

HOUSE BILL No. 2512

By Committee on Higher Education

1-13

AN ACT relating to higher education; concerning property tax levies for the educational building fund; establishing a business workforce training advisory group; establishing the Kansas commission on higher education operations and opportunities; amending K.S.A. 76-6b02 and 76-6b03 and K.S.A. 2003 Supp. 76-6b01 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2003 Supp. 76-6b01 is hereby amended to read as follows: 76-6b01. (a) There is hereby levied an annual permanent state tax upon all tangible property in this state which is subject to ad valorem taxation. The tax levy shall be ~~.6 mill in the year 2003 and 1 mill~~ *1 mill in the year 2004 and 4 mills* in the year ~~2004~~ *2005* and each year thereafter until changed by statute. Such tax levy shall be in addition to all other state tax levies authorized by law. Such tax levy shall be for the use and benefit of the state *public* institutions of higher education, *including community colleges and technical colleges coordinated by the board of regents*. The proceeds of such tax levy shall be apportioned in accordance with this act.

(b) The county treasurer of each county shall make the proceeds of the tax levy provided for in this section available to the state treasurer immediately upon collection. When available the state treasurer shall withdraw from each county the proceeds of the taxes raised by such tax levy. Upon such withdrawal the state treasurer shall deposit the same in the state treasury and shall credit the same as provided in K.S.A. 76-6b02, *and amendments thereto*.

Sec. 2. K.S.A. 76-6b02 is hereby amended to read as follows: 76-6b02. (a) All moneys received by the state treasurer under K.S.A. 76-6b01, and amendments thereto, shall be credited to the Kansas educational building fund. *Three-fourths of all moneys received shall be credited to the maintenance account of the educational building fund and one-fourth shall be credited to the technology account of the educational building fund. Moneys in the maintenance account are* to be used for the construction, reconstruction, *maintenance*, equipment and repair of buildings and grounds at the state educational institutions under the ~~con-~~

1 ~~to~~ and supervision of the state board of regents, *including community*
2 *colleges and technical colleges*, and for payment of debt service on reve-
3 nue bonds issued to finance such projects, all subject to appropriation by
4 the legislature. *Moneys in the maintenance account shall not be used for*
5 *the construction of new buildings unless the same is expressly approved*
6 *by the legislature. Moneys in the technology account of the education*
7 *building fund are to be used to enhance the ability to provide and main-*
8 *tain interactive and distant learning opportunities for students and faculty*
9 *and to acquire and maintain technology and scientific equipment for el-*
10 *igible institutions, all subject to appropriation by the legislature.*

11 (b) Subject to any restrictions imposed by appropriation acts, the
12 state board of regents is authorized to pledge funds appropriated to it
13 from the Kansas educational building fund or from any other source and
14 transferred to a special revenue fund of the state board of regents spec-
15 ified by statute for the payment of debt service on revenue bonds issued
16 for the purposes set forth in subsection (a). Subject to any restrictions
17 imposed by appropriation acts, the state board of regents is also author-
18 ized to pledge any funds appropriated to it from the Kansas educational
19 building fund or from any other source and transferred to a special rev-
20 enue fund of the state board of regents specified by statute as a priority
21 for the payment of debt service on such revenue bonds. Neither the state
22 ~~or~~ nor the state board of regents shall have the power to pledge the faith
23 and credit or taxing power of the state of Kansas for such purposes and
24 any payment by the state board of regents for such purposes shall be
25 subject to and dependent on appropriations being made from time to
26 time by the legislature. Any obligation of the state board of regents for
27 payment of debt service on revenue bonds and any such revenue bonds
28 issued for the purposes set forth in subsection (a) shall not be considered
29 a debt or obligation of the state for the purpose of section 6 of article 11
30 of the constitution of the state of Kansas.

31 Sec. 3. K.S.A. 76-6b03 is hereby amended to read as follows: 76-
32 6b03. The state board of regents shall submit to the legislature at each
33 regular session a report ~~showing the long-range building needs of the~~
34 ~~institutions named in K.S.A. 76-6b02, and including of its~~ recommenda-
35 tions regarding the construction, reconstruction, equipment and repair of
36 ~~buildings and grounds at such institutions during the ensuing fiscal year~~
37 *expenditures from the educational building fund*. Such provisions and
38 appropriations for these purposes as the legislature shall deem proper
39 shall be made by it. Such report and recommendations shall be made by,
40 through, and included in the budget request made by said board as pro-
41 vided by law. The report ~~of the long-range building needs~~ shall be made
42 as a supplemental part of the said budget request for informational pur-
43 poses, and the recommendations for the ensuing fiscal year shall be in-

1 cluded as a part of the regular budget requests.

2 New Sec. 4. Subject to any restrictions imposed by appropriation
3 acts, the state board of regents shall establish a grant process to determine
4 the manner in which educational building fund moneys are distributed
5 among the eligible institutions. Projects shall be evaluated on the impor-
6 tance of any project to the institution's core mission, existing partnerships
7 with private sector donors, the ability of the institution to use other funds
8 and such other factors as the board shall determine. In making grants to
9 community colleges, technical colleges or other institutions, the board of
10 regents may require the institution to agree in writing to such terms and
11 conditions as the board of regents deems appropriate regarding state ov-
12 ersite of the taxpayers' investment in the institution.

13 New Sec. 5. (a) There is hereby established a business workforce
14 training advisory group. The state board of regents staff shall provide
15 administrative support to the advisory group.

