

MINUTES OF THE HOUSE EDUCATION COMMITTEE

The meeting was called to order by Chairman Clay Aurand at 12:00 PM. March 21, 2011, in Room 159-S State Capitol Building.

All members were present except Representative Trimmer, excused

Committee staff present:

Sharon Wenger, Kansas Legislative Research Department
Reagan Cussimano, Kansas Legislative Research Department
Eunice C. Peters, Kansas Revisor of Statutes
Norm Furse, Kansas Revisor of Statutes
Jason Long, Kansas Revisor of Statutes
Dale Dennis, Deputy Commissioner, Kansas State Department of Education
Jan Johnston, Committee Assistant

Others attending see attached sheet.

HCR 5010 - School finance; equitable distribution of public school funds in the amount and manner determined by the legislature

Eunice Peters, Office of the Revisor of Statutes explained **HCR 5010** to the committee. This amendment would include the wording suitable provisions for finance as determined by the Legislature. (Attachment 1)

Representative Scapa moved to adopt as a balloon amendment to HCR 5010. Representative Osterman seconded.

Representative Huebert moved to pass out HCR 5010 as written. Representative Goodman seconded.

A question and answer session followed the motions.

Representative Ward moved to amend HCB 5010 by striking out "in amounts that may be determined by the court" on page 2 of the amendment. Representative Colloton seconded. Motion carried.

A question and answer session followed.

Chairman Aurand moved to insert current language to read "not determined, but directed" in substitute amendment HCR 5010. Representative Howell seconded. Motion carried.

Representative Huebert moved to pass out substitute HCR 5010 as recently amended. Representative Goodman seconded. Motion carried. Representative Winn, Representative Loganbill, Representative Bollier and Representative Spalding asked that their "no" vote be recorded.

HB 2269 - School districts; finance; amendments to funding formula

Representative Huebert moved to pass out HB 2269 again. Representative Scapa seconded. Motion carried.

HB 2245 - School districts; finance; amendments to funding formula

Chairman Aurand inquired of the committee members as to what their intent would be regarding **HB 2245**. The committee did not want to work this bill at this time.

The meeting was adjourned at 12:35.

DATE: 3/21/11

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[illegible]

As Amended by House Committee

Session of 2011

House Concurrent Resolution No. 5010

By Committee on Education

2-8

1 A PROPOSITION to amend section 6 of article 6 of the constitution of
2 the state of Kansas; relating to school finance.

3
4 *Be it resolved by the Legislature of the State of Kansas, two-thirds of*
5 *the members elected (or appointed) and qualified to the House of*
6 *Representatives and two-thirds of the members elected (or appointed)*
7 *and qualified to the Senate concurring therein:*

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

12 "§ 6. Finance. (a) The legislature may levy a permanent tax
13 for the use and benefit of state institutions of higher education and
14 apportion among and appropriate the same to the several
15 institutions, which levy, apportionment and appropriation shall
16 continue until changed by statute. Further appropriation and other
17 provision for finance of institutions of higher education may be
18 made by the legislature.

19 (b) The legislature shall ~~make suitable provision provide for~~
20 ~~finance of the educational interests of the state the equitable~~
21 ~~distribution of public school funds in a manner and amount as may~~
22 ~~be determined by the legislature. make suitable provision for~~
23 ~~finance of the educational interests of the state in an equitable~~
24 ~~manner and in such amounts as may be determined by the~~
25 ~~legislature.~~

26 (c) No tuition shall be charged for attendance at any public
27 school to pupils required by law to attend such school, except such
28 fees or supplemental charges as may be authorized by law. The
29 legislature may authorize the state board of regents to establish
30 tuition, fees and charges at institutions under its supervision.

31 (e)(d) No religious sect or sects shall control any part of the
32 public educational funds."

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

Aurand's proposed balloon amendment

[Material in red is stricken; material underlined is new; line num
proposed amendment are not consistent with the original bi
Prepared by Norm Furse and Eunice Peters
(3/16/11)]

"make suitable provision for finance of the educational
interests of the state in an amount to be determined by
the legislature."

House Education Committee
Date 3/24/11
Attachment# 1-1

1 "Explanatory statement. The purpose of this amendment is to
2 clarify that the equitable distribution of public funds for public
3 schools shall be in a manner and amount determined by the
4 legislature. the requirement for suitable finance in an
5 equitable manner but in amounts to be determined by the
6 legislature.

"to be in an amount to be determined by the
legislature."

7 "A vote for this amendment would require the equitable
8 distribution of public school funds, with the manner and amount
9 to be determined by your elected representatives and senators in
10 the Kansas legislature.

"to be in an"

11 "A vote against this amendment would retain the current provision
12 in the Kansas constitution which has been interpreted by the
13 Kansas Supreme court as requiring the Kansas legislature to
14 provide funding for public schools in amounts that may be
15 determined by the court."

16 Sec. 3. This resolution, if approved by two-thirds of the members
17 elected (or appointed) and qualified to the House of Representatives, and
18 two-thirds of the members elected (or appointed) and qualified to the
19 Senate shall be entered on the journals, together with the yeas and nays.
20 The secretary of state shall cause this resolution to be published as
21 provided by law and shall cause the proposed amendment to be submitted
22 to the electors of the state at the general election in November in the year
23 2012 unless a special election is called at a sooner date by concurrent
24 resolution of the legislature, in which case it shall be submitted to the
25 electors of the state at the special election.