

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 130** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee amendments, as follows:

On page 3, following line 16, by inserting:

"Sec. 3. K.S.A. 2018 Supp. 25-21a03 is hereby amended to read as follows: 25-21a03.

(a) The secretary of state shall develop the style and form of the official primary ballot and the official general election ballot for municipal offices.

(b) The declaration of intent to become a candidate shall be prescribed by the secretary of state. The declarations for any municipality shall be filed with the county election officer not later than 12 noon, June 1, prior to the primary election in both even-numbered and odd-numbered years, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.

~~(c) For municipalities where a primary election is not authorized or otherwise required by law, the declaration of intent to become a candidate shall be filed with the county election officer not later than 12 noon, September 1, prior to the general election in odd-numbered years, or if such date falls on a Saturday, Sunday or holiday, then before 12 noon of the next day that is not a Saturday, Sunday or holiday.~~

~~(d)~~—The secretary of state shall establish primary election procedures for primary elections for municipalities.

~~(e)~~(d) The secretary of state shall establish general election procedures for general

elections for municipalities.

~~(f)~~(e) County election officers shall conduct municipal elections in odd-numbered years and elections in even-numbered years if needed.

~~(g)~~(f) The secretary of state shall adopt rules and regulations to implement this section on or before July 1, 2016.

Sec. 4. K.S.A. 80-202 is hereby amended to read as follows: 80-202. Every person elected to the office of trustee, clerk or treasurer of any township, or road overseer of any road district, shall be an elector of ~~said the~~ township or road district at the time of ~~his or her such~~ election or appointment, and shall ~~within twenty (20) days after he shall be notified of his or her election~~ take and subscribe the oath of office prescribed by law, ~~and shall forthwith cause such~~. The oath ~~to shall~~ be filed in the office of the county clerk ~~of his or her county; and~~. In case the event any ~~of such officers~~ officer shall become ~~nonresidents~~ a nonresident of their respective ~~townships the township~~ or road ~~districts, their offices~~ district, the office shall ~~at once~~ become vacant.

Sec. 5. K.S.A. 72-1073 is hereby amended to read as follows: 72-1073. The provisions of law relating to the term of office of members of boards of education, including method and time of qualification and of taking office shall apply to every school district in this state. In the event no candidate is elected to a position on the board of education of a school district in a regular election, or if an elected member moves out of the school district after such member is elected and before such member takes office the second Monday in January following ~~July 1 the~~ election, or if such member becomes ineligible to serve for any other reason during that period of time, the holdover member shall continue to sit as a voting member of the board of education of such school district until an eligible successor is appointed by the board of education to fill the

position. ~~Such successor shall be appointed not later than November 15 next following the regular election of board members.~~

Sec. 6. K.S.A. 72-1133 is hereby amended to read as follows: 72-1133. (a) At the first meeting of the board of education ~~in July~~ on or after the second Monday in January of each year, or at a later meeting during that calendar year if so determined by the board at the first meeting. the board shall elect a president and vice-president, both of whom shall be members of the board. The president and vice-president shall each serve for a term of one ~~(1)~~ year and until ~~his~~ a successor is elected and qualified.

(b) The president shall preside at meetings of the board and perform such other duties as are provided by law.

(c) In the absence or inability to act of the president, the vice-president shall perform the duties of the president. In the absence or inability to act of both the president and vice-president, the remaining members shall select a member to act in the capacity of president.

