

House Concurrent Resolution No. 5002

By Representative Ryckman

1-9

1 A CONCURRENT RESOLUTION adopting joint rules for the Senate
2 and House of Representatives for the 2017-2018 biennium.

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4 *Be it resolved by the House of Representatives of the State of Kansas,*
5 *the Senate, concurring therein:* That the following joint rules shall be the
6 joint rules of the Senate and House of Representatives for the 2017-2018
7 biennium.

8 JOINT RULES
9 OF THE
10 SENATE AND HOUSE OF REPRESENTATIVES
11 2017-2018
12

13 **Joint rule 1. Joint rules; application and date of expiration;**
14 **adoption, amendment, suspension and revocation.** (a) *Joint rules;*
15 *expiration, adoption, amendment, suspension and revocation; vote*
16 *required.* Joint rules are adopted under the authority of section 8 of article
17 2 of the Constitution of the State of Kansas and shall govern matters
18 made subject thereto except when otherwise specifically provided by
19 joint rule. Joint rules shall expire at the conclusion of the terms of
20 representatives. Joint rules shall be adopted, amended, suspended and
21 revoked by concurrent resolution of the two houses of the legislature.
22 Concurrent resolutions adopting joint rules shall receive the affirmative
23 vote of not less than a majority of the members then elected (or
24 appointed) and qualified in each house.

25 (b) *Amendment, suspension or revocation of joint rules; previous*
26 *notice; vote required.* After one day's previous notice, joint rules may be
27 amended, suspended or revoked by the affirmative vote of not less than a
28 majority of the members then elected (or appointed) and qualified in each
29 house. Upon the filing of such notice in either house, a message shall be
30 sent to the other house advising of the filing of such notice and the
31 reading of the message shall constitute notice to the members of such
32 house. If such previous notice is not given, the affirmative vote of $\frac{2}{3}$ of
33 the members then elected (or appointed) and qualified in each house shall
34 be required for the amendment, suspension or revocation of a joint rule.

35 (c) *Amendment, suspension or revocation of joint rules at*
36 *commencement of legislative session; vote required; conditions.*

1 Notwithstanding any provision of this rule to the contrary, no notice shall
2 be required for the adoption of a concurrent resolution amending,
3 suspending or revoking any one or more joint rules at the commencement
4 of a legislative session, and adoption of any such concurrent resolution
5 shall require only the affirmative vote of not less than a majority of the
6 members then elected (or appointed) and qualified in each house, subject
7 to the following conditions: (1) The concurrent resolution is sponsored by
8 the speaker or the president, and (2) either (a) a copy thereof is mailed to
9 each member of the legislature by deposit in the United States mails not
10 later than 11:00 p.m. on the Thursday preceding the Monday on which
11 the legislative session is to commence or (b) in lieu of mailing, copies of
12 the concurrent resolution are made available to members on the first day
13 of the legislative session and final action is taken on a subsequent
14 legislative day.

15 **Joint rule 2. Joint sessions.** (a) *Joint session called by concurrent*
16 *resolution; vote required; time, place and subject matter.* A joint session
17 of the senate and house of representatives may be called by concurrent
18 resolution adopted by the affirmative vote of not less than a majority of
19 the members elected (or appointed) and qualified in each house of the
20 legislature or as may otherwise be prescribed by law. Any such resolution
21 shall fix the time and place of the joint session, and the subject matter to
22 be considered at the joint session. Joint sessions shall consider only such
23 matters as are prescribed by law or by the concurrent resolution calling
24 such joint session.

25 (b) *Presiding officer at joint sessions; record of joint session; rules*
26 *applicable.* The speaker of the house of representatives shall preside at all
27 joint sessions of the senate and house of representatives, and the clerk of
28 the house of representatives shall keep a record of the proceedings thereof
29 and shall enter the record of each such session in the journal of the house
30 of representatives. The rules of the house of representatives and the joint
31 rules of the two houses, insofar as the same may be applicable shall be
32 the rules for joint sessions of the two houses.

