

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

68-West-Statehouse, 300 SW 10th Ave.
Topeka, Kansas 66612-1504
(785) 296-3181 • FAX (785) 296-3824

kslegres@klrd.ks.gov

<http://www.kslegislature.org/klrd>

June 23, 2016

To: House Committee on Appropriations
Senate Committee on Ways and Means

From: Robert Gallimore, Principal Research Analyst
Lauren Douglass, Principal Research Analyst

Re: Recommendations by the House and Senate Committees on Judiciary

On June 16 and 17, 2016, the House and Senate committees on judiciary held a joint meeting to receive staff overviews regarding the *Gannon* school finance litigation, including the Kansas Supreme Court's order of May 27, 2016 (*Gannon III*); pre-*Gannon* school finance litigation; school finance litigation in other states and the judicial and legislative responses to such litigation; and background on the 2005 Kansas law prohibiting school closure and possible constitutional amendments on the same topic. The Committees also heard public comment on potential school funding changes in response to *Gannon III* and potential constitutional amendments pertaining to school finance.

Following the overviews and public comments, the Committees discussed and separately voted on recommendations.

The Senate Committee on Judiciary adopted these recommendations:

- Submitting the Senate minutes of the joint meeting to the Senate Committee on Ways and Means, without recommendation on any item in those minutes, for that Committee's consideration, as well as the testimony received during the joint meeting;
- Recommending caution in consideration by the Senate Committee on Ways and Means regarding the legality of hold harmless provisions, with further study by the Senate Committee on Judiciary; and
- Introducing a proposed constitutional amendment designated "16rs4395," regarding the closure of schools, at a meeting at the Rail on June 23, 2016.

The House Committee on Judiciary recommended:

- Submitting the minutes of the joint meeting to the House Committee on Appropriations, without recommendation on any item in those minutes, for that Committee's consideration, as well as the testimony received during the joint meeting; and

- Recommending caution in consideration by the House Committee on Appropriations regarding the legality of hold harmless provisions, with further study by the House Committee on Judiciary.

The House Committee on Judiciary also adopted a motion to make no recommendation on any constitutional amendment.

The memoranda and public comments received by the House and Senate committees on judiciary are being distributed at this morning's joint meeting of the House Committee on Appropriations and the Senate Committee on Ways and Means.

The minutes of the joint meeting of the House and Senate committees on judiciary are scheduled to be adopted at meetings of those committees this morning and, once adopted, will be copied and distributed to the members of the House Committee on Appropriations and the Senate Committee on Ways and Means.

RG:LD/rcc