

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 p.m. on March 15, 2004 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Legislative Research
Debra Hollon, Legislative Research
Art Griggs, Revisor of Statutes
Susan Allen, Committee Secretary

Conferees appearing before the committee:

Senator Barbara Allen
Mary Prewitt, General Counsel, Kansas Board of Regents
Representative Everett Johnson
Diane Lindeman, Director of Student Financial Aid, Kansas Board of Regents
Colonel Adam King, Executive Support Staff, Officer Kansas National Guard

Others attending:

See Attached List.

SB 540 - Prohibiting the use of social security numbers on student and employee identification cards at postsecondary educational institutions.

The Chairman opened hearings on **SB 540** and recognized Senator Barbara Allen who testified as a proponent. In her testimony Senator Allen pointed out that the bill passed the Senate unanimously and that it is supported by Kansas Board of Regents (Attachment 1).

Chairman Sloan called the Committee's attention to written testimony submitted by Sheila Frahm, Executive Director, Kansas Association of Community Colleges (Attachment 2). Attached to Ms. Frahm's testimony was a letter written by Bob Warford, Director of Information Technology, Labette Community College. In his letter, Mr. Warford agreed with the intent of **SB 540** to protect students' and employees' privacy, but doubted if it would have the desired affect. Mr. Warford also stated that Labette Community College would have difficulty meeting the designated deadline and funding the expenses to convert their system to numbers other than social security numbers.

The Chairman recognized Mary Prewitt, General Counsel, Kansas Board of Regents, who testified as a proponent of **SB 540** (Attachment 3).

Representatives Reardon and Huntington commented that the deadline for compliance was amended in the Senate to July, 2006, therefore most existing students at a community college should not need to be issued new identification cards.

With no further questions, Chairman Sloan closed the hearing on **SB 540**.

HB 2627 - U.S. Military; benefits relating to persons killed in the military.

Chairman Sloan opened the hearing on **HB 2627** and recognized Representative Everett Johnson.

Representative Johnson testified as a proponent of **HB 2627**. A bill that offers tuition waivers for spouses and dependents of military personnel who are killed in the line of duty (Attachment 4).

Representative Johnson also suggested balloon language to the bill (Amendment 5).

Chairman Sloan recognized Diane Lindeman, Kansas Board of Regents, who testified that the Board of Regents supports the efforts to assist spouses and dependents of military and public safety officers killed in the line of duty, but are unable to establish a fiscal estimate (Attachment 6).

CONTINUATION SHEET

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE at 3:30 p.m. on March 15, 2004 in Room 231-N of the Capitol.

Colonel Adam King, Executive Support Staff Officer, Kansas National Guard, testified as a proponent of HB 2627 and suggested that service "in the line of duty" include time in training or assisting in an emergency or disaster within the State (Attachment 7).

Representative Krehbiel agreed with the broad definition of "line of duty" to include time served in training. Representatives Pottorff and Horst asked Col. King to clarify the criteria of eligibility of a surviving spouse. Col. King replied that for military benefits it is generally considered to be "un-remarried spouse."

With no further questions, Chairman Sloan closed the hearing on HB 2627.

Chairman Sloan drew the Committee's attention to the minutes from the previous Committee meetings; a letter from Barbara Fuller and Paul Babich, President and Vice-President, respectively, of the union representing some employees at the Wichita Area Technical School (Attachment 8); and to the funding options in SB 416.

The Chairman asked the Committee if there were any issues that they would like to suggest for further study by the Legislative Coordinating Council (LCC) and the Legislative Educational Planning Commission (LEPC).

Representative Reardon moved to request the LCC and the LEPC study health care coverage options for "adjunct" faculty who are teaching at more than one institution. The motion was seconded by Representative Pottorff. After discussion, the motion carried.

Representative Kuether moved to request the LCC and the LEPC study "crumbling classrooms." The motion was seconded by Representative Neighbor. After discussion, the motion carried

Representative Huntington moved to request the LCC and the LEPC study the excess costs of health care curriculum and the Kansas University Health Care Scholarship Program. The motion was seconded by Representative Neighbor. After discussion, the motion carried.

Representative Carlin moved to request the LCC and the LEPC study distance education opportunities. The motion was seconded by Representative Horst. After discussion, the motion carried.

Representative Reitz moved to request the LCC and the LEPC study resident-tuition policies for dependents of faculty and staff. The motion was seconded by Representative Carlin. After discussion, the motion carried.

Representative Kuether moved to request the LCC and the LEPC study common residency requirements and appeal processes across post-secondary institutions. The motion was seconded by Representative Krehbiel. After discussion, the motion carried.

With no further discussion, Chairman Sloan adjourned the meeting at 4:35:p.m. The next meeting is scheduled for Wednesday, March 17, 2004 at 3:30 p.m. in RM 231-N

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TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
CHAIR: ELECTIONS AND LOCAL GOVERNMENT
MEMBER: ASSESSMENT AND TAXATION
JUDICIARY

March 15, 2004

Re: SB 540

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify today on SB 540, as amended. This bill enhances the safety and security of students and faculty on the campus of our postsecondary educational institutions, by prohibiting a postsecondary educational institution from printing or encoding a person's social security number (SSN) on or into his/her university ID card, after July 1, 2006. Any distinguishing identifier assigned to a person's ID card has to be unique to that person, and cannot be based on his/her SSN. The bill, as amended by SCW, is supported by the Regents institutions.

