

CHAPTER 199

SENATE Substitute for HOUSE BILL No. 2556*

AN ACT concerning technical education; establishing the postsecondary technical education authority and the Kansas technical college and technical school commission; relating to the powers and duties thereof.

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

Section 1. (a) There is hereby established the postsecondary technical education authority. The authority shall be composed of 12 members appointed as follows:

(1) Four members shall be appointed by the state board of regents. Of the members appointed by the state board of regents: Two shall be members of the state board of regents, or the designee thereof; one shall be a representative of the community colleges which provides technical education, or the designee thereof; and one shall be a representative of the technical colleges in the state, or the designee thereof;

(2) three members shall be appointed by the governor. Of the members appointed by the governor: One shall represent Kansas business and industry; and two shall represent the general public;

(3) one member shall be appointed by the president of the senate and shall be a representative of business and industry;

(4) one member shall be appointed by the speaker of the house of representatives and shall be a representative of business and industry; and

(5) the commissioner of education, the secretary of commerce and the secretary of labor who shall serve as ex officio members of the authority.

(b) When making appointments of the representatives of Kansas business and industry and the general public, consideration shall be given to persons who are recognized for their knowledge or expertise and are representative of current and emerging technical career clusters of the state. No more than two members of the authority shall be representative of any one specific technical career cluster. Of the members appointed to represent Kansas business and industry and the general public, there shall be appointed at least one member from each congressional district. Redistricting of congressional districts occurring subsequent to a member's appointment shall not disqualify any member of the authority from service. The state board of regents shall determine the technical career clusters of the state.

(c) No more than five voting members of the authority shall be members of the same political party.

(d) Any vacancy in the membership of the authority shall be filled by appointment in the same manner as provided for original appointment of the member.

(e) The members of the authority shall meet and organize annually by electing one member as chairperson, except that the governor shall designate the first chairperson of the authority from among the first members appointed.

(f) The authority may meet at any time and at any place within the state on the call of the chairperson. A quorum of the authority shall be five voting members. All actions of the authority shall be by motion adopted by a majority of those voting members present when there is a quorum.

(g) Members of the authority attending meetings of the authority, or attending a subcommittee meeting thereof authorized by the authority, shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3212, and amendments thereto, for members of the legislature.

Sec. 2. (a) The postsecondary technical education authority shall:

(1) Have delegated authority from the board of regents to coordinate state-wide planning for postsecondary technical education, new postsecondary technical education programs and contract training. Such planning shall be conducted in coordination with federal agencies, the state board of education and other state agencies and Kansas business and industry;

(2) recommend for adoption by the state board of regents rules and regulations for the supervision of postsecondary technical education;

(3) review existing and proposed postsecondary technical educational programs and program locations and make recommendations to the state board of regents for approval or disapproval of such programs for state funding purposes;

(4) review requests of state funding for postsecondary technical education and make recommendations to the state board of regents for amounts of state funding and the distribution thereof;

(5) develop benchmarks and accountability indicators of programs to be utilized in the awarding of state funding and make recommendations relating thereto to the state board of regents;

(6) develop and advocate annually a policy agenda for postsecondary technical education;

(7) conduct continuous studies of ways to maximize the utilization of resources available for postsecondary technical education and make recommendations for improvement in the use of such resources to the state board of regents;

(8) conduct studies to develop strategies and programs for meeting needs of business and industry and make recommendations relating thereto to the state board of regents;

(9) make reports on the performance of its functions and duties together with any proposals and recommendations it may formulate with respect thereto to the state board of regents and the legislature; and

(10) coordinate the development of a seamless system for the delivery of technical education between the secondary-school level and the postsecondary-school level.

(b) Recommendations adopted by the authority pursuant to subsection (a) shall be submitted to the state board of regents. A recommendation of the authority shall be implemented by the state board unless the state board, by majority vote thereof, vetoes the recommendation within 45 days of the submission of the recommendation to the state board.

(c)(1) Subject to the provisions of paragraph (2), the state board of regents and the postsecondary technical education authority shall appoint a vice-president of workforce development who shall serve as the executive director of the postsecondary technical education authority. The vice-president for workforce development shall be in the unclassified service under the Kansas civil service act. Such person shall not be a member of the authority and shall serve at the pleasure of the state board of regents.

