	Approved 4/2// O/Date
MINUTES OF THE <u>Senate</u> COMMITTEE ON <u>Ways</u>	and Means
The meeting was called to order by <u>Senator August "Gu</u>	S" Bogina at Chairperson
11:00 a.m./pxx. onMarch 17	
All members were present except:	

1. 127 107

Committee staff present:

Research Department: Robin Hunn, Laura Howard, Gloria Timmer, Ray Hauke,

Alan Conroy, Russ Mills, Paul West

Revisor's Office: Norman Furse

Committee Office: Judy Bromich, Pam Parker

Conferees appearing before the committee:

Marlin Rein, Associate Hospital Administrator, Kansas University Medical Center

Mark Tallman, Legislative Director, Associated Students of Kansas Larry Travis, Athletic Director, Kansas State University Dan Kinney, President, Coffeyville Community College Tom Spicer, Director of Athletics, Butler County Community College Ed Walbourn, Washburn University Fred Sudermann, Wichita State University

 $\underline{\text{HB }2100}$ - FY 1987 Appropriations for KSU, PSU, KU, KUMC, WSU and State Library

Staff reviewed <u>HB 2100.</u> (Attachment 1) Marline Rein explained that due to the extremely high estimate for the removal of asbestos in the area originally designated for the location of a 50-bed inpatient pediatric unit in Robinson Hall at KUMC, he was asking the Committee to amend the 1986 Session Laws of Kansas, Chapter 33, Section 36, and delete from the line item the term "Robinson Hall". He explained that they intend to locate the pediatric unit on the fifth floor of the nursing units which is currently office space. In answer to a question from Senator Bogina, Mr. Rein stated that a new Program Statement had not been drawn for the pediatric unit as they are using the original Program Statement developed for the location in Robinson Hall. Senator Harder moved the amendment, Senator Gaines seconded the motion, and it passed on a voice vote.

Mark Tallman spoke concerning $\underline{HB\ 2100}$. (Attachment 2) There were no questions of Mr. Tallman.

Following discussion, Senator Johnston moved, Senator Werts seconded, to correct a mistake in line 86 of HB 2100 by changing the figure \$160,000 to \$150,000. The motion carried by voice vote.

Senator Gaines made a motion to recommend the release of 100 percent of the student fee revenues. Senator Feleciano seconded the motion. During discussion, Senator Werts made a substitute motion, which was seconded by Senator Talkington, that the bill be returned to the Governor's recommendation of releasing 75 percent of student fee revenues. The substitute motion carried and Senator Feleciano voted no.

SB 183 - Removal of surcharge on tickets for certain athletic events

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Ways and Means

room 123-S, Statehouse, at 11:00 a.m./xxxx on March 17

, 19_8.7

make as much money, or more, than by taking a one year ticket surcharge to fund an endowment to handle the annual cost of running the Hall. He felt that money should be raised so the Hall could be brought to Topeka where the people of Kansas can support it.

Dr. Dan Kinney presented testimony. $\underline{\text{(Attachment 4)}}$ He responded to a question from Senator Gaines by stating that the charge for reserve seat tickets to their games is \$5 and general admittance is \$3.

Tom Spicer was the next conferee. (Attachments 5 & 6) Mr. Spicer responded to a question from Senator Gaines by stating that their tickets sell for \$4 for reserved seats, \$3 for adults and \$2 for students. In answer to a question from Senator Kerr, he stated that there are 198 student athletes at BCCC with 21 of those from out of state.

Max VanLaningham, Director of Athletics, Dodge City Community College spoke next. (Attachment 7) He indicated their ticket price is \$2.50. Ed Walbourn appeared next. (Attachment 8) Fred Sudermann noted that a letter from WSU to the Chairman supporting $\frac{SB}{50}$ was forthcoming. He indicated their ticket costs are \$8.50 and \$10.50.

Senator Doyen moved, Senator Talkington seconded, the introduction of bill draft 7 RS 1292, an act concerning civil procedure; concerning certain evidence. The motion carried by voice vote. Senator Feleciano voted no.

Senator Winter made a motion, Senator Gaines seconded, to introduce bill draft 7 RS 1264, an act concerning boards of zoning appeals. The motion

Senator Gaines moved, Senator Winter seconded, the introduction of bill draft 7 RS 1296, an act relating to transfers from the state general fund; relating to the local ad valorem tax reduction fund and the county and city revenue sharing fund. The motion carried by voice vote.

Senator Talkington offered a motion, Senator Winter seconded, to introduce bill draft 7 RS 1295, an act relating to transfers from the state general fund to the state highway fund. The motion carried by voice vote.