The reason for this legislation is clear. The SSN is the most widely used identifier of a person's identity in this country. If your SSN is obtained by a less than honorable individual, the thief can obtain all kinds of personal information about you, steal your identity, access your financial information, and obtain a driver's license in your name.

My office recently attempted to survey postsecondary educational institutions in Kansas to determine whether students' SSNs are being used today on student ID cards. While most schools in Kansas do not use the SSN in this manner, some do.

I have attached to my testimony a copy of K-State's general policy, with regard to the Campus ID card, which we obtained off the internet. The Wildcat Card is the official Kansas State University Identification Card, and bears the holder's name, ID and account numbers, photo and signature. The SSN is used by K-State as the holder's ID number.

Note we obtained this information off the internet, and that students are required to carry their ID at all times while on campus.

House Higher Education Committee

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Attachment No.: 1

This is public information that anyone who has access to a computer can obtain. The student's SSN is printed on the ID card. If a student's wallet or purse falls into the wrong hands, the student's identity can easily be stolen.

At K-State, a student who is not on financial aid, who chooses not to use his/her SSN as a student ID number, is assigned a unique 9 digit number. However, students receiving financial aid, and employees of KSU, are required to use their SSN as their ID number.

I have also attached to my testimony a copy of a memo describing Emporia State's policy regarding the use of SSNs on student and faculty university ID cards. Emporia State does not display student or staff SSNs on university ID cards. However, the SSN, or an alternate identification number, is embedded in the magnetic strip on the back of the ID card.

Kansas City Community College prints the SSN on student ID cards.

I am aware the federal government requires students to have an SSN on file in order to receive financial aid. However, I refer you to a similar requirement found in federal law relating to Child Support Enforcement, drivers license (DL) applications, and SSNs. Title IV-D of the social security act requires the state to have laws requiring any applicant for a driver's license to provide the applicant's SSN on the driver's license application. As of July 1, 2003, Kansas law requires an applicant to provide an SSN on the DL application, or swear by affidavit that the applicant has no SSN. However, under Kansas law, the SSN may NOT be placed on the DL itself, unless the applicant so requests, in writing.

Similarly, under SB 540, a student's SSN could still be provided on the financial aid application as required by federal law, but with passage of this legislation, a person's SSN could not be printed on or encoded into a university ID card.

Finally, I have attached for your review research obtained from NCSL. Nine states – Arizona, Arkansas, Colorado, Georgia, Hawaii, North Dakota, Utah, Virginia, and West Virginia - have passed laws restricting the use of SSNs as identification numbers on DLs, health cards, or as student numbers.

Thank you for the opportunity to testify today on SB 540. SB 540 passed the Senate 40-0 on March 9, 2004. I encourage your support, and would be happy to answer questions!

A handwritten signature in black ink that reads "Barbara". The signature is written in a cursive style with a horizontal line underneath the name.

Barbara P. Allen
Senator, District 8

General Policy, Campus ID Card

K-STATE

The Wildcat Card is the official Kansas State University Identification Card. It bears the holder's name, ID and account numbers, photo and signature. The Wildcat Card is the identification card to be used while attending or employed by Kansas State University. It must be carried at all times while on campus. It is for the holder's personal use only. Services covered by this card are not transferable to other individuals. The holder's Wildcat Card must be presented upon request by any officer or employee of Kansas State University when asked for identification.

The Wildcat Card is valid for students while enrolled at Kansas State University and for current, retired and emeritus employees of the University. The social security number is used by Kansas State University as the holder's identification number. If the holder does not have or chooses not to use their social security number, a unique 9-digit number will be assigned. However, persons receiving financial aid or employed by KSU are required to use their social security number as their ID number.

The Wildcat Card serves not only as general identification but identification for class exams, use of KSU Libraries, access to recreational facilities, access to dining services, security access to residence halls, obtaining medical records and use of Lafene Health Center. Other uses for the Wildcat Card include many banking and purchasing functions, use of K-State Student Union services, student elections, and admission to selected Kansas State University athletic events.

Card Issue Guidelines: The Wildcat Card is issued to students and current, retired or emeritus faculty and staff of Kansas State University. New students will be charged \$15 for the Wildcat Card. Persons attending conferences and other campus visitors are not issued a Wildcat Card. The K-State ID Center may issue special use cards for conferences utilizing Kansas State campus and/or K-State Student Union facilities.

Safeguard of Wildcat Card: Protect your card from damage caused by rubbing or scratching. Do not punch holes in the card. Keep the magnetic strip unobstructed and use card only for its intended functions. Protect card from access by others at all times. Defective or damaged cards will be replaced at the K-State ID Center in the K-State Student Union. (Defective and/or damaged cards are determined by the K-State ID Center.)

Lost/Stolen Wildcat Cards: Lost or stolen cards should be reported immediately to the K-State ID Center, located on the first floor of the K-State Student Union. Their hours are Monday - Friday, 8:00 a.m. - 5:00 p.m. The K-State ID Center phone number is (785) 532-6399. After hours and weekends call the 24-hr. message line at above number.

Commerce Bank: For Wildcat Checking and other banking issues, contact Commerce Bank campus branch, first floor, K-State Student Union. Their hours are Monday - Friday, 8:00 a.m. - 4:30 p.m.; the phone number is (785) 532-3500. After hours call toll free (800) 292-7977.