33 (c) *Votes in joint session; taking; requirements.* All votes in a joint
34 session shall be taken by yeas and nays, and in taking the same it shall be
35 the duty of the secretary of the senate first to call the names of the
36 members of the senate, and after which the clerk of the house of
37 representatives shall in like manner call the names of the members of the
38 house. Each member of the senate and the house of representatives
39 present shall be required to vote on all matters considered in joint session,
40 unless excused by a vote of a majority of the members of both houses
41 present.

42 **Joint rule 3. Conference committee procedure.** (a) *Action by house*
43 *of origin of bill or concurrent resolution amended by other house.* When a

1 bill or concurrent resolution is returned to the house of origin with
2 amendments by the other house, the house of origin may: (1) Concur in
3 such amendments; (2) refuse to concur in such amendments; or (3) refuse
4 to concur in such amendments and request a conference on the bill or
5 concurrent resolution.

6 (b) *Concurrence by house of origin; concurrence prior to taking*
7 *action on conference committee report by other house; final action; effect*
8 *of failure of motion to concur.* The house of origin of any bill or
9 concurrent resolution may concur in any amendments made by the other
10 house, except that if the bill or concurrent resolution has been referred to
11 a conference committee such action may only be taken prior to the taking
12 of final action upon the conference committee report upon such bill or
13 concurrent resolution by the other house. A vote in the house of origin of
14 any bill or concurrent resolution on a motion to concur in amendments to
15 such bill or concurrent resolution by the other house shall be considered
16 action on the final passage of the bill or concurrent resolution and the
17 affirmative and negative votes thereon shall be entered in the journal. If
18 the motion to concur is upon amendments to a bill or concurrent
19 resolution for which a conference committee has been appointed and
20 action has not been taken upon the report of such committee by the other
21 house and such motion fails, the bill or concurrent resolution shall not be
22 deemed to have been killed thereby and the motion to concur may be
23 renewed but not on the same legislative day. If the motion to concur is
24 upon amendments to a bill or concurrent resolution for which a
25 conference committee has not been appointed and such motion fails, the
26 bill or concurrent resolution shall be deemed to be killed.

27 (c) *Motion to nonconcur; when considered final action; effect of*
28 *adoption of motion.* A vote in the house of origin of any bill or concurrent
29 resolution on a motion to nonconcur or to refuse to concur in amendments
30 to such bill or concurrent resolution by the other house which is not
31 coupled with a request for the appointment of a conference committee
32 shall be considered action on final passage of the bill or concurrent
33 resolution and the affirmative and negative votes thereon shall be entered
34 in the journal, and the bill or concurrent resolution shall be deemed killed
35 on the adoption thereof.

36 (d) *House of origin refusal to concur or nonconcur; request for*
37 *conference; procedure.* When a bill or concurrent resolution is returned
38 by either house to the house of origin with amendments, and the house of
39 origin refuses to concur or to nonconcur therein, a conference may be
40 requested by a majority vote of the members present and voting. Such
41 request shall be transmitted to the other house by message which shall
42 include the names of the conferees on the part of the requesting house.
43 Upon receipt of any such message, the receiving house may, in like

1 manner, approve such conference, and shall thereupon notify the
2 requesting house by message stating the names of its conferees.

3 (e) *Membership; appointment; chairperson; house of origin of*
4 *substitute or materially changed bill or concurrent resolution; meetings*
5 *of conference committee.* Each conference committee shall consist of
6 three members of the senate and three members of the house of
7 representatives, unless otherwise fixed by agreement of the president of
8 the senate and speaker of the house. Senate members shall be appointed
9 by the president of the senate and house members shall be appointed by
10 the speaker of the house of representatives. The president or the speaker
11 may replace any conferee previously appointed by such person. Not less
12 than one member appointed from each house shall be a member of the
13 minority political party of such house except when such representation
14 for such house is waived by the minority leader of such house. In all
15 cases, the first-named member of the house of origin of the bill or
16 concurrent resolution assigned to the committee shall be chairperson of
17 the conference committee. The house of origin of a substitute bill or
18 substitute concurrent resolution shall be the house in which the bill or
19 concurrent resolution in its original form was introduced. The chairperson
20 of a conference committee on a bill or concurrent resolution the subject
21 matter of which has been ruled to be materially changed shall be a
22 member of the house which amended the bill or concurrent resolution to
23 materially change the subject matter. Each conference committee shall
24 meet on the call of its chairperson. All meetings of conference
25 committees shall be open to the public and no meeting shall be adjourned
26 to another time or place in order to subvert such policy.

