)

Ottawa

2000 - \$200.00 (FB)  
2001 - \$100.00 (BB)  
**Total - \$300.00**



**HB 2896 - Kansas Sports Hall of Fame Funding**

- Mandate a \$1.00 Surcharge on each of the following events for Regents institutions, including community colleges, and Washburn University:
  - 1 - Men's Varsity Basketball Game;
  - 1 - Women's Varsity Game;
  - 1 - Football Game or 1 - WSU Baseball Game.
- Surcharge DOES NOT apply to student ticket when issued with activity card.
- Surcharge applies once to season ticket for respective sport.
- Surcharge collected must be remitted semiannually:
  - One payment between July 1 and December 31; One payment between January 1 and June 30.
- Provides for enforcement of surcharge deposits from the Chief Executive Officer of the Kansas Board of Regents.

**PROJECTED ANNUAL REVENUE FOR HB 2896**

	<u>Min</u>	<u>Max</u>		<u>Min</u>	<u>Max</u>
Kansas University			Fort Hays State University		
Football Game	\$35,000	50,000	Football Game	\$500	1,000
Basketball Game	12,000	16,000	Basketball Game	1,000	2,000
Women's Game	2,500	10,000	Women's Game	500	1,000
KU TOTAL	49,500	76,000	FHSU TOTAL	2,000	4,000
Kansas State University			Pittsburg State University		
Football Game	\$35,000	50,000	Football Game	\$3,000	5,000
Basketball Game	8,000	12,000	Basketball Game	1,000	2,000
Women's Game	2,500	10,000	Women's Game	500	1,000
KSU TOTAL	44,500	72,000	PSU TOTAL	4,500	8,000
Wichita State University			Washburn University		
Baseball Game	\$4,000	8,000	Football Game	\$1,000	2,000
Basketball Game	8,000	12,000	Basketball Game	1,000	2,000
Women's Game	2,000	5,000	Women's Game	500	1,000
WSU TOTAL	14,000	25,000	WU TOTAL	2,500	5,000
Emporia State University			20 Community Colleges		
Football Game	\$1,000	2,000	20 Football Games	\$5,000	10,000
Basketball Game	1,000	2,000	20 Basketball Games	5,000	10,000
Women's Game	500	1,000	20 Women's Games	2,500	5,000
ESU TOTAL	2,500	5,000	TOTALS CC	12,500	25,000

GRAND TOTALS                    Min      Max  
    \$132,000   220,000

PAYMENT SCHEDULE  
     January 15                    \$80,500   120,000  
     July 15                        51,500   100,000

- Please Note: Projected annual revenue from a \$1.00 surcharge on designated contests at Regents Institutions and Washburn University is based on past attendance and is an estimate. These numbers do not represent actual amounts of revenue or attendance.

Testimony of Senator Jay Scott Emler  
March 26, 2002  
Senate Ways and Means Committee

Chairman Morris, members of the committee, thank you for allowing me to appear today in support of HB 2896. But more importantly, thank you for considering this very important issue.

Recently, many of you received a letter signed by six athletic directors. It stated, "The bill seeks to tax university athletic departments for funding...." That is not true. The minuscule fee proposed in this legislation comes from supporters of athletic events, not from the universities.

I note with some interest that the "survey" referred and attached to the letter actually began with a phone call to Mr. Hayes. It is even more interesting that the information regarding the Kansas Sports Hall of Fame, which was readily available, appears to have been intentionally omitted from the letter. I can only ask, "Why?" Was the intent to misinform or mislead this Committee? I would hope not.

The letter proceeds to declare that a \$1 charge on three games per year would be a problem "the surcharge not only affects fans, but ultimately hurts growth opportunities to many struggling athletic departments....." Is that why in 1999 a season pass for a family of 4 cost \$401 and now will cost \$1,140? I find it difficult to believe that a family willing to pay that much for a season ticket will complain about another \$12. In fact, at that same regents institution, that same \$12 would only purchase each member of that family one bottle of water at one game.

The Kansas Sports Hall of Fame provides a place where children can dream. Where they can develop goals. I have personally watched as a young girl's eyes grew wider and wider. "I didn't know she was from Kansas!" That little girl has set her goal at playing in the WNBA. What a prize the Hall of Fame is for all of Kansas, 82 of the 98 inductees either played for or coached at Kansas colleges. I respectfully request this Committee support this legislation. While there are others in this room much more knowledgeable than I, especially Representative Weber, and Ted Hayes, I will be happy to stand for questions.

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Attachment 4

# SENATE WAYS & MEANS COMMITTEE

## TESTIMONY ON HB 2896 MARCH 26, 2002

Presented by  
Ted R. Hayes, Executive Director  
Kansas Sports Hall of Fame

Thank you, Chairman Morris and Members of the Committee, for the opportunity to appear before you today in support of House Bill 2896.

