

SENATE BILL No. 12

By Joint Committee on Economic Development

12-29

9 AN ACT concerning agriculture; relating to county extension councils;
10 amending K.S.A. 2-608, 2-611, 2-616 and 2-625 and repealing the ex-
11 isting sections.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 2-608 is hereby amended to read as follows: 2-608.
15 If a county extension council has been organized as specified in K.S.A. 2-
16 611 and amendments thereto or an extension district has been established
17 under K.S.A. 2-623 and amendments thereto, for the purpose of giving
18 instruction in agriculture, marketing, home economics, 4-H club and
19 youth work, ~~and community and resource development, and economic~~
20 ~~development initiatives~~ to the people of the county or extension district,
21 as the case may be, through practical demonstrations, meetings,
22 publications, and otherwise, and the employment of an extension agent
23 or agents to prosecute such instructions, the Kansas state university of
24 agriculture and applied science shall contribute from federal and state
25 funds granted for cooperative extension work an amount of not less than
26 \$1,500, as far as such funds are available, towards the salary of each ex-
27 tension agent employed.

28 Sec. 2. K.S.A. 2-611 is hereby amended to read as follows: 2-611. (a)
29 Except as otherwise provided in this section, the citizens of voting age
30 residing in each of the county commissioner districts in each county in
31 this state are qualified to participate in the meeting which shall be held
32 in each such district in each year not earlier than September 1, and at
33 least 10 days before the annual meeting of the county extension council
34 upon a date and at a time and place determined and fixed by the executive
35 board of the county extension council and shall elect annually from among
36 their number four members of the county extension council. In Leav-
37 enworth county, such election shall be held at the time of the annual
38 Leavenworth county fair. Of the four members, one shall be elected to
39 represent agriculture and shall be actively engaged in agricultural pur-
40 suits, one shall be elected to represent home economics work, one shall
41 be elected to represent 4-H club and youth work, and one shall be elected
42 to represent educational programs in ~~economic development initiatives~~
43 *community and resource development*. The county extension council ex-

1 executive board members of each county may choose to hold a countywide
2 election meeting in lieu of holding a meeting in each district. Prior to
3 adjournment of the countywide meeting the citizens of each county com-
4 missioner district shall separate into groups for the purpose of electing
5 the county extension council members who shall represent the district on
6 the county extension council. The countywide meeting shall be subject
7 to the same conditions hereinabove provided for county commissioner
8 district election meetings.

9 (b) The executive board of the county extension council, as provided
10 for in subsection (f), may choose, as an alternate method of electing
11 county extension council members, to mail a ballot to each citizen of
12 voting age residing in the county at least three weeks before the annual
13 meeting of the county extension council. The ballots shall contain the
14 names and resident addresses of all persons who are candidates for county
15 extension council membership. The incumbent county extension council
16 members shall select not less than two persons as candidates for each
17 position to be filled. After the ballot has been marked, each voter shall
18 mail or otherwise transmit the ballot to the county extension office of the
19 county at least seven days prior to the annual meeting of the county
20 extension council.

21 (c) In any county having three county commissioner districts, the cit-
22 izens may elect county extension council members at large or by county
23 commissioner district as determined by the executive board of the county
24 extension council for the county. In any county having other than three
25 county commissioner districts, the citizens shall elect county extension
26 council members at large. A county extension council elected at large
27 shall also have a total elected membership of 24, with six members elected
28 to represent agriculture who shall be actively engaged in agricultural pur-
29 suits, six members elected to represent home economics, six members
30 elected to represent 4-H club and youth work, and six members elected
31 to represent educational programs in ~~economic development initiatives~~
32 *community and resource development*. When county extension council
33 members are elected at large, 12 shall be elected annually, three of whom
34 shall represent agriculture, three of whom shall represent home econom-
35 ics, three of whom shall represent 4-H club and youth work, and three
36 of whom shall represent educational programs in ~~economic development~~
37 ~~initiatives~~ *community and resource development*. County extension coun-
38 cil members elected at large shall serve under the same conditions as
39 county extension council members elected by county commissioner dis-
40 tricts, except the provision that three members of the executive board
41 shall be elected from each county commissioner district shall not apply.

42 (d) The 24 members so elected in the three county commissioner
43 districts, or at large, in any county shall constitute and be the county

1 extension council, and it shall be the duty of the council to plan the
2 educational extension programs of the county.

3 (e) At the annual meeting of the county extension council, the council
4 members elected to represent agricultural pursuits, home economics
5 work, 4-H club and youth work or educational programs in ~~economic~~
6 ~~development initiatives~~ *community and resource development*, may meet
7 separately and elect a group chairperson. Each group shall meet as nec-
8 essary for the purpose of developing educational program plans on ex-
9 tension work in agricultural pursuits, in home economics work, in 4-H
10 club and youth work; or ~~economic development initiatives in community~~
11 ~~and resource development~~. All program plans shall be subject to final
12 approval by the executive board of the county extension council.