Senator Werts moved, Senator Winter seconded, for the introduction of bill draft 7 RS 1272, an act concerning unified school district No. 512, Johnson County; providing for the issuance of general obligation bonds thereof for certain purposes; imposing conditions. The motion carried.

Senator Gaines moved, Senator Werts seconded, the introduction of bill draft 7 RS 1281, an act regulating traffic; concerning clinging to outside of moving vehicle. The motion passed by voice vote.

Senator Doyen moved, Senator Werts seconded, the introduction of the following bill drafts:

- (1) 7 RS 0240, sales tax exemption for schools and educational insti-
- (2) 7 RS 1112, amendments to the act authorizing scholarships for medical students at the university of Kansas school of medicine. 7 RS 1263, authorizing the construction of a second multilevel
- parking facility at the university of Kansas medical center and authorizing the issuance of bonds for such purpose.
- (4) 7 RS 1266, providing for the transfer of moneys from the hospirtal revenue fund at the university of Kansas medical center to the university of Kansas hospital fund.

 (5) 7 RS 1265, allows purchase of liability insurance by university
- of Kansas medical center to be negotiated.
- 7 RS 1315, an act concerning the health care provider insurance availability act; relating to certain persons engaged in postgraduate training programs; liability of health care stabilization fund.

Page 2 of 3

CONTINUATION SHEET

MINUTES OF THE <u>Senate</u>	COMMITTEE ON	Ways and	Means		,
room <u>123-S</u> Statehouse, at <u>11:00</u>	a.m. /\$>X -X. on	Ma	rch 17	,	19_87

 $\underline{\text{SB }223}$ - Prohibiting expenditures during FY 1988 for the acquisition of motor vehicles; providing exceptions

Senator Mike Johnston, as sponsor of $\underline{SB\ 223}$, reviewed the bill for the Committee. Following discussion, the Chairman asked staff to provide information regarding agency policy for vehicle purchase from the Highway Patrol and the Department of Administration.

Senator Harder moved, Senator Gaines seconded, the approval of minutes for the February 24 and 25, 1987 meetings.

The Chairman adjourned the meeting at 12:25 p.m.

GUEST LIST

COMMITTEE: SENATE WAYS AND ME	ANS DA	TE: 3/14/84
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Max Vanhaningham	Dodge City	Community College
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HOUSE BILL NO. 2100

As Recommended by Governor

The Governor is recommending an increase in expenditure authority from university fee funds totaling \$13,485,455. Of this amount \$12,363,391 would be utilized to reduce State General Fund expenditures and \$1,122,064 would be released to three universities having an increase in enrollment headcount in the fall 1986 semester. The funds which the Governor recommends be released to three universities is 75 percent of unanticipated tuition revenue resulting from increased student headcount, when student enrollment during the fall of 1986 is compared to that of fall 1985. The funds which the Governor recommends be utilized to reduce State General Fund demands are the result of higher than budgeted fee fund receipts. FY 1987 Fee Fund receipts have exceeded estimates for five principal reasons: (1) increased hospital revenues at KU Medical Center; (2) increased revenue to the Medical Scholarship Repayment Fund due to a significant increase in the repayment of loans; (3) fall 1986 student enrollments in excess of estimates at four universities; (4) summer 1986 student enrollments in excess of estimates at five universities, which increased fund balances carried forward from FY 1986; and (5) increase in the average per student tuition collection, the result of shifts in the ratio of nonresident to resident students and full-time to part-time students. Only one category of increased revenue, 75 percent of that resulting from increased fall 1986 student headcount, is recommended for release by the Governor.

As Recommended by House Committee

The Committee concurs with the Governor's recommendations with one exception. The Committee recommends that 50 percent of the revenue resulting from increased fall 1986 student headcount be released to the universities. The Committee recommends that the State General Fund lapses, contained in H.B. 2100, be increased by the difference between a 75 percent release, as recommended by the Governor, and the 50 percent release recommended by the Committee. The Committee recommendations increase amounts lapsed from the State General Fund by \$374,009 to \$12,737,400 and reduce the fee release by an equal amount to \$748,055.

As Recommended by House Committee of the Whole

The House Committee of the Whole concurs with the House Committee recommendation and shifts \$15,000 between two State General Fund accounts in the State Library.

2100.mem

ATTACHMENT / 3/17/87 SWAM

Sec. 2 -- Kansas State University

The Governor is recommending an increase of \$710,715 to the General Fees Fund expenditure limitation, of which \$617,624 would replace State General Fund expenditures and \$93,091 would allow an expenditure increase, due to increased enrollment.

