

# Journal of the House

## FIRST DAY

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HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KS, Monday, January 11, 2021, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2021 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Catherine Gunsalus, Assistant Secretary of State.

Assistant Secretary of State Catherine Gunsalus announced the appointment of Susan Kannarr as temporary Chief Clerk of the House.

**State of Kansas  
Office of  
Secretary of State**

I, CATHERINE GUNSALUS, Assistant Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two-year term beginning on the second Monday of January, A.D. 2021.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka, this 30th day of November, A.D. 2020.

CATHERINE GUNSALUS  
*Assistant Secretary of State*

Members of the House of Representatives were then called in groups, came forward, took and subscribed, or affirmed, to their respective oaths of office, administered to them by Chief Justice Marla Luckert, Kansas Supreme Court as follows:

State of Kansas, County of Shawnee, ss:

We and each of us, do solemnly swear or affirm, that we will support the Constitution of the United States and the Constitution of the State of Kansas, and faithfully discharge the duties of the office of Representative of the State of Kansas, so help me God.

*District*

1<sup>st</sup> Michael Houser  
2<sup>nd</sup> Kenneth Collins  
3<sup>rd</sup> Charles (Chuck) Smith  
4<sup>th</sup> Trevor Jacobs  
5<sup>th</sup> Mark Samsel  
6<sup>th</sup> Samantha M. Poetter

*District*

7<sup>th</sup> Richard J. Proehl  
8<sup>th</sup> Chris Croft  
9<sup>th</sup> Kent L. Thompson  
10<sup>th</sup> Christina Haswood  
11<sup>th</sup> Jim Kelly

*District*

13<sup>th</sup> Joe Newland  
 14<sup>th</sup> Charlotte Esau  
 15<sup>th</sup> John Toplikar  
 16<sup>th</sup> Linda Featherston  
 17<sup>th</sup> Jo Ella Hoye  
 18<sup>th</sup> Cindy Neighbor  
 19<sup>th</sup> Stephanie Sawyer Clayton  
 20<sup>th</sup> Mari-Lynn Poskin  
 21<sup>st</sup> Jerry Stogsdill  
 22<sup>nd</sup> Lindsay Vaughn  
 23<sup>rd</sup> Susan Ruiz  
 24<sup>th</sup> Jarrod Ousley  
 25<sup>th</sup> Rui Xu  
 26<sup>th</sup> Adam T. Thomas  
 27<sup>th</sup> Sean E. Tarwater, Sr.  
 28<sup>th</sup> Carl Turner  
 29<sup>th</sup> Brett Parker  
 30<sup>th</sup> Brandon Woodard  
 31<sup>st</sup> Louis E. Ruiz  
 32<sup>nd</sup> Pam Curtis  
 33<sup>rd</sup> Tom Burroughs  
 34<sup>th</sup> Valdenia C. Winn  
 35<sup>th</sup> Broderick Henderson  
 36<sup>th</sup> Kathy Wolfe Moore  
 37<sup>th</sup> Aaron Coleman  
 38<sup>th</sup> Timothy H. Johnson  
 39<sup>th</sup> Owen Donohoe  
 40<sup>th</sup> David W. French  
 41<sup>st</sup> Pat Proctor  
 42<sup>nd</sup> Lance W. Neelly  
 43<sup>rd</sup> Bill Sutton  
 44<sup>th</sup> Barbara W. Ballard  
 45<sup>th</sup> Mike Amyx  
 46<sup>th</sup> Dennis "Boog" Highberger  
 47<sup>th</sup> Ronald B. Ellis  
 48<sup>th</sup> Jennifer Day  
 49<sup>th</sup> Megan Lynn  
 50<sup>th</sup> Fred C. Patton  
 51<sup>st</sup> Ron Highland  
 52<sup>nd</sup> Jesse Borjon  
 53<sup>rd</sup> Jim Gartner  
 54<sup>th</sup> Ken Corbet  
 55<sup>th</sup> Annie Kuether  
 56<sup>th</sup> Virgil Weigel  
 57<sup>th</sup> John Alcala  
 58<sup>th</sup> Vic Miller

*District*

59<sup>th</sup> Blaine Finch  
 60<sup>th</sup> Mark Schreiber  
 61<sup>st</sup> Francis Awerkamp  
 62<sup>nd</sup> Randy Garber  
 63<sup>rd</sup> John R. Eplee  
 64<sup>th</sup> Suzi Carlson  
 65<sup>th</sup> Lonnie G. Clark  
 66<sup>th</sup> Sydney Carlin  
 67<sup>th</sup> Mike Dodson  
 68<sup>th</sup> Dave Baker  
 69<sup>th</sup> Clarke Sanders  
 70<sup>th</sup> John E. Barker  
 71<sup>st</sup> Steven K. Howe  
 72<sup>nd</sup> Avery Anderson  
 73<sup>rd</sup> Les Mason  
 74<sup>th</sup> Stephen Owens  
 75<sup>th</sup> Will Carpenter  
 76<sup>th</sup> Eric L. Smith  
 77<sup>th</sup> Kristey S. Williams  
 78<sup>th</sup> Ron Ryckman  
 79<sup>th</sup> Cheryl Helmer  
 80<sup>th</sup> Bill Rhiley  
 81<sup>st</sup> Blake Carpenter  
 82<sup>nd</sup> Jesse Burris  
 83<sup>rd</sup> Henry Helgersen  
 84<sup>th</sup> Gail Finney  
 85<sup>th</sup> Patrick Penn  
 86<sup>th</sup> Stephanie Byers  
 87<sup>th</sup> Susan Oliver Estes  
 88<sup>th</sup> Elizabeth Bishop  
 89<sup>th</sup> KC Ohaebosim  
 90<sup>th</sup> Steve Huebert  
 91<sup>st</sup> Emil M. Bergquist  
 92<sup>nd</sup> John Carmichael  
 93<sup>rd</sup> Brian Bergkamp  
 94<sup>th</sup> Leo G. Delperdang  
 95<sup>th</sup> Tom Sawyer  
 96<sup>th</sup> Tom Kessler  
 97<sup>th</sup> Nick Hoheisel  
 98<sup>th</sup> Ron Howard  
 99<sup>th</sup> Susan Humphries  
 100<sup>th</sup> Daniel Hawkins  
 101<sup>st</sup> Joe Seiwert  
 102<sup>nd</sup> Jason Probst  
 103<sup>rd</sup> Ponka-We Victors  
 104<sup>th</sup> Paul M. Waggoner

*District*

105<sup>th</sup> Brenda Landwehr  
 106<sup>th</sup> Lisa M. Moser  
 107<sup>th</sup> Susan L. Concannon  
 108<sup>th</sup> Steven Johnson  
 109<sup>th</sup> Troy L. Waymaster  
 110<sup>th</sup> Ken Rahjes  
 111<sup>th</sup> Barb Wasinger  
 112<sup>th</sup> Tory Marie Arnberger  
 113<sup>th</sup> Brett Fairchild  
 114<sup>th</sup> Michael Murphy

*District*

115<sup>th</sup> Boyd Orr  
 116<sup>th</sup> Kyle D. Hoffman  
 117<sup>th</sup> Leonard A. Mastroni  
 118<sup>th</sup> Jim Minnix  
 120<sup>th</sup> Adam Smith  
 121<sup>st</sup> John Resman  
 122<sup>nd</sup> J. Russell "Russ" Jennings  
 123<sup>rd</sup> John P. Wheeler, Jr.  
 124<sup>th</sup> Marty Long  
 125<sup>th</sup> Shannon Francis

Assistant Secretary of State, Catherine Gunsalus, called the House to order.

Prayer by the Rev. Eunice Brubaker:

Almighty Creator God,  
 Thank You for this day we have to come together  
 and to begin a work that You have started within and through our leaders.  
 Thank You for each one who have  
 dedicated themselves, their time, energy and effort  
 to serve the people of Kansas.  
 As we begin this new session, albeit in unusual circumstances and times,  
 I challenge each one to use the prayer of St. Francis of Assisi as a daily goal.  
 Lord, make me an instrument of your peace;  
 where there is hatred, let me sow love;  
 where there is injury, pardon;  
 where there is doubt, faith;  
 where there is despair, hope;  
 where there is darkness, light;  
 and where there is sadness, joy.  
 O Divine Master,  
 grant that I may not so much seek to be consoled as to console;  
 to be understood, as to understand;  
 to be loved, as to love;  
 for it is in giving that we receive,  
 it is in pardoning that we are pardoned,  
 and it is in dying that we are born to Eternal Life.  
 I pray this in Your Son's Name,  
 Amen.

The Pledge of Allegiance was led by Rep. Croft.

Nominations being in order for speaker, Rep. Rahjes nominated Rep. Ron Ryckman for Speaker of the House. There being no further nominations, Rep. Sawyer moved that the nominations be closed, and that the temporary clerk be instructed to cast a unanimous ballot for Rep. Ryckman as Speaker of the House of Representatives. The motion prevailed.

Assistant Secretary of State, Catherine Gunsalus requested Rep. Ryckman to approach the well for the oath of office.

Speaker-elect Ryckman subscribed to the following oath of office, which was administered by Chief Justice Marla Luckert.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 11<sup>th</sup> day of January, 2021.

MARLA LUCKERT

*Chief Justice of the Supreme Court*

Speaker Ryckman addressed the following remarks to the members of the House:

Thank you, Chief Justice. On behalf of all of us, let me express our gratitude and appreciation to you for being with us today.

I also want to thank my family who is watching from home today ..... your families who - like mine - make many sacrifices so that we may be here to serve ..... and to you, my colleagues here in the people's House.

Over this past year .... our families, our state and our nation have faced tremendous worry ... pain... frustration ... and loss. What we CANNOT lose is our sense of duty ... to each other .... and to the people we took an oath to serve.

We have an added duty this session ... a duty to keep each other safe so that every single one of us in this chamber – and every one working on the other side of these doors - goes home safe to their families.

Each of us comes to this position with our own set of hopes and goals. But, how do we realize those goals? How do we achieve real results .... not the kind that sound good in a headline or look nice on a campaign postcard ... but the kind of results that bring people together and move our state forward through these uncertain times.

As Kansans, we know that divisiveness ... blasting others from the shadows of social media ... and talking past each other will not achieve the results we have a duty to deliver.

In order to do that, I urge you to ....

- Challenge what you're told.
- Ask the difficult questions.
- Do your homework.
- Listen to what the other side is saying.

- Come to work with an open mind and fresh ideas, rather than list non-negotiables.
- Realize that the best solution may not happen overnight.
- And, appreciate that while none of us will get everything we want, we will all bring something to the final product for the good of our state and the people we serve.

We have ambitious goals ahead of us. To protect life ... to ease the burden on hard-working Kansans ... and to spur an economic recovery in the wake of this pandemic. We can and will accomplish all three of these.

Doing so will take hard work ... patience ... and a commitment to do right by the people who are counting on us. Now, more than ever, the people of Kansas are counting on us - the People's House - to deliver for them.

In closing, I call upon each of you to serve with a servant's heart. To focus less on temporary hardships and more on permanent good. To focus less on you alone and more on all of us together ... and on doing the work of the people. May God Bless you in your service, and may God bless the Great State of Kansas.