Cards which have been replaced due to loss or theft are de-activated and cannot be re-activated. Balances remaining on Union Debit account and Wildcat Checking accounts may be accessed by replacement card. Important Note: Financial balances on Smart Chip are non-refundable if card is lost or stolen.

A \$15 non-refundable replacement fee does apply for replacement cards issued.

Misplaced/Forgotten Cards: Card holders are responsible for the use of their Wildcat Card. All transactions performed prior to report of loss/theft are the responsibility of cardholder. All transactions

EMPORIA STATE UNIVERSITY

Governmental Relations

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10 February 2004

To: Emily Watson, Intern for Senator Barbara Allen

From: John Dougherty, Director of Governmental Relations

Re: Use of Social Security Numbers (SSNs)

In response to your request, neither student nor staff member's SSNs are displayed on Emporia State University ID cards. However, the SSN, or an alternate identification number, is embedded in the magnetic strip on the back of the ID card. The following formal policy regarding the use of SSNs for students is quoted from ESU's 2004-2005 Undergraduate Catalog.

"Social Security Number

"Each entering student is asked to provide the university with a social security number. While students may choose not to provide this information, **no student may receive financial aid from any federal funded program or state payroll unless the social security number is on file. The university may be required to provide a student's social security number to the Kansas Division of Accounts and Reports for use in detection of fraudulent or illegal claims against state monies in accordance with the general authority of K.S.A. 75-3728b.**

"If the above highlighted information does not apply, the student may request (from the Registrar in writing) to have a number assigned rather than use the social security number."

Please note that ESU has had plans to phase out the use of SSNs as the primary student ID; however, those plans have been delayed in implementation due to lack of funds.

Please let us know if we can provide any additional information.

cc: President Schallenkamp

Nine states-Arizona, Arkansas, Colorado, Georgia, Hawaii, North Dakota, Utah, Virginia and West Virginia-passed laws restricting their use as identification numbers on driver's licenses, health cards or as student numbers.

Arizona

H.B. 2429

Signed by governor 5/1/03, Chapter 137

<http://www.azleg.state.az.us/FormatDocument.asp?inDoc=/legtext/46leg/1r/laws/0137.htm>

States that beginning on January 1, 2005 a person or entity may not do the following:

- 1) Communicate an individual's Social Security number and make it available to the general public.
- 2) Print an individual's Social Security number on any card required for the individual to receive products or services provided by the person or entity.
- 3) Require an individual's Social Security number over the Internet unless the connection is secure or the Social Security number is encrypted.
- 4) Require the transmission of an individual's Social Security number to access an Internet Web site, unless a password or unique identification is also required to access the Internet site.
- 5) Print an individual's Social Security number on any materials that are mailed to the individual, unless state or federal law requires the social security number to be on the document.

Arkansas

H.B. 1034

Signed by governor 2/14/03, Act 108

<http://www.arkleg.state.ar.us/ftp/root/acts/2003/public/act108.pdf>

Prohibits institutions of higher education from using students' or employees' Social Security numbers on identification cards.

student i.d.'s

H.B. 2234

Signed by governor 3/27/03, Act 836

<http://www.arkleg.state.ar.us/ftp/root/acts/2003/public/act836.pdf>

Eliminates the provisions that allow the use of a person's Social Security number as a driver's license number.

DL

Colorado

H.B. 1175

Signed by governor 4/17/03, Chapter 148

http://www.state.co.us/gov_dir/leg_dir/olls/sl2003a/sl_148.htm

Requires each institution of higher education to assign a unique identifying number to each student enrolled at the institution starting July 1, 2003. Prohibits the use of a student's Social Security number as the unique identifying number.

student i.d.

Georgia

H.B. 721

Signed by governor 5/31/03, Act 188

http://www.legis.state.ga.us/legis/2003_04/fulltext/hb721.htm

Prohibits insurers from using an insured's Social Security number for any purpose or in any manner on health insurance identification card.

HEALTH INSURANCE CARD

Hawaii

S.B. 1406

Signed by governor 4/16/03, Act 15

<http://www.capitol.hawaii.gov/sessioncurrent/bills/sb1406.htm>

Deletes the requirement that commercial driver's licenses include the licensee's Social Security number on the license.

own resolution. Had my amendment been adopted I would vote in support of **SB 293**.—
PHILLIP B. JOURNEY

SB 400, An act concerning law enforcement; pertaining to training of part time law enforcement officers; amending K.S.A. 2003 Supp. 74-5602 and repealing the existing section, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Betts, Brownlee, Brungardt, Buhler, Bunten, Clark, Corbin, Donovan, Downey, Emler, Gilstrap, Goodwin, Haley, Helgerson, Hensley, Huel-skamp, Jackson, Jordan, Journey, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed.

SB 533, An act concerning the Kansas racing and gaming commission and the state gaming agency; relating to appointment of assistant attorneys general; amending K.S.A. 74-8809 and 74-9804 and repealing the existing sections, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Betts, Brownlee, Brungardt, Buhler, Bunten, Clark, Corbin, Donovan, Downey, Emler, Gilstrap, Goodwin, Haley, Helgerson, Hensley, Huel-skamp, Jackson, Jordan, Journey, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

SB 540, An act concerning postsecondary educational institutions; relating to the use of social security numbers, was considered on final action.