The House is recommending lapse of an additional \$31,018 from the State General Fund due to release of 50 percent of unanticipated tuition collections rather than 75 percent as recommended by the Governor. The recommendation increases to \$648,642 the total lapsed and allows expenditures of \$62,073 due to increased enrollment.

Sec. 3 -- Pittsburg State University

The Governor is recommending an increase of \$141,975 to the General Fee Fund expenditure limitation, of which \$66,420 would replace State General Fund expenditures and \$75,555 would allow an expenditure increase, due to increased enrollment.

The House is recommending lapse of an additional \$25,185 from the State General Fund due to release of 50 percent of unanticipated tuition collections rather than 75 percent as recommended by the Governor. The recommendation increases to \$91,605 the total lapsed and allows expenditures of \$50,370 due to increased enrollment.

Sec. 4 -- University of Kansas

The Governor is recommending an increase of \$2,748,877 to the General Fees Fund expenditure limitation, of which \$1,795,459 would replace State General Fund expenditures and \$953,418 would allow an expenditure increase, due to increased enrollment.

The House is recommending lapse of an additional \$317,806 from the State General Fund due to release of 50 percent of unanticipated tuition collections rather than 75 percent as recommended by the Governor. The recommendation increases to \$2,113,265 the total lapsed and allows expenditure of \$635,612 due to increased enrollment.

Agency Request/ Governor's Recommendation

House Adjustments

Senate Committee Adjustments

Sec. 5 -- University of Kansas Medical Center

The Governor recommends an increase of \$8,500,002 to the expenditure limitation on the Hospital Revenue Fund and an increase of \$1,013,160 to the expenditure limitation on the Medical Scholarship Repayment Fund for FY 1987. The expenditure limitation increases would offset State General Fund expenditures. Also, the Governor recommends additional expenditure authority of \$160,000 from the Hospital Fund to provide supplemental funding for the Hospital's laundry renovation project.

Sec. 6 -- Wichita State University

The Governor is recommending an increase of \$370,726 to the General Fees Fund expenditure limitation, which would be utilized to replace State General Fund expenditures.

Sec. 7 -- State Library

The House concurs with the expenditure limitation increases and recommends the lapse of \$9,513,162 from the State General Fund to offset the increases. The House also concurs with the Governor's recommendation for the Hospital laundry project.

The House amends the bill to allow the transfer of sufficient funds to fully fund the Medical Center's debt service obligations due April 15, 1987.

The House concurs.

The House Committee of the Whole amends the bill to shift \$15,000 from the State General Fund from the Library Development program to the Interlibrary Resource Sharing and Automation program. This shift will enable the interlibrary loan network to continue operations for the remaining months of FY 1987.



ASSOCIATED STUDENTS OF KANSAS

The Student Governments of the State Universities

Suite 608 • Capitol Towers • 400 S.W. 8th St. • Topeka, Ks. 66603 • (913) 354-1394

Christine A. Graves Executive Director

Mark E. Tallman
Director of Legislative Affairs
and Development

MEMBERS.

Associated Student Government Emporia State University Memorial Union Emporia, Kansas 66801 316-343-1200 ext. 5494

Student Government Association Fort Hays State University Memorial Union Hays, Kansas 67601 913-628-5311

Student Government Association Kansas State University Student Union Manhattan, Kansas 66506 913-532-6541

Student Government Association Pittsburg State University Student Union Pittsburg, Kansas 66762 316-231-7000 ext. 4813

Student Government Association University of Kansas Burge Union Lawrence, Kansas 66045 913-864-3710

Student Government Association The Wichita State University Campus Activities Center Wichita, Kansas 67208 316-689-3480

Statement on HB 2100

TO: Senate Ways and Means Committee FROM: Mark Tallman, Legislative Director

DATE: March 17, 1987

Position

Release of fees generated by enrollment growth is one of ASK's top priority positions for the 1987 session. We urge you to amend HB 2100 to release all such fees to enhance the educational budgets for the current year.

The Issue

We believe the interim report of the Special Committee on Financing Regents' Institutions, in its recommendations, recognized some severe problems in current methods of dealing with enrollment changes at the state universities. One major problem is the delay between when an enrollment increase occurs, and when the enrollment adjustment formula provides additional resources to accommodate the additional students. There is a two-year lag.

The result is the current situation at the University of Kansas, which has experienced a substancial, unanticipated increase in its student population. The enrollment adjustment formula should provide a significant increase in state support, but not until FY 89. However, KU must service those students in the current year, and most likely next year as well. Although most severe at KU, this problem presents itself at any university experiencing an enrollment increase.

