

SESSION OF 2011

**SECOND CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 143**

As Agreed to May 5, 2011

**Brief\***

SB 143 would make technical corrections and updates related to postsecondary technical education. The bill would update terminology, remove definitions for terms no longer used, eliminate vocational school references, add individual institution specific references, update and remove obsolete sections of identified statutes, and repeal statutes no longer needed. As part of the statutory update, members of the Postsecondary Technical Education Authority would include the designees of the Commissioner of Education, the Secretary of Commerce, and the Secretary of Labor.

The bill would create the Postsecondary Tiered Technical Education State Aid Act (the Act), replacing the current funding structure. Beginning with FY 2012, and in each fiscal year thereafter, each community college and technical college and the Washburn Institute of Technology would be eligible for postsecondary tiered technical education state aid from the State General Fund for credit hours approved by the State Board of Regents, using a credit hour cost calculation model, that would include all of the following concepts:

- Arrange into categories or tiers, technical education programs, recognizing cost differentials. (For example, programs with similar costs comprise one of six tiers.)

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\* Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <http://www.kslegislature.org/kldr>

- Consider target industries critical to the Kansas economy.
- Respond to program growth.
- Consider local taxing authority for credit hours generated by in-district students.
- Include other factors and considerations determined necessary by the State Board of Regents.

The State Board of Regents would establish the rates to be used as the State's share in a given year, as well as in the actual distribution. The bill would prohibit receipt of both tiered technical education state aid and non-tiered course state aid for any one credit hour. (A non-tiered course would be a general education course.)

The bill would provide for fund accounting and management requirements related to state aid received under the Act. The bill would authorize the State Board of Regents to adopt policies necessary or desirable to implement and administer the Act.

The bill would provide that each community college and technical college is eligible for a grant from the State General Fund, in an amount determined by the State Board of Regents for non-tiered course credit hours approved by the State Board of Regents after dialogue with community college and technical college presidents.

The bill would make a technical correction to KSA 76-769 related to State purchasing laws for Regents institutions. This correction would ensure that universities are not exempt from procurement requirements related to construction.

All provisions of this bill would be effective July 1, 2011.

### **Conference Committee Action**

On May 4, 2011, the House did not adopt the original conference committee report and appointed a second

conference committee. On May 5, 2011, the second conference committee removed the contents of SB 8 from the conference committee report and agreed to the second conference committee report. The original conference committee report included the contents of SB 8. These provisions would have required any state university under the control of the State Board of Regents to obtain approval from the Department of Administration's Chief Information Technology Officer for any information technology project exceeding \$1.0 million, with some exceptions.

The Conference Committee inserted the contents of SB 13 into SB 143. (SB 13 would have made technical corrections and updates related to postsecondary technical education.)

The Conference Committee inserted a provision that would include the designees of the Commissioner of Education, the Secretary of Commerce, and the Secretary of Labor as members of the Postsecondary Technical Education Authority. The Conference Committee also made a technical correction to KSA 76-769 related to Regents institutions, ensuring that universities are not exempt from certain purchasing requirements. Finally, the Conference Committee made all provisions of the bill effective on July 1, 2011.

## **Background**

The original SB 143 was introduced by the State Board of Regents in response to 2009 legislation (KSA 72-4482) that directed the Board to develop and recommend a credit hour funding distribution formula for postsecondary technical training programs that is tiered, takes into account target industries critical to the Kansas economy, is responsive to program growth, and includes other factors as deemed necessary and advisable.

Proponents of SB 143 included Dr. Robert J. Edelston, President of the Kansas Association of Technical Colleges; Dr. Ed Berger, representing the Kansas Association of

Community College Trustees; and Dr. Blake Flanders, Vice President for Workforce Development with the State Board of Regents.

The Senate Committee on Education amended SB 143 by changing the effective date to publication in the statute book.

The House Committee on Education removed the contents of SB 13 and inserted the language into SB 143. SB 13 was part of the State Board of Regents legislative package brought to the Legislative Educational Planning Committee. SB13, as introduced, would make technical corrections and updates related to postsecondary technical education.

The President of the Kansas Association of Technical Colleges was a proponent of SB 13 along with the Vice President of Workforce Development for the State Board of Regents. No opponents testified on the bill.

The House Committee of the Whole made technical amendments to SB 143.

The House rejected the Conference Committee Report on SB 143. A second Conference Committee was appointed. The second Conference Committee removed the contents of SB 8 and approved the Conference Committee Report.