

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION K-12.

The meeting was called to order by Chairperson Kathe Decker at 9:00 a.m. on March 24, 2003 in Room 313-S of the Capitol.

All members were present.

Committee staff present: Carolyn Rampey, Legislative Research Department
Kathie Sparks, Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Ann Deitcher, Committee Secretary

Representative DeCastro made the motion to approve the committee minutes for March 6, 10, 11, 12, 14, 17 and 18. Representative Phelps seconded the motion which passed on a voice vote.

SB 57 - Relating to the powers and duties of the governing bodies thereof.

It was moved by Representative Morrison and seconded by Representative Powell to discuss SB 57 and pass favorably out of committee. The motion passed on a voice vote.

SB 22 - Concerns school district capital outlay funds and would remove 5-year limit on capital outlay mill levy.

A copy of Senator Vratil's written testimony regarding **SB 22** was distributed. (Attachment 1).

Also distributed were copies of the balloon amendment on **SB 22**. (Attachment 2).

A motion was made by Representative Yonally to work SB 22. The motion was seconded by Representative Williams and passed on a voice vote.

Representative Yonally moved to amend SB 22 on page 2, line 14 by striking the word "computers"; on page 8, line 17, striking the words "statute book" and replacing it with "Kansas Register: Representative Williams seconded the motion to amend and it passed on a voice vote.

A conceptual motion to amend SB 22 was made by Representative Horst and seconded by Representative Hutchins. The amendment would provide clarification that any carry forward funds in the capital outlay fund could be used for new uses such as computer software, insurance premiums and utility services. The conceptual motion to amend passed on a voice vote.

Representative Loganbill moved that language be placed within the resolution that would say "money that will be collected for the three new areas only would not be subject to protest petition." The motion to amend SB 22 was seconded by Representative DeCastro and failed on a voice vote.

A motion to amend SB 22 by Representative Crow and seconded by Representative Loganbill referred to page 6, line 22 where "2006" would be replaced with "2004". The motion to amend failed on a show of hands.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON EDUCATION K-12 at on March 24, 2003 in Room 313-S of the Capitol.

Representative Powell made the motion that was seconded by Representative Beggs to amend SB 22 on page 4, line 23 following the word "resolution", change to "shall not be made unless the" and strike the rest of that sentence, and strike like 24 through line 27 and the word "levy" on line 28. The word "shall" should be replaced by "is" and following the word "authorized", "to" would be replaced by "by". The motion to amend passed on a show of hands.

A motion was made by Representative Yonally and seconded by Representative Lightener to pass SB 22 favorably as amended out of committee. The motion failed on a show of hands.

HR 6016 - A Resolution urging the local school boards to maintain efforts to support early childhood education.

Representative Reardon explained **HR 6016** to the committee. (Attachment 3).

Representative Reardon moved that HR 6016 be adopted. The motion was seconded by Representative Loganbill.

A motion was made by Representative Decker and seconded by Representative Hutchins that on page 2, line 19 of HR 6016, the words "and parents" be inserted following the word "districts". The motion to amend carried on a voice vote.

The motion to pass HR 6016 favorably out of committee as amended passed on a voice vote.

The meeting was adjourned at 10:30 a.m. The next meeting is scheduled for Tuesday, March 25, 2003.

JOHN VRATIL
 SENATOR, ELEVENTH DISTRICT
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TOPEKA

SENATE CHAMBER

STATE CAPITOL
 TOPEKA, KANSAS 66612-1504
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Senate Bill 22**(Relating to School District Capital Outlay Funds)**

COMMITTEE ASSIGNMENTS
 CHAIR: JUDICIARY
 VICE CHAIR: EDUCATION
 MEMBER: FEDERAL AND STATE AFFAIRS
 ORGANIZATION, CALENDAR
 AND RULES
 JT. COMM. ON STATE/TRIBAL
 RELATIONS

Testimony of Sen. John Vratil Before the House Education Committee on March 14, 2003

Senate Bill 22 is a bill which provides potential benefit to all school districts in the State. No school district will be harmed by this bill and there is no cost to the State as a result of Senate Bill 22.

The bill expands the use of the existing capital outlay fund to include (1) technology hardware and software; (2) utility expenses, including gas, electricity, water, telephone, sewage, and solid waste disposal; and, (3) insurance premiums for fire, casualty, and liability insurance. The five-year current limit on the duration of a capital outlay resolution is eliminated. In order for a school district to use the new authority provided by the SB 22, its board of education would be required to adopt a new resolution including the new uses. No money generated under a pre-existing resolution could be used for the new uses authorized under this bill. A new resolution would be subject a protest petition and election. Finally, the new authority provided by SB 22 expires in three years.