Justification for Fee Release

ASK believes that releasing excess fees due to enrollment growth is a reasonable way to address the problem. It can be argued that a university can absorb a certain amount of additional costs associated with enrollment growth. However, tuition on the average represents 25% of the "cost of education." Therefore, to release fees provides only a fraction of the additional costs more students represent. To reduce the amount of fee release to 75%, as recommended by the Special Committee and the Governor, or 50%, as approved by the House, cuts more deeply into what minimal short-term relief these fees could provide.

(more)

ATTACHMENT 2 3/17/87 SWAM The KU situation illustrates a deeper problem that fee release can help address. The substancial increase in students represents a vote of confidence in the outstanding educational programs of the university, one of the major assets of the state. Yet the budget crunch threatens to weaken those programs, to reduce course offerings, and disrupt student schedules, especially for those who rely on summer school classes.

Not only will this have a negative impact on current students, it may damage of the reputation and "confidence" enjoyed by KU and Kansas higher education in general.

Conclusion

Students have made this issue a top priority because we see very clearly its consequences. Perhaps even more fundamentally, students - rightly or wrongly - see these fees as "their money." They are paying for what they feel will be a high quality education, and do not understand more students, paying more fees, should not result in a higher budget.

We urge you to recommend ${\it HB}\ 2100$ with the highest possible amount of justified fee release.





Business Office 532-6586

Sports Information 532-6735 Sports Medicine 532-6991 Ticket Office 532-6920 Baseball 532-5723

Basketball—Men's

Bas-etball-Women's

532-6531

532-6970

Football 532-5876

532-5915

532-7198 Track 532-6567

Volleybali

532-5935

Tennis

Golf

Wildcat Athletics

Department of Intercollegiate Athletics Ahearn Field House Kansas State University Manhattan, Kansas 66506 (913) 532-6910

TO: Larry Travis

FROM: Mike Jones

DATE: March 17, 1987

RE: ESTIMATED IMPACT OF PROPOSED 25¢ SURCHARGE

The following is an estimate of the impact of a 25¢ surcharge on admissions to Kansas State University sporting events:

SPORT	TICKETS SOLD	.~	SURCHARGE
Football M—Basketball W—Basketball Volleyball Baseball	116,793 111,626 2,606 1,476 3,390		\$29,198.25 27,906.50 651.50 369.00 847.50
		TOTAL SURCHARGE:	\$58,971.75

These figures are based on actual fiscal year 1986-87 sales, except for baseball which reflects last year's sales. If the surcharge were to be based on admissions rather than tickets actually sold, the estimated cost would be raised to \$62,850. This would be due to the fact that the Kansas State athletic department does not charge senior citizens for women's basketball or volleyball games, and also our non-participating athletes and participating athletes' authorized guests are admitted via a "pass list" rather than with tickets.

Assuming the surcharge will be based only on tickets actually sold with ticket prices and ticket sales remaining exactly the same, a 25 % surcharge would have the same effect as a 4.2% sales tax on men's sports and a 31.3% sales tax on this University's women's sports.

Estimated Surcharge	\$57,952.25	= 4 2%
Men's Sport Ticket Revenue	\$1,425,910.00 - \$57,95	$\frac{1.200}{2.00}$

ATTACHMENT 3 3/17/87 SWAM



TO: MEMBERS OF THE SENATE WAYS & MEANS COMMITTEE

FROM: Dr. Dan Kinney, President, Coffeyville Community College

SUBJECT: Senate Bill 183 to Repeal K.S.A. 74-2906

K.S.A. 74-2906 which creates a tax surcharge on gate receipts for athletic events in community colleges and universities results in a tax on scholarships. The tax would apply to actual gate receipts and all season ticket sales. The tax is scheduled to be effective July 1, 1987, and I would ask you to repeal that tax by passing favorably on this bill.

We can only fund athletic scholarships through private contributions and gate receipts. Therefore, this tax would place a burden on the scholarship funds of all the community colleges in Kansas.

At Coffeyville Community College, this tax would have totaled 5,333 dollars for the year ending June 30, 1986, which would have meant that nine scholarships would have been lost. These are scholarships which assist Kansas youth to attend college.

The Kansas Jayhawk Conference limits member colleges to five outor-state athletes in basketball and ten out-of-state athletes in football so they are only a very small portion of the total number of scholarships given by each college.

You might be thinking why don't they just raise their admission prices and not be concerned. The answer is that athletics as entertainment is very competitive. We must keep prices in line with movie theaters and other community events of an entertainment nature.

