

As Amended by House Committee

Session of 2023

HOUSE BILL No. 2092

By Representatives V. Miller, Alcala, Borjon, Corbet, Haskins, Patton,
Schlingensiepen and Weigel

1-19

AN ACT concerning municipal universities; relating to the membership of the Washburn university board of regents; reapportioning the districts of certain members thereof; amending K.S.A. 13-13a04 and 13-13a05 and repealing the existing sections.

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

Section 1. K.S.A. 13-13a04 is hereby amended to read as follows: 13-13a04. (a) ~~Subject to the provisions of subsection (c), (1)~~ The board of regents of a municipal university ~~which~~ *that* has a taxing district that includes only territory lying within the corporate limits of the city where the university is located; shall consist of nine members as follows:

(1)(A) Four members shall be appointed by the mayor with the approval of the governing body of the city in which the university is located and shall hold office as provided in K.S.A. 13-13a05, and amendments thereto. Members appointed under this provision shall be residents of the city in which the university is located; *and shall include one from each of the three member districts from which state senators are elected by residents of the city, established under subsection (c) and one from the city at large.*

(2)(B) Three members shall be appointed by the governor and shall hold office as provided in K.S.A. 13-13a06, and amendments thereto. Members appointed under this provision shall be residents of the state.

(3)(C) One member shall be the mayor of the city in which the university is located or another member of the governing body of the city who is selected by the mayor.

(4)(D) One member shall be a member of the state board of regents selected by the state board at its regular meeting in September of each year; to serve as a member of the board of regents of the municipal university for the ensuing year.

(2) Resignations from the board of regents of the municipal university shall be made to the chairperson of the board. The chairperson shall report any vacancy occurring in the board to the authority ~~which~~ *that* appointed the member whose position is vacant. All vacancies shall be filled; by the authority ~~which~~ *that* appointed the member whose position is vacant, ~~by the appointment of a successor to and the appointed successor shall hold~~

1 office for the remainder of the unexpired term and until a successor is
2 appointed and qualified.

3 (b) (1) The board of regents of a municipal university ~~which~~ *that* has
4 a taxing district for retailers' sales tax purposes that includes the entire
5 territory of the county where the university is located; shall consist of nine
6 members as follows:

7 (1)(A) Three members shall be appointed by the mayor with the
8 approval of the governing body of the city in which the university is
9 located and shall hold office as provided in K.S.A. 13-13a05, and
10 amendments thereto. Members appointed under this provision shall be
11 residents of the city in which the university is located; *and shall include*
12 *one from each of the three member districts from which state senators are*
13 *elected by residents of the city established under subsection (c).*

14 (2)(B) Three members shall be appointed by the governor and shall
15 hold office as provided in K.S.A. 13-13a06, and amendments thereto. The
16 members appointed under this provision shall be residents of the state.

17 (3)(C) One member shall be appointed by the board of county
18 commissioners of the county in which the university is located and shall
19 hold office as provided in K.S.A. 13-13a06, and amendments thereto. The
20 member appointed under this provision shall be a resident of the county
21 but shall reside outside the city in which the university is located.

22 (4)(D) One member shall be the mayor of the city in which the
23 university is located or another member of the governing body of the city
24 who is selected by the mayor.

25 (5)(E) One member shall be a member of the state board of regents
26 selected by the state board at its regular meeting in September of each
27 year; to serve as a member of the board of regents of the municipal
28 university for the ensuing year.

29 (2) Resignations from the board of regents of the municipal university
30 shall be made to the chairperson of the board. The chairperson shall report
31 any vacancy occurring in the board to the authority ~~which~~ *that* appointed
32 the member whose position is vacant. All vacancies shall be filled; by the
33 authority ~~which~~ *that* appointed the member whose position is vacant, ~~by~~
34 ~~the appointment of a successor to~~ *and the appointed successor shall* hold
35 office for the remainder of the unexpired term and until a successor is
36 appointed and qualified.

37 (c) ~~The board of regents of the municipal university shall be~~
38 ~~composed of the members who are holding office and serving on the board~~
39 ~~on the effective date of this act until their successors are appointed.~~
40 ~~Thereafter the membership of the board of regents shall be composed as~~
41 ~~provided for in subsection (a) or subsection (b).~~ *The boundaries for the*
42 *three member districts described in subparagraphs (a)(1)(A) and (b)(1)(A)*
43 *shall be as follows:*

1 (1) *District one shall consist of city council districts ~~one, two and~~*
2 *~~three~~ two, three and four of the city in which the university is located;*

3 (2) *district two shall consist of city council districts ~~four~~ one, five and*
4 *six of the city in which the university is located; and*

5 (3) *district three shall consist of city council districts seven, eight and*
6 *nine of the city in which the university is located.*

7 Sec. 2. K.S.A. 13-13a05 is hereby amended to read as follows: 13-
8 13a05. (a) Whenever the board of regents of a municipal university levies
9 a countywide retailers' sales tax pursuant to K.S.A. 13-13a38, *and*
10 *amendments thereto*, the term of the member appointed from the city-at-
11 large shall lapse. The terms of office of the members from the ~~18th, 19th and~~
12 ~~20th state senatorial districts~~ *three board member districts* appointed by the
13 mayor of the city prior to the levying of a countywide retailer's sales tax
14 shall expire on the dates of ~~their~~ *such members* existing terms respectively.
15 Each successor member shall be appointed and hold office for a term of
16 four years and until a successor has been appointed and qualified.

17 (b) Whenever the board of regents of a municipal university levies a
18 countywide retailers' sales tax pursuant to the provisions of this act, the
19 board of county commissioners of the county in which the university is
20 located shall appoint a member of the board of regents who is a resident of
21 the county but not of the city. The term of office of the appointee shall be
22 for a term of four years and until a successor has been appointed and
23 qualified. Each successor member shall be appointed and hold office for a
24 term of four years and until a successor has been appointed and qualified.

25 Sec. 3. K.S.A. 13-13a04 and 13-13a05 are hereby repealed.

26 Sec. 4. This act shall take effect and be in force from and after its
27 publication in the statute book.