27 (f) *Conference committee reports; matters which may be included;*
28 *report not subject to amendment; house which acts first on report; copies*
29 *of reports; reports considered under any order of business.* Only subject
30 matters which are or have been included in the bill or concurrent
31 resolution in conference or in bills or concurrent resolutions which have
32 been passed or adopted in either one or both houses during the current
33 biennium of the legislature may be included in the report of the
34 conference committee on any bill or concurrent resolution except in any
35 appropriations bill there may be included a proviso relating to any such
36 item of appropriation. Subject to any limitations imposed under the
37 constitution of the state of Kansas, no more than a total of four additional
38 bills or concurrent resolutions or parts of bills or concurrent resolutions in
39 conference or bills or concurrent resolutions or parts of bills or concurrent
40 resolutions which have passed in either one or both houses during the
41 current biennium of the legislature may be included in the report of the
42 conference committee on any bill or concurrent resolution, except that
43 reports of conference committees on any taxation bill are not subject to

1 the limitation contained in this provision. A conference committee report
2 shall not be subject to amendment. The original signed conference
3 committee report shall be submitted to and acted upon first by the house
4 other than the house of origin of the bill or concurrent resolution. Except
5 when a conference committee report is an agree to disagree coupled with
6 a request that a new conference committee be appointed or is a
7 recommendation to accede to or recede from all amendments of the
8 second house, electronic and paper copies of the report shall be made
9 available to all members of the house considering the report not later than
10 30 minutes before the time of its consideration, except that if the report is
11 more than six pages in length no paper copies will be required to be
12 distributed to individual members provided that at least 10 paper copies
13 of the report are made available to members at the clerk's or secretary's
14 desk at the front of the respective house. By written notice, the majority
15 leader may direct the clerk or secretary to increase from six pages to
16 some greater number of pages the size of conference committee reports
17 that need not be distributed by paper copies to individual members
18 pursuant to this rule. The affirmative vote of $\frac{2}{3}$ of the members present in
19 the house at the time of consideration of the report shall be sufficient to
20 dispense with distribution of copies of the conference committee report to
21 all members of that house. Reports of conference committees may be
22 received and considered under any order of business.

23 (g) *Signatures required on conference committee reports.* All initial
24 conference committee reports other than an agreement to disagree
25 coupled with a request that a new conference committee be appointed
26 shall be signed by all of the conferees. All initial conference committee
27 reports which are an agreement to disagree coupled with a request that a
28 new conference committee be appointed shall be signed by a majority of
29 the conferees appointed in each house. If a conference committee report
30 which is an agreement to disagree coupled with a request that a new
31 conference committee be appointed is not adopted, a subsequent
32 conference committee report shall be signed by all conferees unless a
33 subsequent conference committee report which is an agreement to
34 disagree coupled with a request that a new conference committee be
35 appointed is adopted, in which case a conference committee report
36 subsequent to the adoption of such report shall be signed by a majority of
37 the conferees appointed in each house. All other conference committee
38 reports shall be signed by a majority of the conferees appointed in each
39 house.

40 (h) *Vote to adopt conference committee report final action; effect of*
41 *failure of motion to adopt conference committee report.* The vote to adopt
42 the report of a conference committee, other than a report of failure to
43 agree coupled with a recommendation for appointment of a new

1 conference committee, shall be considered final action on the bill or
2 concurrent resolution and the affirmative and negative votes thereon shall
3 be entered in the journal. If the motion fails, the bill or concurrent
4 resolution shall be deemed to be killed. If the motion on a conference
5 committee report which is an agreement to disagree coupled with a
6 request that a new conference committee be appointed fails, the bill or
7 concurrent resolution shall not be deemed to have been killed thereby and
8 remains in conference.

