

Senate Concurrent Resolution No. 1617

By Senator O'Connor

2-26

9 A PROPOSITION to amend section 3 of article 3 of the constitution of
10 the state of Kansas, relating to supreme court jurisdiction and terms.

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

16 Section 1. The following proposition to amend the constitution of the
17 state of Kansas shall be submitted to the qualified electors of the state
18 for their approval or rejection: Section 3 of article 3 of the constitution
19 of the state of Kansas is hereby amended to read as follows:

20 “§ 3. **Jurisdiction and terms.** The supreme court shall have original
21 jurisdiction in proceedings in quo warranto, mandamus, and habeas cor-
22 pus; ~~and, with such exceptions and under such regulations as may be~~
23 ~~provided by law. The supreme court shall have such appellate jurisdiction,~~
24 ~~with such exceptions and regulations, as may be provided by law. It shall~~
25 ~~Failure to comply with such exceptions and such regulations shall be a~~
26 ~~high crime under article 2, section 28 of this constitution, and an im-~~
27 ~~peachable offense under article 2, section 27. The supreme court shall~~
28 hold one term each year at the seat of government and such other terms
29 at such places as may be provided by law, and its jurisdiction shall be co-
30 extensive with the state.”

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

33 “*Explanatory statement.* The constitution of this state provides for
34 a seven-member supreme court. The supreme court is granted
35 original jurisdiction in certain proceedings and appellate juris-
36 diction as may be provided by law (statute).

37 “A vote for this proposition would allow the legislature by statute
38 to create exceptions and regulations to the proceedings in which
39 the supreme court has original jurisdiction and continue the au-
40 thority of the legislature to provide by law for the appellate ju-
41 risdiction of the supreme court. The proposition would make
42 failure by the supreme court to comply with the exceptions and
43 regulations provided by law a high crime and an impeachable

1 offense under the Kansas constitution.
2 “A vote against this proposition would continue in effect the current
3 language of section 3 of article 3 providing original jurisdiction
4 of the supreme court in certain proceedings and appellate juris-
5 diction of the supreme court as provided by law.”
6 Sec. 3. This resolution, if approved by two-thirds of the members
7 elected (or appointed) and qualified to the Senate, and two-thirds of the
8 members elected (or appointed) and qualified to the House of Repre-
9 sentatives shall be entered on the journals, together with the yeas and
10 nays. The secretary of state shall cause this resolution to be published as
11 provided by law and shall cause the proposed amendment to be submitted
12 to the electors of the state at the general election in the year 2004 unless
13 a special election is called at a sooner date by concurrent resolution of
14 the legislature, in which case it shall be submitted to the electors of the
15 state at the special election.