

Kansas Extension District Law

SECTIONS 2-623 THROUGH 2-628, KANSAS STATUTES ANNOTATED 1991

2-623. **Extension districts, establishment or expansion; agreement therefor, terms, prior approval by attorney general; publication of notice of proposed new district or expansion, protest petition and election; district name, powers, personnel and property; governing body, appointment or election and terms of office of first members.** (a) Prior to July 1 of any year, any two or more county extension councils may establish an extension district composed of all of the counties of such councils by entering into an agreement in accordance with this section to combine the extension programs for each county involved into one extension program serving the extension district. No such agreement shall be effective unless such agreement has received the prior approval of (1) the board of county commissioners of each county included in the proposed extension district, subject to the provisions of subsection (I); (2) the executive board of the extension council of each county included in the proposed extension district and the director of extension of Kansas State University of Agriculture and Applied Science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(b) Prior to July 1 of any year, one or more county extension councils and the governing body of any existing extension district may establish a new extension district by entering into an agreement in accordance with this section to combine the extension programs for each such county and such district into one extension program serving a new extension district composed of all counties represented by such county extension councils and the area served by the existing extension district. No such agreement shall be effective unless such agreement has received the prior approval of (1) the board of county commissioners of each county being added to the existing extension district, subject to the provisions of subsection (I); (2) the executive board of the county extension council of each county being added to the existing extension district, the governing body of the existing extension district and the director of extension of Kansas State University of Agriculture and Applied Science, or the director's authorized representative, acting together as a body; and (3) the attorney general in accordance with subsection (h).

(c) On July 1 after the approval under subsection (a) or (b) of an agreement to establish an extension district, such extension district is hereby established and shall constitute a body corporate and politic possessing the usual powers of a corporation for public purposes under the name of "extension

Establishment of Districts

Adding a County to an Extension District

Taxing Subdivision

**Transfer
of Property**

46 district no. ____ (the number designated by the director of
47 extension), _____ counties (naming the counties included
48 within the district), state of Kansas.” Each extension district is
49 a taxing subdivision and has the power to contract, sue and be
50 sued and to acquire, hold and convey real and personal property
51 in accordance with law.

**Establishment
and
Appointment
of Governing
Board**

52 (d) Upon the establishment of an extension district under
53 subsection (a) or (b), all of the personnel and property of each
54 of the extension programs which are combined into the new
55 district extension programs shall be transferred to the new
56 extension district and shall be subject to the authority of the
57 governing body of the extension district in accordance with the
58 agreement to establish the extension district.

**Election
of Governing
Board**

59 (e) Upon the establishment of an extension district under
60 subsection (a), the board of county commissioners of each county
61 joining in the establishing of an extension district shall appoint
62 four qualified electors to membership on the governing body of
63 the district. The terms of all members so appointed shall
64 commence July 1 following their appointment. Of the
65 members so appointed, two members shall serve for terms
66 ending upon the election and qualification of their successors
67 at an election held on the first Tuesday in April of the first odd-
68 numbered year following their appointment, and two members
69 shall serve for terms ending upon the election and qualification
70 of their successors at an election held on the first Tuesday in
71 April of the second odd-numbered year following their
72 appointment.

**Appointment
of Governing
Board**

73 (f) In the case of one or more counties being included in an
74 existing extension district under section (b), the board of county
75 commissioners of each county being included in an existing
76 extension district shall appoint four qualified electors of the
77 county to membership on the governing body of the expanded
78 district. The terms of all members so appointed shall commence
79 on July 1 following their appointment. Of the members so
80 appointed, two members shall serve for terms ending upon the
81 election and qualification of their successors at an election held
82 on the first Tuesday in April of the first odd-numbered year
83 following their appointment, and two members shall serve for
84 terms ending upon the election and qualification of their
85 successors at an election held on the first Tuesday in April
86 of the second odd-numbered year following their appointment.
87 The offices of the members of the governing body of the existing
88 extension district shall continue in existence, and the persons in
89 such offices shall be members of the governing body of the
90 expanded extension district which is established on July 1
91 for the remainder of their existing terms of office.

