

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Representative Kathleen Sebelius at
Chairperson

1:30 ~~am~~ p.m. on Thursday, January 31, 1991 in room 526-S of the Capitol.

All members were present except:

Representative Sam Roper - Excused
Representative Joan Wagnon - Excused
Representative Arthur Douville - Excused
Committee staff present:

Lynne Holt - Kansas Legislative Research Department
Mary Galligan - Kansas Legislative Research Department
Mary Torrence - Office of the Revisor, State of Kansas
Connie Craig - Secretary to the Committee

Conferees appearing before the committee:

Chair Sebelius called the meeting to order.

Chair Sebelius announced that next week on Wednesday, February 6, and Thursday February 7, there would be hearings on the three Governor's Proposals for Initiative and Referendum - HCR 5003, 5004, and 5005. She also handed out a list of Initiative Facts that Representative Graeber received from the KCCI newsletter to each member, Attachment #1.

Chair Sebelius then introduced Arthur Griggs, Acting Secretary of Administration, State of Kansas. Mr. Griggs, using prepared testimony (Attachment #2), a map (Attachment #3) and a graph (Attachment #4) showing which states have Initiatives and Referenda, then reviewed for the Governor's proposals. He also read through each of the resolutions, line by line.

Committee Discussion:

1. Petitioners are responsible for the drafting of legislation under the Governor's proposals.
2. As to HCR 5003, page 2, line 28 through 33, publication and submission as allowed by K.S.A. 64-103, which says publication shall be once a week for three consecutive weeks, three weeks prior to the election, which is the way current law handles constitutional amendments.
3. HCR 5003, page 1, line 37, in regards to persons aggrieved by determinations of the attorney general, etc., the supreme court will decide whether the attorney general acted improperly or not.

Representative Sprague requested that Art Griggs ask the Governor if she would be adverse to a veto provision being inserted in HCR 5003, page 3, line 9.

4. There was concern about a majority pushing their views on a minority by taking advantage of the 5% of the total vote cast for the office of governor at the last election required to file a petition, HCR 5003, page 2, line 7. (5% is roughly 40,000 signatures.) Minority rights, i.e. rural against urban, being protected was the concern. The point of direct redress to the courts was mentioned by Mr. Griggs, and explained that any constitutional right that is abridged by people's initiatives and legislative measure just as if constitutional rights were abridged by legislative passed statutes, the courts are there.

Mary Torrence was asked to find out if there are certain provincial interests that are not a part of constitutional rights that couldn't be redressed through the courts.

The point was made that this 5% referred to only the amount of signatures necessary to bring something to the entire voting population of the state, and then it is statewide.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS,
room 526-S, Statehouse, at 1:30 ~~xxx~~/p.m. on Thursday, January 31, 1991.

5. There was a question about the use of the word "relate" on Page 1, line 28 of HCR 5004, being the word that is currently in the statute, or is it contain. Mr. Griggs was asked to find out if "relate" or "contain" is used. The concern was that if we mean the same thing in either case, by using a different word are we raising all kinds of questions about whether we mean something different, due to the fact we have a lot of case law on current word usage.
6. The Governor's has no set proposal for validation of signatures other than current law or what the committee would decide.
7. The Legislature could consider additional companion legislation which would not be added to constitution like validation procedures, campaign finance laws, and any other additional requirements.
8. It was discussed in reference to HCR 5005, page 1, line 30, whether a piece of legislation will be designated to be referred to the voters at the time it is introduced or will it be done as a separate act after its passage, and then decided by the Legislature that this should go to the voters.
9. In case of tie of a referendum, the measure would fail, as set out in HCR 5005, page 1, line 41.
10. How the people would be notified of the fiscal impact of a certain measure, was questioned. There is no specific procedure in regards to this issue. These measures do not have fiscal notes.

The Chair then introduced Lynne Holt, Kansas Legislative Research Dept., to briefly go through SCR 1607, 1608, and 1609; which are currently in the Senate Elections Committee. Using a memo, Attachment #5, prepared by Legislative Research, Lynne Holt compared the senate resolutions to the Governors proposals HCR 5003, 5004, and 5005. The memo, Attachment #5, outlined the differences between the resolutions.