The Kansas All-Sports Hall of Fame was founded in 1961 as part of the Kansas Centennial Celebration and charged with the mission to "honor those individuals whose achievements in sports have brought pride and distinction to themselves, their communities and the entire state of Kansas."

The Hall of Fame started out as a temporary display at the Topeka State Fairgrounds and in 1972 was moved to the Watkins Museum in Lawrence where it remained until 1990.

In the early years, funding for the HOF came from fees levied upon boxing and wrestling gate receipts under the governance of the Kansas Athletic Commission. The KAC was abolished in 1981 and the HOF was statutorily attached to the State Historical Society, giving the society responsibility of statutory representation in the budget process and state accounting system for the Hall of Fame.

In 1986, legislative action (74-2915) established a one-time funding mechanism for the Hall of Fame through a \$0.25 surcharge on tickets for all intercollegiate athletic events from July 1, 1987 to June 20, 1988 at all state Regents institutions. The action generated around \$215,000 in revenue for the Hall of Fame - the annual derived interest of \$8,000 - \$10,000 was used for operation of the Hall of Fame through the Watkins Museum in Lawrence. In 1988, Governor Hayden named the first governor-appointed Board of Trustees for the Hall of Fame.

In 1989, the Douglas County Historical Society voted to expand the Watkins museum for their own exhibits and asked the Hall of Fame to find a new location. After reviewing proposals from several Kansas communities, the Trustees selected Abilene as the permanent site for the Hall of Fame and in March of 1991, the Trustees entered into an agreement with a non-profit corporation in Abilene to provide for the daily operation of the Hall of Fame.

In the Spring of 1991, the Hall of Fame was moved to Abilene and the Trustees approved the hiring of Ted Hayes as Executive Director - the first full-time employee.

In 1992, the Trustees entered into an agreement with all six Kansas Regents institutions and Washburn University, whereby each of the schools agreed to designate certain athletic events as

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"Hall of Fame Games" starting with the 1992-93 season at which the host universities collected \$1.00 on each ticket for each paying attendee. The agreement was requested by the Regents institutions in lieu of the Trustees going back to the legislature for mandated surcharges as was done through statute 74-2915 in 1986. Annual revenues of approximately \$85,000 were provided to the Hall of Fame from these games hosted by the Regents institutions to help pay the Hall of Fame's annual operating expenses. These Hall of Fame games are presently being hosted by some of the Regents institutions and Washburn University as well as several private four year colleges.

In 1994, the First National Bank in Abilene donated its building to the Hall of Fame, thus providing the first permanent facility for the Hall. The bank building represented a gift in excess of \$450,000. A capital campaign, which raised over \$600,000, enabled the Hall of Fame to renovate the bank building with a magnificent arrangement of state-of-the-art sports exhibits on the first floor. The museum was designed by Ed Scheele and Associates, one of the nation's leading museum designers. The Hall of Fame officially opened its in Abilene on Induction Day, July 19, 1997.

Previously termed the "Kansas All-Sports Hall of Fame," the State of Kansas Sports Hall of Fame museum is composed of plaques, trophies, uniforms, photographs and biographical material beautifully displayed in exhibits representative of Kansas athletes and teams.

Each year, the Hall of Fame Board of Trustees selects a class of individuals who are inducted in a public ceremony. With last year's class of 2001, 90 of Kansas' sports heroes have been enshrined. Eight more deserving Kansans have been notified they will be inducted this year.

Each of the inductees is presented in the museum with a biography and a portrait by nationally recognized artist, John Martin of Kansas City.

Any Kansan can nominate individuals for induction. A screening committee comprised of more than 75 individuals also provide nominations and vote in the screening process. Final selection for induction is made by the Board of Trustees from the finalists presented by the screening committee.

In addition to the museum and induction ceremony, the Hall of Fame sponsors a series of high school awards programs at various locations throughout the state and publishes a statewide sports publication.

Support for the Hall of Fame is provided from private donations, fund-raising events, museum admissions, Kansas Sports Magazine, HOF Game surcharges, gift shop sales and others. Since the HOF moved to Abilene in 1991, it has raised over \$2.5 million. The annual operating budget is \$300,000.

The staff includes three full-time employees, two part-time and approximately 12 volunteers. The museum is open daily year-round and has been visited by thousands of guests from throughout Kansas, the U.S. and numerous foreign countries.

Again, thank you for your time and favorable consideration of HB 2896. I will stand for questions.



**House of Representatives Bill #2896**  
**Hearing – Senate Ways and Means Committee**  
**Chair – Senator Steve Morris**

**Tuesday, March 26, 2002 10:30 A.M. Room: 123S**

**Testimony of: Mr. Gary Musselman**  
**Executive Director of the Kansas State High School Activities Association**

**Position:** On behalf of its' 794 member schools, the KSHSAA opposes the inclusion of a ticket surcharge on high school athletic events, to generate revenues earmarked for the Kansas Sports Hall of Fame.