**Election
of Governing
Board**

**Disposal
of Assets**

92 (g) In addition to other required provisions, each agreement
93 entered into under this section shall specify the permissible
94 method or methods to be employed in disposing of the assets
95 and liabilities of the extension district in the event that one or

96 more counties withdraw from the extension district under K.S.A.
 97 2-628 and amendments thereto.

98 (h) Each agreement entered into under this section or under
 99 K.S.A. 2-628 and amendments thereto, prior to and as a
 100 condition precedent to its entry into force, shall be submitted
 101 to the attorney general who shall determine whether the
 102 agreement is in proper form and compatible with this act and
 103 other laws of Kansas. The attorney general shall approve any
 104 agreement submitted for approval under this section or K.S.A.
 105 2-628 and amendments thereto unless the attorney general finds
 106 that the submitted agreement does not meet the requirements
 107 of this act. In such case, the attorney general shall specify in
 108 writing to the proposed parties to the agreement and to each
 109 other entity required to approve the agreement, the specific
 110 respects in which the proposed agreement fails to meet the
 111 requirements of law. Failure by the attorney general to
 112 disapprove an agreement submitted pursuant to this subsection
 113 within 90 days of its submission shall constitute approval of the
 114 agreement by the attorney general.

115 (I) Prior to approving an agreement under this section, the
 116 board of county commissioners of each county to be included
 117 in a proposed extension district under subsection (a) or to be
 118 added to an existing extension district under subsection (b), as
 119 the case may be, shall adopt a resolution stating the intention
 120 of the board of county commissioners to approve such agreement
 121 and specifying the counties that are to be included in the
 122 extension district. Such resolution shall be published once each
 123 week for two consecutive weeks in the official county newspaper.
 124 If, within 60 days following the last publication of the resolution,
 125 a petition in opposition to the approval of the agreement and the
 126 inclusion of the county in the extension district is signed by not
 127 less than 5% of the qualified electors of the county and is filed
 128 with the county election officer, such board of county
 129 commissioners shall not approve such agreement and the
 130 county shall not be included in the extension district unless
 131 and until the same is approved by a majority of the qualified
 132 electors of the county voting thereon at a primary election or
 133 general election or at a special election called and held for such
 134 purpose. Any such special election shall be called, noticed, and
 135 held in accordance with the provisions of K.S.A. 10-120, and
 136 amendments thereto.

2-624. **Same; governing body, terms, composition and election;
 2 vacancies; annual organization.** (a) The governing body of
 3 each extension district shall be composed of four representatives
 4 from each county included in the extension district. At the
 5 conclusion of the terms of the members first appointed to
 6 membership on the governing body of the district, the four
 7 members representing each county in an extension district shall
 8 be elected in a county-wide election by the qualified electors of
 9 the county.

**Attorney
 General
 Approval**

**Publishing
 Resolution**

**Governing
 Board
 Composition**

**Governing
Board Member
Succession**

10 (b) At the conclusion of the terms of the members first appointed
11 to membership on the governing body of the district, each
12 member of the governing body shall hold office for a term of
13 four years and until such member's successor is elected and
14 qualified. Each such term of office shall commence on the date
15 of receipt of certification of election by the member elected
16 and shall continue until the member's successor is elected
17 and qualified.

**Date of
Election**

18 (c) (1) Except as otherwise provided in this act, an election to
19 elect successors to members of the governing body whose terms
20 are expiring shall be held on the first Tuesday in April in each
21 odd-numbered year.

**Reporting
of Election
Results**

22 (2) Elections to choose members of the governing body of an
23 extension district shall be conducted, the returns made and the
24 results ascertained in the manner provided by law for general
25 county elections except as otherwise provided by this act. Not
26 later than 12:00 noon of the Wednesday next following the
27 Tuesday, five weeks preceding the first Tuesday in April in odd-
28 numbered years, each person desiring to be a candidate for
29 membership on the governing body, in any election, shall file a
30 declaration of candidacy with the county election officer of the
31 county represented by the member of the governing body whose
32 county election officer is making up the ballots and in placing
33 the names thereon shall place the names on the ballots in
34 alphabetical order.