Committee Discussion:

1. The term "qualified elector" as set out in the Constitution of Kansas, Article 5, Section 1, says anyone over 18 and residing in the state, but Section 5 says the Legislature shall determine proof by requiring voter registration. So a qualified elector is a registered voter.
2. The issue of the specifics of matters left to implementing legislation, page 2 of Attachment #4, by earmarking this in SCR 1607, no other kinds of issues could be considered and the legislature would be prohibited from doing anything other than prescribing the three by being specific about what the Legislature can and cannot do.
3. In regards to defeated measures which cannot be submitted to voters within four years from date of rejection, it was questioned whether this meant subject matter or exact context. Mary Torrence, Office of the Revisor, said that under the Governor's proposal, it will probably be up to the Attorney General to decide, who probably if it was substantially the same with just a few words changed that it would be judged to be the same.

Chair Sebelius announced that as soon as a date was confirmed, Racing Commission Chairman Phil Martin, will come before the committee give an update on racing commission activities and introduce legislation.

Chair Sebelius requested a motion to approve the minutes for the January 23, 1991, House Federal and State Affairs Committee meeting. Representative Long moved that the minutes be approved, Representative Krehbiel seconded the motion, and it carried on a voice vote.

The meeting adjourned at 2:55 p.m..

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE 1/31/91

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
BARBARA REINERT	TOPEKA	KS LWVOTERS
Michael Woolf	"	Common Cause
Jim McBride	Topeka	Observer
Larry Fischer, DUM	Topeka	KFFT, Inc
John Edwards	Topeka	KCCI
Michelle Lester	Topeka	John Peterson + Associates
Beth Bowen	Topeka	CCOT
Jennifer Greenberry	Topeka	PCAL
Bill Neuman	Topeka	DOA
Chuck Carpenter	Crest Bend	Centel
Whitney Jamm	Topeka	Pete McCall + Associates
Eric Daigh	Topeka	KSNT-TV
MIKE LAPONT	"	"
Cindy Zilpin	Topeka	Budget Division
Kristy Koscielny	"	Governors Office
WAYNE E WIANECKI	TOPEKA	KS AFSCME
Art Brown	KCM	ICP USR Dealers Assn
Gean Turner	Topeka	Q of A
Rebecca Basseney	Topeka	SOS
Tom Langley	Topeka	Sen Kevin's office
Marty Kennedy	"	Budget
Warren Parker	Manhattan	Ks. Farm Bureau
John Hann	Topeka - AP	Truth, Justice + ^{the American} way
Thomas McBride	Linn	observer
Joy Ginsburg	Laurance	Donna Whiteman



1240,588 to
5% 50,229
8% 96,367
10% 124,058

INITIATIVE FACTS

FACT 1

The initiative form of government is one by which citizens can put either constitutional amendments or changes to state statutes on a ballot without prior legislative consideration.

FACT 2

There are 23 states which authorize the use of initiatives for constitutional change or for the enacting of statutes. Nineteen of these states provided for the use of initiative prior to 1918. Of the other four states, Florida was the last state to provide for the use of initiative in 1972.

FACT 3

Initiatives do not generate more people voting in elections. Initiatives usually have a vote total substantially lower than the votes for candidate races on the same ballot. In a study of initiative use in California, 10% of the persons going to the polls will not vote on initiated legislation. In most other states, the drop-off rate is even greater.

FACT 4

Initiated proposals are generated in a vacuum. There is little, if any, opportunity to determine the effect of the legislation on existing laws. Also, there is no opportunity for amendment or compromise, leaving the measure to be accepted or rejected.

FACT 5

Initiatives are most often used by well-financed, single-issue organizations. They are not the legislative tool for the under represented that they are touted to be.

FACT 6

Initiatives waste money. They waste money by requiring efforts to combat unsound proposals or controversial proposals repeatedly submitted.

FACT 7

Initiatives undermine legislative responsibilities. Legislators can sit back and not take an active role in serving as a representative of their constituents.