**Organizational Structure:** In May of 1996, the Kansas Supreme Court unanimously found the Kansas State High School Activities Association to be a private, voluntary association of member schools. As a 501-C-3 non-profit organization, the KSHSAA is an incorporated, educational association of public and private schools, it receives no state funding. Member schools pay annual dues of \$125/400 as junior and senior high schools. These dues have not increased for thirteen years.

**Mission:** The mission of the KSHSAA is to conduct and facilitate a comprehensive program of educational activities, athletic and non-athletic, to enhance educational experiences for Kansas children in grades 7-12. In that regard, our purpose differs significantly from the Kansas Sports Hall of Fame.

**Duplication of Effort:** The member schools of the KSHSAA have established their own Hall of Fame in the Association's Topeka office. The middle, junior and senior high schools of Kansas nominate the students and adults inducted. Honorees are recognized exclusively for their contributions to Kansas' secondary schools. While the KSHSAA has cooperated with KSHOF in archiving sports records, it has never been the intent of either organization to merge the KSHSAA Hall of Fame into the Kansas Sports Hall of Fame.

Honorees inducted to the KSHSAA Hall reflect not only athletic accomplishment, but also individuals honored for their career involvement with music, debate and speech activities, scholars' bowl competition, Kansas Association for Youth and Student Council leadership programs as well as officiating and administrative contributions. All of these individuals are recognized for contributions to Kansas schools at the secondary level.

**Financial Concerns:** The member schools of the KSHSAA do not levy any financial assessment for operation of their Hall of Fame. They are committed to maintaining it through the regular funds in the budget. More than half of the annual operating revenues of the KSHSAA come from tickets sold at Association sponsored events. Moneys from major athletic events like post-season basketball, football, wrestling, volleyball and track and field, fund the operation of numerous other Association activities and events which do not generate revenue. Scholars' bowl, speech, debate, piano, vocal and instrumental

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music, student council, sportsmanship/citizenship initiatives are examples of programs serving tens of thousands of Kansas students whose funding is dependent on these ticket revenues. Anything, which increases the price of admission to these events, has the potential to negatively impact the Association's operating revenue.

### **Conclusions:**

1. Amending the KSHSAA into the bill adds opposition to an otherwise clean bill from the House. Ted Hayes, Executive Director of the Kansas Sports Hall of Fame, has indicated it is not their desire to impose a financial burden on Kansas high schools, parents or the KSHSAA. Representative Weber, author of the bill, purposely did not include a surcharge for high school events.
2. Most Kansas citizens are not aware that sales tax is collected on the sale of every ticket to a junior high and high school event. Tickets to school plays, concerts, ball games are all presently subject to sales tax, adding a surcharge is simply an excise tax on events that families want to attend to support their children and local school.
3. The educators who govern the KSHSAA and set ticket prices are acutely aware that parents and families are the ones paying to watch their own children participate in school activities. This is not the case at college events.
4. Tickets to high school events are extremely price sensitive. Individual schools and leagues establish their regular season ticket prices. The KSHSAA establishes ticket prices only for post season events under its jurisdiction. Not all KSHSAA events have admission tickets. Adding a tax on state athletic tickets quite possibly will negatively affect attendance at KSHSAA events by raising prices to a level the public won't support. This seriously jeopardizes the single most significant source of revenue of the KSHSAA. Ticket revenues from major sport events constitute approximately 60% of the KSHSAA's annual revenue and fund numerous activities and services of the organization.
5. Attendance at this year's KSHSAA major sports championships is down. Given the current economic environment, anything that increases the admission price will only worsen this trend.
6. A tax on KSHSAA tickets would be disproportionately high compared to the surcharge on college tickets. A 50 cent to \$1 surcharge on high school tickets would equate to 10-20% of the ticket price. This is significantly greater than a \$1 dollar surcharge on a \$20 to \$50 college ticket.
7. Unlike colleges or the NCAA, the KSHSAA does not modify ticket prices for specific games to capitalize on television, rivalries or potential sellout crowds. We derive no revenue from parking charges imposed by some of our venues. Pricing of our events is established by our Board and remains constant for specific levels of tournaments.

The KSHSAA has a history of holding the line on ticket price increases for periods of five to eight years. Ticket pricing is one of our most sensitive issues.

8. The KSHSAA operates its' own Hall of Fame without a special assessment on its' member schools. It has been suggested that a proposed high school surcharge could be divided between the two organizations. This is unnecessary and would be viewed as suspect by parents and school personnel.
9. A surcharge on post season events operated by the KSHSAA is comparable to a surcharge on NCAA tournament games. While I do not support the idea, a surcharge on regular season games of Kansas high schools is equivalent to what has been proposed on the Kansas Regent's schools and junior colleges. Like the NCAA, the KSHSAA is a private, 501-C-3 incorporated, association of member schools.
10. If a surcharge were placed on KSHSAA tickets, is it subject to sales tax? If so, the KSHSAA realizes a loss if it pays sales tax on moneys directed to the Kansas Sports Hall of Fame. What are the implications for the KSHSAA as it relates to 501-C-3 status?