This bill is intended to be a short-term, stop-gap measure. It is not intended to become an important aspect of the school finance formula. This bill will allow school districts some flexibility in meeting budgetary needs. It will help school districts avoid the layoff of teachers and other personnel and will help them maintain current programs and services. This bill

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STATE OFFICE (MANAGER)

House Education Committee
 Date: 3/24/03
 Attachment # 1-1

compensates somewhat for the recent reduction in state school aid.

If, as it currently appears, the Legislature will not provide any new financial aid for our K-12 education system, this bill is one way in which we can assist our school districts in meeting their constitutional duty of providing a suitable education for all student.

In order to make the authority provided by SB 22 available to school districts for the 2003 - 2004 school year, I recommend that the bill be amended to make it effective upon publication in the Kansas Register.

A handwritten signature in black ink, appearing to read "John Vratil". The signature is written in a cursive style with a large initial "J".

1 *[As Amended by Senate Committee of the Whole]*

2
3 *As Amended by Senate Committee*

4 *Session of 2003*

5
6 **SENATE BILL No. 22**

7
8 By Senator Bunten

9
10 1-15

11
12 AN ACT concerning school districts; relating to the capital outlay fund;
13 amending K.S.A. 72-8801 and ~~72-8804~~ and ~~repealing the existing sec-~~
14 ~~tions, 72-8804, 72-8805, 72-8808 and 72-8810 and repealing the~~
15 ~~existing sections; also repealing K.S.A. 72-8807 and 72-8809.~~

16
17 *Be it enacted by the Legislature of the State of Kansas:*

18 ~~Section 1. K.S.A. 72-8801 is hereby amended to read as follows: 72-~~
19 ~~8801. (a) The board of education of any school district may make an~~
20 ~~annual tax levy at a mill rate not to exceed the statutorily prescribed mill~~
21 ~~rate for a period of not to exceed five years upon the taxable tangible~~
22 ~~property in the school district for the purposes specified in this act K.S.A.~~
23 ~~72-8804, and amendments thereto, and for the purpose of paying a portion~~
24 ~~of the principal and interest on bonds issued by cities under the authority~~
25 ~~of K.S.A. 12-1774, and amendments thereto, for the financing of rede-~~
26 ~~velopment projects upon property located within the school district. No~~
27 ~~such levy shall be made under this act until a resolution is adopted by the~~
28 ~~board of education in the following form:~~

29 Unified School District No. _____,

30 _____ County, Kansas.

31 **RESOLUTION**

32 ~~Be It Resolved that:~~

33 ~~The above-named school board shall be authorized to make an annual tax levy for a period~~
34 ~~not to exceed _____ years in an amount not to exceed _____ mills upon the taxable~~
35 ~~tangible property in the school district for the purpose of acquisition, construction, recon-~~
36 ~~struction, repair, remodeling, additions to, furnishing and equipping of buildings necessary~~
37 ~~for school district purposes, including housing and boarding pupils enrolled in an area vo-~~
38 ~~ccational school operated under the board, architectural expenses incidental thereto, the~~
39 ~~acquisition of building sites, the undertaking and maintenance of asbestos control projects,~~
40 ~~the acquisition of school buses and the acquisition of other equipment _____ and~~
41 ~~for the purpose of paying a portion of the principal and interest on bonds issued by cities~~
42 ~~under the authority of K.S.A. 12-1774, and amendments thereto, for the financing of re-~~
43 ~~development projects upon property located within the school district. The tax levy author-~~

Proposed amendm
March 19, 2003

House Education Committee
Date: 3/24/03
Attachment # 2-1

1 ments thereto, so specified, any moneys in the capital outlay fund of
 2 any school district and any moneys received from issuance of bonds
 3 under K.S.A. 72-8805 or 72-8810, and amendments thereto, may be
 4 used for the purpose of:

5 (1) The acquisition, construction, reconstruction, repair, re-
 6 modeling, additions to, furnishing and equipping of buildings nec-
 7 essary for school district purposes, including housing and boarding
 8 pupils enrolled in an area vocational school operated under the
 9 board of education; and architectural expenses incidental thereto.

10 (2) The acquisition of building sites.

11 (3) The undertaking and maintenance of asbestos control pro-
 12 jects.

13 (4) The acquisition of school buses ~~and~~.

14 (5) The acquisition of ~~computers~~ computer software and other tech-
 15 nology expenses.

16 (6) The acquisition of other equipment.

17 (7) Cost of utility services.

18 (8) Insurance premiums.

19 [(b) The authority to levy a tax or issue bonds pursuant to
 20 K.S.A. 72-8801 et seq., and amendments thereto, for the purposes
 21 specified in paragraphs (5), (7) and (8) of subsection (a) shall expire
 22 on June 30, 2006.]