Speaker Ryckman was presented the gavel by Assistant Secretary of State Catherine Gunsalus and assumed the chair.

Speaker Ryckman announced the appointment of Susan Kannarr as Chief Clerk; Foster Chisholm as Sergeant-at-Arms and the Rev. Eunice Brubaker as House Chaplain of the House of Representatives.

Nominations being in order for Speaker pro tem, Rep. Rahjes nominated Rep. Blaine Finch for Speaker pro tem of the House. There being no further nominations, Rep. Sawyer moved the nominations be closed, and that the Chief Clerk be instructed to cast a unanimous ballot for Rep. Finch as Speaker pro tem of the House of Representatives. The motion prevailed.

Speaker Ryckman requested Rep. Finch to approach the well for the oath of office. Speaker pro tem-elect Finch subscribed to the following oath of office, which was administered by Chief Justice Luckert.

State of Kansas, County of Shawnee, ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker pro tem of the House of Representatives, so help me God. Subscribed and sworn to before me this 11<sup>th</sup> day of January, 2021.

MARLA LUCKERT  
*Chief Justice of the Supreme Court*

Speaker pro tem Finch addressed the following remarks to the members of the House:

Good afternoon to each of you here today and to all of those listening along online. Thank you, Chief Justice Luckert, for being here to swear us in. To those of you

returning representatives welcome back. To those of you who are newly elected, congratulations and welcome to your first day in the Kansas House. I regret to tell you that all of the work you did campaigning was the easy part. Now the hard part begins, governing. I also want to thank all of you for the honor of serving you as your speaker pro tem. It is not an obligation I take lightly.

As I thought about what I wanted to share with you today, I was drawn to the founding document of our nation, the Declaration of Independence. A beautiful document, filled with political poetry, and promises our country is still trying to fulfill. But the line that drew my attention was the last one: "And for the support of this Declaration, with a firm reliance on the protection of divine Providence, we mutually pledge to each other our Lives, our Fortunes and our sacred Honor."

These signers knew their odds of success were long. They were a ragtag bunch of colonists facing the world's greatest superpower. But they shared a common goal. The creation of a new nation conceived in liberty and dedicated to equality. They knew that a shared goal wouldn't be enough. They needed a commitment to one another to see it through. They needed a pledge. A pledge is important. It signifies a commitment. It signifies that one is willing to pay a price to achieve a goal. And pay a price they did.

There were 56 signers. Almost all involved in the subsequent war in some way: 17 in the military; 12 in combat; 5 were imprisoned, and 6 made the ultimate sacrifice and gave their lives; and 17 were all but wiped out financially; including one Thomas Nelson Jr. who asked the continental army to turn their cannons on his own house rather than see British officers use it against the colonies. What commitment, what willingness to follow through with the commitment they had made.

So, what about us? We just stood on this floor raised our hands and made a pledge, to support the Constitution of the United States, the Constitution of the state of Kansas, and to faithfully discharge the duties of the office of Representative of the State of Kansas.

Our pledge will require certain things of us as well. Among them are these three: responsibility, sacrifice and service.

Our pledge will require responsibility.

No matter where we are from, what party we belong to, or what was on our palm cards, I believe all of us are here today because we want to help. To improve lives, and to make Kansas the best place it can be. We may differ on what making Kansas the best place it can be may mean, but I believe we are all here because we want to do the right thing. And right now our state needs people like that more than ever. Our challenges are great. The needs of our fellow Kansans are great, and now is the hour that we must be great for them. Winston Churchill said, "The price of greatness is responsibility." Let us pledge then, to practice responsibility in all things, great and small, to protect our health and the health of others, for it is only by working together that the greatness of our work can exceed the greatness of the challenges that lay before us.

Our pledge will require sacrifice.

It is worth noting that We did not pledge to enjoy all the benefits and privileges of the office of representative. We pledged to faithfully discharge our duties, and duty if it means anything at all, means sacrifice. Kansans know that too: Time and again our men and women have sacrificed. Kansas gave 8,500 lives in the bloody civil war that gave birth to our state and saved our Union. Tens of thousands more have served on battlefields around the globe, and some came back with new challenges, while some

never came home at all. Kansas men and women on the home front have sacrificed too. They have endured rationing, shortages, and hardships. They planted victory gardens and bought war bonds to help defend freedom, and many sent their sons and daughters to serve not knowing if they would return. And after every natural disaster or act of terrorism you can find Kansans stepping up to serve and render aid, to give of themselves to help others. In the early days of this pandemic, when face masks were a rare commodity, it was a retired farmer from Troy, Kansas, who sent his one spare to New York with instructions to give it to a nurse or doctor fighting to save lives threatened by the scourge of Covid-19. Let us heed the example of those prior generations of Kansans, to make the necessary sacrifices and to do what must be done to keep our word and set a similar example for future generations to come.

Our pledge will require service.

It is fashionable these days to talk about freedom, as though it exists in a vacuum. As though freedom has no corresponding obligation. But freedom, though an inalienable right, is meant to be used in service. Freedom comes with an awesome moral imperative. Nearly 2,000 years ago the Apostle Paul wrote to the church in Galatia, "You, my brothers and sisters, were called to be free. But do not use your freedom to indulge the flesh; rather, serve one another humbly in love. For the entire law is fulfilled in keeping this one command: 'Love your neighbor as yourself.'" Freedom without service is selfish. Freedom used in service is sublime.

May we spend this session using our God given freedom to serve one another. Asking not what can be done for us, but what we can do for others.

In closing, I share what Teddy Roosevelt said in his second inaugural, "Much has been given us, and much will rightfully be expected from us. We have duties to others and duties to ourselves; and we can shirk neither."

As you go about your work this session, remember this, and those signers and their pledge. They pledged their lives, their fortunes and their sacred honor. And though some gave their lives, and more gave their fortunes, they all would give their sacred honor. Through eight long years of war and hardship, when the public lost faith in the war, and military defeats made victory seem hopeless, all 56 stayed the course, not one broke their pledge, not one gave up.

And now it is our turn to be tested. To decide whether we will rise to this occasion. I have faith that we can, we will, and indeed for the sake of our state, we must.

Let us resolve then to go forward together, mutually pledging to each other, to face every peril, meet every challenge, make every sacrifice, and faithfully discharge every duty, so that it may ever be said that the representatives of this House paid the price, never gave up and always gave the full measure of their sacred honor in service to the people of Kansas.

May God bless each of you this session, may God bless those that you represent, and may God continue to bless the great state of Kansas.

Speaker Ryckman asked for announcements from party caucuses:

Rep. Rahjes stated the majority (Republican) party had met and elected the following:

- Majority leader, Representative Daniel Hawkins

- Assistant Majority Leader, Representative Les Mason
- Majority Whip, Representative Blake Carpenter
- Caucus Chairperson, Representative Ken Rahjes

Rep. Hawkins addressed the following remarks to the members of the House:

This is truly a unique time we find ourselves in. I am going to keep my remarks brief in order to limit the amount of time we have to stay in this room.

First I want to thank the Republican caucus for the honor of once again representing you as your Majority Leader. It is one of the great honors of my life.

I also must thank my wife, Diane, and my daughters Hannah and Hayley for their support. I could not do this without you.

Most of all I want to thank God and ask for His blessing over this coming session.

Every year this body addresses big issues. The people in this room now are facing some of the biggest in the history of our state. We will often disagree but we owe it to the people of Kansas to work together to navigate these rough waters.

I pray that in a few years COVID and the unrest we've experienced in recent months will seem like ancient history. The work done by those of you in this Chamber will play a large part in making that the case here in Kansas.

This will likely be the toughest legislative session any of us ever experience. Let's work together to ensure it will also be the most productive. Thank you.

Rep. Ballard stated the minority (Democrat) party had caucused and elected the following officers:

- Minority Leader, Representative Tom Sawyer
- Assistant Minority Leader, Representative Jason Probst
- Minority Whip, Representative Stephanie Clayton
- Agenda Chairperson, Representative Brandon Woodard
- Caucus Chairperson, Representative Barbara Ballard
- Policy Chairperson, Representative Rui Xu

Rep. Sawyer addressed the following remarks to the members of the House:

Welcome everyone to the Kansas House of Representatives. For the new members, this is a great place to work. It's not only a beautiful building, but it's also full of history. For those of you who have been here before, it's like the first day of school—getting a chance to get reacquainted with everyone. I've been through several sessions; each one is unique and different. There is no doubt this one is going to be different.

We've had to make a lot of changes to deal with the pandemic. Kansas families and businesses continue to suffer during this pandemic, but while we are here together, we will continue to do work to ensure the betterment of the lives of all Kansans affected by the pandemic. I want to thank the Speaker for making it safer for us to be able to be here.

I want to congratulate the Speaker and the Speaker pro tem on their re-elections. I also want to congratulate the Majority leader and Republican leadership, as well as Jason Probst and the rest of the Democratic Leadership on their election.

There is one thing that unites us. We all come from different backgrounds, different districts, with different core beliefs, but we are all united under our desire to make Kansas a better place for all of us—especially the working families of Kansas.

We are ready to work with you to provide a better life for Kansans, but we are also the loyal opposition and will provide the necessary checks and balances to ensure that the majority party stays on the right track. We will always put everyday Kansans first.

However, what most new people may not realize, is that most bills that pass through here, pass by large bi-partisan majority.

My hope is that when we debate, we debate civilly. When we disagree, we disagree agreeably, and that we work hard to find the common ground to make Kansas a better place.

I look forward to working with all of you and the Governor to better improve the lives of Kansans.

The roll was called with 123 members present.

Representative-elect Blex was excused on excused absence by the Speaker.

Representative-elect Ralph was excused on verified illness.

## **COMMUNICATIONS FROM STATE OFFICERS**

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2020 Regular Session of the Legislature:

From the Board of Indigents' Defense Services, the Annual Report for Fiscal Year 2019.

From James R. Hubbard, Attorney, in accordance with K.S.A. 19-5005(e) the Johnson County Educational Research Triangle Authority Annual Report.

From Chairperson Marc Bennett, in accordance with KSA 2019 Supp. 21-6902, the Report of the Kansas Criminal Justice Reform Commission to the 2021 Kansas Legislature.

From Rachel Beech, Education Program Consultant, Special Education and Title Services, Information Relating to School Safety and Security.

From Scott W. Miller, Director of Investments, in compliance with K.S.A. 75-4422(h), the Annual Report of the Pooled Money Investment Board for Fiscal Year 2020.

From Jake LaTurner, State Treasurer, the 2020 Annual Report for the Kansas State Treasurer's Office.

From the Office of Governor Laura Kelly:

Executive Directive No. 20-517, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-518, Authorizing Personnel Transactions.

Executive Directive No. 20-519, Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-520, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Directive No. 20-521, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-522, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-523, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-524, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-525, Authorizing Personnel Transactions.  
Executive Directive No. 20-526, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-527, Authorizing Expenditure of Federal Funds.  
Executive Directive No. 20-528, Authorizing Personnel Transactions and Authorizing Expenditure of Federal Funds.

Executive Order No. 20-35, Temporarily expanding telemedicine and addressing certain licensing requirements to facilitate economic recovery and prevent future outbreaks of COVID-19.

