

**Kansas Extension District Law
SECTIONS 2-623 THROUGH 6-628,
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 district no. ____ (the number designated by the director of extension), _____ counties (naming the counties included

**Establishment
of Districts**

**Adding a
County to
an Extension
District**

**Taxing
Subdivision**

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.

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.

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.

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.

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.

**Transfer
of Property**

**Establishment
and
Appointment
of Governing
Board**

**Election
of Governing
Board**

**Appointment
of Governing
Board**

**Election
of Governing
Board**

**Disposal
of Assets**

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.

**Attorney
General
Approval**

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.

**Publishing
Resolution**

**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.

**Governing
Board
Composition**

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

**Governing
Board Member
Succession**

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.

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.

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.

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.

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.

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.

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;
 2 program development committees and plans; annual
 3 budget and tax levy, limitations.** (a) The governing body
 4 of each extension district shall plan and conduct the educational

**Date of
 Election**

**Reporting
 of Election
 Results**

**Declaration
 of Candidacy**

**Election
 Process**

**Payment
 of Election
 Expenses**

**Filling
 of a Vacancy**

**Organizing
 Governing Board**

**Appointment
 of Program
 Development
 Committee**

5 extension programs for the extension district in accordance with
6 this act. The governing body of the extension district shall
7 appoint program development committees to develop educational
8 program plans on extension work in agricultural pursuits, in
9 home economics work, in 4-H club and youth work, and in
10 economic development initiatives. Each program development
11 committee shall consist of six or more members from each
12 county. Each program development committee shall be chaired
13 by a member of the governing body of the extension district and
14 shall meet as needed to plan educational programs to meet the
15 needs of the extension district. All program plans shall be
16 subject to final approval of the governing body of the extension
17 district.

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

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

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

2-626. Same; duties of secretary of governing body; open records.

2 (a) The secretary of the governing body of the extension
3 district shall: (1) Record the proceedings of all meetings
4 of the governing body in books provided for that purpose
5 within 20 days following the meeting; (2) prepare and
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.

**Adoption
of Budget**

**Levying
Taxes**

**Tax Levy
Limit Suspended**

**Duties
of Secretary**

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

**Approval
 of Expenditures**

**Reporting
 of Expenditures**

**Responsibility
 of Treasurer**

**Role of
 Commissioners
 in Withdrawing
 from District**

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**