

Journal of the House

FOURTH DAY

HALL OF THE HOUSE OF REPRESENTATIVES,
TOPEKA, KS, Thursday, January 13, 2022, 11:00 a.m.

The House met session pro forma pursuant to adjournment with Speaker pro tem Finch in the chair.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills and concurrent resolution were introduced and read by title:

HB 2479, AN ACT concerning wildlife; relating to unlawful actions; making unlawful the capture or possession of ornate box turtles; amending K.S.A. 32-1015 and repealing the existing section, by Representatives Gartner, Amyx, Ballard, Curtis, Kuether, Miller, Neighbor, Probst, Ruiz, L., Ruiz, S. and Victors.

HB 2480, AN ACT concerning water; relating to the financing of public water supply projects; allowing financing for projects that are related to the diversion or transportation of water acquired through a water transfer; amending K.S.A. 65-163d and repealing the existing section, by Committee on Water.

HB 2481, AN ACT concerning retirement and pensions; relating to the Kansas police and firemen's retirement system; authorizing the purchase of participating service credit for certain in-state nonfederal governmental employment; providing certain terms and conditions, by Committee on Insurance and Pensions.

HOUSE CONCURRENT RESOLUTION No. **HCR 5022**—

By Committee on Federal and State Affairs

A PROPOSITION to amend sections 2 and 5 of article 9 of the constitution of the state of Kansas to require that a sheriff be elected in each county for a term of four years.

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

Section 1. The following proposition to amend the constitution of the state of Kansas shall be submitted to the qualified electors of the state for their approval or rejection: Sections 2 and 5 of article 9 of the constitution of the state of Kansas are hereby amended to read as follows:

"§ 2. County and township officers. (a) *Except as provided in subsection (b), each county shall elect a sheriff for a term of four years by a majority of the qualified electors of the county voting thereon at the time of voting designated for such office pursuant to law in effect on January 11, 2021, and every four years thereafter.*

(b) *The provisions of subsection (a) shall not apply to a county that abolished the office of sheriff prior to January 11, 2021. Such county may restore the office of sheriff as provided by law and such restoration shall be irrevocable. A county that restores the office of sheriff shall elect a sheriff by a majority of the qualified electors of the county voting thereon for a term of four years. Such sheriff shall have such qualifications and duties as provided by law. The time of voting for the office of sheriff may be provided for by the legislature pursuant to section 18 of article 2 of this constitution.*

(c) *The filling of vacancies and the qualifications and duties of the office of sheriff shall be as provided by law.*

(d) *The legislature shall provide for such other county and township officers as may be necessary."*

"§ 5. Removal of officers. (a) *Except as provided in subsection (b), all county and township officers may be removed from office, in such manner and for such cause, as shall be prescribed by law.*

(b) *A county sheriff only may be involuntarily removed from office by recall election pursuant to section 3 of article 4 of this constitution or a writ of quo warranto initiated by the attorney general."*

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

"Explanatory statement. This amendment would preserve the right of citizens of each county that elected a county sheriff as of January 11, 2021, to continue electing the county sheriff. The amendment would also provide that a county sheriff only may be involuntarily removed from office pursuant to either a recall election or a writ of quo warranto initiated by the attorney general.

"A vote for this proposition would preserve the right of citizens of each county that elected a county sheriff as of January 11, 2021, to continue electing the county sheriff via popular vote. The amendment would also direct that a county sheriff only may be involuntarily removed from office pursuant to either a recall election or a writ of quo warranto initiated by the attorney general."

"A vote against this proposition would not make any changes to the constitution and would retain current law concerning the election of a sheriff and the procedures for involuntary removal of a sheriff from office."

Sec. 3. This resolution, if approved by two-thirds of the members elected (or appointed) and qualified to the House of Representatives and two-thirds of the members elected (or appointed) and qualified to the Senate, shall be entered on the journals, together with the yeas and nays. The secretary of state shall cause this resolution to be published as provided by law and shall cause the proposed amendment to be submitted to the electors of the state at the general election in November in the year 2022, unless a special election is called at a sooner date by concurrent resolution of the legislature, in which case it shall be submitted to the electors of the state at the special election.

REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were referred to committees as indicated:

Judiciary: **HB 2477**.

Transportation: **HB 2478**.

COMMUNICATIONS FROM STATE OFFICERS

From: Camille Russell, State Long-Term Care Ombudsman, Office of the State Long-Term Care Ombudsman; 2021 annual report required by K.S. A. 75-7306.

From: Craig Neuenswander, Deputy Commissioner of Education, Kansas Department of Education; pursuant to K.S.A. 72-2291, 2021 USD Early Retirement Program Survey.

From: Bert Moore, Director of Special Education and Title Services; Kansas Department of Education; according to K.S.A. 72-6141-6145; Information Relating to School Safety, and Security and Emergency Safety Intervention-Trend Data: 2017-2021.

From: Craig Neuenswander, Deputy Commissioner of Education, Kansas Department of Education; pursuant to K.S.A. 72-5462(f), Report on Capital Improvement State Aid.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

On motion of Rep. Hawkins, the House adjourned pro forma until 9:00 a.m. on Friday, January 14, 2022.

JENNY HAUGH, JULIA WERNER, *Journal Clerks*.

SUSAN W. KANNARR, *Chief Clerk*.