Executive Order No. 20-36, Drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-37, Allowing certain deferred tax deadlines and payments during the state of disaster emergency.

Executive Order No. 20-38, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-39, Extending professional and occupational licenses during state of disaster emergency.

Executive Order No. 20-40, Temporarily allowing notaries and witnesses to act via audio-video communication technology during state of disaster emergency.

Executive Order No. 20-41, Licensure, Certification, and Registration for person and Licensure of "Adult Care Homes" during state of disaster emergency.

Executive Order No. 20-42, Temporarily suspending certain rules relating to sale of alcoholic beverages during state of disaster emergency.

Executive Order No. 20-43, Temporary relief from certain restrictions concerning shared work programs during state of disaster emergency.

Executive Order No. 20-44, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-45, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-46, Temporary relief from certain age restrictions concerning online driver's license renewal.

Executive Order No. 20-47, Establishing the Court of Appeals Nominating Commission.

Executive Order No. 20-48, Establishing the Governor's Commission on Racial Equity and Justice.

Executive Order No. 20-49, Extending certain Executive Orders relating to the COVID-19 pandemic.

Executive Order No. 20-50, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-51, Extending the Kansas Complete Count Committee.

Executive Order No. 20-52, Requiring masks or other face coverings in public.

Executive Order No. 20-53, Establishing an annual report card for students in foster care.

Executive Order No. 20-54, Drought Declaration.

Executive Order No. 20-55, Amended provisions related to drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-56, Amended Licensure, Certification, and Registration for persons and Licensure of "Adult Care Homes" during state of disaster emergency.

Executive Order No. 20-57, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-59, Requiring COVID-19 mitigation procedures in K-12 schools.

Executive Order No. 20-60, Extending temporary relief from certain age restrictions concerning online driver's license renewal.

Executive Order No. 20-61, Temporarily prohibiting certain foreclosures and evictions.

Executive Order No. 20-62, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-64, Extending certain Executive Orders relating to the COVID-19 pandemic.

Executive Order No. 20-65, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-66, Amended provisions related to drivers' license and vehicle registration and regulation during state of disaster emergency.

Executive Order No. 20-67, Establishing the Office of Broadband Development.

Executive Order No. 20-68, Establishing a face coverings protocol.

Executive Order No. 20-69, Requiring COVID-19 testing in certain adult care homes.

Executive Order No. 20-70, Provisions related to drivers' license and identification cards during the state of disaster emergency.

Executive Order No. 20-71, Temporary relief from certain unemployment insurance requirements during state of disaster emergency.

Executive Order No. 20-72, Extending conditional and temporary relief from certain motor carrier rules and regulations during state of disaster emergency.

Executive Order No. 20-73, Extending the Governor's Council on Tax Reform.

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

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hawkins, **HR 6001**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

HOUSE RESOLUTION NO. **HR 6001**—

A RESOLUTION providing for the organization of the House of Representatives for the 2021 session.

*Be it resolved by the House of Representatives of the State of Kansas:* That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Ron Ryckman, speaker,

Blaine Finch, speaker pro tem,  
 Dan Hawkins, majority leader,  
 Tom Sawyer, minority leader,  
 Susan Kannarr, chief clerk,  
 Foster Chisholm, sergeant at arms,  
 and awaits the pleasure of the Senate.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hawkins, **HR 6002**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

### HOUSE RESOLUTION NO. **HR 6002**—

A RESOLUTION assigning seats in the House of Representatives for the 2021 session.

*Be it resolved by the House of Representatives of the State of Kansas:* That the speaker be assigned seat No. 2; the speaker pro tem be assigned seat No. 1; the majority leader be assigned seat No. 3; the minority leader be assigned seat No. 4; and the remaining members of the house be assigned the following seats: Alcalá 53, Amyx 49, Anderson 98, Arnberger 45, Awerkamp 106, Baker 122, Ballard 30, Barker 10, Bergkamp 108, Bergquist 101, Bishop 57, Blex 85, Borjon 79, Burris 121, Burroughs 33, Byers 69, Carlin 31, Carlson 20, Carmichael 56, Carpenter, B. 39, Carpenter, W. 67, Clark 116, Clayton 72, Coleman 87, Collins 95, Concannon 21, Corbet 125, Croft 24, Curtis 16, Day 75, Delperdang 27, Dodson 83, Donohoe 88, Ellis 124, Eplee 61, Esau 123, Estes 80, Fairchild 93, Featherston 71, Finney 52, Francis 23, French 107, Garber 91, Gartner 50, Haswood 32, Helgerson 54, Helmer 92, Henderson 55, Highberger 36, Highland 12, Hoffman 113, Hoheisel 41, Houser 112, Howard 118, Howe 84, Hoyer 29, Huebert 119, Humphries 63, Jacobs 105, Jennings 47, Johnson, S. 22, Johnson, T. 62, Kelly 60, Kessler 26, Kuether 51, Landwehr 77, Lee-Hahn 89, Long 25, Lynn 100, Mason 42, Miller 76, Minnix 104, Moser 65, Murphy 99, Neelly 96, Neighbor 48, Newland 110, Ohaebosim 58, Orr 114, Ousley 35, Owens 9, Parker 28, Patton 37, Penn 44, Poetter 81, Poskin 70, Probst 5, Proctor 94, Proehl 59, Rahjes 40, Ralph 38, Resman 97, Rhiley 90, Ruiz, L. 18, Ruiz, S. 68, Samsel 43, Sanders 111, Schreiber 102, Seiwert 115, Smith, A. 11, Smith, C. 66, Smith, E. 120, Stogsdill 34, Sutton 82, Tarwater 19, Thomas 46, Thompson 86, Toplikar 103, Turner 78, Vaughn 73, Victors 17, Waggoner 109, Wasinger 64, Waymaster 7, Weigel 74, Wheeler 117, Williams 8, Winn 13, Wolfe Moore 6, Woodard 15, Xu 14.

The first three seats north of the center aisle in the last row are reserved for the sergeants at arms.

Notwithstanding the foregoing, pursuant to House rules 503 and 3302, the Speaker may designate temporary assigned seats of members of the House in one or more galleries and other areas of the chamber as part of the House chamber.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Hawkins, **HR 6003**, by Reps. Ryckman, Hawkins and Sawyer, as follows, was introduced and adopted:

### HOUSE RESOLUTION NO. **HR 6003**—

A RESOLUTION relating to the rules of the House of Representatives for the 2021 session.

*Be it resolved by the House of Representatives of the State of Kansas:* That except as otherwise hereinafter provided, the rules of the House of Representatives for the 2019-20202 biennium in effect at the time of adjournment sine die of the 2020 reguar session of te legislature shall constitute the temporary rules of the House of Representatives for the 2021 regular session until permanent rules are adopted.

*Be it further resolved:* That Rule 503 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 503. Galleries.** (a) The Speaker may designate that one or both galleries of the House and other areas of the House Chamber be utilized as part of the House Chamber for the purpose of seat assignments, including temporary assignments, to ensure the proper order and conduct of legislative business. In such case, all rules of the House related to the Chamber and floor of the House are applicable to the galleries and other areas of the House Chamber. In such case, no visitors shall be allowed in one or both of the galleries of the House in accordance with such designation. If no such designation is made by the Speaker, the provisions of subsection (b) are applicable.

(b) Visitors shall be allowed in one or both galleries of the House in accordance with directions to the sergeant at arms from the Speaker. Except for security personnel authorized by the Speaker, the use of telephones and the making of telephone calls in the galleries of the House are prohibited.

*Be it further resolved:* That Rule 1101 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 1101. Standing Committees; Names and Members.** (a) The standing committees of the House shall be the following and have the number of members indicated for each:

1. Agriculture .....	17
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development .....	<del>17</del> 23
6. Corrections and Juvenile Justice .....	13
7. Education .....	17
8. Elections.....	13
9. Energy, Utilities and Telecommunications.....	17
10. Federal and State Affairs.....	23
11. Financial Institutions and <del>Pensions</del> <u>Rural Development</u> .....	17
12. Health and Human Services.....	17
13. Insurance <u>and Pensions</u> .....	17
14. Interstate Cooperation .....	7
15. Judiciary.....	17
16. Local Government.....	13
17. Rules and Journal .....	7
18. <del>Rural Revitalization</del> <u>Redistricting</u> .....	17
19. Taxation .....	23

20. Transportation..... 17  
 21. Veterans and Military..... 13  
22. Water..... 17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285 and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory and other documents. The house standing committee on financial institutions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents except for references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory documents: 65-3407c. The house committee on general government budget shall constitute the successor committee to the house standing

committee on government technology and security for purposes of references in the following statutes: K.S.A. 74-2012 and K.S.A. 2018 Supp. 75-5156 and 75-5158. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on water and environment for purposes of references in statutory and other documents and in K.S.A. 65-3407c. For purposes of references in statutes and other documents, the House standing Committee on Insurance and Pensions shall constitute the successor committee to the House standing Committee on Financial Institutions and Pensions for pension matters, the House standing Committee on Financial Institutions and Rural Development shall constitute the successor committee to the House standing Committee on Rural Revitalization for rural development matters and the House standing Committee on Water shall constitute the successor committee to the House standing Committee on Energy, Utilities and Telecommunications for water matters.

*Be it further resolved:* That Rule 2312 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 2312. Mason's Manual; When Applicable.** (a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (~~2019~~2020 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

*Be it further resolved:* That Rule 3302 of the 2019-2020 biennium shall be amended to read as follows and shall constitute a temporary rule of the House until a permanent rule is adopted:

**Rule 3302. Duties of the Speaker.** In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

(a) To preserve order and decorum;

(b) to take such actions and measures as necessary to secure the health and safety of the public, legislative staff and members to conduct legislative business by directing changes in House protocol and procedures from the provisions of House rules 101 through 107, 501 through 507, 1305, 1701, 1704, 1906, 2501 through 2509, 3501 through 3507 and 4305. A member may challenge any such action or measure made by the Speaker. Such challenge shall be made by a motion offered on the previous day and shall be upheld by an affirmative vote of a majority of the members elected or appointed;

(c) to decide all questions of order, subject to appeal to the House;  
~~(e)~~(d) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and  
~~(d)~~(e) to name a chairperson to preside when the House is in Committee of the Whole.

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6004**—

By Representatives Ryckman, Hawkins and Sawyer

A RESOLUTION adopting permanent rules of the House of Representatives for the 2021-2022 biennium.

*Be it resolved by the House of Representatives of the State of Kansas:* The following rules shall be the permanent rules of the House of Representatives for the 2021-2022 biennium.

**RULES OF THE HOUSE OF REPRESENTATIVES**

2021-2022

**ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION**

**Rule 101. Time of Meeting.** The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m. No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight, except when a question is under consideration, the meeting may continue until the question is disposed. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session.

**Rule 102. Speaker Taking Chair.** The Speaker shall take the chair each day, at the hour to which the House has adjourned. The Speaker shall call the House to order and proceed to business in accordance with the Rules of the House.

**Rule 103. First Business.** The first business each legislative day shall be the taking of the roll, the taking of roll shall be followed by prayer and the prayer shall be followed by the recitation of the pledge of allegiance to the flag of the United States of America led by a member designated by the Speaker.

