

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 A.M. on March 15, 2006 in Room 514-S of the Capitol.

All members were present.

Committee staff present:

J. G. Scott, Legislative Research Department
 Becky Krahl, Legislative Research Department
 Matt Spurgin, Legislative Research Department
 Debra Hollon, Legislative Research Department
 Susan Kannarr, Legislative Research Department
 Amy VanHouse, Legislative Research Department
 Jim Wilson, Revisor of Statutes
 Mike Corrigan, Revisor of Statutes
 Nikki Feuerborn, Administrative Assistant
 Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

David Horowitz, well-known author and media commentator and president of the Center for the Study of Popular Culture
 Charles Merrifield, Newman University
 Dr. Joe Yanik, Professor of Mathematics, Emporia State University
 Jamie Corkhill, Policy Attorney, Department of Social and Rehabilitation Services (SRS)
 Dick Hayter, Associate Dean, College of Engineering, Kansas State University

Others attending:

See attached list.

- Attachment 1 Testimony on **HCR 5035** by David Horowitz
- Attachment 2 Testimony on **HCR 5035** by Dr. Joe Yanik
- Attachment 3 Testimony on **HCR 5035** by Lori Drummer, Education Task Force Director, American Legislative Exchange Council (ALEC)
- Attachment 4 Testimony on **SB 579** by Dick Hayter, Kansas State University
- Attachment 5 Budget Committee report on **SB 553**
- Attachment 6 Testimony on **SB 420** by Jamie Corkhill, Policy Attorney, Department of Social and Rehabilitation Services

Hearing on HCR 5035 - Academic freedom for Kansas public universities.

Deb Hollon, Legislative Research Department, explained that **HCR 5035** would recommend a series of procedures for public colleges and universities. All faculty members would be hired on the basis of their competence and appropriate knowledge in the field of their expertise; no faculty member will be hired, fired, promoted or denied promotion or tenure on the basis of his or her political, ideological or religious beliefs; students would be graded on the basis of subject area, not on the basis of their political, ideological or religious beliefs; curricula and reading lists in the humanities and social sciences should reflect the uncertainty and unsettled character of all human knowledge in these areas; exposing students to a spectrum of viewpoints on the subjects is a major responsibility of faculty members; faculty members will not use their courses for the purpose of political, ideological, religious or anti-religious indoctrination.

Chairman Neufeld recognized David Horowitz, well-known author and media commentator and president of the Center for the Study of Popular Culture, who presented testimony in support of **HCR 5035** (Attachment 1).

Responding to questions from the Committee, Mr. Horowitz indicated:

- Courses, as now taught, violate Board of Regents' policies; wastes time and the taxpayers' money.

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- Students should be judged on their work, rather than their opinion.
- Academic freedom should be protected.
- A nationwide problem exists; professionals protected - no one protects the student.
- More than 12 states now have similar legislation.

The Chair recognized Dr. Charles Merrifield, Newman University, who introduced Dr. Joe Yanik, Professor of Mathematics at Emporia State University, to present testimony in opposition to **HCR 5035** (Attachment 2).

Responding to a question from the Committee, Dr. Yanik indicated that he was not aware of any incidence where anyone in the profession was discouraged from testifying before a legislative committee or denied academic freedom by the Board of Regents.

Written testimony from Lori Drummer, Education Task Force Director, American Legislative Exchange Council (ALEC), in support of **HCR 5035**, was distributed to the Committee (Attachment 3).

The hearing on HCR 5035 was closed.

Hearing on SB 574 - Transfer of certain land in Shawnee county to helping hands humane society, amending land description.

Becky Krahl, Legislative Research Department, explained that **SB 574** would correct 2005 legislation involving a land transfer in Shawnee county from the Juvenile Justice Authority to the Helping Hands Humane Society. The 2005 legislation included a transfer provision for the 4.9 acres to be conveyed, but that legislation included an inaccurate legal description of the land with the error being discovered after the end of the 2005 Session.

The hearing on SB 574 was closed.

Hearing on SB 579 - Authorizing the state board of regents to sell certain real estate.

Deb Hollon, Legislative Research Department, explained that **SB 579** would authorize the Board of Regents to sell a tract of land and building on behalf of the Kansas State University. The Board of Regents also would be authorized to exchange the property with the Kansas State University Foundation for property of equal or greater value. The land tract outlined in the bill is approximately four acres located in an industrial park in the city of Manhattan.

Dick Hayter, Associate Dean of the College of Engineering at Kansas State University, presented testimony on **SB 579** and stated that a land survey was performed at the site during the past month (Attachment 4).

The hearing on SB 579 was closed.

Discussion and action on SB 553 - State historical society; transfer of property to Audubon of Kansas.

The Education Budget Committee recommends amending the bill to include language that the property would revert back to the State Historical Society if the Audubon of Kansas ever ceases to exist, transfers the land, or fails to make the property available for public use.

Representative Huy, member of the Education Budget Committee, presented the Budget Committee recommendation on **SB 553** and moved for the adoption of the Budget Committee report (Attachment 5). The motion was seconded by Representative Feuerborn. Motion carried.

Discussion and action on HB 2954 - Surplus real estate at Osawatomie state hospital to city of Osawatomie for economic development purposes.

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Representative Feuerborn explained that the parties involved have met, worked out any differences within the legislation and now have a legal description of the land involved. The transfer now contains 4 tracts of land, 76 acres in total. Gary Daniels, Secretary of the Department of Corrections, in a letter to the Committee, requested that one tract of land remain with Osamatomie State Hospital for the possible construction of a children's unit at the Rainbow facility.

Representative Feuerborn moved to amend **SB 553** by rolling the contents of **SB 574**, **SB 579** and **HB 2954** into **SB 553** and allow for technical corrections to the bill as necessary. The motion was seconded by Representative Landwehr. Motion carried.

Representative Feuerborn moved to recommend **SB 553** favorable for passage as amended. The motion was seconded by Representative Landwehr. Motion carried.

Hearing on SB 420 - Amendments to the Kansas payment center statute; repealing the sunset provision regarding the state being fined for lack of compliance with title IV-D.

Chairman Neufeld recognized Jamie Corkhill, Policy Attorney, Department of Social and Rehabilitation Services, who presented testimony in support of **SB 420** (Attachment 6). Ms. Corkhill noted that purpose of **SB 420** includes providing the ability for the Kansas Pay Center (KPC) to accept and process checks that are not made payable to the KPC; adjusts existing language in KSA 23-4, 118 to assure the standards for operating the KPC will apply appropriately, regardless of how resources are configured to fulfill KPC functions; makes changes in the way unclaimed or abandoned support payments are handled; and repeals the automatic sunset provision enacted in 1957.

Responding to Committee questions, Ms. Corkhill stated that no additional staff would be required as staff and resources from the State Treasurer's Office will be used to accomplish an additional work.

The hearing on SB 420 was closed.

HB 3013 was referred to the Social Services Budget Committee.

The meeting was adjourned at 11:00 a.m. The next meeting of the Committee will be held at 9:00 a.m. on March 16, 2006.

Melvin Neufeld, Chairman