FACT 8

Initiatives can result in the authorization of increased spending without providing for additional balancing revenues.

FACT 9

Special initiative elections do not increase voting. Usually, less than 1/3 of those eligible to vote do so.

FACT 10

Regulation of business ranks as #2 among initiative measures, second only to reducing taxes.

Dear Kansan:

The recent gubernatorial campaign promised that a major effort would be made to amend the Kansas Constitution to authorize the "initiative process" in Kansas. What is the "initiative process?"

The initiative process would allow a specified number of Kansas voters, e.g. the signatures of 15 percent of the voters voting in the last election, to place an item on the ballot for a vote of the people. The process could be used to amend the constitution, enact new laws, or change existing laws.

The issue is fueled by citizen frustration over taxes, or in many instances, small special interest groups who see their pet projects being ignored by the state legislature. This process allows a relatively small number of people to circumvent the legislature and the legislative process. While 23 states authorize the initiative, only four have adopted it in the past 70 years, the last being Florida in 1972.

If you concentrate on Kansas, the numbers are disturbing. Out of 2.4 million Kansans, 1.2 million have registered to vote. Of those, 805,000 voted in the last general election. If the process required that 15 percent of voters that voted in the last election sign a petition to place an item on the ballot, as few as 120,000 signatures would be required. If Kansas should adopt the proposal made during the campaign, i.e. five percent of the voters voting in the last election, then only 40,000 signatures would be needed.

The obvious strategy of the special interest group supporting the initiative is to keep the number of qualifying signatures as low as possible. When this is coupled with a low voter turnout, the chance for success is greatly enhanced.

While many become frustrated with the politics of the legislative process, the system does work. It allows for public input and debate. It allows for change to the original proposal if needed. It allows for accountability within the legislature. It does not turn our process of amending the state constitution and enacting laws into a process of change through media blitz. It does not turn our process into one where those with the most to spend have the best chance to win.

Listed on the reverse side are several reasons that a majority of the states have not authorized the initiative in their states, and none in almost 20 years. With the initiative in place, the legislature sits back and the tough issues go directly to the ballot. Kansans have a history of moving with care and deliberation when it comes to governing its citizens. That would end with the arrival of the initiative.

Remarks to House Federal and State Affairs Committee
Concerning Initiative and Referendum
HCR 5003, HCR 5004 and HCR 5005

January 31, 1991

Madam Chairman, I would like to thank you and your Committee for the opportunity to appear today and review the three initiative and referendum proposals recommended by Governor Finney. Introduce Bill Newman. Before walking you through the three measures, I wanted to make some general remarks on why these three measures are being recommended. The short answer is that the three measures all will further involve citizens in their government.

At first blush, some people may view initiative and referendum as somewhat of a departure from our form of government. However, initiative and referendum in fact are logical extensions to make in a democracy.

Our country and state have progressed in large measure because we live in a democracy and citizens are a key ingredient to a democracy. The people decide who is to lead our government and the people decide who represents them in government. The three measures I will be presenting are just enlargement of this citizen involvement with their government.

We already have forms of initiative and referendum in Kansas: (1) our constitution can't be changed without the approval of the people; and

(2) at the local unit level, citizens can use protest petitions in a variety of areas to decide local issues.

