

Senate Concurrent Resolution No. 1601

By Senator Emler

11-22

A PROPOSITION to amend sections 3 and 7 of article 6 of the constitution of the state of Kansas,

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected (or appointed) and qualified to the Senate and two-thirds of the members elected (or appointed) and qualified to the House of Representatives concurring therein:

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Sections 3 and 7 of article 6 of the constitution of the state of Kansas are hereby amended to read as follows:

~~“§ 3. (a) There shall be ten members of the state board of education with overlapping terms as the legislature may prescribe. The legislature shall make provision for ten member districts, each comprised of four contiguous senatorial districts. The electors of each member district shall elect one person residing in the district as a member of the board. The legislature shall prescribe the manner in which vacancies occurring on the board shall be filled.~~ *The state board of education shall have nine members with overlapping terms as the legislature may prescribe. Members shall have such qualifications as the legislature may prescribe. Members shall be appointed by the governor, subject to confirmation by the senate. Vacancies occurring on the board shall be filled by appointment by the governor as may be provided by law.*

(b) The state board of regents shall have nine members with overlapping terms as the legislature may prescribe. Members shall be appointed by the governor, subject to confirmation by the senate. One member shall be appointed from each congressional district with the remaining members appointed at large, however, no two members shall reside in the same county at the time of their appointment. Vacancies occurring on the board shall be filled by appointment by the governor as provided by law.

~~(c)~~ Subsequent redistricting shall not disqualify any member of either the board from service for the remainder of ~~his~~ *the member's term.*

(c) Any member of either board may be removed from office for cause as may be provided by law.

1 § 7. (a) All laws in force at the time of the adoption approval of this
2 amendment and consistent therewith shall remain in full force and effect
3 until amended or repealed by the legislature. All laws inconsistent with
4 this amendment, unless sooner repealed or amended to conform with this
5 amendment, shall remain in full force and effect until July 1, 1969 July
6 I, 2005.

7 (b) Notwithstanding any other provision of the constitution to the
8 contrary, no state superintendent of public instruction or county super-
9 intendent of public instruction shall be elected after January 1, 1967 law
10 to the contrary, no member of the state board of education shall be elected
11 after this amendment is approved. Unless otherwise provided by law, the
12 terms of members of the state board of education in office at the time of
13 the approval of this amendment shall expire on July 1, 2005.”

14 (c) ~~The state perpetual school fund or any part thereof may be man-
15 aged and invested as provided by law or all or any part thereof may be
16 appropriated, both as to principal and income, to the support of the public
17 schools supervised by the state board of education.~~

18 Sec. 2. The following statement shall be printed on the ballot with
19 the amendment as a whole:

20 “*Explanatory statement.* The constitution of this state provides for a
21 ten-member state board of education. Members are selected by
22 election from prescribed member districts. The constitution further
23 provides for selection of members of the state board of regents by
24 gubernatorial appointment.”

25 “A vote for this proposition would provide for a nine-member state
26 board of education. A vote for this proposition also would eliminate
27 the requirement that members of the state board of education must
28 be elected and would provide for appointment of the members by
29 the governor.”

30 “A vote against this proposition would continue in effect the require-
31 ment of a ten-member state board of education and that the mem-
32 bers are selected by election.”

33 Sec. 3. This resolution, if approved by two-thirds of the members
34 elected (or appointed) and qualified to the Senate, and two-thirds of the
35 members elected (or appointed) and qualified to the House of Repre-
36 sentatives shall be entered on the journals, together with the yeas and
37 nays. The secretary of state shall cause this resolution to be published as
38 provided by law and shall cause the proposed amendment to be submitted
39 to the electors of the state at the general election in the year 2004.

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