

# Senate Concurrent Resolution No. 1611

By Committee on Education

2-17

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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) 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~~ *members of the boards of education of the school districts located within each state board of education* 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.

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

**§ 7. Savings clause.** ~~(a)~~ All laws in force at the time of the ~~adoption~~ *approval* of this amendment and consistent therewith shall

1 remain in full force and effect until amended or repealed by the  
2 legislature. All laws inconsistent with this amendment, unless  
3 sooner repealed or amended to conform with this amendment, shall  
4 remain in full force and effect until July 1, ~~1969~~ 2005.

5 ~~(b) Notwithstanding any other provision of the constitution to~~  
6 ~~the contrary, no state superintendent of public instruction or county~~  
7 ~~superintendent of public instruction shall be elected after January~~  
8 ~~1, 1967.~~

9 ~~—(c) The state perpetual school fund or any part thereof may be~~  
10 ~~managed and invested as provided by law or all or any part thereof~~  
11 ~~may be appropriated, both as to principal and income, to the sup-~~  
12 ~~port of the public schools supervised by the state board of~~  
13 ~~education.”~~

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

16 “*Explanatory statement.* The constitution of this state provides for  
17 a ten-member state board of education. Members are selected  
18 by election by the qualified electors of the member districts. The  
19 constitution further provides for selection of members of the  
20 state board of regents by gubernatorial appointment.”

21 “A vote for this proposition would provide that members of the state  
22 board of education would be elected by the members of the  
23 boards of education of school districts located within the state  
24 board of education member districts.”

25 “A vote against this proposition would continue in effect the re-  
26 quirement that the members of the state board of education be  
27 elected by the qualified electors of the state board of education  
28 member districts.”

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

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