On roll call, the vote was: Yeas 40, Nays 0, Present and Passing 0, Absent or Not Voting 0.

Yeas: Adkins, Allen, Barnett, Barone, Betts, Brownlee, Brungardt, Buhler, Bunten, Clark, Corbin, Donovan, Downey, Emler, Gilstrap, Goodwin, Haley, Helgerson, Hensley, Huel-skamp, Jackson, Jordan, Journey, Kerr, Lee, Lyon, Morris, O'Connor, Oleen, Pugh, Salmans, Schmidt, Schodorf, Steineger, Taddiken, Teichman, Tyson, Umbarger, Vratil, Wagle.

The bill passed, as amended.

INTRODUCTION OF ORIGINAL MOTIONS AND SENATE RESOLUTIONS

Senator Corbin introduced the following Senate resolution, which was read:

SENATE RESOLUTION No. 1826—

A RESOLUTION congratulating and commending Flossie Bishop Page.

WHEREAS, Flossie Bishop Page of Rosalia will celebrate her 111th birthday on June 12.

WHEREAS, She was born June 12, 1893, at Haven. At age 15 she taught one year in a country school near Lewis before going to Nickerson as a boarding student to attend Nickerson High School; and

WHEREAS, She and a friend, Nellie Cleaver, were early career women when they went to Washington, D.C. to work for the War Department processing claims for soldiers who had been injured, or in the event of death, for the soldiers' estates. Later they returned to Wichita and worked for the Revenue Department which became the Internal Revenue Service; and

WHEREAS, She married Fred Page, and the couple farmed nearly 50 years until his death in 1967. They had one son, Donald, and she now has seven grandchildren, 36 great-grandchildren and 15 great-great grandchildren: Now, therefore,

Be it resolved by the Senate of the State of Kansas: That we congratulate and commend Flossie Bishop Page upon enjoying 110 years of life and wish her a happy and joyous 111th birthday; and

Be it further resolved: That the Secretary of the Senate provide an enrolled copy of this resolution to Mrs. Flossie Bishop Page, 8312 S.E. 20th Street, Rosalia, KS 67132.

On emergency motion of Senator Corbin **SR 1826** was adopted unanimously.



MEMO

TO: Chairman Tom Sloan & members of House Higher Ed. Comm.

From: Sheila Frahm, Executive Director

Date: March 15, 2004

RE: SB 540

Chairman Sloan and members of the House Higher Education Committee, As the community colleges reviewed the requirements stipulated in SB 540, we found the nineteen colleges at various stages of progress regarding security issues and the use of social security numbers. All are working toward the ultimate goals to assure the confidentiality and safety of their students. Further each college understands and supports these needs.

While all felt they could accomplish the recommended suggestions in a timely manner, I'm attaching a specific identification of concerns raised by one college. These same thoughts are felt by many colleges regarding requests for information, unexpected and unprioritized costs, and the challenges that a college and it's staff must address to meet the recommendations/requirements of their local boards, KBOR, and the state legislature.

Thanks for your ongoing consideration of important issues and for recognizing the potential implications of decisions and requests made from Topeka.

House Higher Education Committee

Meeting Date: 3-15-04

Attachment No.: 2

March 15, 2004

Ms. Frahm,

Thank you very much for giving me this opportunity to express my opinions on SB 540, "use of ssn on student i.d".

Although I have some concerns about SB 540, I want you to know that I am in full support of the intended purpose of SB 540.

Providing the security to protect our student's and our employee's identities and personal information has always been very import to Labette Community College. Labette Community College recently put in a great deal of money and labor adding the ability to maintain a unique student id.

- That said, it is my opinion that SB 540 provides only a perception of security. It may actually make things worse; many people will not protect their unique id as well as they would their social security number because of their perception that a unique id is safer than a social security number. Yet, a hacker who can gain access to the databases the personal information is stored in can do so using either the unique id or the social security number. An id is only a minor inconvenience to a hacker.

Because a unique id gives only a perception of security, Labette Community College decided, even though we added the capability to handle unique ids, to give unique ids to only new students and not change any existing students id. We decided that the six to eight months of labor needed to convert the ids of existing students could be better spent on other portions of our MIS upgrade.

However, with the approval of SB 540, Labette Community College will be forced to consume the additional six to eight months labor to fix a problem that seems to be fixing itself. It was our theory that time would take care of the existing students. This theory appears to be working out since approximately half of the currently enrolled students, those that are most likely to have their personal data transferred outside of the college, now have unique student ids and this is only one year after the start of our unique student id system.

In reality, the concept of never exposing a student's or employee's social security number is impossible in today's society. There must always be a unique identifier to electronically exchange information and it must be the same identifier for everyone. Regardless of what identifier an organization uses internally for a person, the social security number is the only identifier in the United States that identifies a person as the same person to everyone. Try applying for federal financial aid, submitting employee W2 information, or a federal tax return without using a social security number.

Even using if every organization changes to a unique id for internal use, virtually every student, employee, organization, and government agency in the United States will be required in the near future to transmit social security numbers over the Internet. Regardless of what the unique id is, the social security number will be exposed.

Since it is quite evident that all companies, schools, and organizations need to maintain social security numbers, properly secured systems and communications will be the only way to protect anyone's identity and information.

