

## Senate Concurrent Resolution No. 1614

By Senators D. Schmidt, Abrams, Apple, Barnett, Brownlee, Bruce, Brungardt, Colyer, Donovan, Emler, Huelskamp, Kelsey, Lynn, Marshall, Masterson, McGinn, Morris, Ostmeyer, Owens, Petersen, Pilcher-Cook, Reitz, V. Schmidt, Schodorf, Steineger, Taddiken, Umbarger, Vratil, Wagle and Wysong

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13 A PROPOSITION to amend article 11 of the constitution of the state of  
14 Kansas by adding a new section thereto, concerning a budget stabili-  
15 zation fund in the state treasury.

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17 *Be it resolved by the Legislature of the State of Kansas, two-thirds of the*  
18 *members elected (or appointed) and qualified to the Senate and two-*  
19 *thirds of the members elected (or appointed) and qualified to the House*  
20 *of Representatives concurring therein:*

21 Section 1. The following proposition to amend the constitution of the  
22 state of Kansas shall be submitted to the qualified electors of the state  
23 for their approval or rejection: Article 11 of the constitution of the state  
24 of Kansas is hereby amended by adding a new section thereto to read as  
25 follows:

26 “§ 14. **Budget Stabilization Fund.** A budget stabilization fund  
27 shall be established and maintained in the state treasury.

28 (a) Not later than June 30 of each year, an amount equal to .25  
29 percent of the state revenues collected in the preceding 12  
30 months shall be transferred to the budget stabilization fund.

31 The legislature shall have the power to transfer or appropriate  
32 additional amounts to the budget stabilization fund as the leg-  
33 islature may deem appropriate.

34 (b) Moneys may be transferred from the budget stabilization fund  
35 only as follows:

36 (1) Any amount of moneys may be transferred from the budget  
37 stabilization fund into a single other state fund. Any transfer  
38 authorized by this subparagraph shall be by a separate bill that  
39 does not include any other matter except that authorizing the  
40 transfer from the budget stabilization fund. The affirmative  
41 vote of not less than three-fifths of all members then elected  
42 (or appointed) and qualified to each house shall be necessary  
43 to pass any separate bill authorized by this subparagraph.

- 1 (2) Whenever the amount in the budget stabilization fund exceeds  
2 five percent of the state revenues collected in the previous fiscal  
3 year, moneys that exceed such five percent may be transferred  
4 from the budget stabilization fund into a single other state fund.  
5 Any transfer authorized by this subparagraph shall be by a sep-  
6 arate bill that does not include any other matter except that  
7 authorizing the transfer from the budget stabilization fund.
- 8 (c) Amounts in the budget stabilization fund may be invested as  
9 provided by law and the earnings thereon shall be retained in  
10 the budget stabilization fund.
- 11 (d) As used in this section, "state revenues" means all revenues  
12 from any source deposited to any state fund excluding any rev-  
13 enues received from the federal government.
- 14 (e) The legislature may enact laws to carry out the purposes of this  
15 section."
- 16 Sec. 2. The following statement shall be printed on the ballot with  
17 the amendment as a whole:
- 18 "*Explanatory statement.* The purpose of this amendment is to es-  
19 tablish a budget stabilization fund in the state treasury.
- 20 "A vote for this amendment would require that annually .25 percent  
21 of the state revenues collected in the preceding year be trans-  
22 ferred to the budget stabilization fund. Moneys from such fund  
23 may only be transferred for the following circumstances:
- 24 (1) By a separate act of the legislature passed by an affirmative vote  
25 of not less than three-fifths of all members then elected (or  
26 appointed) and qualified to each house.
- 27 (2) By a separate act of the legislature whenever the amount in  
28 such fund exceeds five percent of the state revenues collected  
29 in the previous fiscal year, moneys that exceed such five percent  
30 may be transferred from the budget stabilization fund.
- 31 "A vote against this amendment would make no changes in current  
32 law concerning the state's finance."
- 33 Sec. 3. This resolution, if approved by two-thirds of the members  
34 elected (or appointed) and qualified to the Senate, and two-thirds of the  
35 members elected (or appointed) and qualified to the House of Repre-  
36 sentatives shall be entered on the journals, together with the yeas and  
37 nays. The secretary of state shall cause this resolution to be published as  
38 provided by law and shall cause the proposed amendment to be submitted  
39 to the electors of the state at the general election in the year 2010 unless  
40 a special election is called at a sooner date by concurrent resolution of  
41 the legislature, in which case it shall be submitted to the electors of the  
42 state at the special election.