

HOUSE BILL No. 2092

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)~~ (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)~~ (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)~~ (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)~~ (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 office for the remainder of the unexpired term and until a successor is appointed and qualified.

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

~~(1)(A)~~ (A) Three 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).*

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

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

~~(4)(D)~~ (D) 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.

~~(5)(E)~~ (E) 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 office for the remainder of the unexpired term and until a successor is appointed and qualified.

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

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

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

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

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

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

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

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

I hereby certify that the above BILL originated in the  
HOUSE, and passed that body

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\_\_\_\_\_  
*Speaker of the House.*

\_\_\_\_\_  
*Chief Clerk of the House.*

Passed the SENATE

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\_\_\_\_\_  
*President of the Senate.*

\_\_\_\_\_  
*Secretary of the Senate.*

APPROVED

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\_\_\_\_\_  
*Governor.*