Sec. 7. K.S.A. 72-1138 is hereby amended to read as follows: 72-1138. (a) The board shall meet at least once each month. ~~During the month of July~~ On or after the second Monday in January and before February 1 of each year, or at a later date during that calendar year if so determined by the board at the first meeting of the board on or after the second Monday in January of each year. the board shall adopt a resolution specifying a regular meeting time of the board and the regular hour of commencement of the meeting, as well as the day of the week and the week of the month. Such resolution also shall specify the alternative date and time of any meeting if the regular meeting date occurs on a Sunday or on a legal holiday or on a holiday specified by the board. Such resolution also shall specify the regular meeting place of the board and may specify that any regular meeting may be adjourned to another time and place. If the

board cancels a regularly scheduled meeting because of an emergency, within 24 hours of such cancellation, the board shall establish and give notice of the new meeting date and time. Special meetings may be called at any time by the president of the board or by joint action of any three members of the board. Unless waived, written notice, stating the time and place of any special meeting and the purpose for which called, shall be given each member of the board at least two days in advance of the special meeting and no business other than that stated in the notice shall be transacted at such meeting. A majority of the full membership of the board shall constitute a quorum for the purpose of conducting any business of the school district, and the vote of a majority of the full membership of the board shall be required for the passage of any motion or resolution. Any member who abstains from voting shall be counted as having voted against the motion or resolution. If a member announces a conflict of interest with regard to the issue, the member may leave the meeting until the voting on the issue is concluded, and the member who abstains from voting thereby shall not be counted as having voted.

(b) Except as otherwise provided by law, the board shall have and may exercise the same powers and authorities as were immediately prior to this act conferred uniformly upon boards of education in cities of the first class, and, in addition thereto, the powers and authority expressly conferred by law.

(c) The board shall have authority to prescribe courses of study for each year of the school program and to adopt rules and regulations for teaching in the school district and general government thereof, and to approve and adopt suitable textbooks and study material for use therein subject to the plans, methods, rules and regulations of the state board of education.

(d) The board may provide legal counsel at district expense to any members of the board of education, or school district officers or employees who are sued in situations relating to

and arising out of the performance of their office or employment. No teacher or other employment contract shall make reference to or incorporate the provisions of this subsection, nor shall the provisions of this subsection be construed ~~as to be~~ any part of the consideration of employment of any teacher, officer or other employee of the board.

(e) (1) The board may transact all school district business and adopt policies that the board deems appropriate to perform its constitutional duty to maintain, develop and operate local public schools.

(2) The power granted by this subsection shall not be construed to relieve a board from compliance with state law.

The power granted by this subsection shall not be construed to relieve any other unit of government of its duties and responsibilities ~~which that~~ are prescribed by law, nor to create any responsibility on the part of a school district to assume the duties or responsibilities ~~which that~~ are required of another unit of government.

(3) The board shall exercise the power granted by this subsection by resolution of the board of education.

Sec. 8. K.S.A. 72-1088 is hereby amended to read as follows: 72-1088. The issue of the change of method of election or voting plan, or both, in any school district may be made in the manner provided in this act at any time during the period beginning on the first Wednesday in November of each even-numbered year and ending on the first Tuesday in June of each odd-numbered year, if such change is also approved in a manner authorized in this act before the end of such period submitted to voters at any primary election or general election as defined in K.S.A. 25-2502, and amendments thereto, or at a special election called for such purpose. If approved by voters, the new method of election and voting plan in ~~such the~~ school district shall

be followed in the election of members next following ~~such~~ the change and shall continue in force until again changed in the manner provided in this act. Change of method of election or voting plan shall not shorten the term of any member serving on the board at the time the change is made, and the county election officer shall not submit to election any plan of change which violates this prohibition.";

Also on page 3, in line 17, before "K.S.A" by inserting "K.S.A. 72-1073, 72-1088, 72-1133, 72-1138, and 80-202 and"; also in line 17, before "and" by inserting ", 25-21a03"; in line 20, by striking "statute book" and inserting "Kansas register";

And by renumbering sections accordingly;

On page 1, in the title, in line 1, after the first "concerning" by inserting "municipal"; also in line 1, after "elections" by inserting "and election related matters"; also in line 1, by striking all after the first semicolon; in line 2, by striking all before "amending"; also in line 2, after "amending" by inserting "K.S.A. 72-1073, 72-1088, 72-1133, 72-1138 and 80-202 and"; also in line 2, after "25-1124" by inserting ", 25-21a03";

And your committee on conference recommends the adoption of this report.

Conferees on part of House

Conferees on part of Senate