**Thank you for your consideration of our concerns on this issue. On behalf of Kansas' school children and their families, we ask that you not amend KSHSAA events into the bill.**



# The Kansas State High School Activities Association

## *Serving Kansas' Schools and Students*



### What is the KSHSAA?

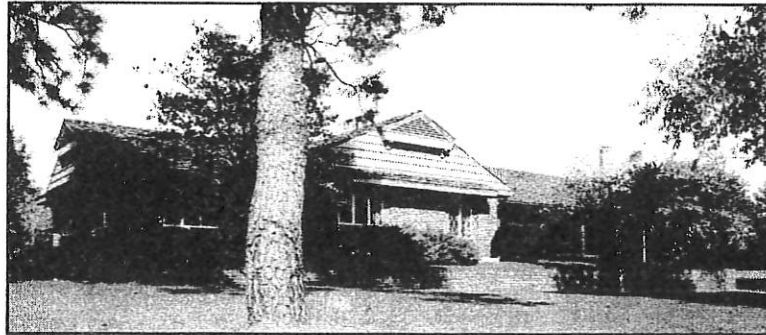
A private/non-profit association of accredited member schools, whose purpose is to administer a program of interscholastic activities, festivals, clinics and contests among member schools. The KSHSAA offers state championships in ten boys and girls' sports, and ten additional championships in music activities, debate, speech and drama, and scholars bowl. Of particular importance are efforts to elevate standards of good sportsmanship and to encourage growth of good citizenship among students and spectators.

### Who makes up the KSHSAA?

The Association is comprised of more than 370 senior high and 427 middle/junior high member schools. Member schools must be accredited and are both public and private schools.

### What is the history of the KSHSAA?

The Kansas State High School Activities Association was formed in 1937 and incorporated in 1956. As early as 1910, Kansas schools organized the statewide Debate League and Athletic Association governed by high school principals. The Athletic Association started as a small voluntary group of fewer than 50 schools and grew to more than 500 schools by the 1920s. Out of necessity, member schools adopted eligibility and participation rules and established authority for a Board of Control to assess penalties against schools for violations. In 1927 the Board of Control employed the first full time Executive Secretary. To date, six



individuals have served as Executive Director.

### What are Classifications?

Each September, the KSHSAA collects student enrollment data from member high schools for students in their sophomore, junior and senior classes. This number is listed in a descending list of all high schools. The largest 32 schools become 6A, the next largest 32 become 5A, the next 64 become 4A, 3A, and 2A respectively and the remaining schools become class 1A. New classifications are established each school year in all activities except for football, which uses a two-year cycle and a different counting method.

### How is the KSHSAA structured?

The Association has a three-branch system of governance. The Executive Board (9 - 14 members) meets six times annually and is charged with making policy, conducting hearings and managing the affairs of the organization. Legislative authority to make rules and bylaws changes is vested in

the seventy plus member Board of Directors. Members are school administrators, educators and local board of education members from throughout the state. Two members of the Kansas State Board of Education also serve. The Appeal Board acts as an impartial hearing panel in matters pertaining to rule interpretations.

### How does the KSHSAA keep schools and communities informed?

A monthly magazine, the KSHSAA Activities Journal, is published August through May. Circulation is to all member schools, local boards of education, and the news media of the state. A website is also maintained at [www.kshsaa.org](http://www.kshsaa.org).

### Is Kansas different than other states?

Yes and No. Every state has an athletic or activities association. Kansas is unique in the range of activities offered. The KSHSAA oversees Student Council programs and has a service/leadership program unlike any other in the nation. The Kansas Association for Youth (KAY) is active in more than one hundred seventy-five schools. The KSHSAA is only the second state association in the country to establish a student advisory team, comprised of a boy and girl from two schools in each of the six classes. This group gives direct student input to the staff and Executive Board. Through summer leadership camps in KAY, Student Council, and spirit and dance activities, the KSHSAA has more direct contact with students than any other state association in the nation.



# KSHSAA

Kansas State High School Activities Association  
520 S.W. 27th Street, P.O. Box 495, Topeka, Kansas 66601-0495  
PH 913 235-9201



## KSHSAA PURPOSE

To contribute to the education of the high school boys and girls of Kansas by:

Administering a program of interscholastic activities, festivals, clinics and contests among member schools; elevating the standards of good sportsmanship and encouraging the growth of good citizenship, not only for high school boys and girls, but also of adults and all others who come into contact with school activities; protecting member schools from exploitation by special interest groups; encouraging pride in scholastic achievement as a fundamental basis for a well-balanced activity program; serving the best interests of all member schools by influencing the proper type of legislation or any other desirable means.

Executive Director, Gary P. Musselman

## The Importance of Activities

*Position Statement by KSHSAA AD HOC Committee—1976-77*

A strong activities program can and should compliment a school's academic program. Activities are an integral part of the total curriculum of Kansas schools. A well-balanced activities program provides the opportunity for physical, social and emotional development complementing intellectual growth.

