

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 1:38 p.m. on February 17, 2004 in Room 123-S of the Capitol.

All members were present except:

Senator Jay Emler (excused)
Senator Lana Oleen (excused)

Committee staff present:

Carolyn Rampey, Legislative Research
Debra Hollon, Legislative Research
Theresa Kiernan, Office of the Revisor of Statutes
Judy Steinlicht, Committee Secretary

Conferees appearing before the committee:

Mark Desetti, Kansas National Education Association
Senator James Barnett
Lee Alderman, President, Flint Hills Tech College
Theresa Kiernan, Revisor of Statutes

Others attending:

See Attached List

Read Across America

Mark Desetti again presented the Read Across America program with some changes. Instead of one spokesperson; there are eight, the members of the Kansas High School Rodeo Championship. They are Joe Henry Macoubrie, Ashley Amos, JR Williams, Amanda Gugelmeyer, Brooke Inlow, Michelle Stueve, Chance Harmon and Michelle Bartley. Another change is that KNEA is not giving members of the committee a book to read this year. They are sending their books directly to the schools and ask each Senator to buy their favorite book and donate it to their favorite school. Mark would like to know the name of the favorite book and he will compile a list to share with their members. ([Attachment 1](#))

SB 314--Technical colleges; powers and duties of governing body

Senator Jim Barnett testified in support of **SB314**. He explained that as technical schools are separating from local school districts, the newly formed boards need defined powers and authority. **SB314** mirrors the current law for community college boards. The legislation will help our state further advance its ongoing effort for reorganization and restructuring of higher education. ([Attachment 2](#))

Lee V. Alderman, Ph.D, Flint Hills Technical College, testified in support of **SB314**. The bill will allow the new governing boards to have management and control of their institutions with supervision from the Board of Regents. ([Attachment 3](#))

Written testimony in support of **SB314** was provided by Reginald Robinson, President & CEO, Board of Regents. ([Attachment 4](#))

Theresa Kiernan, Revisor of Statutes gave the committee an overview of **SB314**.

In discussing the bill, it was believed there were some of the powers and authorities in the bill were redundant. After discussion, it was decided that the committee members and staff needed some time to do some research and work the bill at a later date.

SB403--Schools; school finance; education first plan

Chairman Umbarger advised the committee that he would like to move **SB403** out of the committee in the original draft as proposed by the Governor which included the property tax component. He acknowledged that there was some concern about this proposal, and stated that the way he has run the committee in the

CONTINUATION SHEET

MINUTES OF THE SENATE EDUCATION COMMITTEE at 1:38 p.m. on February 17, 2004 in Room 123-S of the Capitol.

past has been that if we were going to spend money, we also found out where the money might come from. The Chairman asked for discussion. Response from several members of the committee was that it was the instruction of tax committee that they deal only with the tax portion of the bill and to let the education committee deal with the rest and they were faithful to that instruction.

The amended **SB403**, which passed out of the tax committee, funds education as provided by the Governor's plan for this year and next. The property tax that was taken out of the bill would not take effect until 2006-08. Some members feel that this bill should be taken to the floor as the Governor proposed it. The tax committee chairman explained that there were two motions to amend **SB403**, the first motion was defeated and the second proposed amendment was to take the property tax provision out of the bill. This amendment passed and **SB403**, as amended, was favorably passed out of the tax committee. It was his desire to get the bill out of the committee and to the full Senate, but he has no problem with putting the property tax back in the bill. He felt, if not done here, it will probably happen on the Senate floor. In response to those comments, it was said that **SB403**, as it relates to education is still a three year plan and the property tax does not become effective until fiscal year 2006. At the Governor's news conference, the Governor said she had no problem with taking the property tax out. Her statement was that the Legislature had two more years to deal with the revenue.

Chairman Umbarger continued with his argument that this committee has always tried to provide a revenue source when the committee wanted to spend money. He argued that anytime an issue involving spending money is debated on the floor, the first question is where is the money coming from and when the discussion turns to cutting the budget, the question is where do you want to make the cut? He believes we owe respect to the Governor to pass her bill in its original form and that the bill should be debated on the Senate floor.