23 ~~[(c)]~~ The board of education of any school district is hereby
 24 authorized to may invest any portion of the capital outlay fund of the
 25 school district which is not currently needed in investments au-
 26 thorized by K.S.A. 12-1675, and amendments thereto, in the manner
 27 prescribed therein or may invest the same in direct obligations of
 28 the United States government maturing or redeemable at par and
 29 accrued interest within three years from date of purchase, the prin-
 30 cipal and interest whereof is guaranteed by the government of the
 31 United States. All interest received on any such investment shall
 32 upon receipt thereof be credited to the capital outlay fund.

33 Sec. 3. K.S.A. 72-8805 is hereby amended to read as follows:
 34 72-8805. Any school district which is unconditionally authorized to
 35 make a capital outlay tax levy, in lieu of making all or part of such
 36 tax levy, may issue and sell general obligation bonds as now pro-
 37 vided by law for the issuance of general obligation bonds for build-
 38 ings necessary for school district purposes, including housing and
 39 boarding pupils enrolled in an area vocational school operated un-
 40 der the board of education of the school district, ~~except that such~~
 41 bonds shall be issued to mature in not more than five years and except
 42 that no election shall be required. ~~In the event that~~ If bonds are
 43 issued under authority of this section, the amount of the bonds

HOUSE RESOLUTION No. 6016

By Committee on Education

3-18

9 A RESOLUTION urging the local school boards to maintain efforts to
10 support early childhood education.

11
12 WHEREAS, "Early experience has a decisive and long-lasting impact
13 on ability to learn and control emotions. Effective, timely interventions
14 can improve results for children, especially those most at risk." Material
15 quoted from a power-point presentation made by staff from the Educa-
16 tion Commission of the States before a legislative committee in Septem-
17 ber 2000; and

18 WHEREAS, "Young children exposed to high-quality early childhood
19 settings exhibit better language and mathematics skills, better cognitive
20 and social skills, and better relationships with classmates than do children
21 in lower-quality care." Executive Summary of Quality Counts, quoted in
22 Education Week, January 10, 2002; and

23 WHEREAS, "Evaluations of well-run early-learning programs also
24 have found that children in those environments were less likely to drop
25 out of school, repeat grades, need special education or get into future
26 trouble with the law than similar children who did not have such expo-
27 sure." Executive Summary of Quality Counts, quoted in Education Week,
28 January 10, 2002; and

29 WHEREAS, "Families with low incomes, particularly the working
30 poor, have the least access to high-quality early-childhood services." Ex-
31 ecutive Summary of Quality Counts, quoted in Education Week, January
32 10, 2002; and

33 WHEREAS, "There is highly uniform evidence of long-term positive
34 effects (of early childhood education) on school success as measured by
35 rates of grade retention, special education, and high school graduation."
36 "Long-Term Cognitive and Academic Effects of Early Childhood Edu-
37 cation on Children in Poverty," W. Steven Barnett, Preventive Medicine,
38 1998; and

39 WHEREAS, "Programs that produce substantial improvements in the
40 cognitive development and school success of children in poverty can be
41 expected to produce substantial direct benefits through educational cost-
42 savings and substantial indirect benefits as the result of increased pro-
43 ductivity and social responsibility." "Long-Term Cognitive and Academic

1 Effects of Early Childhood Education on Children in Poverty," W. Steven
2 Barnett, Preventive Medicine, 1998; and

3 WHEREAS, A Michigan study compared students in their twenties
4 who had had high-quality early childhood education with a group that
5 had had none. The early childhood education group had: Higher monthly
6 earnings; significantly higher percentages of home ownership; signifi-
7 cantly higher level of schooling; significantly lower percentage of receiv-
8 ing social services at some time in the previous 10 years; and significantly
9 fewer arrests by age 27. Significant Benefits; The High/Scope Perry Pre-
10 school Study Through Age 27, L.J. Schweinhart, H.V. Barnes, and D.P.
11 Weikart. Monographs of the High/Scope Educational Research Found-
12 dation, No. 10, Ypsilanti, Michigan: High/Scope Press, 1993; and

13 WHEREAS, The No Child Left Behind Act holds schools accountable
14 for performance. The law requires teacher quality standards and an in-
15 creased emphasis on early childhood reading programs. States that fail to
16 attain standards face sanctions that require local districts or the state to
17 take corrective action: Now, therefore,

18 *Be it resolved by the House of Representatives of the State of Kan-*
19 *sas:* That we urge the local school districts, despite difficult financial
20 times, to make every effort to continue supporting and maintaining early
21 childhood education, pre-kindergarten through the third grade; and

22 *Be it further resolved:* That the Chief Clerk of the House of Repre-
23 sentatives be directed to send enrolled copies of this resolution to the
24 boards of education of the 303 school districts in the state of Kansas.