

House Concurrent Resolution No. 5023

By Representative Otto

1-11

9 A PROPOSITION to amend article 11 of the constitution of the state of
10 Kansas by adding a new section thereto, concerning fees collected by
11 state agencies.

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 House of Repre-*
14 *sentatives and two-thirds of the members elected (or appointed) and*
15 *qualified to the Senate 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: Article 11 of the constitution of the state
19 of Kansas is amended by adding a new section thereto to read as follows:

20 “§ 14. (a) No fees collected by any state agency shall be spent
21 for reasons other than the reasons such fees were collected.

22 (b) No money shall be transferred from a fee account of a state
23 agency to the state general fund unless the transfer is supported by
24 a documented cost study approved by the governor showing such
25 transfer is for the reimbursement of actual costs paid by the state
26 general fund.”

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

29 “*Explanatory statement.* There is currently no expressed prohibi-
30 tion on allowing the transfer of money from state agencies’ fee
31 accounts to the state general fund.

32 “A vote for this proposition would amend the Kansas constitution
33 to prohibit fees collected by any state agency from being spent
34 for reasons other than the reasons such fees were collected. It
35 also would clarify that no money shall be transferred from a fee
36 account of a state agency to the state general fund unless the
37 transfer is supported by a cost study showing the transfer is for
38 the reimbursement of actual costs paid by the state general fund.

39 “A vote against this proposition would not amend the constitution.”

40 Sec. 3. This resolution, if approved by two-thirds of the members
41 elected (or appointed) and qualified to the House of Representatives, and
42 two-thirds of the members elected (or appointed) and qualified to the
43 Senate shall be entered on the journals, together with the yeas and nays.

1 The secretary of state shall cause this resolution to be published as pro-
2 vided by law and shall cause the proposed amendment to be submitted
3 to the electors of the state at the general election in the year 2006 unless
4 a special election is called at a sooner date by concurrent resolution of
5 the legislature, in which case it shall be submitted to the electors of the
6 state at the special election.