16 (b) The purpose of the advisory group is to exchange information
17 between the advisory group and the presidents of Kansas community
18 colleges and technical colleges. Such exchange of information shall in-
19 clude the following:

- 20 (1) Existing and anticipated workforce training needs;
- 21 (2) faculty and equipment needs and procurement and funding
22 requirements;
- 23 (3) efficient use of educational and training opportunities and equip-
24 ment to meet statewide needs using distant learning and other capabili-
25 ties; and
- 26 (4) such other issues as may be identified by the presidents of Kansas
27 community colleges and technical colleges. The presidents of such insti-
28 tutions and the advisory group shall develop a process by which employers
29 can suggest education and training programs to meet long-term and evol-
30 ving employment training needs in the state.

31 (c) Membership on the advisory group shall be by appointment of
32 the governor. All appointees shall have experience in identifying long-
33 term training needs for their employer, hiring employees or other relevant
34 practical experience that will benefit the vocational training program man-
35 agers at Kansas higher education institutions. In making appointments,
36 two members shall be from a list of nominees submitted by the Kansas
37 chamber of commerce and industry; one member each shall be appointed
38 from a list of nominees by the Kansas AFL-CIO, the Kansas farm bureau,
39 and the Kansas sector of the national federation of independent business;
40 two persons shall be appointed representing the health care professions
41 for which community colleges and technical colleges provide educational
42 opportunities and one person shall be a business owner or operator. The
43 governor may reject all nominees submitted on any list of nominees and

1 may request an additional list of other qualified persons to consider for
2 appointment to the advisory group.

3 The secretary of commerce or the secretary's designee also shall be a
4 member of the advisory group and shall serve as chairperson of the ad-
5 visory group and other officers may be elected by the advisory group. The
6 advisory group shall meet at least quarterly and also shall meet at the call
7 of the chairperson, the board of regents or a majority of the members of
8 the advisory group. Members attending meetings or subcommittee meet-
9 ings authorized by the advisory group shall be paid subsistence allow-
10 ances, mileage and other expenses pursuant to K.S.A. 75-3223 and
11 amendments thereto.

12 New Sec. 6. (a) There is hereby established the Kansas commission
13 on higher education operations and opportunities. The commission shall
14 be composed of nine members as follows: Three shall be appointed by
15 the governor; two shall be appointed by the speaker of the house of rep-
16 resentatives; two shall be appointed by the president of the senate and
17 one each shall be appointed by the minority leader of the house of rep-
18 resentatives and the minority leader of the senate. Except as provided in
19 subsection (b), members of the commission shall serve for a four-year
20 term and until their successor is appointed and qualified.

21 (b) In making the original appointments, the governor shall designate
22 one commissioner for a one-year term, one for a two-year term and one
23 for a three-year term; the president of the senate shall appoint one com-
24 missioner for a two-year term and one for a four-year term; and the
25 speaker of the house of representatives shall appoint one commissioner
26 for a one-year term and one commissioner for a three-year term. The
27 original appointments by the minority leaders shall be for four-year terms.

28 In making appointments pursuant to this section, the appointing au-
29 thority shall select persons with recognized expertise in higher education
30 management, teaching and research, the role of higher education in the
31 Kansas economy, the use of technology delivered course offerings, and
32 other education-related backgrounds and experiences.

33 (c) Members of the commission attending meetings of the commis-
34 sion or attending a subcommittee meeting thereof authorized by the commis-
35 sion shall be paid subsistence allowance, mileage and other expenses
36 as provided in K.S.A. 75-3223, and amendments thereto. Members of the
37 commission shall select a member to serve as chairperson of the com-
38 mission and vice-chairperson.

39 (d) The board of regents office shall provide staff support for the
40 commission.

41 New Sec. 7. (a) As used in this section, "regents supervised institu-
42 tion" means community colleges, state educational institutions, as defined
43 by K.S.A. 76-711 and amendments thereto, area vocational schools, area

1 vocational-technical schools and technical colleges.

2 (b) The state board of regents shall require audits of institutions su-
3 pervised by the state board of regents. Such audits of each institution
4 shall occur on a four-year rotation and shall assess the effectiveness of
5 the expenditure of state funds. Audits shall include:

6 (1) The administrative ratio per student and administrative costs as a
7 percentage of the institution's operating budget;

8 (2) the ratio of tenured and tenure-tracked teachers and research
9 faculty to part-time faculty and graduate student instructors and the ratio
10 of hours taught by tenured and tenure-tracked faculty compared with
11 part-time faculty and graduate students;

12 (3) an assessment of curriculum offerings in terms of value to insti-
13 tutional mission and people of the state of Kansas;

14 (4) the technological opportunities to cost effectively meet current
15 and projected institutional goals;

16 (5) the effectiveness of the institution's internal program evaluation
17 process for expanding, contracting or deleting existing certificate and de-
18 gree offerings and the introduction of new course offering;

19 (6) the value to the people of the state of Kansas of degree and cer-
20 tificate programs and course offerings; and

21 (7) such other information as may be requested by the Kansas com-
22 mission on higher education operations and opportunities.

23 (c) The results of the board of regents' assessment shall be provided
24 to the Kansas commission on higher education operations and opportu-
25 nities. The commission shall review the board's findings and make rec-
26 ommendations to the board, the governor and the legislature on:

27 (1) Ways the people of Kansas can receive more value for the state
28 aid provided to the educational institutions;

29 (2) ways to facilitate more cost-effective institutional management
30 practices;

31 (3) ways to improve coordination of educational policies and practices
32 to facilitate seamless, affordable educational opportunities for on and off-
33 campus students;

34 (4) ways to use technology to expand access and affordability to
35 higher education by Kansas citizens; and

36 (5) such other information and recommendations as the commission
37 deems appropriate.

38 Sec. 8. K.S.A. 76-6b02 and 76-6b03 and K.S.A. 2003 Supp. 76-6b01
39 are hereby repealed.

40 Sec. 9. This act shall take effect and be in force from and after its
41 publication in the statute book.

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