

SESSION OF 2011

**SUPPLEMENTAL NOTE ON HOUSE
CONCURRENT RESOLUTION NO. 5010**

As Further Amended by House Committee on
Education

Brief*

HCR 5010, as further amended, would create a statewide vote on a constitutional amendment to clarify that it is the Kansas Legislature that has the authority to “make suitable provision for finance of the educational interests of the state in an equitable manner and in such amounts as may be determined by the legislature.”

The resolution would change the wording in the explanatory statement that would be printed on the ballot: “A vote against this amendment would retain the current provision in the *Kansas Constitution* which has been interpreted by the Kansas Supreme Court as requiring the Kansas Supreme Court as requiring the Kansas Legislature to provide funding for public schools in amounts that may be directed by the Court.”

Background

Speaker Michael O'Neal introduced this House Concurrent Resolution to clarify Article 6 of Section 6 of the *Kansas Constitution*. There were no other proponents of the resolution. Opponents included representatives of the Kansas Association of School Boards; Kansas Families for Education; and Kansas City, Kansas, School District.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Education Committee amended the resolution by changing the proposed language in the constitutional amendment to clarify that it is the Kansas Legislature that has the authority to “make suitable provision for finance of the educational interests of the state in an equitable manner and in such amounts as may be determined by the legislature.”

The House Committee on Education further amended the resolution when it was rereferred to the Committee after being pulled from the House calendar.

In addition, the House Committee on Education amended the wording in the explanatory statement that would be printed on the ballot to: “A vote against this amendment would retain the current provision in the *Kansas Constitution* which has been interpreted by the Kansas Supreme Court as requiring the Kansas Supreme Court as requiring the Kansas Legislature to provide funding for public schools in amounts that may be directed by the Court.”

There was no Division of Budget fiscal note on the resolution.