13 (f) The county extension council shall meet annually not earlier than
14 October 1, and not later than December 20, and shall elect from among
15 its own members an executive board consisting of a chairperson, a vice-
16 chairperson, a secretary and a treasurer and five additional members. The
17 date, time and place of the annual meeting shall be determined and fixed
18 by the executive board. No more than three members of the executive
19 board shall be elected from any county commissioner district, and at least
20 one member shall be elected from each county extension council member
21 group namely, agricultural pursuits, home economics, 4-H club and youth
22 work; and educational programs in ~~economic development initiatives~~
23 *community and resource development*. The executive board of the county
24 extension council is authorized to transact all business of the council, shall
25 have control of all the property of the council, and may employ and fix
26 the compensation of such persons as are necessary for the conduct of the
27 business of the council, except as herein otherwise expressly provided.

28 (g) Members of the county extension council and of the executive
29 board shall receive no compensation for their services as members of the
30 council or of the executive board. The members of the executive board,
31 after their election and prior to entering upon the duties of their respec-
32 tive offices, shall take and sign the usual oath of public officers and the
33 same shall be filed in the office of the county clerk.

34 (h) (1) The treasurer of the executive board after election as trea-
35 surer and before entering upon the duties of the office as treasurer shall
36 execute to the council a corporate surety bond, of 100% of the amount
37 as nearly as can be ascertained that shall be in the treasurer's hands at
38 any one time. All the bonds shall be conditioned to the faithful discharge
39 of the duties of the office of treasurer. The amount and sufficiency of all
40 bonds shall be determined by the county clerk, and, upon the county
41 clerk's approval endorsed on the bond, shall be filed with the county clerk,
42 who shall immediately notify the secretary of the executive board and the
43 county treasurer of the approval and filing. The cost of any corporate

1 surety bond so furnished shall be paid by the executive board. In the
2 event of the breach of any condition thereof, the chairperson of the ex-
3 ecutive board shall, and if the chairperson does not, any member of the
4 county extension council may, cause a suit to be commenced thereon in
5 the member's own name for the benefit of the council, in which suit it
6 shall not be necessary to include the treasurer as a party to the suit and
7 the money collected shall be applied to the use of the council, as the same
8 should have been applied by the treasurer.

9 (2) Public notices of each annual election meeting or mail ballot elec-
10 tion for county commissioner districts or at large, and the annual meeting
11 of the county extension council provided for in this section shall be pub-
12 lished once at least one week but not more than three weeks prior to the
13 date fixed for such election or annual council meeting in a newspaper
14 having general circulation in the county. The executive board shall call
15 each of the annual election meetings and the annual meeting of the ex-
16 tension council and shall cause the notices of meetings to be published
17 as herein required. The notices shall state the date, time and place of the
18 meeting. The cost of publishing the notices shall be paid by the executive
19 board of the county extension council.

20 (3) The elected officers and the members of the executive board shall
21 hold office for one year and until their successors are elected and qualify.
22 Vacancies in the membership of the executive board shall be filled for
23 the unexpired term from the remaining members of the county extension
24 council by the executive board. Vacancies among the officers of the ex-
25 ecutive board shall be filled for the unexpired term by election from the
26 members of the executive board. Each year not earlier than January 2,
27 and not later than January 15, the retiring executive board shall meet with
28 the newly elected executive board at a time and place designated by the
29 chairperson of the retiring executive board. At the meeting the retiring
30 executive board shall conclude all business of the past year and pay all
31 lawful bills for the year in which it has served and provide the new ex-
32 ecutive board with all reports, records and other information which may
33 be necessary to the operation of the county extension program during the
34 ensuing year.

35 (4) Members of the county extension council shall hold office for a
36 term of two years and until their successors are elected and qualify, and
37 no member of the council shall hold office for more than two consecutive
38 terms. Vacancies in the membership of the county extension council shall
39 be filled by appointment by the executive board for the unexpired term
40 of office.

41 (i) Notwithstanding any other provision of this section, the terms of
42 all members of any county extension council serving on the effective date
43 of this act shall expire in 1987, and 24 members shall be elected to con-

1 stitute and be the county extension council by one of the election methods
2 authorized by this section. Of the members elected to the county exten-
3 sion in 1987, six members shall be elected to represent agriculture who
4 shall be actively engaged in agricultural pursuits, six members shall be
5 elected to represent home economics, six members shall be elected to
6 represent 4-H club and youth work and six members shall be elected to
7 represent educational programs in ~~economic development initiatives~~ *com-*
8 *munity and resource development*. Three of each of the six members
9 elected to represent each county extension council member group shall
10 hold office for a one-year term and until their successors are elected and
11 qualify, and three of each six-member group shall hold office for a two-
12 year term and until their successors are elected and qualify.