**Declaration
of Candidacy**

**Election
Process**

35 (3) The county election officer of each county within the
36 extension district shall appoint election boards as provided by
37 law for other elections and shall designate places for holding
38 the election. The county election officer shall cause to be
39 ascertained the names of all persons within the district who
40 are qualified electors, and shall furnish lists thereof to the judges
41 of the election. Notice of the time and place of holding each
42 election, signed by the county election officer, shall be given in
43 a newspaper published in the county and posted in a conspicuous
44 place in the office of the governing body at least five days before
45 the holding thereof.

**Payment
of Election
Expenses**

46 (4) All election expenses shall be paid by the extension district.
47 Election officials shall receive the same compensation as provided
48 under the general election laws.

**Filling
of a Vacancy**

49 (d) Any vacancy in the membership of the governing body of an
50 extension district shall be filled by appointment by the
51 governing body for the unexpired term of office. Each member
52 so appointed shall be a resident of the county which was
53 represented by the member creating the vacancy.

**Organizing
Governing Board**

54 (e) The governing body of each extension district shall organize
55 annually in July by electing from among its members a
56 chairperson, vice-chairperson, secretary, and treasurer.

2-625. **Same; educational extension programs, subjects; program development committees and plans; annual budget and tax levy, limitations.** (a) The governing body of each extension district shall plan and conduct the educational extension programs for the extension district in accordance with this act. The governing body of the extension district shall appoint program development committees to develop educational program plans on extension work in agricultural pursuits, in home economics work, in 4-H club and youth work, and in economic development initiatives. Each program development committee shall consist of six or more members from each county. Each program development committee shall be chaired by a member of the governing body of the extension district and shall meet as needed to plan educational programs to meet the needs of the extension district. All program plans shall be subject to final approval of the governing body of the extension district.

(b) The governing body of the extension district and the director of extension of Kansas State University of Agriculture and Applied Science, or the director's authorized representative, shall meet and adopt the annual budget for the extension district to provide for the extension programs, acting together as a body, in accordance with and subject to the provisions of K.S.A. 79-2925 et seq., and amendments thereto, regarding the budgets of taxing subdivisions, except as otherwise specified by this act.

(c) The governing body of the extension district, in the same manner as provided by law applying to other taxing subdivisions, may make an annual tax levy upon all the taxable tangible property of the extension district for the purpose of raising funds to be used to plan and conduct the educational extension programs of the extension district, to be levied and collected as other taxes, at a rate fixed in accordance with the approved budget and of not to exceed the greater of (1) the rate of 2.5 mills or (2) the rate determined to yield an amount equal to the product of \$75,000 multiplied by the number of counties within the extension district. The governing body shall certify the levy so fixed to the county clerk of each county in the extension district who is hereby authorized and required to place such levy on the tax rolls of the county to be collected by the county treasurer and paid by the county treasurer to the treasurer of the extension district.

K.S.A. 79-5040. Suspension of tax levy limitations. In 1999, and in each year thereafter, all existing statutory fund mill levy rate and aggregate levy rate limitations on taxing subdivisions are hereby suspended.

2-626. **Same; duties of secretary of governing body; open records.** (a) The secretary of the governing body of the extension district shall: (1) Record the proceedings of all meetings of the governing body in books provided for that purpose within 20 days following the meeting; (2) prepare and

Appointment of Program Development Committee

Adoption of Budget

Levying Taxes

Tax Levy Limit Suspended

Duties of Secretary

**Approval
of Expenditures**

**Reporting
of Expenditures**

**Responsibility
of Treasurer**

**Role of
Commissioners
in Withdrawing
from District**

6 submit to each meeting of the governing body a report on the
7 work and activities of the extension district since the last
8 meeting of the governing body; and (3) perform such other
9 duties as are usually performed by secretaries and as may be
10 prescribed by the governing body.

11 (b) The records of the secretary shall be open to public
12 inspection at all reasonable times.

2-627. Same; duties of treasurer of governing body; bond;

2 **disposition of district moneys.** (a) Upon taking office, the
3 treasurer for an extension district shall give bond in an amount
4 fixed and approved by the governing body of the extension
5 district for the safekeeping and due disbursement of all funds
6 of the extension district in the custody of the treasurer.