**Rule 104. Order of Business.** (a) The regular order of business each legislative day, except on days and at times set apart for the consideration of special orders and except as provided by the joint rules of the House and Senate, shall be as follows:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Reports of select committees.
- (3) Receipt of messages from the Governor.
- (4) Communications from state officers.
- (5) Messages from the Senate.
- (6) Introduction and notice of original motions and house resolutions.
- (7) Consideration of motions and house resolutions offered on a previous day.
- (8) The unfinished business before the House at the time of adjournment on the previous day.

(9) Consent calendar.

(10) Final Action on bills and concurrent resolutions.

(11) Bills under consideration to concur and nonconcur.

(12) General Orders.

(13) Reports of standing committees.

(b) The presentation of petitions shall be a special order of business on Friday of

each week immediately preceding the regular order of business.

**Rule 105. Members Excused from Attendance.** Members may be excused from attendance on any legislative day by the Speaker for the following reasons and such reasons shall be shown in the Journal: (1) Verified illness; (2) legislative business; and (3) excused absence by the Speaker.

**Rule 106. Introduction of Guests.** Except when permission has been given by the Speaker before taking the chair, no guests in the gallery shall be introduced to the House.

**Rule 107. Session Proforma.** (a) The House of Representatives may meet from time to time for the sole purpose of processing routine business of the House of Representatives. These sessions shall be known as Session Proforma.

(b) Time of Meeting. Session Proforma shall be announced at least one legislative day in advance with the hour for meeting Proforma set on the previous legislative day.

(c) Order of Business. The only orders of business that may be considered during Session Proforma are:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Receipts of messages from the Governor.
- (3) Communications from State Officers.
- (4) Messages from the Senate.
- (5) Reports of Standing Committees.
- (6) Presentation of Petitions.

(d) Motions. No motion shall be in order other than the motion to adjourn.

(e) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sunday excluded, at 11:00 a.m.

(f) Quorum and Roll. There shall be no requirement for a quorum or taking of the roll. No demand for a roll call for a quorum shall be in order.

(g) Effect on Certain Rules. If a legislative day referred to in Rule 1309, 1503, 1505, 2303, 2705 or 3705 occurs on a legislative day which is also the day on which a Session Proforma is held, the term "legislative day" as used in such rule means the next legislative day subsequent to the legislative day on which the Session Proforma is held.

**Rule 108. Rulings on Germaneness, Division of Amendments, Points of Order and Procedural Motions.** Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution, the division of an amendment to a bill or resolution, a point of order or a procedural motion. Any such ruling shall be made by the chairperson of the House Committee on Rules and Journal, or in the absence of the chairperson the vice chairperson of the Committee. At the time of making such ruling, the chairperson, or vice chairperson, shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson, or vice chairperson, may be taken upon the motion of any member. Such appeals shall be in order at the time of the making of the ruling and shall take precedence over any question pending at the time the chairperson, or vice chairperson, makes such ruling.

Appeals from rulings on questions of germaneness of an amendment shall be debatable only by the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on requests for division of an amendment shall be debatable only by the member requesting division of the motion to

amend, the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Appeals from rulings on a point of order or procedural motion shall be debatable only by the member raising the point of order or making the procedural motion which is the subject of the ruling, the member appealing the ruling, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Each member may speak no more than two minutes. Debate shall be limited to the question of the ruling of the chairperson, or vice chairperson, and, in the case of division of an amendment, shall be limited as provided in Rule 2105.

At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's (or vice chairperson's) ruling be sustained?"

#### ARTICLE 3. QUORUM

**Rule 301. Quorum, What Constitutes.** A majority of all members then elected (or appointed) and qualified shall constitute a quorum. In the absence of a quorum no business shall be transacted by the House, except as provided in Rule 107, 302 and 303 or to recess or adjourn.

**Rule 302. Absence of Quorum.** In the absence of a quorum during any session of the House, the members present may do what is necessary to attain a quorum. In the absence of a quorum while in the committee of the whole, the committee shall rise and report. Reprimand, censure or expulsion may be imposed as provided by Article 49 when there is found to be no sufficient excuse for absence of a member.

**Rule 303. Roll Call to Determine Quorum.** A roll call shall be taken to determine the existence of a quorum on demand of any member. The result of each roll call to ascertain a quorum shall be recorded in the Journal by statement of the total number present, naming only the absentees.

#### ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER

**Rule 501. Admission to Floor.** (a) During daily sessions, from the time of convening until adjournment to the following legislative day, only the following classes of persons shall be admitted to the floor of the House, the cloakrooms to the east of the house chamber and the hallway at the west of the house chamber: (1) Members of the Legislature; (2) officers and employees of the legislative branch who are properly identified; (3) persons having permits from the Speaker; (4) infants or children who are being breastfed by their mother who is a member of legislature.

(b) No person who is an officer or employee of the executive or judicial branch of Kansas government or an employee of the federal government shall be admitted to the area of the chamber on which legislators' desks are located during the time the House of Representatives is in session, except as provided by resolution, nor shall any such person be on the floor of the House chamber during a call of the House. No person, other than a member, shall lean on the railings on the floor of the House chamber next to the area of the chamber on which legislators' desks are located during any time the House is on final action.

(c) No person registered with the Secretary of State as a lobbyist shall be on the floor of the House chamber 15 minutes before the time of convening the daily session until 15 minutes after adjournment to the following legislative day.

(d) The sergeant at arms shall remove all persons from the floor, except persons

authorized under the Rules of the House or a House resolution.

(e) The provisions of this rule shall not be construed to prevent the right of access (through the west hallway) by persons going directly to or returning from the offices of the Speaker and the Majority Leader.

**Rule 502. Food and Drink.** Members may have food or drink, or both, on their desks in the House chamber only when the member is present at the member's desk.

**Rule 503. Galleries.** (a) The Speaker may designate that one or both galleries of the House and other areas of the House Chamber be utilized as part of the House Chamber for the purpose of seat assignments, including temporary assignments, to ensure the proper order and conduct of legislative business. In such case, all rules of the House related to the Chamber and floor of the House are applicable to the galleries and other areas of the House Chamber. In such case, no visitors shall be allowed in one or both of the galleries of the House in accordance with such designation. If no such designation is made by the Speaker, the provisions of subsection (b) are applicable.

(b) Visitors shall be allowed in one or both galleries of the House in accordance with directions to the sergeant at arms from the Speaker. Except for security personnel authorized by the Speaker, the use of telephones and the making of telephone calls in the galleries of the House are prohibited.

**Rule 504. Placing Material on Member's Desk.** No items or material shall be placed upon the desk of any member of the House unless any such item or material bears the signature and printed name of the member responsible for its distribution. This Rule 504 shall not apply to items or material provided by legislative staff.

**Rule 505. Photographic Record of Vote.** No photographic or similar record shall be made of the vote of any member upon any measure upon which a division of the assembly has been called.

**Rule 506. Wireless Electronic Telecommunications Devices.** Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in the House chamber is prohibited during any time the House is in session.

**Rule 507. Computer Usage.** Computers may be used on the floor of the House chamber only for legislative or personal business during any time the House is in session.

#### ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS

**Rule 701. Introduction of House Bills and Resolutions.** Every House bill or resolution intended to be introduced shall be delivered to the chief clerk. The delivery shall be by a legislator who is a sponsor of the legislation or by a legislator who is the chairperson or vice chairperson of a legislative committee that has authorized the introduction, or by a legislative staff person or another member of the House authorized by such legislator. In lieu of introduction as provided by this rule, introduction may be as provided by law for prefiled bills and resolutions.

**Rule 702. Introduction of Senate Bills and Concurrent Resolutions.** Senate bills and concurrent resolutions sent to the House shall be introduced upon reading of the message received by the chief clerk.

**Rule 703. Reading of Bills and Resolutions for Introduction.** For the purpose of introduction, the chief clerk shall read bills and resolutions by title, except citations of statutes. The Speaker may require any House resolution to be read in full. The name of the sponsor shall be read if there is only one sponsor. If there are two sponsors, both

names shall be read. If there are more than two sponsors, the name of the first sponsor shall be read, followed by the words "and others."

**Rule 704. Senate Bills and Concurrent Resolutions; Procedure Following Introduction.** Following introduction, all Senate bills and Senate concurrent resolutions when in the House shall follow the same procedure as House bills and House concurrent resolutions.

#### ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS

**Rule 901. Reference, Generally.** (a) On the day of introduction or the following legislative day, the Speaker shall refer each bill to:

- (1) A standing committee,
- (2) a select committee,
- (3) the committee of the whole House,
- (4) two or more standing committees separately, or
- (5) two or more standing committees jointly.

(b) On the day of introduction or the following legislative day, the Speaker shall refer each concurrent resolution:

(1) In any way that a bill may be referred under subsection (a), if the concurrent resolution is a proposition to amend the Constitution of Kansas, to call a constitutional convention to amend or revise the Constitution of Kansas, to ratify an amendment to the Constitution of the United States, to apply for a United States constitutional convention, or to amend the joint rules of the House and Senate;

(2) if the concurrent resolution is not one of those specified in subpart (1) of this subsection (b), it may be referred in any way that a bill may be referred under subsection (a), or the Speaker may authorize consideration thereof on the day of introduction under the order of business introduction and reference of bills and concurrent resolutions.

(c) On the day of introduction, the Speaker may refer any House resolution (1) in any way that a bill may be referred under subsection (a) or (2) make no reference, except the Speaker shall make any reference required by the Rules of the House.

(d) Bills or resolutions prefiled under K.S.A. 46-801 et seq., and amendments thereto, for the regular session of the legislature held in even-numbered years may be referred by the Speaker to the appropriate committee or the committee of the whole at any time subsequent to the prefiling of such bill or resolution with the chief clerk of the House.

**Rule 902. Appropriation Bills.** Bills containing more than one item of appropriation shall be referred to the standing committee on appropriations, except that bills introduced by the committee on appropriations may be referred to the committee of the whole House.

**Rule 903. Separately Referred Bills and Resolutions.** (a) When a bill or resolution has been referred separately to two or more standing committees, each committee shall consider the bill or resolution separately in the order specified by the Speaker.

(b) If the first committee to which a bill or resolution has been separately referred reports the bill or resolution adversely, the bill or resolution shall not be considered by the second committee, unless returned to the second committee by the committee of the whole House in accordance with Rule 1505.

(c) When a bill has been referred separately and the report of the first committee was not adverse, the report of the second committee shall be the report considered by

the committee of the whole House.

**Rule 904. Jointly Referred Bills and Resolutions.** When a bill or resolution is jointly referred, it shall be considered and acted upon at a joint meeting of the two committees. The chairperson of the first committee named in the joint referral shall be the chairperson of the joint committee when considering such bill or resolution.

