

Representative Chad E. Bennion proposes the following substitute bill:

RESOLUTION ON SPECIAL SESSIONS OF THE LEGISLATURE

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Chad E. Bennion

This joint resolution of the Legislature proposes to amend the Utah Constitution to authorize the Legislature to call itself into special session. This joint resolution authorizes the Governor to add legislative business to a special session called by the Legislature and authorizes the Legislature to add legislative business to a special session called by the Governor. The joint resolution requires advance notice of legislative business in a special session convened by either the Governor or Legislature, with certain exceptions. The joint resolution reduces the maximum length of a special session convened by the Governor. The joint resolution prohibits a special session to be convened by the Legislature within a specified period after an annual general session. The joint resolution restricts the number of times the Legislature may convene itself into special session and limits the number of days a special session convened by the Legislature may last. This joint resolution makes conforming changes and clarifying changes, directs the lieutenant governor to submit the proposal to the voters, makes technical changes, and provides an effective date.

This resolution proposes to change the Utah Constitution as follows:

AMENDS:

ARTICLE VI, SECTION 16

ARTICLE VII, SECTION 6

ENACTS:

ARTICLE VI, SECTION 34

Be it resolved by the Legislature of the state of Utah, two-thirds of all members elected to each of the two houses voting in favor thereof:



26 Section 1. It is proposed to amend Utah Constitution Article VI, Section 16, to read:

27 **Article VI, Section 16. [Duration of sessions.]**

28 (1) No annual general session of the Legislature [shall] may exceed 45 calendar days,
29 except in cases of impeachment.

30 (2) [No special session shall exceed 30 calendar days, except] Except in cases of
31 impeachment[-]:

32 (a) no special session convened by the Legislature under Article VI, Section 34 may
33 exceed seven calendar days; and

34 (b) no special session convened by the Governor under Article VII, Section 6 may exceed
35 15 calendar days.

36 (3) When any session of the Legislature trying cases of impeachment exceeds the number
37 of days it may remain in session as provided in this section, the members shall receive
38 compensation only for expenses and mileage for those days in excess of [30]:

39 (a) 45, for an annual general session; or

40 (b) (i) seven, for a special session convened by the Legislature under Article VI, Section
41 34; or

42 (ii) 15, for a special session convened by the Governor under Article VII, Section 6.

43 Section 2. It is proposed to enact Utah Constitution Article VI, Section 34, to read:

44 **Article VI, Section 34. [Legislature may convene itself into session.]**

45 (1) (a) In addition to the manner of convening the Legislature under Article VII, Section
46 6, and the reconvening of the Legislature under Article VII, Section 8 to reconsider a bill or item
47 returned by the Governor, the Legislature may convene itself into special session with the
48 concurrence of two-thirds of the members elected to each house, to conduct legislative business
49 as specified by two-thirds of the members elected to each house, or as the Governor calls to the
50 Legislature's attention while the Legislature is in session.

51 (b) The Legislature may not transact any legislative business in a special session convened
52 under this section for which it has not provided 48 hours advance public notice, except in cases
53 of emergency.

54 (2) In order to convene the Legislature into special session under this section, the presiding
55 officer of each house shall poll the members of that house on the matter of convening into special
56 session. If two-thirds of the members of each house are in favor of convening, the Legislature

57 shall be convened in special session at a time set jointly by the presiding officer of each house.

58 (3) No special session of the Legislature may be convened under this section until 60 days
59 after the adjournment sine die of the annual general session of the Legislature.

60 (4) No more than four special sessions may be convened under this section in any calendar
61 year.

62 Section 3. It is proposed to amend Utah Constitution Article VII, Section 6, to read:

63 **Article VII, Section 6. [Convening of extra sessions of Legislature.]**

64 (1) (a) On extraordinary occasions, the Governor may convene the Legislature by
65 proclamation, in which shall be stated the purpose for which the Legislature is to be convened, and
66 it [~~shall~~] may transact no legislative business except that for which it was especially convened, or
67 such other legislative business as the Governor may call to its attention while in session or as
68 specified while in session by two-thirds of the members elected to each house. The Legislature,
69 however, may provide for the expenses of the session and other matters incidental thereto.

70 (b) The Legislature may not transact any legislative business in a special session convened
71 under this section for which the Governor has not provided 48 hours advance public notice, except
72 in cases of emergency or with the concurrence of two-thirds of all members elected to each house.

73 (2) The Governor may also by proclamation convene the Senate in extraordinary session
74 for the transaction of executive business.

75 **Section 4. Submittal to voters.**

76 The lieutenant governor is directed to submit this proposed amendment to the voters of the
77 state at the next regular general election in the manner provided by law.

78 **Section 5. Effective date.**

79 If the amendment proposed by this joint resolution is approved by a majority of those
80 voting on it at the next regular general election, the amendment shall take effect on January 1,
81 2003.