



KANSAS BOARD OF REGENTS

House Education Budget Committee Testimony by Diane Lindeman House Bills 2148 and 2149 February 12, 2013

On June 29, 2012, the Office of the Repealer sent out an e-mail asking agencies for assistance in identifying statutes that are determined to be “unreasonable, unduly burdensome, duplicative, onerous and/or conflicting as outlined in Executive Order 11-01.” While the Board of Regents has not identified statutes meeting the quoted criteria, we did find a number of statutes that appear to be obsolete or to have outlived their usefulness. We provided a list of those statutes to the Repealer along with explanations as to why each was no longer needed, and the Repealer forwarded them on to the Legislature, which in turn introduced House Bills 2148 and 2149.

House Bill No. 2148 would repeal the following statutes:

- **K.S.A. 74-3299.** This statute creates the nursing scholarship review committee. It is our understanding that, while the committee was active at one time, it has not met since 1994, apparently pursuant to a decision that its function had been served and it was no longer needed for purposes of administering this scholarship. In conjunction with the repeal of this statute, the Revisor’s Office included amendments to K.S.A. 74-3292, 74-3293 and 74-3297 to remove references to the committee.
- **K.S.A. 72-9701 through 72-9706.** This is the Kansas Honors Scholarship Act. It is no longer being funded or utilized.
- **K.S.A. 74-32,112 through 74-32,119.** This is the Kansas Ethnic Minority Fellowship Program Act. As the result of a complaint filed with the federal Office of Civil Rights in 1996, the OCR and the Kansas Board of Regents entered a Resolution Agreement affecting the Board’s implementation of the Kansas Ethnic Minority Fellowship Program. In accordance with that Agreement, the Kansas Board of Regents has discontinued awarding fellowships pursuant to this Program and the Board is not receiving any appropriations from the Legislature for purposes of funding the award of fellowships under this Program. All prior awards have now been paid out.
- **K.S.A. 74-32,107d.** This statute required a one-time report to the Legislature regarding the teacher service scholarship program. As required, the report was made in 2009. The Board Office has been and will continue to report on this scholarship program as part of

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its annual budget request, but the statute itself, as it currently reads, is obsolete. In conjunction with the repeal of this statute, the Revisor has included an amendment to K.S.A. 74-32,100 to remove a reference to K.S.A. 74-32,107d.

- **K.S.A. 74-32,131 through 74-32,138.** This is the Advanced Practice Registered Nurse Service Scholarship Program. This scholarship program was enacted in 1993 but it has never been funded and thus no awards have ever been made under its provisions.

House Bill No. 2149 would repeal the following statutes:

- **K.S.A. 72-7401 through 72-7407 and K.S.A. 74-3235 through 74-3240.** Together, these two acts pertain to the creation and administration of the Higher Education Student Loan Guarantee Act. The Act has not been operative or funded since the 1980's. In conjunction with the repeal of these statutes, the Revisor has included an amendment to K.S.A. 74-3241 to remove references to these statutes and another article in the statutes that no longer exists (chapter 72, article 61). The Revisor has also included the repeal of K.S.A. 74-3241.
- **K.S.A. 74-3233.** This statute refers to the tuition grant program provided for in article 61 of chapter 72. All of the statutes that were in article 61 of chapter 72 have been repealed.

Three other sets of obsolete or out-dated statutes that do not appear in these two bills have also been recommended by the Board for repeal.

The Board requests the repeal of the above-listed statutes and favorable consideration of House Bills 2148 and 2148.