7 (b) All moneys received by the treasurer for an extension
8 district shall be deposited by the treasurer in a bank
9 designated by the governing body of the extension district and
10 authorized to receive public deposits. The treasurer shall make
11 all payments for the extension district on the warrant of the
12 secretary of the governing body of the extension district or by
13 a combination warrant check signed by the chairperson of the
14 governing body. The treasurer shall not pay any sum from the
15 funds of the extension district in any other manner.

16 (c) The treasurer shall keep a record of all the moneys received
17 and disbursed which specify the person or persons from whom
18 money was received and to whom money was paid and the object
19 for which the money was paid. The treasurer shall present to
20 the governing body of the extension district at each regular
21 meeting a report in writing containing a statement of all moneys
22 received from each county treasurer and from any other source
23 since the last regular meeting of the governing body and a
24 statement of the disbursements made with the items of such
25 disbursements, and exhibit the warrants or checks or
26 combination warrants and checks therefor. This report shall
27 be recorded by the secretary of the governing body.

28 (d) At the close of the treasurer's term of office, the treasurer
29 shall settle with the governing body of the extension district and
30 shall hand over to the treasurer's successor all records and
31 papers received as treasurer, together with all moneys
32 remaining in the hands of the treasurer.

2-628. Same; withdrawal of counties from extension districts;

2 **procedure; effect; disposition of property and obligations;**
3 **supplemental agreements.** (a) (1) Prior to July 1 of any year,
4 the board of county commissioners of any county included within
5 an extension district, the governing body of the extension district
6 and the director of extension or the director's authorized
7 representative may agree to withdraw such county from the
8 extension district by a majority voting in favor of the withdrawal.

9 (2) The board of county commissioners in such county shall

10 request such withdrawal by adopting a resolution therefor. No
 11 such resolution may be adopted by a board of county
 12 commissioners unless the proposed withdrawal resolution is on
 13 the published agenda of the meeting at which it is to be
 14 considered for adoption and the governing body of the extension
 15 district and the board of county commissioners of each other
 16 county included within the extension district have received
 17 written notice of the proposed withdrawal resolution prior to
 18 such meeting.

19 (3) Immediately following notification, the chairperson of the
 20 governing body of the extension district shall call a meeting of
 21 the body to establish whether the governing body of the
 22 extension district is in favor of such county withdrawing from
 23 the extension district.

24 (4) Any agreement to withdraw a county from an extension
 25 district shall be effective on the January 1 occurring after a
 26 majority has voted in favor of the agreement pursuant to
 27 subparagraph (a) (1).

28 (b) If one county withdraws from an extension district
 29 composed of two counties, the extension district is dissolved on
 30 the January 1 occurring after adoption of the withdrawal
 31 resolution. The property and obligations of the dissolved
 32 extension district shall be transferred to and assumed by the
 33 two counties in accordance with the agreement entered into to
 34 establish or expand the extension district under K.S.A. 2-623,
 35 and amendments thereto, as the case may be, or in accordance
 36 with a supplemental agreement which may be entered into by
 37 such counties for that purpose.

38 (c) If a county withdraws on January 1 of any year from an
 39 extension district composed of three or more counties, the
 40 extension district shall continue in existence and shall be
 41 composed of all counties remaining within the extension district.
 42 On the January 1 that a county withdraws from an extension
 43 district, the governing body of the extension district shall be
 44 reconstituted and shall be composed of those persons who were
 45 members of the governing body prior to January 1 and who
 46 were elected by the electors of counties remaining within the
 47 extension district. The members of the reconstituted governing
 48 body shall continue to serve for the remainder of the terms to
 49 which they were elected and shall organize as provided in
 50 K.S.A. 2-624 and amendments thereto. All property and
 51 obligations of the extension district prior to any such January 1
 52 shall remain the property and obligations of the extension
 53 district unless otherwise agreed to under the agreement
 54 entered into to establish or expand the extension district under
 55 K.S.A. 2-623, and amendments thereto, as the case may be, or
 56 in accordance with a supplemental agreement which may be
 57 entered into by the board of county commissioners of the
 58 withdrawn county and the reconstituted governing body of the
 59 continued extension district for that purpose.

Dissolution of District

Adjustments after County Withdraws from District