

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

1420 Arrowhead Road | Topeka, Kansas | 66604-4024
785-273-3600 | 800-432-2471 | 785-273-7580 FAX
www.kasb.org

Testimony before the
Senate Committee on Ethics, Elections and Local Government
on
SB 45

by
Frank Henderson, KASB President Elect
Seaman Unified School District USD 345

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Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify on **SB 45**. We appear in opposition to this bill because we are unsure of its intent and possible impact, but are concerned that it could limit the ability of our members to represent their concerns and those of their constituents in the legislative process.

Kansas school boards are provided for by the Kansas Constitution (Article 6, Section), which gives them the responsibility to "maintain, develop and operate" public schools. Under the constitution, they are elected by the public, just like the Legislature, and they are accountable to the voters in the same way. If voters believe that school boards are using public funds inappropriately, board members can be removed through the electoral process.

Public schools and districts are ultimately a state responsibility, a majority of school funding comes from the state, and schools are heavily regulated by the state. Therefore, we believe it is important for the interests of local students, parents, and other constituents to have their geographically diverse and unique local concerns represented in the legislature and it is important for the legislature to hear their views. We would oppose legislation limiting that voice.

We have questions or concerns about the following provisions of the bill:

What is the definition of "normal and recognized executive and legislative relationships"? We believe communication of legislative concerns and positions is normal and recognized, but we do not know what would fall outside of this definition.

Is this directed just at state agencies?

In Line 10 how is "local government legislative body" defined?

Also in lines 7 through 12 what is the intent of the language "use of any kit, pamphlet, booklet, publication, electronic communication, radio, television or video presentation....or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by state agency or local government." This language appears to be in conflict with the Rules and Regulations Filing Act, K.S.A. 77-415 *et. seq.* that requires state agencies to publish notice of rules and regulations and give local units of government, the public and other