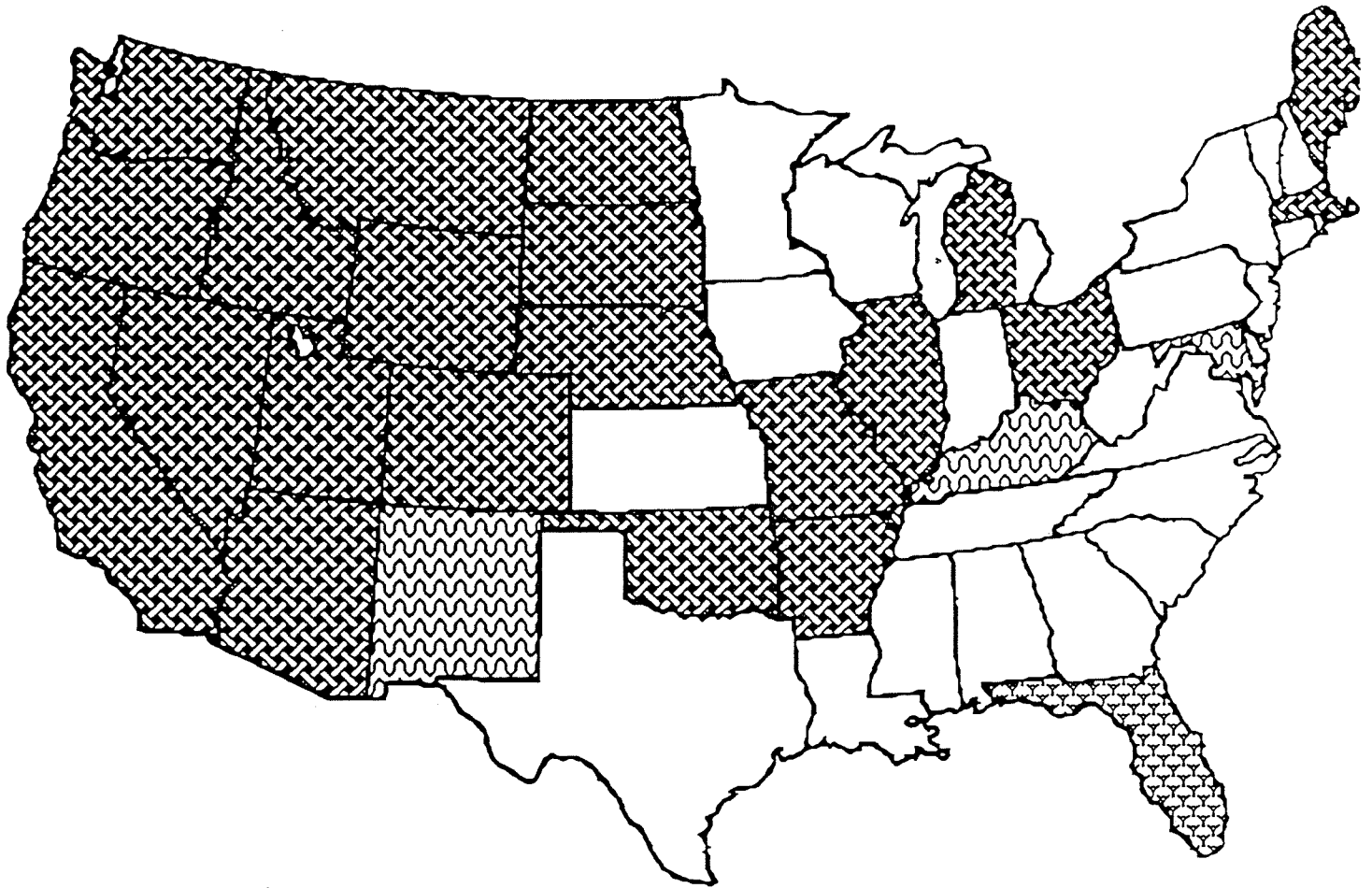
With a government framework that is centered around being of, by and for the people, giving our citizens a more direct role can strengthen our democracy and peoples faith in our government. All of us here work for the people. We should not have reservations about giving the people we serve a more direct role.


Before my assignment of helping Governor Finney in preparing these three measures, I was not aware of how much of a role our part of country has had in initiative and referendum. As your staff noted, South Dakota was the first state to adopt initiative. They did that clear back in 1898. In fact, Kansas is somewhat of an island. All the people in our bordering states have the power to initiate constitutional amendments and legislation. Our surrounding States have all had constitutional initiatives since early in this century. In the western and mid-western States, the idea of giving citizens the direct power to amend the state constitution or enact laws is the norm.


I trust that you will give these measures your serious consideration. In their broadest terms they all give people a larger role in their government and they all present the potential for giving the people a stronger interest and belief in their government.


HOUSE FEDERAL AND STATE AFFAIRS
January 31, 1991
ATTACHMENT #2 - 2

Initiative and Referendum



 Initiative and Referendum

 Initiative

 Referendum

Initiative, the process by which citizens can propose a law or constitutional amendment by petition and then decide the proposal in an election, has become an increasingly important part of the politics of the United States.