9 (i) *Report of conference committee unable to agree; effect of failure*
10 *to request new conference committee; effect of failure of motion to adopt*
11 *report requesting new conference committee.* If a conference committee
12 upon any bill or concurrent resolution is unable to agree, it shall report
13 that fact to both houses. Such report may request that a new conference
14 committee be appointed thereon. If the committee so reports but fails to
15 request the appointment of a new conference committee thereon, the bill
16 or concurrent resolution shall be deemed to have been killed upon the
17 adoption by either house of such report. If the motion to adopt a report
18 requesting the appointment of a new conference committee fails, the bill
19 or concurrent resolution shall be deemed to be killed.

20 (j) *Bills or concurrent resolutions under consideration by*
21 *conference committees and reports thereof; carryover from odd-*
22 *numbered to even-numbered year.* Bills or concurrent resolutions under
23 consideration by a conference committee, or a report of which has been
24 filed but no action taken thereon in either house, at the time of
25 adjournment of a regular session of the legislature held in an odd-
26 numbered year shall remain alive during the interim and may be
27 considered by the committee and legislature as the case may be at the
28 regular session held in the following even-numbered year.

29 **Joint rule 4. Deadlines for introduction and consideration of bills.**

30 The senate and house of representatives shall observe the following
31 schedule of deadlines in making requests for drafting and in the
32 introduction and consideration of bills.

33 (a) *Bill request deadline for individual members.* Except for bills
34 introduced pursuant to (i) of this rule, no request to draft bills, except
35 those made by committees, through their respective chairpersons, shall be
36 made to, or accepted by, the office of the revisor of statutes after the hour
37 of 5:00 p.m. on January 30, 2017, during the 2017 regular session and on
38 January 29, 2018, during the 2018 regular session.

39 (b) *Bill introduction deadline for individual members.* Except as
40 provided in (i) of this rule, no bill sponsored by a member or members
41 shall be introduced in either house of the legislature after the hour of
42 adjournment on February 8, 2017, during the 2017 regular session and on
43 February 7, 2018, during the 2018 regular session. Such deadline for the

1 introduction of bills by individual members may be changed to an earlier
2 date in either house at any time by resolution duly adopted by the
3 affirmative vote of not less than a majority of the members then elected
4 (or appointed) and qualified in such house.

5 (c) *Bill request deadline for certain committees.* Except for bills to
6 be introduced pursuant to (i) of this rule, no committee except the
7 committee on ways and means of the senate, the committee on
8 assessment and taxation of the senate, select committees of either house
9 when so authorized, the committee on federal and state affairs of either
10 house or the house committees on calendar and printing, appropriations
11 and taxation shall make a request to the office of the revisor of statutes
12 for any bill to be drafted for sponsorship by such committee after the hour
13 of 5:00 p.m. on February 6, 2017, during the 2017 regular session and on
14 February 5, 2018, during the 2018 regular session.

15 (d) *Bill introduction deadline for certain committees.* Except as
16 provided in (i) of this rule, no bill sponsored by any committee of either
17 house of the legislature, except the committee on ways and means of the
18 senate, the committee on assessment and taxation of the senate, select
19 committees of either house when so authorized, the committee on federal
20 and state affairs of either house or the house committees on calendar and
21 printing, appropriations and taxation shall be introduced in either house
22 after the hour of adjournment on February 10, 2017, during the 2017
23 regular session and on February 9, 2018, during the 2018 regular session.

24 (e) *House of origin bill consideration deadline.* No bill, except bills
25 sponsored by, referred to or acted upon by the committee on ways and
26 means of the senate, the committee on assessment and taxation of the
27 senate, select committees of either house when so authorized, the
28 committee on federal and state affairs of either house or the house
29 committees on calendar and printing, appropriations and taxation shall be
30 considered in the house in which such bill originated after the hour of
31 adjournment on February 23, 2017, during the 2017 regular session and
32 on February 22, 2018, during the 2018 regular session.

