

SESSION OF 2004

SUPPLEMENTAL NOTE ON SENATE BILL NO. 314

As Amended by House Committee on
Higher Education

Brief*

SB 314 would amend statutes relating to the establishment of independent governing boards for technical colleges. The bill also would provide authority for technical colleges to obtain financing for capital improvements. The bill also would extend for one year authority for the veterans benefit lottery game. Finally, the bill would require a comprehensive study of higher education finance.

The bill would expand the list of powers and duties of technical college governing bodies to include:

- ! have custody of the property of the college and be responsible for the operation and management of the college;
- ! select a chair and officers of the governing body;
- ! sue and be sued;
- ! set the compensation of a president or chief administrative officer of the college;
- ! set the qualifications, duties, compensation, and other conditions of employment;
- ! enter into contracts;
- ! accept gifts, grants, and donations;
- ! acquire and dispose of real or personal property;
- ! enter into lease agreements;
- ! adopt rules and regulations necessary for administration of the college;
- ! contract with an agency for provision of academic or vocational education for the students of the college;
- ! appoint either the president of the college or the chair of the governing board as resident agent for the purpose of service of process; and

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

! take action not inconsistent with provisions of law.

The bill would also amend statutes governing the transfer of employment from a school district to a technical college as a result of 2003 SB 7. Faculty members and employees would retain collective bargaining protections in addition to the due process protections currently in statute. Also, organizations representing faculty members and employees of technical colleges would continue that representation under the new governance system.

The bill would authorize technical colleges to issue bonds for capital improvements provided that the bonds are not secured by a pledge of any property tax revenues of the technical college. Counties would be authorized to enter into agreements with technical colleges concerning the funding of capital improvement projects at the colleges.

The bill would require the Kansas Lottery to conduct four veterans benefit instant lottery scratch-off games between May 1, 2004 and May 1, 2005. The proceeds of these games would be divided equally between the National Guard Tuition Assistance Program and the Kansas Soldiers' and Veterans' Homes.

SB 314 would enact a new statute that would require the Kansas Board of Regents to conduct a comprehensive study of the funding of higher education including financial aid and report to the Governor and Legislature before January 10, 2005.

The bill would become effective upon publication in the *Kansas Register*.

Background

The bill was introduced by the Senate Committee on Education. Senator Barnett and a representative from the Flint Hills Technical College presented testimony to the Committee in favor of the bill. The Board of Regents submitted written testimony in support of the bill. No opponents to the bill presented testimony to the Committee.

The Senate Committee amended the bill to make technical and clarifying changes.

At the hearing held by the House Committee on Higher Education, the bill was supported by: Senator Barnett, Flint Hills Technical College, KNEA, and the Board of Regents. No opponents to the bill presented testimony to the House Committee.

The House Committee amended the bill to include retention of collective bargaining rights and organizational representation for employees of school districts being transferred to technical colleges under 2003 SB 7. Other Committee amendments require the Kansas Board of Regents to conduct a study of higher education funding, grant technical colleges authority to issue bonds or enter into agreements with counties for funding for capital improvements, and require the Kansas Lottery to conduct four veterans benefit instant lottery scratch-off games after May 1, 2004.

The fiscal note from the Division of the Budget states that the bill as introduced would have no fiscal impact. A fiscal note on the amended version of the bill was not available when this supplemental note was prepared.