Participation in school activities encompasses all students without regard to sex, race, or creed and teaches that it is a privilege and an honor to represent one's school. Interscholastic activities constitute a part of the right kind of "growing up" experiences for students. Participants learn to accept success and failures, gain poise and confidence, achieve tolerance and understanding of others and gain the self-satisfaction of accomplishing goals. Under a well-administered school program, students and spectators become better citizens through participation and observation of activities conducted under established rules.

It is the duty of the member schools, through their Activities Association, to maintain an appropriate balance between the academic and activities program offered.

## Academics + Activities = Curriculum Partners

### Why have student activities?

In the last few years the value of high school activities has been questioned. First of all, they are not a separate part of our overall education program but an integral part of it. A good, well-rounded education means not only one that is academically oriented, but one that also includes physical, social and emotional development. These are available through a good school activities program.

### Activities are a citizenship laboratory

Participation in activities encompasses all races and creeds and teaches a student that it is a privilege and an honor to represent his or her school. Students learn that activities are important because they show a person how to win and how to lose. Activities teach self-confidence, poise, respect for the rules and good sportsmanship. Through participation in activities, students learn tolerance and understanding for people and how to control their emotions. They also learn the self-satisfaction of accomplishing a goal.

### Activities provide "growing up" experiences

Interscholastic activities constitute a part of the right kind of growing experiences for American boys and girls. Youth are interested in doing things well—in belonging—in displaying loyalty. With a well-administered school program, students and spectators become better citizens through participation and observance of activities conducted under established rules impartially administered.

### Activities encourage physical and mental excellence

Documented reports and statistics from the high schools of Kansas continue to show the "holding power" of the activities program. Those students engaged in any phase of the extracurricular program show a drop-out rate far below that of the uninvolved student. Over 90 percent of those students who drop out of school at the senior high level have never been involved in any activity as representatives of their school!

## Participation increases GPA

Grade point averages of students in athletics, speech, music, cheerleading, club programs, etc., rank well above those students who choose not to participate. Statistics point out "the more participation the better the GPA."

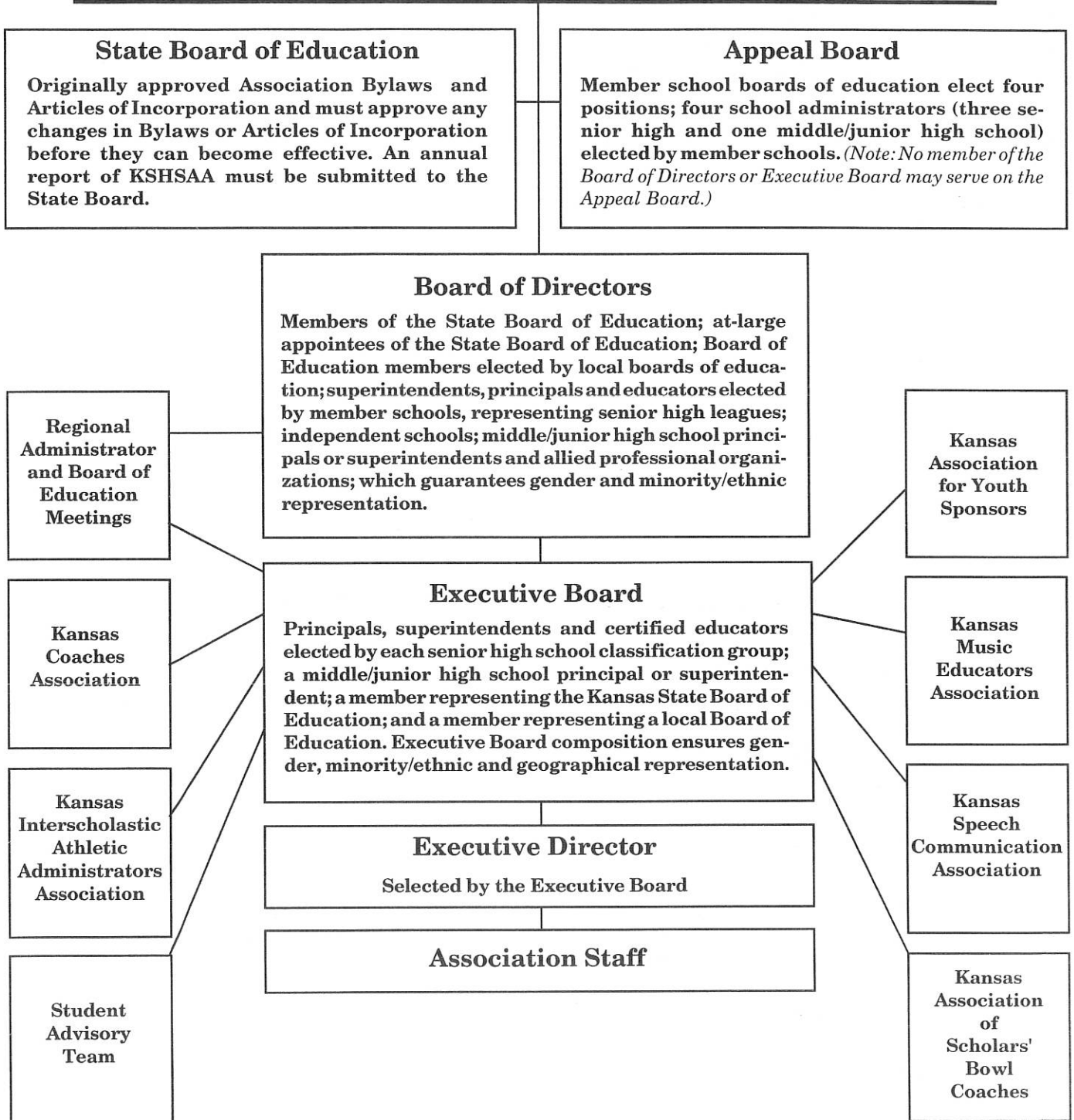
## Instructional school time is not lost