In addition, attendance this year is lower than previous years because of the proliferation of televised athletics. We are facing increased difficulty in financing athletic programs as a result of the drop in attendance. This tax could compound those problems.

The desire to create an athletic hall of fame in Kansas is honorable. However, I would ask that another means--such as private contributions--would be a better way to finance such construction.

ATTACHMENT 4 3/17/89 SWAM

Butler County Community College

901 South Haverhill Road / Phone: (316) 321-5083 EL DORADO, KANSAS 67042-3280

TO: Merl Hill, Executive Director, KACC

FROM: Tom Spicer, Director of Athletics, BCCC

DATE: March 16, 1987

RE: KSA - 1986 Supplement 74-2915

Butler County Community College is in favor of repealing KSA - 1986 Supplement 74-2915. The revenue lost by our institution will mean five Kansas students will not be able to receive an education by means of activity scholarships. During the 1986 - 1987 Football and Basketball season, we sold 10,558 reserved and general admission tickets at a tax of \$.25 per ticket that equals \$2,639.50.

We are in favor of helping the Hall of Fame raise financial support through private donations. An added surcharge of \$.25 per ticket for admission to athletic contests is not in the best interest of the Hall of Fame nor the potential students of Kansas.

> ATTACHMENT 5 3/17/87 SWAM



2501 N. 14th Avenue Dodge City, Kansas 67801 316-225-1321 or toll free 1-800-742-9519 (in state) •

March 3, 1987

RE: HB 2582

FOOTBALL:

TOTAL ADULT TICKETS SOLD: 1,407

TOTAL STUDENT TICKETS: 1,075

TOTAL RESERVED TICKETS: 825

GRAND TOTAL: 3,307

 $3,307 \times .25 = 826.75

BASKETBALL:

TOTAL ADULT TICKETS SOLD: 1,819

TOTAL STUDENT TICKETS: 1,160

TOTAL SECTION RESERVE: 161

TOTAL BOOSTER/RESERVE: 6,094

GRAND TOTAL: 9,234

 $9,234 \times .25 = $2,308.50$

\$3,135.25

TESTIMONY FOR REPEAL OF K.S.A. 1986 SUPPLEMENT 74-2915

Dodge City Community College and its Athletic Department do support the repeal of K.S.A. 1986 supplement 74-2915.

It is our purpose to support the pursuit of higher education by Kansans who wish to be academically involved in the community college environment.

Athletically our scholarship program is supported by gate receipts, student fees and private contributions. The tax of twenty-five cents for each ticket sold per contest severely hampers the pursuit of the above stated purpose by eliminating roughly six tuition scholarships for Kansas student/athletes who would elect to study and participate in the athletic program at Dodge City Community College. (\$3,135.25 - Please see attached support data.)

There may certainly be justification for a Kansas Sports Hall of Fame, but it is my belief that financial support for such an entity should be derived from private sources, or at the very least be supported by all of the states educational institutions, including public higher education, private higher education, public secondary education, private secondary education, the Kansas State High School Activities Association and any other group which would be eligible to provide possible inductees to the Hall of Fame. My personal preference is to seek support from non-public funds.

The repeal of K.S.A. 1986 supplement 74-2915 will permit Kansas State University, Kansas University, Wichita State University, Emporia State University, Washburn University, Pittsburg State University, Fort Hays State University and 19 public community colleges to provide financial support amounting to many tens of thousands of dollars to young people who desire and deserve the opportunities provided through involvement in higher education.

Respectfully submitted,

Max VanLaningham

Director of Athletics

Dodge City Community College

Dodge City, Kansas

ATTACHMENT 7 3/17/87 SWAM



WASHBURN UNIVERSITY OF TOPEKA

Vice President for Planning and Governmental Relations Topeka, Kansas 66621 Phone 913-295-6712

TO:

SENATE WAYS AND MEANS COMMITTEE

FROM:
SUBJECT:
DATE:

Edwin J. Walbourn SENATE BILL 183 March 17, 1987

Mr. Chairman and Members of the Committee:

Washburn University appears today in support of Senate Bill 183.

Washburn is one of the smaller universities in the state. As such, while we have a loyal following for our athletic teams, our income from ticket sales is limited. As it is, the income from ticket sales pays only a small portion of the cost of our athletic program and, consequently, we have to rely on the public for contributions to fund the program.

While the idea of a Sports Hall of Fame may be a laudable one, we do not feel that we can ask our supporters to pay to support a program which is not a part of the University. The mechanics of the collection of the surcharge aside, we simply feel that at a time when we are asking our patrons for more funds for our own program, we ought not to ask them to support an additional program. We urge your support of Senate Bill 183.

EJW:rsm