

As Further Amended by House Committee

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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 the state of
2 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 the
9 state of Kansas shall be submitted to the qualified electors of the state for
10 their approval or rejection: Section 6 of article 6 of the constitution of the
11 state of Kansas is hereby amended to read as follows:

12 "**§ 6. Finance.** (a) The legislature may levy a permanent tax for
13 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 amount to be determined by**
25 **the 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 the

1 amendment as a whole:

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

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

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

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