A far better use of the financial and human resources that will be expended on fulfilling SB 540 would be to develop a secure state-wide system for transferring information and providing the financial resources to ensure everyone can protect sensitive data internally as well as externally.

- In regards to the timelines, if the state government is serious about approving SB 540 and meeting the 2006 deadline; there needs to be a state mandated moratorium for information requests from the colleges' administrations, the state government, and KBOR.

I see no way for Labette Community College to meet the 2006 deadline without putting other projects on hold indefinitely. We have neither the personnel nor financial resources to do otherwise. Currently, three-fourth's of my one programmer/analyst's time is already allocated to fulfilling outside requests, primarily KBOR, that Labette Community College has no control over.

In addition, I feel certain that many other schools and organizations cannot meet the 2006 required timeline. Having recently spent over a year adding the capability to handle a unique student id to Labette Community College's MIS, I feel certain that any school or organization whose MIS does not already have the capability to handle a unique student id and who does not have the financial resources to allocate to this project will never meet the 2006 deadline, even without outside demands on their resources.

- Concerning the three digit criteria requirement, I see no real security enhancement by adding that requirement. It simply adds undue complications to everyone's systems.

Not only will every system have to check for the three digit match when initially issuing the student/employee id, every system will have to check for the three digit match anytime there is a possibility the social security number could have changed.

If a match should occur as a result of changing the social security number, it will be necessary to issue a new id that contains no match, change all occurrences of the original id to the new id, another paper trail will have to be generated if there

is a paper trail involved, and the student or employee will need to be notified of the new id. This seems like a lot of work for a feature with seemingly no value.

- Funding is another major problem with SB 540. Although SB 540 will be a major expense to everyone involved, it appears that everyone will have to absorb the costs with already tight budgets. With the budget cuts that have occurred in the last few years, where is the funding for the SB 540 projects coming from? The majority of the community colleges in Kansas were able to purchase or upgrade their MISs only because they were able to acquire grants, grants that, in most cases, have expired.

In Labette Community College's case, we spent over a year researching our needs and evaluating commercial MIS systems only to find out that, even with a Title III grant, we did not have the financial resources to purchase and maintain a commercial system. Because of our financial constraints, we decided it was in our best interests to upgrade our existing MIS system with the Title III funds available.

In addition, as a result of the ever-increasing external demands on Labette Community College's computer resources, we have not been able to meet our upgrade timelines. Yet, Labette Community College has not received any additional funding to support the additional external requests required of us.

Again, I want to thank you for allowing me to express my opinions and to assure you I am in support of the intended purpose of SB 540. However, I believe that SB 540 provides only an appearance of security at a cost most colleges cannot afford.

Sincerely

Bob Warford
Director of Information Technology
Labette Community College



KANSAS BOARD OF REGENTS

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Testimony Regarding Senate Bill 540 House Higher Education Committee

March 15, 2004

Mary D. Prewitt
General Counsel, Kansas Board of Regents

Chairman Sloan and members of the Committee, I appreciate this opportunity to appear before you to offer views on behalf of the Kansas Board of Regents regarding SB 540. As you know, this legislation provides that after July 1, 2006, no postsecondary educational institution shall print or encode a person's social security number on or into the person's identification card.

The Kansas Board of Regents recently surveyed the public institutions, either directly or through organizations that represent them. For the most part, the responses indicated that passage of SB 540, as amended by the Senate last week, would have either no or minimal impact. Some responses indicated that conversions are either already underway or would be required if the bill passed.

Kansas Postsecondary Educational Institutions

Emporia State University

Social security numbers do not appear on the face of ESU's ID cards, but because of information contained in the magnetic strip, ESU would have to replace all existing ID cards – approximately 7,000 ID cards for students, faculty and staff. Using the standard ID replacement charge, total replacement would cost approximately \$70,000.

Fort Hays State University

SB 540 would not impact FHSU – already in compliance.

Kansas Community Colleges

Eighteen of the nineteen Kansas community colleges already comply with SB 540. The remaining institution does have a plan in place to replace its current computer software and to develop a system that does not use social security numbers.

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Kansas State University

KSU still uses social security numbers as student identifiers, however students can currently opt for a computer-generated ID number if they wish. KSU is in the process of updating its computer system and the conversion will be complete by March 2006. The new system will provide computer-generated ID numbers. The July 1, 2006, compliance deadline will accommodate KSU's conversion.

Kansas Technical Colleges and Schools

The majority of the five technical colleges and six technical schools already comply with SB 540. The others are taking steps to change their current practices.

Pittsburg State University

SB 540 would not impact PSU – already in compliance.

University of Kansas

KU no longer uses social security numbers on university ID's. However, some older ID cards, still being used by long-term employees, contain social security number information in the magnetic strips. These cards are currently being phased out.

Washburn University

SB 540 would not impact WU – already in compliance.

Wichita State University

SB 540 would not impact WSU – already in compliance.

The Board of Regents had two concerns with SB 540 as originally introduced (sequential numbers and enactment date). However, the Senate addressed these concerns, and we would like to thank Senator Barbara Allen for her assistance and leadership.

In conclusion, Kansas' postsecondary educational institutions understand the importance of protecting the identity of students, faculty and staff. Our institutions have either already taken the necessary steps or are currently moving in that direction. We support SB 540 as currently drafted.

