

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 3:30 P.M. on February 14, 2005 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Kansas Legislative Research Department
Deb Hollon, Kansas Legislative Research Department
Art Griggs, Office of the Revisor
Linda Reed, Committee Secretary

Conferees appearing before the committee:

Major Colleen Wright, Military
Meghann O’Harrah, K-State
Mary Pruitt, General Counsel, Kansas Board of Regents

Others attending:

See attached list.

The meeting was called to order by Chairman Sloan. The Chairman directed the Committee’s attention to the fiscal note concerning **HB 2234** regarding resident fees at state institutions. (Attachment 1)

The Chairman opened the hearing on **HB 2234, Concerning tuition rates at state educational institutions.**

Representative Carlin indicated to the committee that this bill amends the resident tuition requirements for military personnel in Kansas.

Art Griggs, Office of the Revisor, distributed to the committee the balloon for **HB 2234**. Mr. Griggs stated that this is a straight forward policy issue as he set out additions and deletions from current statutes provided by the bill. (Attachment 2)

With no questions for Mr. Griggs, the Chairman welcomed Major Colleen Wright, the Garrison Operations Officer at Fort Riley to the Committee. Major Wright spoke on behalf of Fort Riley and all uniformed service members stationed in Kansas in support of **HB 2234**. Major Wright stated that **HB 2234** makes sense. It alleviates those times where a disparity exists because of the timing of one’s assignment to Kansas relative to their children’s enrollment in college. (Attachment 3)

The Chairman welcomed Ms. Meghann O’Harrah, who testified as a proponent for **HB 2234**. Ms. O’Harrah testified to the committee that prior to her divorce, she was married to an individual in the military. At that time she was entitled to instate tuition at Kansas State University. Kansas State University informed Ms. O’Harrah with the change in her martial status, she was no longer classified as an instate student and would have to pay \$3,500 extra a semester for outstate tuition.

Ms. O’Harrah indicated that the State of Kansas, like any other state, wants to have productive taxpayers that contribute to their community. Ms. O’Harrah suggested that it makes sense to give military members, their dependents instate tuition rates, rather than having them leave the state. Ms. O’Harrah stated she knows of military personnel who won’t come back to Kansas because they don’t qualify for instate tuition rates. Ms. O’Harrah asked that Kansas give them a break when it comes to higher education. (Attachment 4)

Mary Pruitt, General Counsel for the Kansas Board of Regents gave testimony to the committee in support of expanding eligibility for resident rates to current and former service men and women and their spouses and dependents, but stated that the Board has reservations about the form of this bill. Ms. Pruitt stated concerns with the interpretation of the language “that grants resident rates to any person who has ever been assigned to an active duty station in Kansas. Ms. Pruitt suggested replacing the word “active” with “permanent” assignment. Mary Pruitt stated the Board also has reservations about using voter and vehicle registration as indications of adequate connection to the state to qualify for resident rates.

CONTINUATION SHEET

Minutes of the House Higher Education Committee at 3:30 P.M. on February 14, 2005 in Room 231-N of the Capitol.

Ms. Pruitt summarized her testimony by stating that while the Board supports the intent of the bill, it anticipates problems in the administration of the bill. The Board urges modification of the bill. (Attachment 5)

With no further testimony, Chairman Sloan opened the floor to questions. Representatives Storm, Carlin, and Otto asked questions of Major Wright regarding home of record and the differences between a Kansas resident joining the military and somebody in the military coming to Kansas.

Representative Carlin commented that it is not the person but the dependant who has to qualify for instate tuition and that each state is different on its eligibility.

Representative Krehbiel commented on temporary and permanent change of station language used in the bill.

Ms. Pruitt acknowledged that residency for tuition purposes is determined by the state you are in.

Representative Krehbiel and Representative Otto agreed that Ms. O'Harrah was caught in a situation where her home of record was Kansas but her ex-husband's was Texas. Ms. O'Harrah stated that the discrepancy arose from their joint income tax return.

The Chairman appointed a Sub-Committee comprised of Representative Krehbiel, Representative Johnson, and Representative Carlin to work with Mary Galligan, Deb Hollon, Art Griggs, Mary Pruitt, Major Wright, and Meghann O'Harrah to study new language for **HB 2234** regarding residency requirements for tuition purposes.

Chairman Sloan stated that **HB 2234** would be worked Wednesday, February 16, 2005, with staff making presentation.

Chairman Sloan adjourned the meeting at 4:15 p.m.

The next meeting is scheduled for Wednesday, February 16, 2005 at 3:30 p.m. at RM 231-N.