13 Sec. 3. K.S.A. 2-616 is hereby amended to read as follows: 2-616. (a)
14 Each county extension council or extension district shall have for its sole
15 purpose the giving of instruction and practical demonstrations in agri-
16 culture, marketing, home economics, 4-H club and youth work, ~~and~~ *com-*
17 *munity and resource development*, ~~and economic development initiatives~~
18 to all persons in the county or extension district, as the case may be, and
19 the imparting to such persons of information on those subjects through
20 practical demonstrations, meetings, publications, or otherwise, in accord-
21 ance with the program and service prescribed by the council or the gov-
22 erning body of the extension district, as the case may be. Extension coun-
23 cils and extension districts shall not engage in commercial or other private
24 enterprises, legislative programs, or other activities not authorized by this
25 act and shall not give preferred service to any individual, group or
26 organization.

27 (b) County extension councils and the governing bodies of extension
28 districts may collect fees for specific services which require special equip-
29 ment or personnel, such as a soil testing laboratory, seed testing service
30 or other educational service, but such councils and governing bodies shall
31 not collect membership dues nor shall such councils and governing bodies
32 collect dues for or pay dues to any local, state or national organization or
33 association. The furnishing of supplies or services deemed necessary by
34 the director of extension and the executive board of the county extension
35 council or the governing body of the extension district, as the case may
36 be, to the conduct of any educational program authorized under this act
37 shall not be considered private enterprise or commercial activity within
38 the meaning of this act.

39 (c) Nothing in this act or any act amendatory thereof shall prevent
40 any county extension council, any multicounty extension governing board,
41 or any extension district, or any extension agents employed by such coun-
42 cil, board or district, from using or seeking opportunities to reach an
43 audience of persons interested in extension work through the help of

1 interested farm organizations, civic organizations or any other group. In
2 using or seeking such opportunities the county extension council, multi-
3 county extension governing board, or extension district, or the agents
4 employed by such council, board or district, shall make available to all
5 groups and organizations in the county, multicounty area or extension
6 district, as the case may be, equal opportunity to cooperate in the edu-
7 cational extension program. Extension agents shall not require uniform
8 bylaws, rules, regulations and methods of procedure in groups, clubs or
9 organizations wishing to do extension work. This prohibition shall not
10 prevent extension agents from suggesting bylaws, regulations and meth-
11 ods of procedure for such groups, clubs or organizations.

12 Sec. 4. K.S.A. 2-625 is hereby amended to read as follows: 2-625. (a)
13 The governing body of each extension district shall plan and conduct the
14 educational extension programs for the extension district in accordance
15 with this act. The governing body of the extension district shall appoint
16 program development committees to develop educational program plans
17 on extension work in agricultural pursuits, in home economics work, in
18 4-H club and youth work; and in ~~economic development initiatives~~ *com-*
19 *munity and resource development*. Each program development commit-
20 tee shall consist of six or more members from each county. Each program
21 development committee shall be chaired by a member of the governing
22 body of the extension district and shall meet as needed to plan educational
23 programs to meet the needs of the extension district. All program plans
24 shall be subject to final approval of the governing body of the extension
25 district.

26 (b) The governing body of the extension district and the director of
27 extension of Kansas state university of agriculture and applied science, or
28 the director's authorized representative, shall meet and adopt the annual
29 budget for the extension district to provide for the extension programs,
30 acting together as a body, in accordance with and subject to the provisions
31 of K.S.A. 79-2925 et seq., and amendments thereto, regarding the budg-
32 ets of taxing subdivisions, except as otherwise specified by this act.

33 (c) The governing body of the extension district, in the same manner
34 as provided by law applying to other taxing subdivisions, may make an
35 annual tax levy upon all the taxable tangible property of the extension
36 district for the purpose of raising funds to be used to plan and conduct
37 the educational extension programs of the extension district, to be levied
38 and collected as other taxes, at a rate fixed in accordance with the ap-
39 proved budget and of not to exceed the greater of (1) the rate of 2.5 mills
40 or (2) the rate determined to yield an amount equal to the product of
41 \$75,000 multiplied by the number of counties within the extension dis-
42 trict. The governing body shall certify the levy so fixed to the county clerk
43 of each county in the extension district who is hereby authorized and

1 required to place such levy on the tax rolls of the county to be collected
2 by the county treasurer and paid by the county treasurer to the treasurer
3 of the extension district.

4 Sec. 5. K.S.A. 2-608, 2-611, 2-616 and 2-625 are hereby repealed.

5 Sec. 6. This act shall take effect and be in force from and after its
6 publication in the statute book.