Thank you for the opportunity to appear before you today. I am happy to address any questions members of the Committee have at this time.

EVERETT JOHNSON
STATE REPRESENTATIVE, DISTRICT 77
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COMMITTEE ASSIGNMENTS
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TOPEKA
HOUSE OF
REPRESENTATIVES

Proponent for HB 2627

HB2627. An act relating to military personnel authorizing certain tuition and fee waivers.

Thank you for the opportunity to speak to the committee on this bill.

The motivation for writing this bill came from watching the preparation for and actual conflict in Iraq. Seeing the sacrifices made by the young men and women in our armed forces while far from home and their families, made me consider what we might do for those Kansans actively serving in the military.

Realizing that the death of one of the Kansans in the military would cause a financial hardship on their spouse and dependents, even though the federal government would give some financial assistance, providing for their education would assure a brighter future for them.

Military personnel are aware of the financial assistance provided by the federal government in the event of their death. This gives them some peace of mind as they are in harms way. The addition of higher education with no tuition adds to the security of the lives of the surviving spouse and dependents and the peace of mind of the military person.

The local paper had a picture on the front page of an eighteen year old soldier kissing his pregnant, seventeen year old wife goodbye as he departed for a year in Iraq. If the worst happens, his wife and child will be given an educational opportunity.

At this point, I am thankful that only six Kansas military personnel have been killed in action since March 1, 2003. This bill makes the tuition and fee waiver retroactive until that date.

HB2627 also waived state income tax on benefits provided by the federal government. It has since been determined there is no state income tax on federal benefits.

HB2627 also provides similar death benefits to safety officers as described in K.S.A. Supp. 75-4364.

I ask for your support of this bill.

House Higher Education Committee

Meeting Date: 3-15-04

Attachment No.: 4

HOUSE BILL No. 2627

By Representatives E. Johnson, Dahl, Goico, Huebert, Huy, Long-
Mast, Showalter, Siegfried and Swenson

1-28

AN ACT relating to United States military personnel; ~~concerning taxation of certain death benefits, compensation and income~~ authorizing certain tuition and fee waivers; amending K.S.A. 2003 Supp. 75-4364 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

~~New Section 1. Notwithstanding any other section of the Kansas income tax act, the spouse or dependent of any legal resident of Kansas who is killed on or: (a) After March 1, 2003, while serving in the United States military shall not be required to pay state income taxes on any death benefit paid by the federal government.~~

~~(b) Any income or other compensation paid to any legal resident of Kansas who is killed on or after March 1, 2003, while serving in the United States military and is paid or payable after the death of such individual shall not be subject to Kansas income taxation.~~

~~(c) Any such death benefit, income and compensation shall not be considered gross income and shall not be taxable for Kansas income tax purposes.~~

~~Sec 2. K.S.A. 2003 Supp. 75-4364 is hereby amended to read as follows: 75-4364. (a) As used in this section:~~

~~(1) "Kansas educational institution" means and includes area vocational schools, area vocational-technical schools, community colleges, the municipal university, state educational institutions, and technical colleges.~~

~~(2) "Public safety officer" means a law enforcement officer or a firefighter or an emergency medical services attendant.~~

~~(3) "Law enforcement officer" means a person who by virtue of office or public employment is vested by law with a duty to maintain public order or to make arrests for violation of the laws of the state of Kansas or ordinances of any municipality thereof or with a duty to maintain or assert custody or supervision over persons accused or convicted of crime, and includes wardens, superintendents, directors, security personnel, officers and employees of adult and juvenile correctional institutions, jails or other institutions or facilities for the detention of persons accused or convicted of crime, while acting within the scope of their authority.~~

Section 1.

Rep. Johnson
House Higher Education Committee
Meeting Date: 3-15-04
Attachment No.: 5

(4) "Firefighter" means a person who is: (1) Employed by any city, county, township or other political subdivision of the state and who is assigned to the fire department thereof and engaged in the fighting and extinguishment of fires and the protection of life and property therefrom; or (2) a volunteer member of a fire district, fire department or fire company.

(5) "Emergency medical services attendant" means a first responder, emergency medical technician, emergency medical technician-intermediate, emergency medical technician-defibrillator or a mobile intensive care technician certified by the emergency medical services board pursuant to the statutory provisions contained in article 61 of chapter 65 of Kansas Statutes Annotated.

(6) "Dependent" means (A) a birth child, adopted child or stepchild of a public safety officer or (B) any child other than the foregoing who is actually dependent in whole or in part on a public safety officer the individual and who is related to the public safety officer such individual by marriage or consanguinity.

(7) "State board" means the state board of regents.

(b) Every Kansas educational institution shall provide for enrollment without charge of tuition or fees for: (1) Any dependent or spouse of a public safety officer who died as the result of injury sustained while performing duties as a public safety officer so long as such dependent or spouse is eligible; ~~and~~ (2) any dependent or spouse of any legal resident of Kansas who is killed on or after March 1, 2003, while serving in the United States military. Any such dependent or spouse shall be eligible for enrollment at a Kansas educational institution without charge of tuition or fees for not to exceed eight semesters of undergraduate instruction, or the equivalent thereof, at all such institutions, in the aggregate, for any such dependent or spouse.