ARTICLE 11. COMMITTEES; COMPOSITION

**Rule 1101. Standing Committees; Names and Members.** (a) The standing committees of the House shall be the following and have the number of members indicated for each:

1. Agriculture.....	17
2. Appropriations.....	23
3. Children and Seniors.....	13
4. Calendar and Printing.....	6
5. Commerce, Labor and Economic Development.....	17
6. Corrections and Juvenile Justice.....	13
7. Education.....	17
8. Elections.....	13
9. Energy, Utilities and Telecommunications.....	17
10. Federal and State Affairs.....	23
11. Financial Institutions and <del>Pensions</del> <u>Rural Development</u> .....	17
12. Health and Human Services.....	17
13. Insurance <u>and</u> Pensions.....	17
14. Interstate Cooperation.....	7
15. Judiciary.....	17
16. Local Government.....	13
17. Rules and Journal.....	7
18. <del>Rural Revitalization</del> <u>Redistricting</u> .....	17
19. Taxation.....	23
20. Transportation.....	17
21. Veterans and Military.....	13
22. Water.....	17

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents. The house standing committee on commerce, labor and economic development shall constitute the successor committee to the house standing committee on commerce and economic

development for purposes of references in statutory and other documents. The house standing committee on energy and environment and the house standing committee on utilities and telecommunications shall constitute the successor committees to the house standing committee on energy and utilities for purposes of references in statutory and other documents. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on agriculture and natural resources for purposes of references in the following Kansas statutes: K.S.A. 2016 Supp. 2-3805 and 76-4,112. The house standing committee on agriculture shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statute: K.S.A. 2016 Supp. 66-1285 and shall constitute the successor committee to the house standing committee on utilities and communications for purposes of references in statutory and other documents. The house standing committee on financial institutions and pensions shall constitute the successor committee to the house standing committee on financial institutions and the house standing committee on pensions and benefits for purposes of references in statutory or other documents. The house standing committee on government, technology and security shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on veterans and military shall constitute the successor committee to the house standing committee on veterans, military and homeland security for purposes of references in statutory or other documents except for references in the following Kansas statutes: K.S.A. 74-2012 and K.S.A. 2016 Supp. 75-5156 and 75-5158. The house standing committee on water and environment shall constitute the successor committee to the house standing committee on energy and environment for purposes of references in the following Kansas statutory documents: 65-3407c. The house committee on general government budget shall constitute the successor committee to the house standing committee on government technology and security for purposes of references in the following statutes: K.S.A. 74-2012 and K.S.A. 2018 Supp. 75-5156 and 75-5158. The house standing committee on energy, utilities and telecommunications shall constitute the successor committee to the house standing committee on water and environment for purposes of references in statutory and other documents and in K.S.A. 65-3407c. For purposes of references in statutes and other documents, the House standing Committee on Insurance and Pensions shall constitute the successor committee to the House standing Committee on Financial Institutions and Pensions for pension matters, the House standing Committee on Financial Institutions and Rural Development shall constitute the successor committee to the House standing Committee on Rural Revitalization for rural development matters and the House standing Committee on Water shall constitute the successor committee to the House standing Committee on Energy, Utilities and Telecommunications for water matters.

**Rule 1102. Committee Appointments.** (a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

(b) The Speaker shall appoint the chairperson and vice chairperson of each standing committee. The Speaker may remove or replace any such chairperson or vice chairperson at any time.

**Rule 1103. Select Committees.** The Speaker may appoint select committees and the chairpersons and vice chairpersons thereof. The Speaker may remove or replace any such chairpersons or vice chairpersons or members of such committees. Select committees shall meet on call of the chairperson or when directed by the Speaker.

**Rule 1104. Announce Appointments.** All committee appointments shall be announced in open session.

**Rule 1105. Budget Committees.** (a) There is hereby created the following budget committees of the committee on appropriations, which shall have the number of members indicated for each:

- 1. Agriculture and natural resources budget..... 9
- 2. General government budget..... 9
- 3. Higher education budget.....9
- 4. K-12 education budget.....13
- 5. Legislative budget..... 8
- 6. Social services budget..... 9
- 7. Transportation and public safety budget..... 9

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall appoint the members, chairpersons and vice-chairpersons of the budget committees. The Speaker may remove or replace any such chairperson, vice-chairperson or member at any time.

(c) Budget committees shall be advisory to and make recommendations to the committee on appropriations regarding matters referred to the budget committee by the committee on appropriations. A budget committee is authorized to introduce bills or resolutions within the subject matter of the budget committee. Except as otherwise provided in this rule, budget committees shall be deemed to be standing committees under the rules of the House of Representatives. Budget committee meetings are subject to the Kansas open meetings act, K.S.A. 75-4317a et seq., and amendments thereto.

ARTICLE 13. COMMITTEES; PROCEDURE

**Rule 1301. Committee Meetings; Time and Place.** (a) When the Legislature is in session, standing committees shall meet at the times and place assigned by the Speaker on the call of the chairperson.

(b) Also, when the Legislature is in session, a standing committee shall meet upon written request of three members of the committee. Such a request shall be submitted to the Speaker and the chairperson at least one legislative day before the requested time of meeting. The time and place of a meeting under this subsection (b) shall be set by the chairperson with the approval of the Speaker.

**Rule 1302. Notice and Agenda for Committee Meetings.** The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chief clerk shall include in the calendar such information as is practical.

**Rule 1303. Duties of Committee Chairperson.** The principal duties of the chairperson of a standing committee are:

- (a) To preside over meetings of the committee and to put all questions;
- (b) to maintain order and decide all questions of order subject to appeal to the committee;
- (c) to supervise and direct staff of the committee;
- (d) to keep, or have the committee secretary keep, subject to the approval of the

committee at a subsequent meeting, minutes of meetings which shall include:

- (1) The time and place of each meeting of the committee;
- (2) the attendance of committee members;
- (3) the names and city and state of residence of persons appearing before the committee and whom each represents; and
- (4) when a committee recommends amendments to a bill that strike all sections in the bill subsequent to the enacting clause that contain new or amendatory language and inserts sections that contain new or amendatory language, a notation specifying: (A) The committee that recommended the amendment or amendments; (B) the date the amendment or amendments were recommended; and (C) the bill number of the source bill or bills, if any, that included the inserted sections added to the underlying bill pursuant to the amendment or amendments. Such information contained in this subsection shall also be included in the committee action index;
- (e) to prepare and sign reports of the committee and submit them promptly to the chief clerk;
- (f) to appoint subcommittees to perform duties on an informal basis; and
- (g) to inform the Speaker of any committee activity which caused any member of the committee to be absent during any recorded vote.

**Rule 1304. Introduction of Committee Bills and Resolutions.** (a) A committee may sponsor bills and resolutions for introduction while the Legislature is in session respecting any matters referred to it. Unless approved by the Speaker, a standing committee may sponsor bills and resolutions for introduction only within the general subject area assigned to the committee. No standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

(b) Requests for bill introductions shall be the first order of business for each committee meeting, except that for committees subject to the committee bill request deadline specified in joint rule 4(c) of the joint rules of the Senate and House of Representatives, until the last day for committee to request bills for introduction in such joint rules. The person making the request shall state for the minutes of the committee such person's name, a short description of the bill, the RS number and the name of the individual or organization on behalf of which the bill is being requested, if any. To be considered, a request must have previously been assigned an RS number by the Office of Revisor of Statutes. Requests for bill introductions shall be deemed accepted as offered unless there is objection by a committee member. Upon objection, a vote of the committee will be required to accept the request for introduction.

**Rule 1305. Quorum of a Committee.** A quorum shall be present at a meeting for a committee to act officially. A quorum of a committee is a majority of the members of the committee. A quorum of a committee may transact business and a majority of the quorum, even though it is a minority of the committee, may adopt a committee report.

**Rule 1306. Voting in Committees.** (a) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. The final action taken shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

(b) The committee chairperson may vote but shall not be required to vote unless the committee is equally divided. If the chairperson's vote makes the division equal, the question shall be lost.

(c) An action formally taken by a committee cannot be altered in the committee except by reconsideration and further formal action of the committee.

(d) A motion to take from the table may be adopted by the affirmative vote of a majority of the members present at any called meeting of the committee.

**Rule 1307. Procedure in General.** Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second.

**Rule 1308. Committee Action on Bills and Resolutions.** (a) A committee shall not take action to report a bill out of committee on the same day that the committee holds a hearing on the bill unless the committee approves such action by a two-thirds vote.

(b) A committee may recommend amendments to measures referred to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee. If a committee recommends amendments to a bill or resolution referred to it that strike all sections in the bill or resolution subsequent to the enacting clause that contain new or amendatory language or resolving clause and inserts sections that contain new or amendatory language, and the bill or resolution was sponsored by an individual member or members, the committee becomes the sponsor of the bill or resolution and the committee name will be printed on the bill as the sponsor.

(c) All committee reports on bills and resolutions shall be recorded in the Journal.

(d) If amendments are pending on a measure when referred to a committee, the amendments accompany the bill and the committee may recommend the adoption or rejection of the amendments already proposed and make further recommendations.

**Rule 1309. Motion to Withdraw a Bill or Resolution from a Committee.** (a) If a committee does not report on any bill or resolution within 10 legislative days after its reference to the committee, the bill or resolution may be withdrawn from the committee by an affirmative vote of 70 members of the House. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of business General Orders.

(b) Motions to withdraw a bill or resolution from a committee are not subject to amendment or debate.

(c) The provisions of subsections (a) and (b) of this rule shall not apply to resolutions adopting or amending rules of the House. Resolutions relating to the adoption or the amendment of rules of the House may be withdrawn from the Committee on Rules and Journal at any time by the affirmative vote of 63 members of the House.

**Rule 1310. Wireless Electronic Telecommunications Devices.** Except for security

personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room is prohibited during any time when a committee or subcommittee is in session in the room.

#### ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS

**Rule 1501. General Orders; Description and Function.** Bills, concurrent resolutions and House resolutions reported for further action by the committee to which they were referred and bills and concurrent resolutions referred directly to the committee of the whole shall constitute the General Orders of the calendar of the House. The titles of such bills and resolutions shall appear under the heading General Orders in the order directed by the Speaker and the Majority Leader. The reporting committee and its action on the bill or resolution shall be shown under each bill and resolution. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders. The Speaker and the Majority Leader may consult with the Committee on Calendar and Printing in preparing the order of bills and resolutions under this rule.

**Rule 1502. Posting of Sequence for Succeeding Day.** When the Speaker and the Majority Leader have prepared the sequence of bills and resolutions to appear on General Orders for the succeeding legislative day, a copy of the list giving the number designation of each bill and resolution in the order they are to appear shall be posted near the entrance to the House chamber. No bill or resolution shall appear on General Orders or be considered in the committee of the whole without notice of the same having been announced in the House not later than 4:00 p.m. or prior to adjournment if at a later hour on the previous day.

**Rule 1503. Change in the Sequence on General Orders.** (a) The order of a bill or resolution on General Orders may be changed by unanimous consent or by the affirmative vote of 70 members on a motion made as provided in this subsection. Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following such failure.

(b) Motions to change the order of a bill or resolution on General Orders are not subject to amendment or debate.

(c) This Rule 1503 does not apply to the addition or removal of a bill or resolution from General Orders.

**Rule 1504. Adversely Reported Bills and Resolutions; Calendar Location.** Bills and resolutions that are adversely reported shall appear on the calendar for one day under the heading bills adversely reported.