NCIR Foundation, a non-profit research and educational organization which serves as a clearinghouse for information on the initiative process, has compiled this state-by-state summary of initiative provisions with the assistance of state officials.

Statutes																
STATE	Maximum Petition Circulation Period	Publication Method Used:	Method of Voter Education:	Majesty Required:	SCP:	Allow Amendment or Recall by Legislature?	Constitutional Period:	Year Initiative Process Adopted	No. Initiatives on ballot up to 1989	No. Initiatives on ballot 1970 to 1979	No. Initiatives on ballot 1960 to 1969	TOTAL	Other citizens-petition processes allowed:	Local processes allowed:	1 = Initiative, 2 = Referendum, 3 = Recall, 4 = All Three	
STATE	Maximum Petition Circulation Period	Publication Method Used:	Method of Voter Education:	Majesty Required:	SCP:	Allow Amendment or Recall by Legislature?	Constitutional Period:	Year Initiative Process Adopted	No. Initiatives on ballot up to 1989	No. Initiatives on ballot 1970 to 1979	No. Initiatives on ballot 1960 to 1969	TOTAL	Other citizens-petition processes allowed:	Local processes allowed:	1 = Initiative, 2 = Referendum, 3 = Recall, 4 = All Three	
AL	1 yr	LG	I	P	MI	90d	Y	N	1959	2	7	6	15	3	1&3	
AK	24 mo	SS	RS => 1	P	MI	GP	Y	N	1910	109	5	8	122	3	Y	
AZ	N/S	SS	PV	N	MI	30d	Y	N	1909	54	4	5	62	1	Y	
AR	150d	CC	RS => 1	P	MI	I	N	N	1911	143	21	22	186	3	Y	
CA	6 mos	SS	PV	N/P	MI	GP	N	N	1910	104	18	10	132	3	Y	
CO															Some 1	
CT																
DE																
DC	180d	CC	I	N	MI	I	N/A	N	1977	0	0	7	7	3	2&3	
FL	4 yrs	SE	I	N	MI	Jan	N	N	1972	0	2	0	2	2	3	
GA																
HI																
ID	24 mos	SS	I	P	MI	GP	Y	N	1912*	9	3	4	16	3	2, 3 Some 1	
IL	24 mos	SS	I	P	ME/MI = 60%	GP	N	N	1970	0	0	1	1	1	Y	
IN															Some 1	
IA															Some 1	
KS															Y	
KY															Some 1	
LA															Some 1&3	
ME	1 yr	SS	I	P	MI	30d	Y	N	1908	7	6	6	19	1	Y/Ltd	
MD															Some Y	
MA	60d + 40d	SS	I	P	MI > 30%	30d	Y	Y	1918	22	6	3	31	1	Some Y	
MI	4 yrs	SS	RS	N	MI	C:45d S:10d	Y	N	1913	34	15	8	57	3	Some Y	
MN															Y	
MS															Some Y	
MO	N/S	SS	I	N	MI	GP	Y	N	1906	39	6	6	51	1	Y	
MT	9 mos	CC	I	P	MI	7/1	Y	N	1904	23	9	10	42	3	Y	
NE	2 yrs	SS	I	N	MI > 35%	GP	Y	Y	1912	24	2	1	27	3	Y	
NV	N/S	CC	RS => 1	N	MI	SCP	Y	Y*	1904	14	1	4	19	3	Y	
NH															Some 1	
NJ															Some Y	
NM															Y	
NY															1&2	
NC															Some Y	
ND	1 yr	SS	RS	N	MI	30d	N	N	1914	129	11	6	146	3	Y	
OH	N/S	SS	I	N	MI	30d	Y	N	1912	43	12	7	62	1	1, 2, Some 3	
OK																
OR	90d	SS	PV	N	MI	GP	Y	N	1907	69	5	3	77	1	1&3, Some 2	
PA	N/S	SS	RS	P	MI	30d	Y	N	1902	195	17	15	227	3	Y	
RI															Some Y	
SC															Some 1&2	
SD	1 yr	SS	PV	N	MI	I	Y	N	1898	16	6	7	29	1	Some Y	
TN															Some Y	
TX															Y	
UT	N/S	SS	I	P	MI	GP+5	Y	N	1900	3	3	2	8	3	Some 1&3	
VT																
VA	6 mos	SS	RS => 1	P	S:MI > 33%*	30d	Y	N	1912	65	20	9	94	2	Some 1&3	
WA	10 mos														1&2	
WV															Y	
WI															1&3	
WY	18 mos	SS	I	N/P	MLE	90d	Y	Y	1968	0	0	0	0	1	Y	