(c) Subject to appropriations therefor, any Kansas educational institution, at which enrollment, without charge of tuition or fees, of the dependent of a deceased public safety officer or spouse is provided for under subsection (b), may file a claim with the state board for reimbursement of the amount of such tuition and fees. The state board shall be responsible for payment of reimbursements to Kansas educational institutions upon certification by each such institution of the amount of reimbursement to which entitled. Payments to Kansas educational institutions shall be made upon vouchers approved by the state board and upon warrants of the director of accounts and reports. Payments may be made by issuance of a single warrant to each Kansas educational institution at which one or more eligible dependents or spouses are enrolled for the total amount of tuition and fees not charged [eligible dependents or spouses] for enrollment at that institution. The director of accounts and reports

(8) "Military service" means any active service in any armed service of the United States and any active federal service in the Kansas army or air national guard;

(9) "prisoner of war" means a person who was a prisoner of war under Article 4 of the third Geneva Convention and any individual who was in military service in an armed conflict and who was taken prisoner of war by opposing forces, whether or not under an official declaration of war; and

(10) "resident of Kansas" means a person who is a domiciliary resident as defined by K.S.A. 76-729, and amendments thereto.

; and (3) any prisoner of war

and any prisoner of war

a prisoner of war or a

or prisoners of war

1 shall cause such warrant to be delivered to the Kansas educational institution at which *any* such eligible dependent ~~or dependents or spouses~~ *are* enrolled. If an eligible dependent ~~or spouse~~ discontinues attendance before the end of any semester, after the Kansas educational institution has received payment under this subsection, the institution shall pay to the state the entire amount which such eligible dependent ~~or spouse~~ would otherwise qualify to have refunded, not to exceed the amount of the payment made by the state in behalf of such dependent ~~or spouse~~ for the semester. All amounts paid to the state by Kansas educational institutions under this subsection shall be deposited in the state treasury and credited to the state general fund.

or prisoners of war

or prisoner of war

12 (d) The state board shall adopt rules and regulations for administration of the provisions of this section and shall determine the qualification of persons as dependents *and spouses* of public safety officers *or United States military personnel* and the eligibility of such persons for the benefits provided for under this section.

17 Sec. ~~3~~ K.S.A. 2003 Supp. 75-4364 is hereby repealed. 2.

18 Sec. ~~4~~ This act shall take effect and be in force from and after its publication in the statute book. 3.

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KANSAS BOARD OF REGENTS

1000 SW JACKSON • SUITE 520 • TOPEKA, KS 66612-1368

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FAX – 785-296-0983
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**Testimony regarding HB 2627
House Higher Education Committee**

March 15, 2004

**Diane Lindeman
Director of Student Financial Assistance
Kansas Board of Regents**

Good afternoon Chairman Sloan and members of the Committee. My name is Diane Lindeman and I am the Director of Student Financial Assistance for the Kansas Board of Regents. I am here today to provide testimony regarding HB 2627.

As you know, HB 2627 would require Kansas educational institutions to provide free tuition to spouses of public safety officers who died from injuries sustained while performing official duties, and to spouses and dependents of Kansas residents killed on or after March 1, 2003, while serving in the military.

The Board of Regents supports efforts to financially assist persons in accessing the state educational institutions. We would note, however, that HB 2627 would have the effect of reducing tuition and fee revenues at postsecondary institutions. We cannot predict the number of persons who would be eligible for the exemptions outlined in the bill.

Thank you for the opportunity to comment. I will be happy to answer any questions.

House Higher Education Committee

Meeting Date: 3-15-04

Attachment No.: 6



DEPARTMENTS OF THE ARMY AND THE AIR FORCE
JOINT FORCES HEADQUARTERS / KANSAS
2800 SOUTHWEST TOPEKA BOULEVARD
TOPEKA, KANSAS 66611-1287

17 March 2004

MEMORANDUM FOR: Susan Allen

FROM: JFHQ / KS / AIR

SUBJECT: Higher Education Committee - March 15

Dear Susan,

Here are some of the salient points of our comments to the committee on H-2627:

-The Adjutant General's department supports this initiative. It is an excellent way for Kansas to recognize Kansans who give their lives in service to their state or country. Additionally it provides support and assistance for their immediate families.

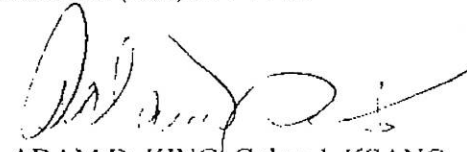
-We would like to suggest the following changes to clarify eligibility

1) p. 2, line 25, after the word "killed" insert: and whose death occurred under circumstances as determined by the military to be in the line of duty....

2) p. 2, line 26, after the word "military" insert: or Kansas National Guard on state or federal active duty

3) Prior to the word "spouse" (found in numerous locations throughout the text) insert: non-remarried

Please feel free to contact me if you have further questions at (785) 274-1472.


ADAM D. KING, Colonel, KSANG
Executive Support Staff Officer

House Higher Education Committee

Meeting Date: 3-15-04

Attachment No.: 7

From: "Lynne Henry" <lynne@utw-ks.org>
To: <sloan@house.state.ks.us>
Date: Fri, Mar 12, 2004 5:07 PM

March 12, 2004

Dear Senator or Representative,

Surely it was not your intention that Senate Bill 7 would have the extremely deleterious affect that it is on the Wichita Area Technical College.

