

MINUTES OF THE HOUSE COMMITTEE ON HIGHER EDUCATION.

The meeting was called to order by Chairperson Lisa Benlon at 3:35 p.m. on February 12, 2001 in Room 231-N of the Capitol.

All members were present except: Tom Sloan (E)
Jonathan Wells (E)
Valdenia Winn (E)

Committee staff present: Carol Rampey, Kansas Legislative Research Department
Avis Swartzman, Office of the Revisor of Statutes
Dee Woodson, Committee Secretary

Conferees appearing before the committee: Jason White, Kansas Emergency Medical Service Assn.
Dick Carter, Director of External Relations, Kansas Board of Regents
Gale Haag, Kansas State Fire Marshall
Eric King, Director of Facilities, Kansas Board of Regents

Others attending: See attached sheet.

HB 2189 - Public safety officers, educational benefits for dependents

Chairperson Benlon opened hearings on **HB 2189**. Dick Carter, Director for External Relation for the Kansas Board of Regents, was the first conferee speaking in support of the bill. He explained that the bills the Committee were hearing that day were both clean-up bills and had been approved by the Board of Regents. He testified that this bill was requested by KBOR staff and was the one of the clean-up measures needed as a result of the Kansas Higher Education Act (SB 345). (Attachment 1)

The second conferee on this bill was Jason White, representing the Kansas Emergency Medical Services Association (KEMSA), testified in support of **HB 2189**. He stated that KEMSA supports the basic issue of the bill to provide a death benefit for the children of public safety personnel through the provision of higher education opportunities at Kansas schools. Mr. White said that this bill did not cover EMS personnel, and they would like to request that **HB 2189** be amended to cover EMS personnel who die in the line of duty. He explained that EMS personnel was a mix of government employees and those working for entities that are not government agencies such as hospitals, helicopters, not-for-profit firms and even private companies. Mr. White said that KEMSA was requesting **HB 2189** be amended to provide this death benefit for personnel who are providing emergency medical services whether they are providing that as part of an actual government agency or based on an agreement/contract with a local government. He also stated that after some research they estimate that there are 1 to 2 EMS related line of duty deaths every 10 years in Kansas. He concluded that with the passage of the proposed bill with the requested amendment, it would greatly help with recruitment for full-time and volunteer personnel. (Attachment 2)

General questions and discussion followed regarding insurance coverage for non-governmental employees, whether an amendment should be made to the proposed bill for coverage of an employee who sustains a life threatening injury, such as a heart attack, while serving in the line of duty, or whether it should be expanded to include total disability as a result of such an event, and if there is a line of duty investigation or data collection process on death related issues in the line of duty.

Representative Lane asked if there was a fiscal affect of this bill, and the Chair responded that there was no Fiscal Note effecting this legislation as presently written without amendment.

The Chair asked if anyone else present wished to speak as a proponent or opponent on **HB 2189**. There being none, the Chair closed the hearing on **HB 2189**.

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HB 2190 - Postsecondary education institutions, buildings, structures

Chairperson Benlon opened the hearings on **HB 2190**. Eric King, Director of Facilities for the Kansas Board of Regents, was the first conferee who spoke in favor of this clean-up item to **SB 345** which does away with the approval process for construction plans through the State Board of Education for Community Colleges, Area Vocational Schools, Area Vocational-Technical Schools and Technical Colleges. Mr. King said the Board of Regents recommended the removal of language requiring the above entities to submit plans to the State Board of Education. He said there were adequate safeguards in place if: (1) projects are designed by licensed professional architects and engineers where required by Kansas Statutes; (2) plans are reviewed by local building officials prior to issuing building permits; and (3) reviews and inspections continue to be administered by the Kansas Fire Marshal's Office. (Attachment 3)

Chairperson Benlon asked Mr. King if the dates shouldn't be taken out of the statute in Section 1 in regard to the codes. Mr. King responded that the codes are updated every three years, and Legislative Research might want to take a look at it. He also thought the way the Statute read on page 2, Section 2, that the local building officials would be responsible for insuring compliance and by hiring licenced professionals who would use the proper codes that have been adopted and in force at that time, this would not be a problem.

