

3
4 **HOUSE BILL No. 2224**

5
6 By Representative Findley

7
8 1-30

9
10 AN ACT concerning the negotiation and approval of gaming compacts;
11 amending K.S.A. 46-2302 and repealing the existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 46-2302 is hereby amended to read as follows: 46-
15 2302. (a) Any request by a tribe for negotiation of a gaming compact with
16 the state of Kansas, including a request for renegotiation of an existing
17 gaming compact, received on or after the effective date of this act shall
18 be submitted in writing to the governor.

19 (b) The governor or the governor's designated representatives are
20 authorized to negotiate gaming compacts on behalf of the state of Kansas.
21 At the conclusion of negotiations, the governor shall submit the proposed
22 compact to the joint committee on state-tribal relations for the commit-
23 tee's recommendations as to approval or modification of the proposed
24 compact.

25 (c) If the joint committee recommends modification of a proposed
26 compact submitted by the governor, the governor or the governor's rep-
27 resentatives may resume negotiations in accordance with the joint com-
28 mittee's recommendations and the modified proposed compact shall be
29 submitted to the joint committee in the same manner as the original
30 proposed compact. Within 5 days after receiving the joint committee's
31 recommended modifications, the governor shall notify the joint commit-
32 tee, in writing, as to whether or not the governor has resumed negotia-
33 tions. Within 10 days after receipt of notice that the governor has not
34 resumed negotiations, or if the governor fails to notify the joint committee
35 that the governor has resumed negotiations, the joint committee shall
36 vote to recommend approval or rejection of the proposed compact or
37 shall vote to make no recommendation on the proposed compact.

38 (d) ~~[(1)] (1) If the legislature is in session when~~ *The legislature shall*
39 *approve or disapprove a proposed compact as provided by this subsection.*
40 *After the joint committee votes to recommend approval or rejection of a*
41 *proposed compact or votes to make no recommendation on a proposed*
42 *compact, as authorized by this section, the joint committee shall introduce*
43 *in each house of the legislature, within five days after the joint commit-*

1 tee's vote, a resolution approving the proposed compact as submitted by
2 the governor. Each resolution shall be accompanied by the report of the
3 joint committee recommending that the resolution be adopted or not be
4 adopted or reporting the resolution without recommendation. If, within
5 10 days after introduction of the resolutions, a majority of the members
6 of each house votes to adopt the resolution introduced in such house, the
7 proposed compact shall be considered to have been approved by the
8 legislature and the governor is authorized to execute the compact on
9 behalf of the state. Each house of the legislature shall vote on the reso-
10 lution introduced in such house within 10 days after introduction unless
11 the other house has already voted against adoption of the resolution in-
12 troduced in such other house.

13 (2) If the legislature is not in session when the joint committee votes
14 to recommend approval or rejection of a proposed compact or votes to
15 make no recommendation on a proposed compact, as authorized by this
16 section, the joint committee shall notify the legislative coordinating coun-
17 cil *and the governor* of the joint committee's action within five days after
18 such action. ~~If, within 30 days after receiving such notice, the legislative~~
19 ~~coordinating council votes, by a vote of five members of the council, to~~
20 ~~approve the proposed compact, the compact shall be considered to have~~
21 ~~been approved by the legislative coordinating council and the governor~~
22 ~~is authorized to execute the compact on behalf of the state.~~

23 ~~—(3)—Neither the legislature nor the legislative coordinating council has~~
24 ~~the~~

25 *A special session of the legislature may be called in the manner provided*
26 *by section 5 of article 1 of the Constitution of the state of Kansas or K.S.A.*
27 *46-1401 et seq., and amendments thereto, so that the legislature may ap-*
28 *prove or disapprove the proposed compact as provided by this paragraph.*
29 *If a special session is called, the joint committee shall introduce in each*
30 *house of the legislature a resolution approving the proposed compact as*
31 *submitted by the governor. Each resolution shall be accompanied by the*
32 *report of the joint committee recommending that the resolution be adopted*
33 *or not be adopted or reporting the resolution without recommendation.*
34 *If, within five days after introduction of the resolutions, a majority of the*
35 *members of each house votes to adopt the resolution introduced in such*
36 *house, the proposed compact shall be considered to have been approved*
37 *by the legislature and the governor is authorized to execute the compact*
38 *on behalf of the state. Each house of the legislature shall vote on the*
39 *resolution introduced in such house within five days after introduction*
40 *unless the other house already has voted against adoption of the resolution*
41 *introduced in such other house.*

42 (3) *The legislature shall have no authority to amend or otherwise*
43 *modify any proposed gaming compact.*

1 (e) The attorney general shall be the legal counsel for the governor
2 or the governor’s representatives in negotiating a gaming compact under
3 this section and for the joint committee in reviewing proposed compacts.

4 (f) A gaming compact negotiated on behalf of the state under this
5 section shall contain:

6 (1) A provision recognizing the right of each party to the compact to
7 request that the compact be renegotiated or replaced by a new compact,
8 including the right of the legislature by concurrent resolution to request
9 renegotiation or replacement of the compact, and providing the terms
10 under which either party, including the legislature, may request a rene-
11 gotiation or the negotiation of a new compact; and

12 (2) a provision that, in the event of a request for a renegotiation or a
13 new compact, the existing compact will remain in effect until renegotiated
14 or replaced.

15 (g) The governor or the governor’s designated representatives and
16 the attorney general shall report to the joint committee, at such times as
17 requested by the joint committee, regarding gaming compacts negotiated
18 and prospective negotiations.

19 Sec. 2. K.S.A. 46-2302 is hereby repealed.

20 Sec. 3. This act shall take effect and be in force from and after its
21 publication in the statute book.

22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43