

## Senate Concurrent Resolution No. 1617

By Senator Hilderbrand

1-25

1 A PROPOSITION to amend section 5 of article 1 and section 8 of article  
2 2 of the constitution of the state of Kansas to eliminate the ability of  
3 the governor to call a special session of the legislature on  
4 extraordinary occasions or to call a special session of the legislature  
5 when petitioned to do so by two-thirds of the members elect of the  
6 legislature; provide for monthly meetings of the legislature after each  
7 regular session.

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

13 Section 1. The following proposition to amend the constitution of  
14 the state of Kansas shall be submitted to the qualified electors of the state  
15 for their approval or rejection: Section 5 of article 1 and section 8 of  
16 article 2 of the constitution of the state of Kansas are hereby amended to  
17 read as follows:

18 "**§ 5. Governor's duties for legislature; messages; special**  
19 **sessions; adjournment.** ~~The governor may, on extraordinary~~  
20 ~~occasions, call the legislature into special session by proclamation;~~  
21 ~~and shall call the legislature into special session, upon petition~~  
22 ~~signed by at least two-thirds of the members elected to each house.~~  
23 At every session of the legislature, the governor shall communicate  
24 in writing information in reference to the condition of the state; and  
25 recommend such measures as ~~he~~ *the governor* deems expedient. In  
26 case of disagreement between the two houses in respect of the time  
27 of adjournment, the governor may adjourn the legislature to such  
28 time as ~~he~~ *the governor* deems proper, not beyond its next regular  
29 session.

30 "**§ 8. Organization and sessions.** (a) The legislature shall  
31 meet in regular session annually commencing on the second  
32 Monday in January, and all sessions shall be held at the state  
33 capital. The duration of regular sessions held in even-numbered  
34 years shall not exceed ~~ninety~~ *90* calendar days. Such sessions may  
35 be extended beyond ~~ninety~~ *90* calendar days by an affirmative vote  
36 of two-thirds of the members elected to each house.

1           (b) After the adjournment of each regular session, the  
2 legislature shall meet on the first Monday of each month and any  
3 additional days as needed to deal with legislative matters. Any  
4 monthly session that extends beyond three days shall require an  
5 affirmative vote of two-thirds of the members elected to each  
6 house.

7           (c) Bills and concurrent resolutions under consideration by the  
8 legislature upon adjournment of a regular session held in an odd-  
9 numbered year may be considered at the next succeeding regular  
10 session held in an even-numbered year, as if there had been no  
11 such adjournment.

12           (d) The legislature shall be organized concurrently with the  
13 terms of representatives except that the senate shall remain  
14 organized during the terms of senators. The president of the senate  
15 shall preside over the senate, and the speaker of the house of  
16 representatives shall preside over the house of representatives. A  
17 majority of the members then elected (or appointed) and qualified  
18 of the house of representatives or the senate shall constitute a  
19 quorum of that house. Neither house, without the consent of the  
20 other, shall adjourn for more than two days, Sundays excepted.  
21 Each house shall elect its presiding officer and determine the rules  
22 of its proceedings, except that the two houses may adopt joint rules  
23 on certain matters and provide for the manner of change thereof.  
24 Each house shall provide for the expulsion or censure of members  
25 in appropriate cases. Each house shall be the judge of elections,  
26 returns and qualifications of its own members."

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

29           "*Explanatory statement.* The purpose of the amendment is to  
30 eliminate the ability of the governor to call special sessions  
31 of the legislature and to provide instead for the monthly  
32 meeting of the legislature following adjournment of the  
33 regular session.

34           "A vote for this proposition would remove the governor's power  
35 to call special sessions of the legislature and require the  
36 legislature meet on a monthly basis following the  
37 adjournment of the regular session of the legislature.

38           "A vote against this proposition would not amend the  
39 constitution and the governor would retain the power to call  
40 special session of the legislature on extraordinary occasions  
41 or when petitioned by two-thirds of the members elected to  
42 each house."

43           Sec. 3. This resolution, if approved by two-thirds of the members

1 elected (or appointed) and qualified to the Senate and two-thirds of the  
2 members elected (or appointed) and qualified to the House of  
3 Representatives, shall be entered on the journals, together with the yeas  
4 and nays. The secretary of state shall cause this resolution to be published  
5 as provided by law and shall cause the proposed amendment to be  
6 submitted to the electors of the state at the general election in November  
7 in the year 2022, unless a special election is called at a sooner date by  
8 concurrent resolution of the legislature, in which case it shall be  
9 submitted to the electors of the state at the special election.