

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **SB 105**, As Amended by House Committee, on page 3, in line 7, by striking all after "(d)"; by striking all in line 8; in line 9, by striking all before the period and inserting "Upon the first instance of the establishment of the joint committee, the president of the senate shall appoint the chairperson of the joint committee from the members appointed under subsections (a)(1), (a)(2), (a)(5) and (a)(7) and the speaker of the house of representatives shall appoint the vice chairperson from the members appointed under subsections (a)(3), (a)(4), (a)(6) and (a)(8). Thereafter, whenever the joint committee is required to be established, the speaker of the house of representatives and the president of the senate shall alternate in appointing the chairperson and the vice chairperson"; in line 23, after the period by inserting "The joint committee shall only review candidates who are nominated to fill the vacancy by a member of the legislature. Each member of the legislature may nominate one person for consideration by the joint committee."; in line 28, by striking "Except as provided in subsection (c),"; in line 29, before "within" by inserting "If the vacancy occurs during a regular session of the legislature, or occurs when the legislature is not in regular session but a special session of the legislature is called within seven days after such vacancy occurs, then,"; in line 30, by striking all after "shall"; by striking all in lines 31 and 32; in line 33, by striking all before the period and inserting "submit a report to the senate and the house of representatives identifying five nominees for further consideration by the legislature"; following line 38, by inserting:

"(d) No member of the joint committee shall be recommended as a candidate to fill a vacancy in any report submitted pursuant to this section.";

Also on page 3, in line 39, by striking all after "(a)"; by striking all in lines 40 through 43;

On page 4, by striking all in lines 1 through 3; in line 4, by striking all before the period and inserting "If the joint committee on vacancy appointments submits a report to the senate and the house of representatives pursuant to section 3, and amendments thereto, then the legislature may adopt a concurrent resolution calling for a joint session of the legislature to consider the nominees identified by the joint committee in such report. Upon adoption of a concurrent resolution by both houses of the legislature establishing the date and time for a joint session of the legislature, the senate and the house of representatives shall meet in joint session on such date and time for such purpose. The legislature, when convened in such joint session, shall have no power to perform any act other than considering such nominees.

(b) When in joint session pursuant to this section, the president of the senate shall preside over the proceedings and, if the office of the president is vacant or the president is unable to do so, the speaker of the house of representatives shall preside over the proceedings. The chief clerk of the house of representatives and the secretary of the senate shall each keep a record of the proceedings. It shall be the duty of the chief clerk and the secretary to report such proceedings to their respective houses and record such proceedings in their respective journals.

(c) The rules of the house of representatives and the joint rules of the senate and the house of representatives in effect at the time of the joint session shall be the rules for such joint session to the extent that such rules do not directly conflict with the provisions of sections 2 through 4, and amendments thereto.

(d) All votes for nominees in a joint session of the legislature shall be taken by voice vote. For each such vote, the secretary of the senate shall first call the names of the members of the senate, and then the chief clerk of the house of representatives shall call the names of the

members of the house. Each member of the legislature in attendance at the joint session shall be required to vote on all nominees unless excused by a majority vote of the members of the legislature in attendance.

(e) Each nominee identified in the report of the joint committee shall be considered and voted upon separately. The nominees so identified shall be considered in alphabetical order based on the nominees' surnames.

(f) Any nominee who receives an affirmative vote from a majority of both the members of the senate and the members of the house of representatives shall be designated by the legislature as a candidate to fill the vacancy. If a nominee fails to receive the required affirmative vote to be designated as a candidate, a motion to reconsider such nominee shall be in order only after all nominees have been considered and initially voted upon. If a nominee fails to receive the required affirmative vote after a motion to reconsider such nominee, no second or subsequent motion to reconsider such nominee shall be in order.

(g) When three nominees have received the required affirmative votes to be designated as candidates pursuant to subsection (f), the consideration of nominees shall cease and no votes on any other nominees shall be in order.

(h) (1) If less than three nominees receive the required affirmative votes to be designated as candidates, the legislature shall direct the joint committee on vacancy appointments to reconvene for the consideration of additional nominees to fill such vacancy.

(2) When directed to do so by the legislature, the joint committee shall reconvene and act in accordance with section 3, and amendments thereto. When submitting any second or subsequent report, the joint committee may recommend one or more of the nominees who were recommended in any prior report of the joint committee.

(i) Upon the adjournment of a joint session of the legislature at which three nominees

received the required affirmative votes to be designated as candidates to fill the vacancy, the speaker of the house of representatives shall cause a concurrent resolution to be introduced in the house designating such nominees as candidates"

_____ District.