

Representative Chad E. Bennion proposes the following substitute bill:

RESOLUTION ON SPECIAL SESSIONS OF

THE LEGISLATURE

2003 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 session. This joint resolution authorizes the Governor to add legislative business to a session called by the Legislature and authorizes the Legislature to add legislative business to a session called by the Governor. The joint resolution requires advance notice of legislative business in a session convened by the Legislature, with certain exceptions. The joint resolution prohibits a session to be convened by the Legislature within a specified period after an annual general session. The joint resolution limits the total number of days per year of sessions convened by the Legislature. 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:

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



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

27 (1) ~~[No]~~ Except in cases of impeachment:

28 (a) no annual general session of the Legislature [shall] may exceed 45 calendar days[;
29 ~~except in cases of impeachment. No special session shall exceed 30 calendar days, except in~~
30 ~~cases of impeachment.];~~

31 (b) no session convened by the Legislature under Article VI, Section 34 may exceed
32 the 15-day limit of Subsection (5) of Article VI, Section 34; and

33 (c) no session convened by the Governor under Article VII, Section 6 may exceed 30
34 calendar days.

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

38 (a) 45, for an annual general session;

39 (b) for a session convened by the Legislature under Article VI, Section 34, the 15-day
40 limit of Subsection (5) of Article VI, Section 34; or

41 (c) 30, for a session convened by the Governor under Article VII, Section 6.

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

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

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

49 (2) In order to convene the Legislature into session under this section, the presiding
50 officer of each house shall poll the members of that house on the matter of convening into
51 session. If two-thirds of the members of each house are in favor of convening, the Legislature
52 shall be convened in session at a time set jointly by the presiding officer of each house.

53 (3) In a session convened under this section:

54 (a) the Legislature may not transact any of the legislative business specified by
55 two-thirds of the members elected to each house for which the Legislature has not provided 48
56 hours advance public notice; and

57 (b) the Legislature may not transact any legislative business that the Governor calls to
 58 its attention while in session for which the Governor has not provided 48 hours advance public
 59 notice, except in cases of declared emergency or with the concurrence of two-thirds of all
 60 members elected to each house.

61 (4) No session of the Legislature may be convened under this section within 60 days
 62 after the adjournment sine die of the annual general session of the Legislature.

63 (5) All sessions convened by the Legislature under this section may not cumulatively
 64 exceed 15 calendar days per calendar year.

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

66 **Article VII, Section 6. [Convening of extra sessions of the Legislature -- Advance**
 67 **public notice.]**

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

75 (2) In a session convened under this section:

76 [~~(b) The~~] (a) the Legislature may not transact any legislative business, whether
 77 specified by the Governor in the proclamation or called to the Legislature's attention while in [a
 78 special] session [convened under Subsection (1)(a)], for which the Governor has not provided
 79 48 hours advance public notice, except in cases of declared emergency or with the concurrence
 80 of two-thirds of all members elected to each house[.]; and

81 (b) the Legislature may not transact any legislative business specified by two-thirds of
 82 the members elected to each house for which the Legislature has not provided 48 hours
 83 advance public notice.

84 [~~(2)~~] (3) The Governor may also by proclamation convene the Senate in extraordinary
 85 session for the transaction of executive business.

86 Section 4. **Submittal to voters.**

87 The lieutenant governor is directed to submit this proposed amendment to the voters of

88 the state at the next regular general election in the manner provided by law.

89 Section 5. **Effective date.**

90 If the amendment proposed by this joint resolution is approved by a majority of those

91 voting on it at the next regular general election, the amendment shall take effect on January 1,

92 2005.