**Rule 1505. Motion to Move Adversely Reported Bill or Concurrent Resolution to General Orders.** (a) A motion to add an adversely reported bill or resolution to General Orders shall be made in writing. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions, and such

motion may not be made after the legislative day when the bill or resolution appears on the calendar under Rule 1504. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made.

(b) When a bill or resolution has been separately referred and is adversely reported by the first committee of separate reference, a motion to add the adversely reported bill or resolution to General Orders is not in order, but a motion to move the adversely reported bill or resolution to the next committee of separate reference may be made in the same manner as the motion in subsection (a).

(c) Adoption of a motion under this Rule 1505 requires the affirmative vote of 70 members of the House.

(d) If a motion under subsection (a) prevails, the words "Adversely Reported" shall be printed in a line below the title of the bill when it is listed on General Orders.

**Rule 1506. Motion to Lay on Table Bill or Resolution while on Final Action Subject to Amendments and Debate.** When a motion to lay on the table a bill or resolution is adopted while on final action subject to amendment and debate, on the next legislative day such bill or resolution shall be placed on the calendar under the order of business the unfinished business before the House at the time of adjournment on the previous day.

**Rule 1507. Disposition of Bills Subject to Certain Deadlines.** Any bill which is subject to a deadline for consideration under subsection (e) or subsection (f) of Joint Rule 4 of the Joint Rules of the Senate and House of Representatives and which remains on General Orders at the close of business on such deadline day shall be considered as killed and shall be stricken from the calendar unless such bill is referred by the speaker to a committee before the close of business on such day. Any bill so referred shall be subject to all applicable deadlines under the Joint Rules of the Senate and House of Representatives.

#### ARTICLE 17. MEMBERS ADDRESSING THE HOUSE

**Rule 1701. Requesting the Floor.** Any member desiring to request the floor shall press the member's "speak bill" button, and shall not proceed until recognized by the chair.

**Rule 1702. Order During Speaking.** While a member is speaking to the House, no other member shall engage in private conversation or pass between the member speaking and the chair.

**Rule 1703. When Question is Put.** While a question is being put or a roll call or division is being taken, members are not to speak or leave their seats.

**Rule 1704. Violation of Rules While Speaking.** (a) Members shall address the House from the microphone located in the well of the House chamber.

(b) No member shall speak more than twice on the same day to the same question without leave of the House, unless the member is the mover or is carrying the measure, in which case such member may open and close the debate and may respond to direct questions from other members addressed to them during the course of consideration of the measure. For the purposes of this subsection, an amendment to any measure shall be considered as a separate and independent question.

(c) The privilege of a member carrying a measure to open and close the debate shall

not be affected by any order for the previous question or that debate shall cease. Such member may occupy 20 minutes in closing the debate after the previous question is ordered and may divide that time with other members.

(d) While a member is carrying a measure, such member may yield to another member for explanation of the measure, or for personal explanation, or for a motion to adjourn without losing the privilege to carry the measure for the remainder of their time except that such member may not yield to any member who has already spoken twice on such question on the same day.

(e) If any member, in speaking, violates the rules of the House, the chair shall call such member to order.

**Rule 1705. Point of Personal Privilege.** Except when permission has otherwise been given by the Speaker before taking the chair:

(a) A member shall be allowed to raise a point of personal privilege only for the following purposes: (1) Recognition of another member or former member of the House; or (2) recognition of an individual or group which has received statewide or national award or statewide or national recognition.

(b) A member shall be allowed to speak not more than five minutes in making a point of personal privilege.

#### ARTICLE 19. COMMITTEE OF THE WHOLE

**Rule 1901. Motion to go into Committee of the Whole House.** When the order of business General Orders is reached, a motion shall be in order for the House to go into Committee of the Whole for consideration of bills and resolutions as listed on General Orders.

**Rule 1902. Committee of the Whole; Normal Procedure.** Bills and resolutions shall be considered in the Committee of the Whole as follows: If the standing committee has recommended that the bill or resolution be amended, the standing committee report shall first be considered, and if it is adopted, the bill as amended by the committee report shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. If the committee report is not adopted, or if the committee has recommended no amendments, the bill, without committee amendments, shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. After a section has been once considered, no amendment thereto shall be in order until the whole bill shall have been considered section by section. After the original bill, together with standing committee amendments if any, has been considered section by section, the chairperson shall announce, "Amendments to the bill generally are in order," and amendments not before offered may be made to any part of the bill. A motion that when the committee arises it report a bill favorably, or report a bill favorably as amended, shall not be in order until all other motions have been disposed of, and such a motion shall not be offered as a substitute motion. A motion to strike the enacting clause is in order at any stage until the final vote is announced. The motion to strike the enacting clause may be debated upon the merit of the proposition, and shall not be subject to amendment or substitution. A roll call vote shall be taken upon a motion to strike the enacting clause.

**Rule 1903. Motion to Pass Over a Bill or Resolution While in Committee of the Whole.** When in the Committee of the Whole, either (1) a motion to pass over a bill or resolution and that it retain its place on the Calendar or (2) a motion to pass over a bill

or resolution and that it retain a place on General Orders shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Either motion shall require the vote of a majority of the members present for adoption. Motions under this rule shall not be subject to debate.

**Rule 1904. Motions to Refer Bills or Resolutions to a Committee While in Committee of the Whole.** When in the Committee of the Whole, a motion may be made to refer a bill or resolution to a standing committee only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Such motion shall require the vote of a majority of the members present for adoption.

**Rule 1905. Striking Bills and Resolutions from the Calendar While in Committee of the Whole.** (a) While in Committee of the Whole, a motion to strike a bill or resolution from the calendar shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it.

(b) A motion to strike a bill from the calendar under this Rule 1905 (1) shall require a vote of a majority of the members present for adoption, and (2) shall be subject to roll call in accordance with subsection (e) of Rule 2507, but shall not be subject to a call of the House under Rule 2508.

**Rule 1906. Requesting the Floor.** Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the Committee of the Whole.

**Rule 1907. Rules Applicable.** The same rules, except Rule 2508, shall be observed in the Committee of the Whole as in the House, so far as the same are applicable, except that the previous question and the motion to lay on the table shall not apply.

**Rule 1908. Rise and Report.** A motion for the Committee of the Whole to rise and report shall be in order at any stage, and shall be decided without debate. When the Committee of the Whole has a bill under consideration and rises without final action thereon, the bill shall retain a place on General Orders.

**Rule 1909. Effect of Recommendation of Committee of the Whole.** Bills recommended for passage and resolutions recommended for adoption by the Committee of the Whole shall not be subject to amendment or debate after the adoption by the House of the Committee of the Whole report. When a bill or resolution is reported with the recommendation that the enacting or resolving clause be stricken, and the Committee of the Whole report is adopted by the House, the bill or resolution shall be considered as killed and shall be stricken from the calendar.

**Rule 1910. Report of Committee of the Whole.** When the report of the Committee of the Whole recommends the passage of a bill or adoption of a resolution, and the report is adopted by the House, such bills and resolutions shall be considered as ordered to the order of business Final Action. If the bill or resolution has been amended by the Committee of the Whole it shall be reprinted.

#### ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS

**Rule 2101. Germaneness.** Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to

wording of the title thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

**Rule 2102. Form of Amendment Motions.** Motions to amend bills and resolutions shall specify the page and line number, as shown on the printed bill or resolution, and shall be in writing on a form provided by the House or a form substantially similar. A motion shall be out of order unless the written motion is first delivered to the chief clerk. In the case of amendment by substitute bill, motion shall be made to substitute a written bill for the bill under consideration.

**Rule 2103. Reading Amendments; General Rule.** Motions to amend bills and resolutions shall not require readings as for bills introduced, except as otherwise provided in Rule 2107, but shall be subject to Rule 2306.

**Rule 2104. Motions to Amend Motions.** A motion to amend a motion to amend a bill or resolution shall not be in order.

**Rule 2105. Dividing Amendments.** (a) When any motion to amend a bill or resolution contains distinct propositions, it shall be divided by the presiding officer at the request of any member. The division by the presiding officer shall be made in accordance with the following:

(1) A motion to strike out and insert words of less than a sentence shall be indivisible;

(2) the distinct propositions shall be only in the form submitted in the motion to amend;

(3) each proposition must be so distinct that, one being removed, the remainder may stand entirely on their own; and

(4) those portions of a motion to amend a bill as described in Rule 2110 shall be indivisible.

(b) Upon a request to divide a motion to amend a bill or resolution, the presiding officer shall inquire as to whether there is a request for a ruling on germaneness of the motion to amend. If such a request is made, the issue of germaneness shall be determined prior to dividing the motion.

If no request for a ruling on germaneness of the motion to amend is made, the presiding officer shall proceed to divide the motion to amend in accordance with this rule, and no subsequent request for a ruling on germaneness of any distinct proposition of the motion so divided shall be in order.

(c) The presiding officer, or any member, may request that the member requesting the division make the request in writing specifying the manner in which the motion to amend should be divided.

(d) The division of the motion to amend shall be in accordance with the rules of the House and with items (1) to (4), inclusive, of subsection (a). The ruling of the chairperson of the Committee on Rules and Journal, or in the chairperson's absence the vice chairperson of the Committee, on how to divide the motion to amend shall not be subject to appeal except that any member may appeal the ruling of the chairperson, or vice chairperson, on the grounds that the division is not in accordance with a rule of the

House including the provisions of items (1), (2), (3) or (4) of subsection (a), or any combination thereof.

**Rule 2106. Substitute Motions.** No substitute motion to amend a bill or resolution shall be in order.

**Rule 2107. Subject Change by Senate.** (a) When the Senate adopts amendments to a House bill which materially changes its subject, upon return of such bill to the House, it shall be read as provided for the introduction of bills and be referred as provided in Rule 901.

(b) The Speaker may determine when a bill is subject to subsection (a). An affirmative vote of 70 members shall be required to sustain a challenge to the Speaker's determination hereunder.

**Rule 2108. Motions to Strike Out and Insert.** The rejection of a motion to amend a bill or resolution by striking out and inserting one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

**Rule 2109. Identical Motions.** Except upon the unanimous consent of the House, an identical motion to amend a bill or resolution shall not be made a second time on the same legislative day.

**Rule 2110. Floor Amendments to Bills Making Appropriations.** (a) Unless by majority consent to correct an error in drafting, no floor amendment to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill.

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

#### ARTICLE 23. PROCEDURAL MOTIONS

**Rule 2301. Order of Motions.** When a question is under consideration, no motion shall be received except as specified under the Rules of the House, which motions shall have precedence in the following order:

- (a) For adjournment of the House.
- (b) For call of the House.
- (c) To lay on the table.
- (d) For the previous question.
- (e) To postpone to a certain time.
- (f) To commit to a standing committee.
- (g) To commit to a select committee.
- (h) To reject the adoption of reports of conference committees coupled with the request for appointment of a new conference committee.
- (i) To adopt the report of conference committees.
- (j) To amend.
- (k) To postpone indefinitely.

**Rule 2302. Motion to Adjourn.** The motion to adjourn shall always be in order,

except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to recess is not equivalent to a motion to adjourn.

