

Senate Concurrent Resolution No. 1608

By Committee on Education

1-31

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

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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 Senate and two-*
6 *thirds of the members elected (or appointed) and qualified to the House*
7 *of Representatives 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 of
11 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 for finance of
20 the educational interests of the state. *The financing of the*
21 *educational interests of the state is exclusively a legislative power*
22 *under article 2 of the constitution of the state of Kansas and as*
23 *such shall be established solely by the legislature.*

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

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

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

33 "*Explanatory statement.* The purpose of this amendment is to
34 expressly state that the financing of the educational interests
35 of this state is exclusively a legislative power and is to be
36 determined solely by the legislature.

1 "A vote for this proposition would make financing of the
2 educational interests of this state determined solely by the
3 legislature.

4 "A vote against this proposition would retain the current
5 provision in the Kansas constitution, which has been
6 interpreted by the Kansas Supreme court as empowering that
7 court to order the Kansas legislature to fund public schools
8 in whatever amounts that the Kansas Supreme court may
9 determine necessary."

10 Sec. 3. This resolution, if approved by two-thirds of the members
11 elected (or appointed) and qualified to the Senate, and two-thirds of the
12 members elected (or appointed) and qualified to the House of
13 Representatives shall be entered on the journals, together with the yeas
14 and nays. The secretary of state shall cause this resolution to be published
15 as provided by law and shall cause the proposed amendment to be
16 submitted to the electors of the state at the election in August in the year
17 2014 unless a special election is called at a sooner date by concurrent
18 resolution of the legislature, in which case it shall be submitted to the
19 electors of the state at the special election.