Senator Vratil made a motion to amend **SB403** by adding back the property tax provision that was deleted by the tax committee. Seconded by Senator Schodorf.

Further discussion was that the bill reads that the increase in sales tax will be .2 percent effective July 1, 2004, .1 percent effective July 1, 2005 and .1 percent on July 1, 2006 along with the income tax surcharge. The bill is funded for two years and that we are worrying about something that we don't need to worry about right now.

Disappointment was expressed that political games are being played in this committee, that this is not how the committee has operated in the past. It was felt the tax committee passed a bill that they thought was workable politically and policywise and instead of advancing something that is supportive of education funding, the committee is falling back to a different position. The Chairman defended himself that he has been very supportive of Governor Sebelius and has been careful not to criticize because he does not have a plan to offer that will fix the problem.

Discussion was that the Governor promoted her bill as being a balanced financial structure and without the property tax provision, the bill no longer contains that balance. Taxes that are advantageous for one part of the state are not good for another and that is what will defeat the bill.

Senator Hensley made a substitute motion to pass **SB403** as amended by the tax committee. Seconded by Senator Lee. A division was requested by a show of hands. The motion failed.

A vote was taken on the motion made by Senator Vratil to amend **SB403** by adding the property tax provisions back into the bill. The motion carried.

Meeting adjourned at 2:30 p.m. The next meeting is scheduled on February 18, 2004.



Mark Desetti, Testimony
Senate Education Committee
February 17, 2004
Read Across America!

It's that time again – you've come to expect it – but this year is special in several ways.

First, this is Seussentennial! March 2nd marks the 100th birthday of Theodore Geisel, better known as Dr. Seuss. That by itself should make the day special.

Secondly, we have eight, not one spokespeople this year. You will recall that in 1999 we had George Brett; in 2000 we had Roy Williams and the Jayhawks; in 2001 we had Bill Snyder and the Wildcats; in 2002 we had weightlifter Tara Nott and Nobel Prize winner Jack Kilby; in 2003 we had Astronaut Steve Hawley.

But in 2004 we have Joe Henry Macoubrie, Ashley Amos, JR Williams, Amanda Gugelmeyer, Brooke Inlow, Michelle Stueve, Chance Harmon, and Michelle Bartley.

Do you know these eight? Any guesses?

Well, they are the eight Kansas High School Rodeo Champions. And all of them are featured on our poster and in our Reading Circle catalogue.

We've spent the last few years celebrating our adults and this year we decided to turn the spotlight on the most important people in Kansas – our future. We want to recognize that all we have to do is look down the hallways of Kansas school to allay all our worries about the future of our great state. Our kids are indeed champions – all of them. Their determination, hard work, and positive attitude, and respect for their teachers contribute to Kansas' high academic standing in this nation. And we thought it was high time we all took a good look at what we've got. So we present to you the 2004 KNEA Read Across America poster and the 2004 KNEA Reading Circle catalogue.

I know now you're wondering, "Where's my book? I always get a book to read in a school back home." Well, that's another change. We are not giving out books this year. The books are in the basement at KNEA. We are getting ready to package them up and ship them out.

We know our schools are doing great work and our teachers, administrators, and support personnel are working hard every day to meet the needs of our children. But the federal government has decided to stamp some of our schools as not so good. We respectfully disagree. But we acknowledge that we can do better.

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Attachment 1
Web Page: www.knea.org

We believe that one of the things that makes great readers is access to great books. Where there are great books to hold, admire, and explore, children will pick them up and those children will read. So this year we will be sending our books out to schools that have labeled by the so-called No Child Left Behind Act. We plan to use these books to augment school libraries where children most need them. This is one way we can help out and we can tell those schools “we believe in you.”

But this of course leaves you with nothing to read. Or does it? We are asking each of you to join us by purchasing a new hardcover book, taking it to your favorite school, reading with the kids and leaving that gift in the library. Make it the book that turned you on to reading in the second or third grade. Maybe a book a teacher or parent read to you. Your favorite book for your favorite school.