**Rule 2303. Motion to Reconsider.** A motion to reconsider shall take precedence of all other questions except the motion to adjourn. No motion for reconsideration of any vote shall be in order, unless made on the same day or the legislative day following that on which the decision to be reconsidered took place, nor unless a member voting with the prevailing side shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent, but this provision shall not be construed as preventing the introduction of a bill on the same subject. The member moving for reconsideration shall be allowed not more than two minutes for stating the reasons in support of the motion. Such motion shall be subject to debate by any member, stating reasons in support or opposition to the motion. Each of such members shall be allowed not more than one minute for the purpose of such debate. Such motion shall require the affirmative vote of members equal in number to that required to take the action proposed to be reconsidered. A motion to reconsider any final action of the House shall be in order at any time prior to the time at which the message of the House thereon is read into the record of the Senate. A motion to reconsider any final action of the House may be made after the time at which the message of the House thereon is read into the report of the Senate but any action taken pursuant thereto will be contingent upon the return of the measure to the House by the Senate.

**Rule 2304. Previous Question.** The "previous question" shall be: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When voting on the previous question, the House decides that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matter under consideration. When amendments are pending, a vote shall first be taken upon such amendments in their order without further debate or amendment. A majority vote of the members present shall order the previous question.

**Rule 2305. Motions Not Subject to Debate.** All questions relating to priority of business shall be decided without debate. The motion to adjourn, to change the order of consideration of a bill, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

**Rule 2306. Motion to Refer Bills or Resolutions to Committee When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to refer a bill or resolution from the Calendar to a standing committee shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2307. Motion to Strike Bills and Resolutions from Calendar When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such

motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2308. Stating Question.** Every motion shall be first stated by the presiding officer or read by the chief clerk, before debate, and again immediately before putting the question.

**Rule 2309. Dividing Motion.** If any motion, other than a motion under Rule 2105, contains distinct propositions, it shall be divided by the chairperson at the request of any member. Motions under Rule 2105 shall be divided in accordance with that rule.

**Rule 2310. When Motions to be in Writing.** Every motion, except those specified in Rules 2301 and 2303, shall be in writing if the Speaker or any member desires it. All motions to amend a bill or resolution and all resolutions shall be in writing.

**Rule 2311. Suspension of Rules of the House.** (a) No rule of the House shall be suspended except by unanimous consent or by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House, subject to the following exceptions:

(1) A motion to suspend the rules, and to declare an emergency and to advance a bill to the order of business Final Action, as contemplated in article 2, section 15 of the Constitution shall require an affirmative vote of 2/3 of the members present in the House.

(2) A motion to suspend the rules and to permit amendment and debate of a bill under the order of business Final Action shall require an affirmative vote of 2/3 of the members present in the House.

(b) When under the rules of the House a motion, question or action requires a vote of a majority greater than a majority of the members present, the majority specified for such motion, question or action shall be required to suspend the rules for the purpose of such motion, question or action. When under the rules of the House notice of a motion reduces the required majority for adoption of the motion, the required majority shall not be reduced if the notice is disposed of by suspension of the rules.

(c) Suspension of the rules or unanimous consent shall not reduce the majority required under subpart (1) of subsection (a) of this rule.

**Rule 2312. Mason's Manual; When Applicable.** (a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (~~2010~~2020 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

#### ARTICLE 25. VOTING

**Rule 2501. Control and Use of Voting System.** The electronic voting system shall be under the control of the Speaker or other presiding officer and shall be operated by the chief clerk. The electronic voting system shall be used to record the vote whenever a roll call vote is taken on any question and may be used for ascertaining the vote upon any measure upon which a division of the assembly has been called. In the event that the system is not operating properly, roll call votes may be taken by calling the roll.

**Rule 2502. Procedure for Taking a Roll Call Vote.** When a roll call vote is taken,

the presiding officer shall state the question and instruct the members to proceed to vote. When sufficient time has been allowed the members to vote, the presiding officer shall inquire: "Has every member had an opportunity to vote?" After a short pause the presiding officer shall direct the chief clerk to close the roll. After the roll has been closed, when Rule 2505 applies, the presiding officer shall inquire: "Does any member desire to explain his or her vote?" and any member so desiring may give such explanation when recognized by the presiding officer. The presiding officer shall inquire: "Does any member desire to change his or her vote?" If any member does desire to change his or her vote, such member when recognized by the presiding officer, shall advise how they desire to change such vote and the presiding officer shall then instruct the chief clerk to make the appropriate change. A member who has not previously voted may vote at this time when permitted by the presiding officer. Such member shall advise how they wish to vote and the presiding officer shall then instruct the chief clerk to record such vote. After all members who desire to vote or to change their votes have had reasonable opportunity to do so, the presiding officer shall announce the vote and, when the vote has been announced, shall direct the chief clerk to record the vote.

**Rule 2503. Display of Recurring Totals.** Under Rule 2502, recurring totals shall be displayed only after the roll is closed. No recurring totals shall be displayed for a determination of the vote upon a division of the assembly.

**Rule 2504. Voting by Members.** (a) A member may vote only when at their desk or at any place within the chamber of the House when authorized by the presiding officer, who shall direct the chief clerk to so vote for such member.

(b) No member shall vote for another member. No person not a member shall cast a vote for a member, except as otherwise provided in the rules. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member shall be subject to Article 49 of these rules. If a person not a member votes or attempts to vote for any member, such person shall be barred from the floor of the House for the remainder of the session, and, in addition to penalties prescribed by law, may be punished further as the House determines.

(c) The Speaker shall not be compelled to vote except in case of a tie.

**Rule 2505. Explaining Vote.** Any member may, when a roll call vote is being taken on the passage or adoption of any bill or resolution, explain their vote. Such member shall be allowed not more than one minute for such explanation. Such explanation, if furnished in writing and signed, with printed name and district number, by such member by 4:00 p.m. upon the day the vote is taken or if the vote is taken subsequent to 3:30 p.m., within one-half hour after the adjournment of the House on that day, shall be entered in the Journal, provided it does not contain more than 100 words.

**Rule 2506. Copies of Voting Records.** (a) Unless otherwise ordered, the chief clerk shall record each roll call vote and make copies available for the use of the news media. No record shall be made of the vote of any member voting upon any measure upon which a division of the assembly has been called.

(b) When a roll call vote is taken, it shall be recorded in the Journal by a statement of the names and total number voting in the affirmative, the names and total number voting in the negative, names and total number indicating presence but not voting and the names and total number absent or not voting, except that the provisions of this section shall not permit a member to fail to vote in violation of Rule 2508.

**Rule 2507. When Roll Call Vote to be Taken.** (a) A roll call vote shall be taken for the passage of any bill.

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to commendations or acknowledgments, unless required under subsection (c) of Rule 2507.

(c) A roll call vote shall be taken for the adoption of any House resolution to adopt, amend or revoke any rule of the House or to reject any executive reorganization order.

(d) A roll call vote shall be taken to concur in Senate amendments to any bill or concurrent resolution or to adopt any conference committee report other than a report agreeing to disagree.

(e) A roll call vote shall be taken on any question on demand of 15 members, unless a roll call vote is already pending.

**Rule 2508. Call of the House.** (a) A call of the House shall be ordered on the demand of any 10 members at any stage of the voting previous to the announcing of the vote or, if the voting system is used, prior to recording the vote. This Rule 2508 shall apply to the taking of a vote upon the final passage of any bill or final adoption of any resolution whether under the order of business Final Action or under any order of business. Also, this Rule 2508 shall apply to the taking of a vote on a motion to strike the enacting clause of a bill and the resolving clause of a resolution and on a motion to strike all after the enacting clause or resolving clause, except when the House is in the Committee of the Whole. When the call of the House is invoked, the doors to the House chamber shall be secured and all members shall be required to be in their seats unless excused by the Speaker. All members present during the call shall be required to vote before the call is raised. The call of the House shall not be raised (so long as 10 members continue the demand) until a reasonable effort, as determined by the Speaker, has been exerted to secure absentees.

(b) Any member, who is directly interested in a question, may be excused from voting, when there is a call of the House. The member, who is requesting to be excused from voting, shall state the reasons therefor, occupying not more than five minutes. The question on excusing such member from voting shall be taken without debate and a  $\frac{2}{3}$  majority of members present shall be necessary to excuse such member. If a member refuses to vote, when not excused, such refusal shall constitute grounds for reprimand, censure or expulsion under Article 49 of the Rules of the House.

**Rule 2509. Voice Vote; Division of the Assembly.** Except when a roll call vote is required, a voice vote shall be taken on all questions. Any member may call for a division of the assembly to determine the vote by the voting system.

#### ARTICLE 27. FINAL ACTION

**Rule 2701. Description and Function.** Subject to Rule 2705, bills and resolutions reported favorably by the Committee of the Whole shall constitute the order of business Final Action of the House. The titles of such bills and resolutions shall appear under the heading Final Action in numerical order. The standing committee which reported it and the Committee of the Whole action on the bill or resolution shall be shown under each

thereof.

**Rule 2702. Reading and Vote.** Each bill and resolution under the order of business Final Action shall be read by title, except citations of statutes amended or repealed and a roll call vote shall then be taken upon final passage or adoption without amendment or debate.

**Rule 2703. Amendment and Debate, When.** Upon motion as provided in subpart (2) of subsection (a) of Rule 2311 or when recommended in the Committee of the Whole report which has been adopted by the House, bills or resolutions may be debated and amended on Final Action prior to the vote taken upon final passage or adoption. Each bill or concurrent resolution considered under this Rule 2703 shall be considered in the manner provided in Rule 1902 so far as it is applicable. A motion to strike the enacting clause or resolving clause shall be in order.

**Rule 2704. Speaker to Preside.** Subject to Rule 3303, the Speaker shall preside during the order of business Final Action.

**Rule 2705. Consent Calendar.** Whenever a standing committee is of the opinion that a bill or concurrent resolution upon which it is reporting is of a noncontroversial nature, it shall so state in its committee report. Whenever a bill or concurrent resolution is so reported, it shall be placed upon the Consent Calendar. Each bill or concurrent resolution placed on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. Under the order of business Consent Calendar and prior to the call for the vote, any member may object to the bill or concurrent resolution as being controversial and thereupon it shall be removed from the Consent Calendar and shall be placed on General Orders. If no objection is made prior to the call for the vote on the bill or concurrent resolution, it shall be ordered to Final Action for vote before other bills and concurrent resolutions on Final Action.

**Rule 2706. Majority for Bill Passage.** As provided in section 13 of article 2 of the Constitution of Kansas, a majority of the members then elected (or appointed) and qualified, voting in the affirmative, shall be necessary for the passage of a bill.

**Rule 2707. Vote Required for Adoption of House Resolutions and Concurrent Resolutions.** (a) A majority of the members then elected (or appointed) and qualified voting in the affirmative shall be necessary to adopt House resolutions and concurrent resolutions, except as otherwise specified in these rules.

(b) Adoption of concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall require a 2/3 majority of the members then elected (or appointed) and qualified, voting in the affirmative.

**Rule 2708. Motion to Adopt Report of Conference Committee.** The member carrying the report of a conference committee shall move that such report be adopted prior to yielding the floor to any other member and a motion to adopt a report of a conference committee shall not be offered as a substitute motion.

#### ARTICLE 29. RESOLUTIONS

**Rule 2901. Resolving Clause; Form.** (a) Concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend

a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall have a resolving clause which reads, "Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein."

