

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 1:38 p.m. on February 17, 2004 in Room 123-S of the Capitol.

All members were present except:

Senator Jay Emler (excused)
Senator Lana Oleen (excused)

Committee staff present:

Carolyn Rampey, Legislative Research
Debra Hollon, Legislative Research
Theresa Kiernan, Office of the Revisor of Statutes
Judy Steinlicht, Committee Secretary

Conferees appearing before the committee:

Mark Desetti, Kansas National Education Association
Senator James Barnett
Lee Alderman, President, Flint Hills Tech College
Theresa Kiernan, Revisor of Statutes

Others attending:

See Attached List

Read Across America

Mark Desetti again presented the Read Across America program with some changes. Instead of one spokesperson; there are eight, the members of the Kansas High School Rodeo Championship. They are Joe Henry Macoubrie, Ashley Amos, JR Williams, Amanda Gugelmeyer, Brooke Inlow, Michelle Stueve, Chance Harmon and Michelle Bartley. Another change is that KNEA is not giving members of the committee a book to read this year. They are sending their books directly to the schools and ask each Senator to buy their favorite book and donate it to their favorite school. Mark would like to know the name of the favorite book and he will compile a list to share with their members. ([Attachment 1](#))

SB 314--Technical colleges; powers and duties of governing body

Senator Jim Barnett testified in support of **SB314**. He explained that as technical schools are separating from local school districts, the newly formed boards need defined powers and authority. **SB314** mirrors the current law for community college boards. The legislation will help our state further advance its ongoing effort for reorganization and restructuring of higher education. ([Attachment 2](#))

Lee V. Alderman, Ph.D, Flint Hills Technical College, testified in support of **SB314**. The bill will allow the new governing boards to have management and control of their institutions with supervision from the Board of Regents. ([Attachment 3](#))

Written testimony in support of **SB314** was provided by Reginald Robinson, President & CEO, Board of Regents. ([Attachment 4](#))

Theresa Kiernan, Revisor of Statutes gave the committee an overview of **SB314**.

In discussing the bill, it was believed there were some of the powers and authorities in the bill were redundant. After discussion, it was decided that the committee members and staff needed some time to do some research and work the bill at a later date.

SB403--Schools; school finance; education first plan

Chairman Umbarger advised the committee that he would like to move **SB403** out of the committee in the original draft as proposed by the Governor which included the property tax component. He acknowledged that there was some concern about this proposal, and stated that the way he has run the committee in the past has been that if we were going to spend money, we also found out where the money might come

CONTINUATION SHEET

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from. The Chairman asked for discussion. Response from several members of the committee was that it was the instruction of tax committee that they deal only with the tax portion of the bill and to let the education committee deal with the rest and they were faithful to that instruction.

The amended **SB403**, which passed out of the tax committee, funds education as provided by the Governor's plan for this year and next. The property tax that was taken out of the bill would not take effect until 2006-08. Some members feel that this bill should be taken to the floor as the Governor proposed it. The tax committee chairman explained that there were two motions to amend **SB403**, the first motion was defeated and the second proposed amendment was to take the property tax provision out of the bill. This amendment passed and **SB403**, as amended, was favorably passed out of the tax committee. It was his desire to get the bill out of the committee and to the full Senate, but he has no problem with putting the property tax back in the bill. He felt, if not done here, it will probably happen on the Senate floor. In response to those comments, it was said that **SB403**, as it relates to education is still a three year plan and the property tax does not become effective until fiscal year 2006. At the Governor's news conference, the Governor said she had no problem with taking the property tax out. Her statement was that the Legislature had two more years to deal with the revenue.

Chairman Umbarger continued with his argument that this committee has always tried to provide a revenue source when the committee wanted to spend money. He argued that anytime an issue involving spending money is debated on the floor, the first question is where is the money coming from and when the discussion turns to cutting the budget, the question is where do you want to make the cut? He believes we owe respect to the Governor to pass her bill in its original form and that the bill should be debated on the Senate floor.

Senator Vratil made a motion to amend **SB403** by adding back the property tax provision that was deleted by the tax committee. Seconded by Senator Schodorf.

Further discussion was that the bill reads that the increase in sales tax will be .2 percent effective July 1, 2004, .1 percent effective July 1, 2005 and .1 percent on July 1, 2006 along with the income tax surcharge. The bill is funded for two years and that we are worrying about something that we don't need to worry about right now.

Disappointment was expressed that political games are being played in this committee, that this is not how the committee has operated in the past. It was felt the tax committee passed a bill that they thought was workable politically and policywise and instead of advancing something that is supportive of education funding, the committee is falling back to a different position. The Chairman defended himself that he has been very supportive of Governor Sebelius and has been careful not to criticize because he does not have a plan to offer that will fix the problem.

Discussion was that the Governor promoted her bill as being a balanced financial structure and without the property tax provision, the bill no longer contains that balance. Taxes that are advantageous for one part of the state are not good for another and that is what will defeat the bill.

Senator Hensley made a substitute motion to pass **SB403** as amended by the tax committee. Seconded by Senator Lee. A division was requested by a show of hands. The motion failed.

A vote was taken on the motion made by Senator Vratil to amend **SB403** by adding the property tax provisions back into the bill. The motion carried.

Meeting adjourned at 2:30 p.m. The next meeting is scheduled on February 18, 2004.

CONTINUATION SHEET

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