

MINUTES OF THE HOUSE HIGHER EDUCATION COMMITTEE

The meeting was called to order by Chairman Terrie Huntington at 1:30 p.m. on March 4, 2009, in Room 786 of the Docking State Office Building.

All members were present except:

Representative Joe McLeland- excused

Committee staff present:

Renae Jefferies, Office of the Revisor of Statutes
Mary Galligan, Kansas Legislative Research Department
Kay Scarlett, Committee Assistant

Conferees appearing before the Committee:

Linda Fund, Executive Director, Kansas Association of Community College Trustees
Dave Reist, President, Highland Community College
Dr. Tom Burke, President, Kansas City, Kansas, Community College
Reginald Robinson, President & CEO, Kansas Board of Regents (written only)

Others attending:

See attached list.

Hearing on SB 11 - Community colleges; acquisition of real property within service area

Chairman Huntington opened the hearing on **SB 11**. Renae Jefferies, Office of the Revisor of Statutes, explained that **SB 11** deals with the powers and duties of the board of trustees of community colleges. On page 5, subsection (d) is amended to now allow a community college to purchase land or otherwise acquire land or land and improvements within the community college district and within the service area of the community college. The service area of a community college would be the designated geographic area of the state established as the service area for that community college pursuant to an agreement of the presidents of the community colleges and adopted in policy by the State Board of Regents. The fiscal note shows no effect on the Board of Regents, but notes that should a community college acquire land or land and improvements, the acquisition would be financed by that community college. She indicated that a technical amendment would be necessary when the bill is worked. (Attachment 1)

Linda Fund, Executive Director, Kansas Association of Community College Trustees, testified in support of **SB 11** to allow community colleges to acquire and accept donations of land and land improvements within their service areas. She explained that in the 1970's the Kansas Department of Education divided the state into service areas for each of the state's nineteen community colleges. In 2003, the Board of Regents initiated a comprehensive review of service areas. The System Council of Presidents (made up of CEO's from community colleges, technical colleges, Washburn, and the state universities) supported maintaining the concept. Current law prohibits community college boards of trustees from purchasing or otherwise acquiring land or land and improvements outside the community college district, which is defined as the taxing district of a community college. This means that a college cannot accept a donation of land in another county even though that county is in its service area. She provided a balloon amendment to **SB 11** making the technical change previously noted. (Attachment 2)

When asked if it would be helpful to have this legislation take effect and be in force from and after its publication in the Kansas register, Ms. Fund responded that possibly yes.

Dave Reist, President, Highland Community College, and Dr. Tom Burke, President, Kansas City, Kansas, Community College, related specific instances where this legislation would have been very beneficial to their respective colleges. Dr. Burke also provided a brief history of this limitation dating back to out-district tuition concerns in the 1980's. As out-district tuition has been phased out, this reason no longer exists. It was noted that increased enrollment from students in these service areas, plus state money, helps with the tax structure in the taxing districts of the community colleges.

Reginald Robinson, President & CEO, Kansas Board of Regents, submitted written testimony in support of **SB 11**. The Kansas Association of Community College Trustees forwarded this proposal to the Board in October, the Board formally adopted this piece of legislation in November as part of its 2009 legislative

CONTINUATION SHEET

Minutes of the House Higher Education Committee at 1:30 p.m. on March 4, 2009, in Room 786 of the Docking State Office Building.

agenda, and it was introduced in January by the Legislative Education Planning Committee. He noted that it was unanimously approved by the Senate. (Attachment 3)

The hearing on **SB 11** was closed.

The meeting was adjourned at 2:30 p.m. The next meeting of the House Higher Education Committee is scheduled for March 5, 2009.