

## Senate Concurrent Resolution No. 1613

By Senator Pyle

3-12

1 A PROPOSITION to amend article 14 of the constitution of the state of  
2 Kansas by adding a new section thereto, relating to reserving the  
3 initiative and referendum powers to the people.  
4

5 *Be it resolved by the Legislature of the State of Kansas, two-thirds of*  
6 *the members elected (or appointed) and qualified to the Senate and two-*  
7 *thirds of the members elected (or appointed) and qualified to the House*  
8 *of Representatives concurring therein:*

9 Section 1. The following proposition to amend the constitution of  
10 the state of Kansas shall be submitted to the qualified electors of the state  
11 for their approval or rejection: Article 14 of the constitution of the state of  
12 Kansas is hereby amended by adding a new section to read as follows:

13 **"§ 3. Initiative and referendum powers.** (a) The people  
14 reserve the power to propose and enact or reject amendments to  
15 the constitution by initiative, independent of the legislature.

16 (1) An initiative amendment to the constitution may be  
17 proposed only by a petition signed by qualified electors equal in  
18 number to not less than 5% of the number of electors who voted  
19 at the last preceding general election.

20 (2) An initiative petition shall be filed with the secretary of  
21 state not less than 90 days before the election at which the  
22 proposed amendment to the constitution is to be voted upon.

23 (3) An initiative petition shall include the full text of the  
24 proposed amendment to the constitution. A proposed  
25 amendment to the constitution shall not contain more than one  
26 subject and the enacting clause thereof shall be "Be it resolved  
27 by the people of the State of Kansas:".

28 (4) The title by which a proposed amendment to the  
29 constitution is submitted shall be specified in the initiative  
30 petition and shall be a brief nontechnical statement expressing  
31 the intent or purpose of the proposed amendment to the  
32 constitution and the effect of a vote for and a vote against the  
33 proposed amendment to the constitution.

34 (5) When more than one proposed amendment to the  
35 constitution is submitted at the same election, such proposed  
36 amendments to the constitution shall be so submitted as to

1 enable the electors to vote on each proposed amendment to the  
2 constitution separately.

3 (6) One amendment of the constitution may revise any  
4 entire article, except the article on general provisions, and in  
5 revising any article, the article may be renumbered and all or  
6 parts of other articles may be amended, or amended and  
7 transferred to the article being revised.

8 (7) Not more than five amendments proposed by initiative  
9 shall be submitted at the same election.

10 (b) Notwithstanding the provisions of section 1 of article 2,  
11 the people reserve the power to propose and enact or reject laws  
12 by initiative, independent of the legislature.

13 (1) An initiative law may be proposed only by a petition  
14 signed by qualified electors equal in number to not less than 5%  
15 of the number of electors who voted at the last preceding  
16 general election.

17 (2) An initiative petition shall be filed with the secretary of  
18 state not less than 90 days before the election at which the  
19 proposed law is to be voted upon.

20 (3) An initiative petition shall include the full text of the  
21 proposed law. A proposed law shall not contain more than one  
22 subject and the enacting clause thereof shall be "Be it enacted  
23 by the people of the State of Kansas:".

24 (4) The title by which a proposed law is submitted shall be  
25 specified in the initiative petition and shall be a brief  
26 nontechnical statement expressing the intent or purpose of the  
27 proposed law and the effect of a vote for and a vote against the  
28 proposed law.

29 (5) When more than one proposed law is submitted at the  
30 same election, such proposed law shall be so submitted as to  
31 enable the electors to vote on each proposed law separately.

32 (c) The people reserve the power to approve or reject by  
33 referendum any bill enacted by the legislature, except as  
34 otherwise provided in this subsection.

35 (1) A referendum on a bill, or any part thereof, may be  
36 ordered by a petition signed by qualified electors equal in  
37 number to not less than 5% of the number of electors who voted  
38 at the last preceding general election. A referendum petition  
39 shall be filed with the secretary of state not more than 90 days  
40 after the final adjournment of the session of the legislature at  
41 which the bill was passed.

42 (2) A referendum petition shall not be allowed on any part  
43 of a bill: (A) Necessary for the immediate preservation of the

1 public peace, health or safety; or (B) making or repealing any  
2 appropriation.

3 (3) A referendum ordered by petition on a part of a bill  
4 shall not delay the remainder of the bill from becoming  
5 effective.

6 (4) A referendum on a bill may be ordered by the  
7 legislature by law.

8 (5) Notwithstanding section 14 of article 2, bills ordering a  
9 referendum and bills on which a referendum is ordered shall not  
10 require the signature of the governor or be subject to veto by the  
11 governor.

12 (d) All elections on initiative and referendum measures  
13 shall be held at the regular general elections in odd-numbered  
14 years, unless otherwise ordered by the legislature subject to  
15 subsection (c)(4).

16 (e) Notwithstanding any provision of this constitution to  
17 the contrary, an initiative or referendum measure becomes  
18 effective 30 days after the day on which it is enacted or  
19 approved by a majority of the votes cast thereon. When  
20 conflicting measures are approved at the same election, the one  
21 receiving the largest affirmative vote shall prevail.

22 (f) The provisions of this section shall be self-executing,  
23 but legislation may be enacted to facilitate its implementation.  
24 The legislature shall provide for reporting of expenditures and  
25 contributions made to support or oppose an initiative or  
26 referendum measure submitted to the electors pursuant to this  
27 section."

28 Sec. 2. The following statement shall be printed on the ballot with  
29 the amendment as a whole:

30 "*Explanatory statement.* This amendment would allow the  
31 people to propose and enact or reject amendments to the  
32 constitution by initiative, independent of the legislature. This  
33 amendment would also allow the people to propose and  
34 enact or reject laws by initiative, independent of the  
35 legislature. Finally, this amendment would allow a  
36 referendum on any bill enacted by the legislature, either by  
37 petition from the people, or by order of the legislature by  
38 law. A referendum petition would not be allowed on any part  
39 of a bill necessary for the immediate preservation of the  
40 public peace, health or safety or any part of a bill making or  
41 repealing any appropriation.

42 "A vote for this proposition would reserve to the people the  
43 power to propose and enact or reject laws and amendments

1 to the constitution by initiative, independent of the  
2 legislature, and the power to approve or reject by  
3 referendum any bill enacted by the legislature.

4 "A vote against this proposition would not amend the  
5 constitution and would not reserve the initiative and  
6 referendum powers to the people."

7 Sec. 3. This resolution, if approved by two-thirds of the members  
8 elected (or appointed) and qualified to the Senate, and two-thirds of the  
9 members elected (or appointed) and qualified to the House of  
10 Representatives shall be entered on the journals, together with the yeas  
11 and nays. The secretary of state shall cause this resolution to be published  
12 as provided by law and shall cause the proposed amendment to be  
13 submitted to the electors of the state at the general election in November  
14 in the year 2018, unless a special election is called at a sooner date by  
15 concurrent resolution of the legislature, in which case it shall be  
16 submitted to the electors of the state at the special election.