(2) The state board of regents shall develop a procedure for the appointment of the vice-president of workforce development. Such procedure shall provide for the participation of the Kansas association of community college trustees and the Kansas association of technical schools and colleges, or the successor organizations thereof, in the selection of the vice-president of workforce development.

Sec. 3. Subject to the provisions of appropriation acts, the state board of regents shall provide staff, facilities and other assistance as may be requested by the postsecondary technical education authority.

Sec. 4. The provisions of sections 1, 2 and 3, and amendments thereto, shall expire on June 30, 2014.

Sec. 5. (a) On or before July 1, 2008, the governing bodies of the northeast Kansas technical college, Kansas City area technical school, Kaw area technical school, Salina area technical school and southwest Kansas technical school shall submit to the state board of regents a plan to merge or affiliate with a postsecondary educational institution or become an accredited technical college with an independent governing board.

(b) As used in this section:

(1) "Postsecondary educational institution" means a technical college, community college, municipal university or a state educational institution.

(2) "Technical college", "community college", "municipal university" and "state educational institution" have the meanings ascribed thereto by K.S.A. 74-3201b, and amendments thereto.

Sec. 6. (a) There is hereby established the Kansas technical college and technical school commission. Subject to the provisions of subsection (b), the commission shall consist of 10 members as follows:

(1) One member shall be a member of the state board of regents and shall be appointed by the state board of regents;

(2) one member shall be the president of a Kansas technical college and shall be appointed by the state board of regents;

(3) one member shall be a representative of the community colleges in the state which provide technical education and shall be appointed by the state board of regents;

(4) one member shall be appointed by the president of the senate;

(5) one member shall be appointed by the minority leader of the senate;

(6) one member shall be appointed by the speaker of the house of representatives;

(7) one member appointed by the minority leader of the house of representatives;

(8) two members appointed by the governor. One of the members appointed by the governor shall be a resident of the northeast area of the state; and

(9) the president of the state board of regents, or the designee thereof. Such member shall serve *ex-officio* and shall be a nonvoting member.

(b) When making appointments to the initial appointments to the commission, the governor and legislators shall appoint the same members appointed to the Kansas technical college and vocational school commission established pursuant to subsection (c) of section 2 of chapter 216 of the 2006 Session Laws of Kansas. If any of the members appointed to the Kansas technical college and vocational school commission declines to serve on the Kansas technical college and technical school commission established by this section, the appointing authority shall appoint another person as otherwise provided by this section. If a vacancy occurs in the membership of the commission created by this section, a successor shall be appointed in the same manner as the original appointment. When filling vacancies on the commission, the governor and legislators shall give consideration to persons representing businesses, industry and instructional staff of technical schools and colleges.

(c) The governor shall designate the member who shall serve as chairperson of the commission. The commission shall meet on call of the chairperson or on the request of six or more members of the commission. Six voting members of the commission shall constitute a quorum. All actions of the commission shall be taken by a majority of all voting members of the commission.

(d) The staff of the office of the revisor of statutes, the legislative research department and the division of legislative administrative services shall provide such assistance as may be requested by the commission and authorized by the legislative coordinating council.

(e) Members of the commission attending meetings of such commission or subcommittee meetings thereof as authorized by such commission, shall be paid amounts as provided in subsection (e) of K.S.A. 75-3223, and amendments thereto, upon vouchers approved by the chairperson of the commission or the chairperson's designee.

(f) The commission shall:

(1) Study and conduct hearings on the governance, funding and the mission of Kansas technical colleges and technical schools; and

(2) submit reports of the commission's activities and recommendations regarding governance, funding and the mission of Kansas technical colleges and technical schools to the legislative educational planning committee. A preliminary report shall be submitted on or before November 15, 2007. The final report shall be submitted on or before November 15, 2008. Such reports shall include recommendations for legislative changes.

(g) The provisions of this section shall expire on December 31, 2008.

Sec. 7. This act shall take effect and be in force from and after its publication in the Kansas register.

Approved May 14, 2007.

Published in the *Kansas Register* May 24, 2007.