National Center for Initiative Review Foundation
5670 South Syracuse Circle, Suite 328
Englewood, Colorado 80111
303-779-1949

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HOUSE FEDERAL AND STATE AFFAIRS
January 31, 1991
ATTACHMENT #4

Initiative Provisions by State

														Constitutional Amendments																
														STATE	Signature Base Requirements		Number of Signatures required for 1985-88 elections.		Geographic District Requirements		Filing Deadline (Days prior to election)		Filing Deadline (Days prior to election)		Signature Base Requirements		Number of signatures required for filing based on number of registered voters			
PROVISION	TYPE	YEARS	BY	WHEN	BY	WHEN	BY	WHEN	BY	WHEN	BY	WHEN	BY	WHEN	STATE	TYPE	BASE	CO	TYPE	BASE	CO	TYPE	BASE	CO	TYPE	BASE	CO	TYPE	BASE	CO
Pre-Circulation *5% registered voters at time of approval to circulate. *Implemented in 1933. *50 days before regular session; 25 days prior to second regular session. *Passage in two general primaries required for constitutional initiative. *After 4 months without action or after rejected or amended by Legislature.														Petition Circulation Period *Signature Base Requirements TV-LGE = Total votes cast at last election at which office of Governor was included; LGV = total votes cast for all candidates for Governor in last gubernatorial election; LSV = total votes cast for all candidates for Secretary of State last time elected; LPV = last vote for president; VAP = voting age population as determined by last federal decennial census; LHV = total votes cast for office receiving highest total vote in last election; LTV = total votes cast in last general election; RV = registered voters. Note: Indirect initiatives may have two-tiered petition process: first to place the proposal to the legislature, then an additional tier to place the proposal on the ballot if the legislature does not act. Where applicable, requirements are listed in increments.																
LG	Y	4	LG	LG	A	Y	Y	Y	Y	AL	15% LGV	108,955			D	120d	None	D	10% LTV	21,317	10% ea									
SS	N	1	SS	SS	B	Y	N	N	Y	AZ	10% TV-LGE	88,655	5% ea in 15 Co		D	120d	10% LGV	D	10% LGV	72,637										
AG	N	4	AG	AG	B	Y	N	N	Y	AR	8% LGV	630,136			D	120d	8% TV-LGE	D	8% TV-LGE	63,149	5%									
AG	N	4	AG	AG	B	Y	N	N	Y	CA	8% LGV	630,136			D	131d	5% LGV	D	5% LGV	393,835										
LC/LD	N	1	LC/LD	SS	B	Y	N	Y	N	CO	5% LSV	46,737			D	3 mo	5% LSV	D	5% LSV	46,737										
SS	Y	1&2	BE	BE	P	B	Y	N	Y	CT	8% LPV	342,939	8% LPV from 1/2(10) CD		D	91d	90d	D	5% RV	Variable*	5% ea in									
SS	N	1	AG	SS	AG	B	Y	N	Y	DC	8% LGV	293,894			D	180d	120d	D	10% LGV	32,666										
SS	Y	1	AG	SS	AG	B	Y	N	Y	FL	8% LGV	293,894			D	180d	120d	D	10% LGV	32,666										
SS	Y	4	SS	SS	P	B	Y	N	Y	GA	8% LGV	293,894			D	180d	120d	D	10% LGV	32,666										
AG	Y	1	AG	SS	A	Y	Y	Y	Y	HI	3% LGV	61,508	No more than 25% any Co		I	Dec	Dec	I	3% LGV + 5%	61,508	No more									
AG	N	1	BC	B	A	Y	N	Y	Y	ID	10% LGV	304,001			D	120d	160d	I	8% LGV	243,201										
SS	Y	1	LC	AG	A	Y	N	Y	Y	IL	8% LGV	111,312	8% ea from 2/3(6) CD		D	120d	120d	D	5% LGV	67,581	5% ea									
SS	Y	1	LC	AG	A	Y	N	Y	Y	IN	10% LGV	37,897	10% ea from 2/5(40) SLD		D	90d	90d	D	5% LGV	18,949	5% ea									
SS	Y	1	LC	AG	A	Y	N	Y	Y	IA	10% LGV	54,790	5% ea in 2/5(38) Co		D	4m	4m	D	7% LGV	38,353	5% ea									
SS	Y	1	LC	AG	B	Y	N	N	Y	KS	10% LTV	29,441	10% ea in 3/4(13) Co		D	155d	95d	I	10% LTV	29,441	10% ea									
SS	N	4	SS	P	B	Y	N	N	Y	LA	4% VAP	26,110			D	90d	90d	D	2% VAP	13,055										
AG	S-Y	1	AG	P	B	Y	N	Y	Y	ME	10% LGV	335,672	5% ea in 1/2(44) Co		D	90d	10d	I	3% LGV	100,702	1.5% ea									
SS	N	4	SS	SS	A	Y	N	N	Y	MA	15% LHV	188,351			D	120d	120d	D	+3% LGV	+100,702	+1.5% ea									
SS	N	1	AG	SS	B	Y	N	Y	Y	MI	8% LGV	83,361			D	120d	120d	D	8% LHV	100,455										
SS	N	1	SS	P	B	Y	N	Y	Y	MN	10% LGV	27,857			D	1 yr	session	I	6% LGV	62,521										
SS	N	1	SS	AG	B	Y	N	N	Y	MO	10% LGV	27,857			D	1 yr	session	I	5% LGV	13,929										
SS	N	1	CR	AG	B	Y	N	Y	N	MT	10% LGV	27,857			D	1 yr	session	I	5% LGV	13,929										
SS	Y	1	SS	SS	B	Y	Y	Y	Y	NC	15% LTV	29,423	From 2/3(15) Co		D	60d-leg	60 d-leg	D	10% LGV + 5% LGV	62,962 + 31,481	10% ea									