The second conferee was Mr. Gale Haag, Kansas State Fire Marshal, who testified as a proponent for **HB 2190**, which he said was an enabling piece of legislation for the State Fire Marshal to do his job. Mr. Haag said this bill proposed clarifying language contained in K.S.A. 31-150 and K.S.A. 58-1304. He suggested the following line be inserted on page 2, line 13 just before the language referencing the State Fire Marshal's authority to adopt rules and regulations: "All community colleges, area vocational schools, area vocational-technical schools, technical colleges or institutions under the governance of the State Board of Regents shall submit to the State Fire Marshal a code footprint for evaluation and approval of the fire/life safety features, prior to new building construction or the remodeling of existing buildings." (Attachment 4)

Representative Storm stated that the Committee would like to have consistency throughout proposed bills, and suggested not using specific dates, but the wording, "current standard adopted". Mr. Haag responded that he would have no trouble with that wording, but he thought that it was workable the way it was written with the added line he had requested. Representative Krehbiel asked for clarification regarding Mr. Haag's amendment as it related to the other Regents universities.

The Chair closed the hearings on **HB 2190**.

HB 2018 - Qualification of students for admission to state educational institutions

Chairperson Benlon opened the floor for discussion and possible final action on **HB 2018**. The Chair handed out some additional information that Representative Wells acquired from Wichita Area Technical College. Representative Wells had previously made a substitute motion for amendment to add a total score of 55 for the GED test. (Attachment 5) He went on to explain this handout and referred to Table 3.4. He said in summary that a GED score of 270 was equivalent to the upper one third of a high school class, but are tested to see what classes they are put in. The Chair clarified that he was looking at the top 33% to stay in line with (c) in Section 1 starting on line 30 for the top third of the student's class. She asked if he wanted to change his motion to a score of 270 or an average standard score of 54.

Committee discussion continued, and Representative Wells made a motion that the GED score be 270 with the average standard score of 54. Representative Storm seconded the motion.

Deliberation continued by the Committee members over the proposed wording for consistency throughout the bill, and have it fair in relationship to the requirements of high school graduates. After much discussion, Representative Storm called the question and said she would propose an amendment if Representative Wells' substitute motion did not pass, to have on line 34 and anywhere else it appears within this bill that a GED certificate with an average standard score of not less than 50 points.

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The Chair called for a vote on Representative Wells substitute motion, and motion failed.

Representative Storm made the motion that on lines 34 and 40 after the word “certificate”, it should say, “with an average standard score of not less than 50 points”. Representative Lane seconded the motion.

Discussion on the motion involved concern expressed that the Committee was setting the requirements lower for GED students than what high school students are required to attain. Representative Sloan made a substitute motion that on lines 27 through 29, page 1, to make 2(a) read a score of 270 or be in the upper one third of the graduating class. Representative McLeland seconded the motion.

Representative Gordon asked for a clarification from the Revisor what the intent of the original bill was. The Revisor explained what the original intent of what the Regents requested was on page 1, line 19, to add “or will graduate from an accredited Kansas high school”, because they said that some of the applicants for admission had not yet graduated and they wanted to clarify that item. She also said on page 1, line 28, and also lines 29 and 30 on page 2, the Regents wanted to add the SAT score because many of the Kansas students were taking a SAT test rather than an ACT test, and a lot of non-residents take a SAT rather than an ACT. She stated that at that time they also requested, which the LEPC did not adopt, was where the stricken language was on lines 34, 35, and 40; the Regents wanted to say “with a total standard score of not less than 250 and an average standard score of 50”, but the LEPC rejected that part of the Regents’ request. The Revisor added that the reasoning was that a person who had earned the GED was entitled to admission, and information was provided that to earn the GED requires a score of not less than 225 which is less than the 250 that the Regents requested, and so the LEPC rejected that part of the Regents’ request and accepted the remainder.

The Chair reviewed for the Committee Representative Sloan’s substitute motion that was on the floor. The vote was taken and it failed. Division was called, and it was 5 for the motion and 7 against. The motion failed.

Representative Tanner made a motion that on line 16 of the bill, strike the “Effective for” and all the remaining words till the end of the bill. Representative Sloan seconded the motion.

Representative Tanner commented that he felt that this issue could be dealt with by the Regents with a great deal more aplomb than what the Committee would be able to do. He said he felt that the Regents should decide on admission requirements as the Regents have done for many many years in the State of New York.

Chairperson Benlon asked if the Regents wanted this responsibility, and if it was turned over to the Regents to decide, would they make it more stringent or less stringent. Dick Carter said he did not feel comfortable making a response for this question without discussing it with the Executive Director. The Chair asked if the Executive Director would be present at the next Committee’s meeting, Wednesday, February 14, and Mr. Carter responded that he knew he was involved in budget hearings, but that he would bring a written response to the inquiry.

Due to the lateness of the hour, the Chair postponed the discussion on this bill till a later date. The meeting was adjourned at 5:10 p.m. The next meeting of the House Higher Education Committee will be Wednesday, February 14, Room 231-N at the Capitol.