

Senate Concurrent Resolution No. 1612

By Committee on Education

3-18

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

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. Members of state board of education and state board of regents. (a) (1) There shall be ~~ten~~ 13 members of the state board of education with overlapping terms as the legislature may prescribe. *Such members shall have such qualifications as the legislature may prescribe.*

(2) *Three members of the state board of education shall be appointed by the governor, subject to confirmation by the senate.*

(3) *Ten members of the state board of education shall be elected.* 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.

(4) The legislature shall prescribe the manner in which vacancies occurring on the board shall be filled.

(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 board from service for the remainder of ~~his~~ *the* term. Any mem-

1 ber of either board may be removed from office for cause as may be
2 provided by law.

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5 in full force and effect until amended or repealed by the legislature.
6 All laws inconsistent with this amendment, unless sooner repealed or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

9 ~~(b) Notwithstanding any other provision of the constitution to the~~
10 ~~contrary, no state superintendent of public instruction or county su-~~
11 ~~perintendent of public instruction shall be elected after January 1,~~
12 ~~1967.~~

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

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

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

24 “A vote for this proposition would provide for a thirteen-member state
25 board of education. A vote for this proposition would provide for the
26 election of 10 of the members of the board and the appointment, by
27 the governor, of three members of the board. Members appointed by
28 the governor would be subject to confirmation by the senate.”

29 “A vote against this proposition would continue in effect the requirement
30 of a ten-member state board of education and that the members are
31 selected by election.”

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

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