NCIR Foundation

MEMORANDUM

Kansas Legislative Research Department

Room 545-N -- Statehouse
Topeka, Kansas 66612-1586
(913) 296-3181

January 31, 1991

To: House Committee on Federal and State Affairs

This memorandum outlines the major provisions in S.C.R. 1607, 1608, and 1609 (left column) and H.C.R. 5003, H.C.R. 5004, and H.C.R. 5005 proposed by the Governor (right column). If approved by two-thirds of the members of each chamber of the Legislature, each of the Senate concurrent resolutions would be voted upon at a special election on April 2, 1991. If approved by two-thirds of the members of each chamber of the Legislature, each of the House concurrent resolutions would be voted upon at a special election, to be held April 7, 1992.

S.C.R. 1607

- direct initiative of constitutional amendments
- propositions to go to voters at any November general election, or special election held at time of primary election in August, or a special election at time of general election for school districts held in April
- signature threshold: not less than 5 percent of the qualified electors in the state
- petitions filed with Secretary of State three to six months prior to the date of general election
- proposition may amend more than one section or article; can cover related subject matters in more than one article
- not more than three proposed amendments to be submitted at any one election; the first three filed go on the ballot

H.C.R. 5004

- direct initiative of constitutional amendments
- propositions to go to voters at next state-wide general election held not less than 130 days after the petition is filed
- signature threshold: not less than 8 percent of the total vote cast for the office of Governor at the last election for that office
- petitions filed with Secretary of State not more than 365 days after final determination as to form and legality
- proposition may amend one or more sections within a single article; can cover only one subject
- not more than three proposed amendments to be submitted at any one election; the first three filed go on the ballot; others null and void

