

MINUTES OF THE HOUSE GOVERNMENT EFFICIENCY AND TECHNOLOGY COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 3:38 P.M. on February 20, 2008, in Room 526-S of the Capitol.

All members were present except Representatives Kelley, Tapanelli, Wilk, Frownfelter, Holland, and Mah, all of whom were excused.

Committee staff present:

Mary Galligan, Kansas Legislative Research Department
Jennifer Thierer, Kansas Legislative Research Department
Rena Jefferies, Office of Revisor of Statutes
Gary Deeter, Committee Assistant

Conferees appearing before the committee:

Representative Tom Burroughs
Mark Tallman, Assistant Executive Director, Kansas Association of School Boards
Bill Reardon, Kansas City Kansas Public Schools

Others attending:

See attached list.

The Chair opened the hearing on **HB 2758** - cyber-bullying prohibited - and welcomed Representative Tom Burroughs, who spoke as a proponent (Attachment 1). He said the bill will amend the school bullying statutes to include intimidation by electronic means. He noted that the bill applies only to school activities and school property and does not reference criminal behavior or criminal statutes.

Members discussed the process for finding the identity of an alleged bully, questioning whether or not a school district could obtain information from an ISP (Internet Service Provider). Representative Trimmer commented that a school district has authority to monitor its own network, but would not have authority outside the network.

Mark Tallman, Assistant Executive Director, Kansas Association of School Boards, testified as a proponent (Attachment 2). He said the bullying issue was put in statute from last year's legislative session, and the addition of electronic intimidation will augment the law. He commented that the bill and the statutes deal only with school-related activities and that intimidation done on a private computer sent from home to another private computer would be difficult to address without encountering First Amendment issues. Responding to questions, Mr. Tallman said that if intimidation falls under criminal conduct, it can be reported to law enforcement authorities; however, he said personal activities on private computers or phones will be difficult to regulate. He responded that if a school issues laptops to all students, then any intimidating activity on those laptops would fall under the jurisdiction of the bill.

Bill Reardon, Kansas City Kansas Public Schools, said that his district provides laptops for all students, and he would be more comfortable with the bill if wording included school equipment.

CONTINUATION SHEET

MINUTES OF THE House Government Efficiency and Technology Committee at 3:38 P.M. on February 20, 2008, in Room 526-S of the Capitol.

Written testimony supporting the bill was provided by Terry Forsyth, Kansas National Education Association (Attachment 3).

The Chair closed the hearing on **HB 2758**.

A motion was made and seconded to add after line 42, page 1, after the word “on,” the words *or while utilizing* so that the line reads “to prohibit bullying on or while utilizing school property, in a school vehicle or. . .” (Motion, Representative Sloan; second, Representative King) The motion passed.

Representative Ruiz made a motion, seconded by Representative McLachlan, to recommend the bill be passed favorably as amended. The motion passed unanimously.

The meeting was adjourned at 4:09 p.m. The next meeting is scheduled for Thursday, February 21, 2008.