The bill states that technical school facilities and personnel are to be transferred to an independent governing board "as if no transfer had occurred" by July 1, 2005. WATC announced this week that half of its programs will need to be eliminated and 58 staff and 31 faculty members will be let go. The transfer of WATC personnel will obviously not measure up to the goal of SB 7 to have a transfer take place as if no transfer had ever occurred.

The problem is that SB 7 forces a separation, but no financial plan was created by the state to make up for the 3.5 million dollar subsidy that USD 259 pays to the college each year. The Legislature passed the law creating this separation and transfer, the Legislature should come up with a financial solution to make this transfer happen "as if no transfer had occurred." We are looking to you to come up with a financial plan to allow the state's technical colleges to follow the dictates of SB 7.

Not only will staff members be thrown out of work, students will have their programs of study interrupted or halted by these budget cuts. These students are the residents of our state who most need the affordable, hands-on type of education experience that WATC offers. It is unbelievable to us that the Legislature intended these students, many of whom have recently been laid off, to be hurt by SB 7. But not only are they being hurt, so are their instructors, their administrators, their school and their community.

This is an outrage that the Legislature must address and remedy as soon as possible. We most respectfully ask you to introduce legislation to provide financial support for WATC or to force the transfer to be suspended until a funding stream can be found to replace the USD 259 subsidy. Simple human decency demands that you take this bull by the horns and create a plan that allows for a transfer that is prudently planned, adequately funded and humanely implemented.

We look forward to hearing from you regarding this crucial state issue.

Sincerely,

Barbara Fuller
President

Paul Babich
Vice President

House Higher Education Committee

Meeting Date: 3-15-04

Attachment No.: 8

Date: _____

Saturday 3-6-04

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|----------------------------|-------------------------|-----------------------|
| () Topeka Capital Journal | () Hays Daily News | () Leavenworth Times |
| () Wichita Eagle | () Hutchinson News | () Manhattan Mercury |
| () Kansas City Star | () Iola Register | () Olathe Daily News |
| () Chanute Tribune | () Johnson County Sun | () Parsons Sun |
| () Dodge City Daily Globe | () Junction City Daily | () Morning Sun |
| | () Kansas Journal | () Daily Courier |

Tech college slashes staff, programs

■ As part of its upcoming split from the Wichita school district, the school also will raise tuition by 25 percent while cutting 38 percent of its budget.

BY JOSH FUNK
The Wichita Eagle

Wichita Area Technical College plans to raise tuition, lay off staff and eliminate 13 of its 35 programs as part of drastic budget cuts that would take effect July 1.

The school will cut 38 percent of its \$13.5 million budget as part of its separation from the Wichita school district. Tuition for all remaining programs will increase by 25 percent.

The Wichita Board of Education will discuss the impact of the cuts Monday night.

Teachers learned Thursday afternoon that 31 teaching positions and 59 administrative and support jobs will be cut. Administrators haven't decided which administrative and support jobs will go.

Students will receive a letter about the cuts early next week, but by Friday afternoon most students at the Central Campus had already heard the news. Six programs will be eliminated at Central, 324 N. Emporia.

Only four students remained in Doris Anton's usually full graphics lab Friday afternoon. Most had left in disgust after she told them about the cuts that morning.

"The students were asking some scheduling questions (about next fall) today, and I couldn't lie to them," said Anton, who helped expand the program from 10 students in 1996 to its current 90 students.

Karen Bender said she enrolled in the graphics program to improve her skills after she was laid off by Raytheon last May.

Bender, who has a bachelor's degree in computer science from Wichita State University, said the technical college's graphics program is the best in the area because of its emphasis on hands-on work.

"Everyone was just disgusted that they won't get a chance to finish the program, so they left," Bender said.

Graphics student Margie Hayes said she understands why the cuts are being proposed, but it was still a shock.

"They just brought us into a room and (our teachers) told us, 'It looks like these programs are being cut, and we're out of our jobs,'" Hayes said.

Technical college president Camille Kluge said the college will try to allow full-time students close to graduation to complete their programs. But many students will be referred to other schools and training programs in the area.

The cuts are necessary because the school will lose the district's financial support and its costs will

increase once it splits from the district under a law passed a year ago. This year, the school district gave the technical college a \$3.6 million subsidy, which won't be there next year.

The technical college will be responsible for maintaining its buildings. The district spends \$220,000 annually on that now.

Health insurance premiums for the school's remaining full-time employees are expected to increase, Kluge said. And utilities are expected to cost more because the school won't benefit from the district's purchasing power.

A bill in the Legislature could give the school the ability to levy property taxes to cover its operating expenses, which it can't do now. No hearing has been scheduled on that bill.

School board member Lynn Rogers said the cutbacks simply prove what he and other board members have been saying since

the split was proposed.

"The governance has never been the issue," Rogers said. "It's the lack of funding."

Additional state funding could still alleviate the cuts, but Kluge said that appears unlikely.

"We're just working every possibility really hard," Kluge said. "I just call everything a long shot."

When deciding which programs to cut, Kluge said, college officials tried to preserve the core programs and eliminate those with low enrollment or those offered by another college in the area.

The job cuts surprised and angered the teachers and service employees unions, which both represent technical college employees.

"I think these are worse-case scenarios," said Harold Schlechtweg, with the Service Employees International Union Local 513.

Greg Jones, with the United Teachers of Wichita, said he

page 1 of 2

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8-2