- in cases of measures with conflicting amendments, the measure receiving the largest number of affirmative votes will prevail; when there is a tie, neither shall take effect
- majority vote determines outcome of measure
- defeated measures cannot be submitted to voters within four years from date of rejection
- matters left to implementing legislation: form of petitions and method for determining validity; procedure for withdrawing proposition prior to submission to voters

- in cases of measures with conflicting amendments, the measure receiving the largest number of affirmative votes will prevail; when there is a tie, neither shall take effect
- majority vote determines outcome of measure
- defeated measures cannot be submitted to voters within four years from date of rejection
- Secretary of State has 60 days to determine if petition has requested number of valid signatures
- provision is self-executing, but Legislature may enact implementing legislation
- prior to circulation, form and legality of the proposed amendment determined by the Attorney General; determination issued in writing within 21 days after submission of petition; persons aggrieved by determination have ten days to file a proceeding with Supreme Court

S.C.R. 1608

- direct initiative to propose and enact laws
- proposals submitted at general elections for state representatives
- signature threshold: 5 percent of total number of qualified voters in Kansas
- petitions filed with Secretary of State: at least 90 days prior to general elections for state representatives

H.C.R. 5003

- direct initiative to propose and enact laws
- proposals submitted at general elections for state representatives
- signature threshold: 5 percent of total votes cast for Governor at the last election for that office
- petition filed with Secretary of State; no more than 365 days after final determination as to proper form and legality

- Secretary of State has 40 days to determine if petition has requisite number of valid signatures
- prior to circulation for signatures, the petition and the proposed bill to be submitted to the Attorney General for approval as to form and constitutionality
- only three proposed bills to be submitted at any one election
- bills rejected by the voters and bills with substantially the same subject matter, as determined by the Attorney General, may be resubmitted only after three years
- each bill can cover only one subject and the subject must be expressed in the title
- not subject to gubernatorial signature or veto
- bills to take effect after publication as prescribed by law or at a later date prescribed within the bill
- Legislature authorized to amend or repeal enacted proposals
- Secretary of State has 60 days to determine if petition has requisite number of valid signatures
- prior to circulation for signatures, the petition, the proposed bill, and the proposed ballot summary to be submitted to the Attorney General for determination as to form and legality; determinations to be rendered in writing within 30 days after submission of petition; persons aggrieved with determination have ten days to file a proceeding with the Supreme Court
- form of petition: each page to contain ballot summary and each separately circulating portion of petition to contain or have attached the full text of proposed law; ballot summary to be a brief non-technical statement expressing intent and explanation of definitions of a "yes" and "no" vote
- only three proposed bills to be submitted at any one election
- bills rejected by the voters may be resubmitted only after four years unless proposed by a petition signed by registered voters equal in number to 25 percent of total vote cast for Governor at last election
- each bill can cover only one subject; subject restrictions include appropriations and dedication of revenues
- not subject to gubernatorial signature or veto
- bills to take effect when approved, as determined by the State Board of Canvassers, unless otherwise presented within the law itself
- Legislature authorized to amend or repeal enacted proposals

- matters left to implementing legislation: publication requirements; form of petition; filing procedure; method for determining validity of petitions; withdrawal of proposals or names from petitions prior to submission for election

- provision is self-executing, but legislation may be enacted to facilitate its implementation

S.C.R. 1609

- contingent referendum on legislative enactments
- affirmative vote of a simple majority of Legislature and of voters results in approval
- proposals submitted at elections for state representatives or special election called by Legislature
- full text of bill to appear on the ballot
- no more than three bills to appear at any given election
- Legislature authorized to amend or repeal bills after voter approval

H.C.R. 5005

- contingent referendum on legislative enactments
- affirmative vote of two-thirds of members in each house and majority of votes results in approval
- bill to designate election at which the measure will be submitted to voters
- either full text of bill or summary to appear on the ballot, as specified in the bill
- no more than three bills to appear on ballot at any given election
- Legislature authorized to amend or repeal bills after voter approval
- not subject to gubernatorial signature or veto