

HB 1029 -- ST. JOSEPH SCHOOL BOARD

SPONSOR: Johnson

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Committee on Elections by a vote of 12 to 0.

This bill modifies provisions relating to school board members in the St. Joseph School District.

The bill establishes a procedure for recalling school board members in the St. Joseph School District. A recall election must be held upon the submission of a petition signed by at least 10% of the number of voters who voted in the last school board election. The petition must be filed with the election authority and the secretary of the district board of education. The individual filing the petition with the election authority must sign an affidavit that the signatures attached are true and correct to the best of his or her knowledge.

The election authority must verify whether the petition is signed by the required number of voters within 30 days. If the petition is sufficient the election authority must submit the petition to the school board. The election must be held not less than 45 days but not more than 120 days from the date the board receives the petition.

If a majority of voters vote to retain the school board member at issue, the member must remain in office and cannot be subject to another recall election during his or her term. If a majority of voters vote to remove the member, the successor member will be chosen in the same manner as vacancies are filled as provided for urban school districts.

The bill requires that any vacancies on the St. Joseph School District's school board be filled by the Buchanan County Commission.

Currently, the St. Joseph School District school board members serve a term of six years. This bill establishes that, upon expiration of any term after August 28, 2015, the term of office will be for four years.

The bill provides that a candidate for school board in the St. Joseph School District does not need to submit a petition with signatures. Instead, a candidate must file a declaration of candidacy with the board secretary.

This bill contains an emergency clause.

HCA 1: Repeals the entire recall procedure and changes the term in office for board members to three years instead of four.

PROPOSERS: Supporters say that the bill is necessary to allow voters more choice to fix ongoing financial fraud problems in the St. Joseph School District. The district is subject to failing audit reports and an FBI investigation.

Testifying for the bill was Representative Johnson.

OPPOSERS: There was no opposition voiced to the committee.

OTHERS: Others testifying on the bill say that the county commission should only fill vacancies when there are more than two vacancies at any one time. The FBI investigation and audits should result in the necessary changes being made once they are completed. Voters can currently vote on school board members each year and replace them if needed.

Testifying on the bill were Michael R. Wood and Michael C. Reid.