33 (f) *Second house bill consideration deadline.* No bill, except bills
34 sponsored by, referred to or acted upon by the committee on ways and
35 means of the senate, the committee on assessment and taxation of the
36 senate, select committees of either house when so authorized, the
37 committee on federal and state affairs of either house or the house
38 committees on calendar and printing, appropriations and taxation shall be
39 considered by either house, not the house of origin of such bill, after the
40 hour of adjournment on March 30, 2017, during the 2017 regular session
41 and March 29, 2018, during the 2018 regular session.

42 (g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific
43 exceptions to the limitations prescribed in subsections (d), (e) and (f) may

1 be made in either house by resolution adopted by the affirmative vote of
2 not less than a majority of the members of such house then elected (or
3 appointed) and qualified.

4 (h) *Deadline which falls on day neither house in session; effect.* In
5 the event that any deadline prescribed in this rule falls on a day that
6 neither house of the legislature is in session, such deadline shall be
7 observed on the next following day that either house is in session.

8 (i) *Bills introduced in odd-numbered years after deadlines; effect.*
9 Bills may be introduced by members and committees in regular sessions
10 occurring in an odd-numbered year after the times prescribed in (b) and
11 (d) of this rule, but there shall be no final action thereon by either house
12 during the session when introduced. Such bills shall be held over for
13 consideration at the next succeeding regular session held in an even-
14 numbered year.

15 (j) *Modification of schedule of deadlines for introduction and*
16 *consideration of bills; procedure.* In any regular session a concurrent
17 resolution may be adopted by the affirmative vote of not less than a
18 majority of the members then elected (or appointed) and qualified in each
19 house setting forth a different schedule of deadlines for introduction and
20 consideration of bills for that session and the provisions of such
21 concurrent resolution shall apply to such session notwithstanding
22 provisions of this rule to the contrary.

23 (k) *Bill consideration deadline; exceptions.* No bills shall be
24 considered by the Legislature after April 7, 2017, during the 2017 regular
25 session and after April 6, 2018, during the 2018 regular session except
26 bills vetoed by the Governor, the omnibus appropriation act and the
27 omnibus reconciliation spending limit bill provided for under K.S.A. 75-
28 6702, and amendments thereto. This subsection (k) may be suspended for
29 the consideration of a specific bill or bills not otherwise exempt under
30 this subsection by the affirmative vote of a majority of the members then
31 elected (or appointed) and qualified in the house in which the bill is to be
32 considered.

33 **Joint rule 5. Closure of meetings to consider matters relating to**
34 **security.** Any standing committee of the House of Representatives, any
35 standing committee of the Senate, the Legislative Coordinating Council,
36 any joint committee of both houses of the legislature, any special or select
37 committee of the House of Representatives or the Senate, the House of
38 Representatives in session, the Senate in session or a joint session of the
39 House of Representatives and the Senate may meet in closed, executive
40 session for the purpose of receiving information and considering matters
41 relating to the security of state officers or employees, or both, or the
42 security of buildings and property under the ownership or control of the
43 State of Kansas.

1 **Joint rule 6. Floor amendments to bills making appropriations. (a)**

2 Unless by majority consent to correct an error in drafting, no amendment
3 from the floor in either house of the legislature to increase the amount of
4 expenditures that would be authorized in a provision of an appropriations
5 bill shall be in order unless the amendment contains a provision reducing,
6 by a like or greater amount, expenditures that would be authorized in
7 another provision of such appropriations bill. Notwithstanding any rule in
8 either house of the legislature, those portions of a motion to amend a bill
9 as described in this rule shall be indivisible.

10 (b) The provisions of subsection (a) shall not apply if the ending
11 balance in the state general fund for the ensuing fiscal year is equal to
12 7.5% or more of the total amount authorized to be expended or
13 transferred by demand transfer from the state general fund in such fiscal
14 year based on the most recent budget profile of the Kansas legislative
15 research department.