The loss of school instructional time, documented by reports from member schools, shows students miss more instructional class time for family vacations, medical reasons, parental excuses, vocational activities, etc., than they do for all KSHSAA-sponsored school activities combined.

## Activities reach out to the community

Activities in our Kansas schools will be as good and as sound as those who administer and support them. Rules and regulations are valueless unless they are embedded in the "grass roots" of the local school and community. The underlying philosophy of interscholastic activities presupposes that they are for the good of the students themselves—just as are the other phases of the educational program. This is the way the citizens of Kansas want them to be.

# Member Middle/Junior and Senior High Schools





# Sink, Gillmore & Gordon LLP

Public Accountants

Roger A. Sink, P.A.  
Glen Gillmore, P.A.  
James L. Gordon, C.P.A.

Commerce Bank Tower - 727 Poyntz Ave. Manhattan, KS 66502 Telephone 785/537-0190 Fax 785/537-0158

## Testimony Presented to Chairman Steve Morris Senate Ways and Means Committee Tuesday, March 26, 2002

Mr. Chairman:

I am sorry I was unable appear in person today regarding **HB 2896** due to previous business obligations.

I would like to state that Kansas State University and the Kansas State University Athletic Department support the continuation of a voluntary contribution to the Kansas Sports Hall of Fame in Abilene. During the life of the current agreement signed by Athletic Director Steve Miller, K-State has contributed \$275,804 to the Hall of Fame. Prior to that agreement, the university contributed \$49,832 on the 25-cent surcharge for a grand total of \$325,636.

Now, however, legislation is proposed to mandate a contribution from our athletic department and I have a number of concerns regarding this course of action.

1. K-State has already established ticket prices and revenue/expense projections for the 2002 football season. In fact, I recently mailed my check for my season football tickets, as the deadline is April 5, 2002. Consequently, if this bill were enacted, we would need to take \$34,000 directly out of the Athletic Department's budget, which ranks 9<sup>th</sup> in the Big-12 conference. This would be a large unfunded mandate to our comparatively modest budget.
2. The K-State Athletic Department operates as a separate corporation under the IRS Code Section 501(c)3. K-State's Article's of Incorporation state: "This corporation is organized exclusively for educational purposes within the meaning of Section 501(c)3." A legislative mandate to contribute to a state entity such as the Hall of Fame could potentially put the corporation's tax status in peril with the IRS.
3. Accountability. I take my role as Chair of the Finance Committee for the K-State Intercollegiate Athletic Council very seriously. I charge our athletic director to develop and follow a sound business plan and hold him accountable on this plan. My understanding is the K-State Small Business Development Center, in conjunction with the Hall of Fame, developed a business plan for the organization. I would have the same fiduciary expectations for the Hall of Fame that I have for our athletic department, i.e. to implement and follow the business plan.

In closing, Mr. Chairman, thank you again for the opportunity to submit testimony. I hope you would consider not passing HB 2896 and retain a voluntary program among university and college athletic departments.

Respectfully submitted,

Roger A. Sink, PA  
Sink, Gilmore & Gordon LLP

Senate Ways and Means  
3-26-02  
Attachment 7



**WASHBURN UNIVERSITY**  
Office of the President

**Testimony to the  
Senate Ways and Means Committee  
regarding House Bill 2896  
by  
Jerry B. Farley, President  
Washburn University  
March 26, 2002**

Mr. Chairman, Members of the Committee:

Washburn University supports House Bill 2896 which would provide funding to the Kansas All Sports Hall of Fame through a \$1 surcharge on tickets for selected intercollegiate athletic events. Representative Shari Weber discussed this issue with Mr. David Monical prior to introduction which allowed us an opportunity to discuss it internally with our athletic director and other affected parties.