Then send me the name of the book and why you chose it and I will compile a list of legislator’s favorite books to share with our members. And our teachers can share those stories with our children.

Please join us this year as we celebrate Dr. Seuss’ 100th birthday – the **Seussentennial** – and help us put our favorite books in the hands of the most important Kansans.

JIM BARNETT
SENATOR, 17TH DISTRICT
CHASE, COFFEY, GEARY, GREENWOOD
LYON, MARION, MORRIS, OSAGE, AND
WABAUNSEE COUNTIES



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS
CHAIR: HEALTH INSURANCE ISSUES
WORKING GROUP
VICE CHAIR: PUBLIC HEALTH AND WELFARE
VICE CHAIR: FINANCIAL INSTITUTIONS AND
INSURANCE
MEMBER: FEDERAL AND STATE AFFAIRS
HEALTH CARE STABILIZATION
FUND OVERSIGHT

Testimony

Senate Bill 314

Chairman Umbarger and other distinguished members of the Senate Education Committee, thank you for the opportunity to speak in support of SB 314.

You are well aware of the importance of technical education in our state. As our technical colleges are separating from local school districts, the newly formed boards need defined powers and authority.

SB 314 mirrors the current law for community college boards. The legislation will help our state further advance its ongoing effort for reorganization and restructuring of higher education.

Today, members of the area technical colleges are present to speak in support of this bill. Thank you for your consideration. I request your favorable action on SB 314.

Signed:

A handwritten signature in black ink, appearing to be 'Jim Barnett', written over a faint horizontal line.

Senator Jim Barnett

JAB/gkp

Senate Education
2-17-04
Attachment 2

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Senate Education Committee

Testimony presented Tuesday February 17, 2004 1:30

Lee V. Alderman, Ph.D.
President
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Chairman Umbarger,
Vice-Chair Vratil
Committee members,

Thank you for the opportunity to present information to you regarding SB314. My comments today are brief.

I am requesting support for SB 314, an act concerning technical colleges relating specifically to the powers and duties of their new governing bodies. SB 314 will allow the new governing boards to have management and control of their institutions—ensuring local control, with supervision from the Board of Regents.

As you know, SB7 of 2003 allows technical colleges to become autonomous from unified school districts. Implementing SB7 requires our governing boards to have powers to conduct the general business for the college.

Our legal counsel, upon implementation of SB 7, noticed that several management and control powers of the new governing board were omitted. As such, calls were made to legislators and the Board of Regents to get clarification. Both entities stated that certain management and control powers for the board were inadvertently omitted. They also suggested that we draft legislation clarifying the management and control powers necessary for the new governing board to operate the college. Please see K.S.A. 71-201, which gives similar powers to community college governing boards.

The management and control powers delineated in 314 will not have any fiscal impact on the technical college territory or the state. Also, there will be no impact on other agencies within the state.

The new governing boards of the technical colleges are requesting the powers to be granted in SB 314; the powers will be implemented and subject to the rules and regulations as set forth by the State of Kansas and the Kansas Board of Regents.

We support passage of SB314. Thank you for the opportunity to speak about bill 314.

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Attachment 3



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February 17, 2004

Senator Dwayne Umbarger
Chairman
Senate Education Committee
State Capitol – Room 401-S
Topeka, KS 66612

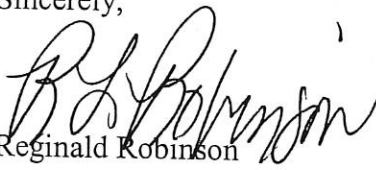
Dear Chairman Umbarger:

Today your Committee will hear testimony regarding SB 314. As you know, this legislation amends K.S.A. 2003 Supp. 72-4470a relative to governance of technical colleges. The statute currently grants certain powers to technical college governing boards created under this section. SB 314 enumerates several additional powers granted to the governing boards.

This legislation would have no fiscal impact on the state, and the Board of Regents sees merit in the provisions that clarify technical college governance authority.

Thank you for the opportunity to comment on this legislation. Please let me know if I can be of further assistance.

Sincerely,


Reginald Robinson
President and CEO

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Attachment 4