

House Concurrent Resolution No. 5005

By Representative Siegfroid

6-24

9 A PROPOSITION to amend section 6 of article 6 of the constitution of
10 the state of Kansas, relating to school finance.

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12 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*
13 *members elected (or appointed) and qualified to the House of Repre-*
14 *sentatives and two-thirds of the members elected (or appointed) and*
15 *qualified to the Senate concurring therein:*

16 Section 1. The following proposition to amend the constitution of the
17 state of Kansas shall be submitted to the qualified electors of the state
18 for their approval or rejection: Section 6 of article 6 of the constitution
19 of the state of Kansas is hereby amended to read as follows:

20 “§ 6. **Finance.** (a) The legislature may levy a permanent tax for
21 the use and benefit of state institutions of higher education and ap-
22 portion among and appropriate the same to the several institutions,
23 which levy, apportionment and appropriation shall continue until
24 changed by statute. Further appropriation and other provision for fi-
25 nance of institutions of higher education may be made by the
26 legislature.

27 (b) The legislature shall make suitable provision for finance of the
28 educational interests of the state: *Provided, that the distribution of*
29 *state funding shall not be precluded, and public schools shall not be*
30 *closed, as a remedy for a finding that the legislature has not made*
31 *suitable provision for finance of the educational interests of the state.*
32 No tuition shall be charged for attendance at any public school to
33 pupils required by law to attend such school, except such fees or sup-
34 plemental charges as may be authorized by law. The legislature may
35 authorize the state board of regents to establish tuition, fees and
36 charges at institutions under its supervision.

37 (c) No religious sect or sects shall control any part of the public
38 educational funds.”

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

41 “*Explanatory statement.* The purpose of this amendment is to provide
42 that the distribution of state funding shall not be precluded, and
43 public schools shall not be closed, as a remedy for a finding that the

1 legislature has not made suitable provision for finance of the edu-
2 cational interests of the state.

3 “A vote for this amendment would provide that while other possible
4 remedies would remain available, the distribution of state funding
5 shall not be precluded, and public schools shall not be closed, as a
6 remedy for a finding that the legislature has not made suitable pro-
7 vision for finance of the educational interests of the state.

8 “A vote against this amendment would provide no change to the Kan-
9 sas Constitution and closure of public schools would remain a pos-
10 sible remedy to enforce a finding that the legislature has not made
11 suitable provision for finance of the educational interests of the
12 state.”

13 Sec. 3. This resolution, if approved by two-thirds of the members
14 elected (or appointed) and qualified to the House of Representatives, and
15 two-thirds of the members elected (or appointed) and qualified to the
16 Senate shall be entered on the journals, together with the yeas and nays.
17 The secretary of state shall cause this resolution to be published as pro-
18 vided by law and shall cause the proposed amendment to be submitted
19 to the electors of the state at a special election to be held on August 16,
20 2005.