It is disappointing adequate financial resources cannot be identified for the Kansas All Sports Hall of Fame without statutory reliance on this surcharge. Nevertheless, Washburn University has been a volunteer supporter since this funding mechanism began and is willing to continue this support under HB 2896.

The facility in Abilene serves as a place where our young people can learn about individuals who have had outstanding careers in sports and see how this success contributed to their lives and careers. This tourist attraction also recognizes and tells the accomplishments of the great athletes and coaches of Kansas. Our fans and boosters have been supportive of the All Sports Hall of Fame (and have even served in leadership capacities) and we have been pleased annually to designate a football game and a basketball game as the Kansas All Sports Hall of Fame game.

Again, please accept our support for HB 2896.



March 26, 2002

The Honorable Steve Morris  
Kansas State Senator  
Senate Ways and Means Committee  
State Capitol  
Topeka, KS 66612

Dear Chairman Morris:

We are certainly in support of a Kansas Sports Hall of Fame and the benefits it may provide. However, we are opposed to HB 2896 and how it intends on funding the initiative and would urge you to oppose this legislation.





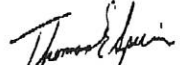

The bill seeks to tax university athletic departments for funding by adding a dollar to selected sporting events. We do not feel it is our responsibility to fund the Hall of Fame. The fact that we are a college athletic department should not subject us to financing a state sports hall of fame in Abilene, Kansas. According to a survey of over a dozen state halls of fame around the country, these enterprises are financed through their own development efforts and tickets sales, and in some cases, state or city funding (see attachment). No other state funds its hall of fame through ticket surcharges from fans.

We believe it sets a bad precedent for groups associated with state agencies to be taxed for the benefit of other state agencies. One might ask: "Where do you stop?" It also appears that HB 2896 could include a host of other groups, perceived as having something to do with sports in Kansas, which are not included in this proposal.

Would a \$1 ticket surcharge on selected games really be a problem? We believe it would. We have to be selective on how often we raise ticket prices in order to maintain our ticket base. Ticket prices are just one of the costs of attendance. When we add \$1 in one area, we are less likely to seek inflationary increases in others. The surcharge not only affects the costs to fans, but ultimately hurts growth opportunities to many struggling athletic departments which have recently cut budgets and dropped sports.

We suggest that a review of Hall of Fame finances and future revenue planning, as indicated through the business plan submitted and adopted in 1998, be reviewed. We should make sure the Hall of Fame is doing all they can to be fiscally responsible and active in generating corporate sponsorships and other revenues before we impose new costs to taxpayers and hamper growth of collegiate athletic programs. Hence, we respectfully request you oppose this legislation. Thank you for your consideration.

Respectfully,

					
Al Bohl Athletic Dir. U of Kansas	Tim Weiser Athletic Dir. Kansas St.	Jim Schaus Athletic Dir. Wichita St.	Kent Weiser Athletic Dir. Emporia St.	Tom Spicer Athletic Dir. Fort Hays St.	Chuck Broyles Athletic Dir. Pittsburg St.

enclosure

Senate Ways and Means  
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Attachment 9

3/25/02

9-2

State	Type of	City	Budget	Private	Corporate	Corporate	Athletic Dept./Univ.	Event	State	City	Athletic Dept.	Admissions/
	Location			Giving/Memberships	Memberships	Sponsorships	Memberships	Fundraising	Appropriations	Appropriations	Funding Support	Gift Shop Sales
Alabama	Permanent	Birmingham	900,000	X				X	X			X
Delaware	Permanent	Wilmington	100,000	X				X	X			X
Illinois	Nothing	Peoria		(in the planning stages)								
Florida	Permanent	Lake City	250,000	X		X		X	X			X
Maine	Permanent	Cape Elizabeth	55,000	X	X			X				
Mississippi	Permanent	Jackson	450,000	X	X	X		X				X
Missouri	Permanent	Springfield	1,000,000	X		X		X				X
New Jersey	Exhibit	East Rutherford		(Part of NJ Sports Authority)				X				
Oklahoma	Exhibit	Oklahoma City		(Part of Jim Thorpe Assoc.)				X				
Pennsylvania	May-04	Harrisburg		X				X	X			
Tennessee	Permanent	Nashville	400,000	X		X	X	X		X		X
Texas	Permanent	Waco	350,000	X	X			X		X		X
Virginia	Permanent	Portsmouth	225,000	X	X		X	X	X	X		
<b>Totals</b>	13			10	4	4	2	12	5	3	0	7



**M E M O**

TO: Chairman Steve Morris  
From: Sheila Frahm, Executive Director KACCT  
Dr. Jackie Vietti, Chair, Council of Presidents  
Date: March 26, 2002  
RE: HB 2896 Sports Hall of Fame

**Mr. Chairman and Members of the Committee:**

Please find attached to this memo:

1. February 20 letter to Rep. Shari Weber
2. Letter from Dick Hedges, President, Fort Scott Community College and President, Jayhawk Community College Conference
3. Letter from Bennie Lee, Commissioner Jayhawk Community College Conference

Regarding HB 2896 the community colleges are extremely concerned about the level of state funding – or lack thereof – for next year. We know you understand the situation very well and this shortfall will require each of our colleges to monitor our expenditures with great scrutiny, figuratively speaking “to the penny”. While the Sports Hall of Fame is a worthwhile endeavor, it is our belief that the timing to require even a modest contribution from individual community colleges comes at an extremely difficult time.

