

STATE OF KANSAS

SENATE CHAMBER

MR. PRESIDENT:

I move to amend **SCR 1621**, on page 1, in line 12, by striking "Sections" and inserting "Section"; also in line 12, by striking "and 15"; in line 20, by striking "be elected to"; in line 21, after "office" by inserting "by senate confirmation"; in line 25, by striking "a person"; in line 26, by striking all before the period and inserting "one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission established as hereinafter provided"; in line 32, by striking "date such vacancy occurred or such"; in line 33, by striking all before the comma and inserting "time the names of the nominees are submitted to the governor"; in line 34, before the comma by inserting "from such nominees"; in line 35, by striking ", of a person possessing the qualifications of office";

On page 2, in line 17, by striking "governor" and inserting "supreme court nominating commission"; in line 18, by striking all after "shall"; in line 19, by striking all before "such" and inserting "nominate and submit the names of three persons possessing the qualifications of office to the governor, and a subsequent appointment shall be made as provided in subsection (a)."; in line 29, by striking "provisions of"; also in line 29, by striking "of this section"; in line 30, by striking "an initial" and inserting "a"; in line 31, by striking "first"; in line 32, by striking "twelve months" and inserting "six years"; in line 34, by striking all after "(2)"; in line 35, by striking "election" and inserting "On or before the eighth calendar day of the regular legislative session"; in line 36, by striking all after "file"; in line 37, by striking all before "a" and inserting "with the secretary of the senate"; in line 41, by striking the second "such"; by striking all in lines 42 and

43;

On page 3, by striking all in lines 1 through 6 and inserting "the senate shall vote to consent to the retention in office not later than sixty days after such declaration is received by the senate. If the senate fails to vote on the retention in office within the time limitation imposed by this subsection, the senate shall be deemed to have given consent to retaining such justice in office."; in line 8, by striking all after "(3)" and inserting "In the event that a majority of the senate does not vote to consent to"; in line 13, by striking all after the first "the"; in line 14, by striking all before the period and inserting "term provided in this subsection"; in line 16, by striking "election" and inserting "senate confirmation"; in line 42, by striking all after "(4)";

On page 4, by striking all in line 1; in line 2, by striking all before "to" and inserting "In the event that a majority of the senate does not vote to consent to retaining a justice in office, the secretary of the senate shall report such result"; following line 7, by inserting:

"(d) A nonpartisan nominating commission, whose duty shall be to nominate and submit to the governor the names of persons for appointment to fill vacancies in the office of any justice of the supreme court, is hereby established and shall be known as the "supreme court nominating commission." The commission shall be organized as hereinafter provided.

(e) The supreme court nominating commission shall be composed as follows: One member, who shall be the chairperson, chosen from among their number by the members of the bar who are residents of and licensed in Kansas; one member from each congressional district chosen from among their number by the resident members of the bar in each such district; one member, who is not a lawyer, from each congressional district, appointed by the governor from among the residents of each such district; two members appointed by the president of the senate; and two members appointed by the speaker of the house of representatives.

(f) The terms of office, the procedure for selection and certification of the members of

the commission and provision for their compensation or expenses shall be as provided by the legislature.

(g) While a member, no member of the supreme court nominating commission shall hold any other public office by appointment or any official position in a political party, or for six months thereafter, be eligible for nomination for the office of justice of the supreme court. The commission may act only by the concurrence of a majority of the commission's members.";

Also on page 4, by striking all in lines 8 through 16; in line 17, by striking all before the quotation mark; in line 22, by striking "supreme court nominating commission" and inserting "process of retention in office by election and require retention in office by senate confirmation"; in line 23, by striking "a qualified person" and inserting "one of three persons possessing the qualifications of office who shall be nominated and whose names shall be submitted to the governor by the supreme court nominating commission"; in line 25, by striking "appoint a qualified person" and inserting "make the appointment from such nominees"; in line 28, by striking all after the comma; in line 29, by striking "person" and inserting "the nomination and appointment process is repeated"; in line 34, after the period by inserting "Justices will hold office for a term ending on the second Monday in January following the general election that occurs after the expiration of six years in office and will be subject to retention in office by senate confirmation. The amendment would also expand the supreme court nominating commission from nine members to 13 members by adding two members appointed by the president of the senate and two members appointed by the speaker of the house of representatives."; in line 35, by striking all after "would"; in line 36, by striking all before "provide"; in line 38, after "justice" by inserting "from a list of three individuals submitted by the supreme court nominating commission"; in line 39, after the period by inserting "Justices will hold office for a term ending on the second Monday in January following the general election

that occurs after the expiration of six years in office and will be subject to retention in office by senate confirmation. The amendment would also expand the supreme court nominating commission from nine members to 13 members by adding two members appointed by the president of the senate and two members appointed by the speaker of the house of representatives."; in line 43, before the period by inserting "and are not subject to senate confirmation. Justices will continue to be subject to retention in office by election and hold office for a regular term of six years ending on the second Monday in January following the general election at which such justice is retained in office by the electors. The supreme court nominating commission will remain at nine members";

On page 1, in the title, in line 1, by striking "sections" and inserting "section"; also in line 1, by striking "and 15"; in line 3, by striking all after the second semicolon; in line 4, by striking all before the period and inserting "eliminating the process of retention in office by election and requiring retention in office by senate confirmation; increasing the number of members on the supreme court nominating commission"

Senator _____