

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Kathe Decker at 3:00 PM on June 25, 2005 in Room 519-S of the Capitol.

All members were present.

Committee staff present:

Kathie Sparks, Kansas Legislative Research
Carolyn Rampey, Kansas Legislative Research
Theresa Kiernan, Office of the Revisor of Statutes

Representative O'Neal listed the following provisions to be added to amend **House Substitute for SB 3**:

Increase Base State Aid Per Pupil (BSAPP) by \$97 to \$4,319--\$54.3 million;
Fund special education excess costs at the 90 percent level-- \$15.8 million;
Fund the increase in the local option budget due to the increase in BSAPP--\$5.0 million;
Fund the Local Activities budget (LAB)--\$8.0 million;
Fund KPERS-School expanded payroll as the result of the BSAPP increase--\$1.5 million, and
Implement and fund the Skills for Success Program in school year 2005-06--\$20.0 million.

TOTAL: \$104.6 million

A motion was made by Representative O'Neal and seconded by Representative Merrick, to amend **House Substitute for SB 3** by adding these provisions. The motion carried on a voice vote.

Representative Crow asked to be recorded as voting no.

Representative O'Neal requested the addition of an amendment suggested by the Legislative Post Auditor. Representative Gordon seconded the motion which passed on a voice vote.

A motion was made by Representative O'Neal and seconded by Representative Hayzlett to reinstate the three technical amendments added to **House Substitute for SB 3** on the House floor on June 24. The motion carried on a voice vote.

Upon a motion by Representative O'Neal and seconded by Representative Gordon, the Committee voted to reinstate the House floor amendment pertaining to certification of school district budget information by superintendents. (Page 25, lines 15-22.)

Representative Crow asked to be recorded as voting no.

A motion was made by Representative Crow and seconded by Representative Larkin to amend the bill by inserting "knowingly" in line 20, page 25, before the word "certifies" so that the sentence reads: "If such superintendent *knowingly* certifies any data or information that is false..."

The motion failed on a voice vote.

Representative O'Neal made the motion that was seconded by Representative Merrick to restore all of New Section 24 except lines 11 -13, on page 28. The motion passed on a voice vote.

A motion was made by Representative Larkin and seconded by Representative Crow to strike section 7. The motion failed on a voice vote.

A motion was made by Representative O'Neal and seconded by Representative DeCastro to amend New Section 7 by deleting references to "implementation" of a school district administrative reorganization plan to require that the State Board of Education submit it's design for the plan to the Legislature by the first day of the 2006 Session. The motion passed on a voice vote.

CONTINUATION SHEET

MINUTES OF THE House Education Committee at 3:00 PM on June 25, 2005 in Room 519-S of the Capitol.

Representative O'Neal made the motion that was seconded by Representative Gordon to add New Section 35 which would prohibit expenditures for lobbying activities. The motion passed on a voice vote.

Representative O'Neal made the motion that was seconded by Representative Merrick to delete section 33, which requires that the burden of proof in actions alleging violation of Article 6 of the *Kansas Constitution* rests with the plaintiff. The motion carried on a voice vote.

Upon a motion by Representative O'Neal and seconded by Representative Hayzlett, the Committee voted to add the same language in **SB 3** (the Senate version) which requires that new money attributable to the BSAPP increase be spent for instructional purposes and that, on a per-pupil basis, the increase must be in addition to instructional expenditures for the prior year.

Representative O'Neal made the motion which was seconded by Representative Merrick to add a "reverse severability clause" that would state that if any portion of the bill is found unconstitutional, the entire bill would be unconstitutional. The motion passed on a voice vote.

Representative O'Neal moved and Representative Merrick seconded the motion to make the bill effective on the date of the issuance by The Kansas Supreme Court of the mandate and dismissal of *Montoy v. Kansas*. The motion passed on a voice vote.

Representative Crow wished to be recorded as a no vote.

Representative O'Neal made the motion which was seconded by Representative O'Neal that section 5, which deals with the distribution of state aid for schools by the Legislature, be terminated in two years. The motion passed on a voice vote.

Upon a motion by representative O'Neal and seconded by Representative Merrick, the Committee voted to recommend **House Substitute for SB 3**, as amended, favorable for passage.

SB 5

A motion was made by Representative O'Neal and seconded by Representative Gordon to recommend **SB 5** favorable for passage. The motion passed on a voice vote.

Bill Introduction

Representative O'Neal made the motion which was seconded by Representative Larkin, to introduce a school finance bill, requested by Representative Bill Light, totaling \$149.5 million. The motion was passed on a voice vote.

The meeting was adjourned at 4:00 p.m. The next meeting is on call of the Chair.