The other point of concern for the community colleges is the precedent the bill could set for requiring financial support from public entities to support a myriad of “good courses”.

As, indicated to Rep. Weber, we understand her concern for funding of an entity in her district, but encourage the Sports Hall of Fame to seek alternative funding solutions.

*Senate Ways and Means  
3-26-02  
Attachment 10*



**M E M O**

TO: Representative Shari Weber  
From: Sheila Frahm, Executive Director KACCT  
Dr. Jackie Vietti, Chair, Council of Presidents  
Date: February 20, 2002  
RE: Sports Hall of Fame

Rep. Weber, I appreciated the opportunity to learn of your concerns regarding the ongoing funding for the Kansas Sports Hall of Fame. The background materials Jessica provided were made available last week to each of our nineteen community colleges. Certainly, the funding concerns for the Sports Hall of Fame are understood and appreciated by our leaders.

However, as I think you would anticipate, a majority of both the Council of Presidents meeting and our Association agenda included a discussion of budgets and ongoing/future funding for the community colleges. The state budget discussion indicates, and we understand, that all funding questions are going to be most difficult as we approach FY 2003. Our primary focus must be on the needs of our students and their ability to afford a quality education. Any additional costs – such as those imposed by the proposed tax on community college athletic events -- must be considered as an additional burden.

We, the community college trustees and chief administrators, look forward to continuing to discuss these concerns and others with you; and we encourage alternative solution(s) be sought for funding of the Sports Hall of Fame.



# FORT SCOTT COMMUNITY COLLEGE

2108 South Horton  
Fort Scott, Kansas 66701-3141  
Phone: (620) 223-2700  
FAX #: (620) 223-6530  
Web: www.ftscott.cc.ks.us

## MEMO

**Date:** March 25, 2002

**To:** Sheila Frahm  
Executive Director  
Kansas Association of Community College Trustees  
700 S.W. Jackson  
Suite 401  
Topeka, Kansas 66603-3757

**From:** Dick Hedges   
President  
Fort Scott Community College

**RE:** Kansas Sports Hall of Fame - Jayhawk Conference

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As President of the Jayhawk Conference, the issue of a position on the Sports Hall of Fame was discussed at the March 11, 2002 meeting. A vote was taken among the 19 community colleges represented there and we are on record with a unanimous vote opposing this legislation.

Part of our concern stems from the fact that we had directed our Executive Director, Bennie Lee, to make contact with the Sports Hall of Fame to see if there could be some space indicated for those outstanding athletes who had participated in community college athletics. Despite a personal visit and some calls, we received no response. To us it appears that the only place you could graduate from and get recognition must be a four-year college.

Subsequently, we have had conversations with Hutchinson Community College concerning some sort of recognition area at the Hutchinson Sports Arena and we are pursuing this option.

Thanks for giving us the opportunity to explain our position. If we can be of any further help, please let us know.

RDH/lac

March 25, 2002

Mr. Dick Hedges  
Fort Scott Community College  
2108 S. Horton  
Fort Scott, KS 66701

Dear President Hedges:

This letter is in response to your request for information regarding the Kansas Jayhawk Community College Conference participating in funding of the Kansas Sports Hall Of Fame. I was commissioned by the KJCCC presidents and athletic directors in March 2001 to request a meeting with the directors of the Sports Hall of Fame to obtain space in the Hall to recognize athletes from the KJCCC who have achieved greatness in the Conference and gone on to greater accomplishments at the next level and professional sports.

I met with Executive Director Ted Hayes and members of the Sports Hall of Fame Board and explained to them that we have athletes who have won the Heisman trophy, led the nation in statistics in all sports, and that we also have a large number of players currently playing professional sports. We felt that if the conference colleges were to be involved with contributing to the funding of the Hall of Fame, then we would like to showcase some of our athletes in the Hall. I was informed that they would consider my request and get back with me. To date, I have not heard from them. As you know the KJCCC presidents and athletic directors voted to establish our own Hall of Fame and house in it the sports arena in Hutchinson. The vote was unanimous by all 19 member colleges of the KJCCC.

There is no doubt that Mr. Hayes has done a remarkable job with the Hall of Fame and is to be commended for all his hard work. However, it appears that if athletes who excel in the KJCCC do not attend a Kansas four-year college, the chance of them getting in the Hall of Fame is unlikely.

If I can help in any other way, please let me know.

Sincerely,

Bennie Lee  
Commissioner