(b) Concurrent resolutions for any purpose other than subsection (a) shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein."

(c) House resolutions shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas."

**Rule 2902. House Resolutions; Introduction and Consideration.** (a) House resolutions, except for those changing rules of the House or approving or rejecting executive reorganization orders, shall lay over at least one legislative day before action is taken thereon and do not require a roll call vote unless required under subsection (e) of Rule 2507.

(b) House resolutions shall be considered under the order of business consideration of motions and House resolutions offered on a previous day, except House resolutions to (1) adopt, amend or revoke any rule of the House or (2) when the resolution has been referred to a standing committee and reported favorably. Resolutions under subparts (1) and (2) shall take a place on General Orders when favorably reported or when referred to the Committee of the Whole by the Speaker.

**Rule 2903. Resolutions; Limitations.** (a) Appropriations shall not be made by resolutions.

(b) Resolutions do not require approval of the Governor.

**Rule 2904. Applications for Introduction of certain Resolutions; Certificate of the House.** Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event shall be introduced by a member or committee of the House of Representatives unless application for approval of the introduction of such resolution is first made to the Speaker, and the resolution is approved for introduction by the Speaker. The application shall be determined on the basis of content alone. The Speaker shall consider all such applications and shall determine whether a House resolution or House concurrent resolution should be approved for introduction, or whether a certificate of the House should be approved for issuance or whether no action should be taken on the application. The Speaker may consult with the Committee on Calendar and Printing in making determinations under this rule.

#### ARTICLE 33. MEMBER OFFICERS

**Rule 3301. Elected Member Officers.** The Speaker and the Speaker Pro Tem shall be members and shall be elected by the members of the House, except as otherwise provided in subsection (b) of Rule 3304.

**Rule 3302. Duties of the Speaker.** In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

(a) To preserve order and decorum;

(b) to take such actions and measures as necessary to secure the health and safety of the public, legislative staff and members to conduct legislative business by directing changes in House protocol and procedures from the provisions of House rules 101 through 107, 501 through 507, 1305, 1701, 1704, 1906, 2501 through 2509, 3501 through 3507 and 4305. A member may challenge any such action or measure made by the Speaker. Such challenge shall be made by a motion offered on the previous day and shall be upheld by an affirmative vote of a majority of the members elected or appointed;

(c) to decide all questions of order, subject to appeal to the House;

~~(d)~~ in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and

~~(e)~~ to name a chairperson to preside when the House is in Committee of the Whole.

**Rule 3303. Speaker Pro Tem.** In the absence of the Speaker, the Speaker Pro Tem shall exercise the powers and duties of the Speaker.

**Rule 3304. Filling Certain Vacancies.** (a) When a vacancy occurs in the office of Speaker and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the House of Representatives shall meet within 30 days and elect a member to fill the vacancy. The Speaker Pro Tem shall within 10 days of such occurrence issue a call for such meeting at a time not less than 10 days and not more than 20 days after the date of the call.

(b) When a vacancy occurs in the office of Speaker Pro Tem or Majority Leader of the House of Representatives, the Speaker shall appoint an acting Speaker Pro Tem or acting Majority Leader, to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original election or selection of such officer.

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall exercise the powers and duties of the Minority Leader.

When a vacancy occurs in the office of Assistant Minority Leader, the Minority Leader shall appoint an Assistant Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer.

Any person elected, appointed or designated to fill a vacancy under this rule shall exercise all of the duties and powers prescribed for the office so filled.

## ARTICLE 35. NONMEMBER OFFICERS

**Rule 3501. Chief Clerk; Appointment.** The chief clerk shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker. As used in the Rules of the House, "chief clerk" means the chief clerk appointed under this Rule 3501 or a person designated by the chief clerk to perform a function of the chief clerk.

**Rule 3502. Duties of the Chief Clerk.** The chief clerk shall supervise the keeping of and be responsible for a record of all proceedings of the House; number and present to the House all bills, resolutions, petitions and other papers which the House may require; deliver all messages from the House to the Senate; transmit bills and other documents to be printed and take a receipt therefor; transmit bills for engrossment and take receipt therefor; receive all bills, resolutions and other papers which are enrolled and give receipt therefor; and cause all enrolled bills, resolutions and other documents to be proofread and corrected prior to signing thereof by officers of the House.

**Rule 3503. Other Clerks.** The chief clerk shall appoint additional clerks and personnel to assist in performance of the duties of the chief clerk. Such additional clerks and personnel shall serve under the chief clerk's direction, control and supervision and at the pleasure of the chief clerk.

**Rule 3504. Document Care.** No bill, resolution, petition or other document shall be loaned or delivered to any person, except when delivered to an officer of the House, to the director of printing, the revisor of statutes or the Senate and only upon a written receipt therefor.

**Rule 3505. Sergeant at Arms; Appointment.** The sergeant at arms shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker.

**Rule 3506. Duties of the Sergeant at Arms.** The sergeant at arms shall preserve order within the chamber of the House and its lobby and galleries. The sergeant at arms may arrest and take into custody any person for disorderly conduct, subject at all times to the authority of the House or Speaker, or chairperson of the Committee of the Whole, and shall be responsible for the enforcement of Rules 501 through 506 and 2506(a). The sergeant at arms shall receive items or material for distribution among the members of the House. The sergeant at arms shall execute all orders of the House not otherwise provided for.

**Rule 3507. Assistant Sergeants at Arms.** The Speaker may appoint and remove assistant sergeants at arms to serve under the supervision of the sergeant at arms. All doorkeepers shall be assistant sergeants at arms.

## ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE

**Rule 3701. Adopting, Amending or Revoking Rules of the House.** No rule of the House shall be adopted, amended or revoked except by a House resolution which has been adopted by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 3702. Resolutions for Rule Changes.** (a) Notwithstanding any other rule of the House, the Speaker shall refer all resolutions which provide for the adoption, amendment or revocation of any House rule to the standing Committee on Rules and Journal before its consideration by the House.

(b) No resolution relating to the rules of the House which has been referred to the standing Committee on Rules and Journal shall be tabled or reported adversely by such

committee except by the unanimous vote of all members of such committee.

**Rule 3703. Printing.** Resolutions to which this Article 37 apply shall be printed and are subject to subsection (c) of Rule 2507.

**Rule 3704. Adoption of Resolutions.** Resolutions to which this Article 37 apply shall be subject to Rule 2902.

**Rule 3705. Special Sponsorship of Rule Change Resolutions.** Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

#### ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

**Rule 3901. Bills Amending Existing Statutes.** Any bill intended to amend or repeal any section or sections of the Kansas Statutes Annotated shall recite in its title the section or sections to be amended or repealed, and if to amend or repeal any section of a session law not in the Kansas Statutes Annotated, the section and chapter of the session law affected.

**Rule 3902. Bills, Copies.** Each bill introduced shall consist of an original and copies. All bills shall be printed with as many copies as the Speaker specifies. Except for prefilled bills, printing shall be ordered subsequent to introduction.

**Rule 3903. Showing Committee Amendments.** All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

**Rule 3904. Substitute Bills and Substitute Concurrent Resolutions.** (a) When a substitute bill is recommended by a committee report, and when an amendment from the floor is adopted replacing the bill under consideration with a substitute bill, the substitute bill shall be printed in the manner provided for bills introduced, and the bill number designation shall be substantially as follows:

(1) In the case of bills substituted for House bills, "Substitute for House Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(2) In the case of bills substituted for Senate bills, "House Substitute for Senate Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(b) When a substitute concurrent resolution is recommended by a committee report, and when an amendment from the floor is adopted replacing the concurrent resolution under consideration with a substitute concurrent resolution, the substitute concurrent resolution shall be printed in the manner provided for concurrent resolutions introduced, and the concurrent resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for House concurrent

resolutions, "Substitute for House Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

(2) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "House Substitute for Senate Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

**Rule 3905. Appropriation Bills.** All bills making an appropriation shall be printed and distributed, or shall be made available to members electronically online and all members shall be notified by email, at least 24 hours before such bills are considered by the House.

**Rule 3906. Committee of the Whole Amendments.** If a bill or concurrent resolution is amended by the Committee of the Whole: (a) The bill shall be reprinted showing the amendments; and

(b) when such amendment strikes all sections in the bill subsequent to the enacting clause that contain new or amendatory language and inserts sections that contain new or amendatory language, the daily Journal of the House of Representatives shall contain a notation specifying: (1) The member that offered the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted sections added to the underlying bill pursuant to the amendment or amendments.

**Rule 3907. Concurrent Resolutions, When Printed.** (a) Concurrent resolutions to amend the Constitution of Kansas, to call a constitutional convention to amend the Kansas constitution, to ratify amendments to the Constitution of the United States, to apply for a United States constitutional convention or to amend the joint rules of the House and Senate shall be printed as provided for bills under Rule 3902.

(b) Other concurrent resolutions shall be printed as provided for bills under Rule 3902, unless otherwise directed by the Speaker.

**Rule 3908. Embellished Printing of Certain Resolutions.** Unless otherwise directed by the Speaker, not more than five copies of any enrolled House resolution and any enrolled House concurrent resolution may be printed on embellished parchment and shall be distributed as directed by the resolution. Additional copies of any resolution may be printed on embellished parchment and mailed at the expense of the member requesting such additional copies.

**Rule 3909. House Resolutions.** Subject to Rule 3908, House resolutions shall not be printed, except resolutions to amend rules of the House, to approve or disapprove executive reorganization orders or if the resolution has been referred to a committee, in which cases the resolution shall be printed.

#### ARTICLE 41. JOURNAL AND CALENDAR

**Rule 4101. Journal; Preparation.** The daily Journal of the House of Representatives shall be prepared by the chief clerk in accordance with the Rules of the House.

**Rule 4102. Entering in Journal.** When a bill, order, motion or resolution is entered in the Journal, the names of the members or legislative committee introducing or moving the same shall be entered.

**Rule 4103. Resolutions in Journal.** All House resolutions and all House concurrent resolutions shall be printed in the Journal when introduced.

**Rule 4104. Messages from the Governor in Journal.** All messages from the Governor and all executive reorganization orders shall be printed in the Journal.

**Rule 4105. Calendar; Preparation.** The House Calendar shall be prepared for each legislative day by the chief clerk in accordance with the Rules of the House.

**Rule 4106. Status of Bills and Resolutions Shown in Calendar.** The status of all House and Senate bills and concurrent resolutions and House resolutions shall be shown by number in the Calendar for each legislative day.

**Rule 4107. Copies of Journals and Calendars.** Each member shall be furnished with a printed copy of the daily Journal and the daily Calendar.

**Rule 4108. Notations Related to Certain Committee of the Whole Amendments in Journal.** When a bill is amended by the Committee of the Whole as described in Rule 3906(b), the notation provided in Rule 3906(b) shall be entered in the Journal.

#### ARTICLE 43. MISCELLANEOUS

**Rule 4301. Employees; Employment.** Such employees as are necessary to enable the officers, members and committees to properly perform their duties and transact the business of the House with efficiency and economy shall be recruited under the supervision of the director of legislative administrative services subject to approval of the Speaker. The director of legislative administrative services shall keep a roster of the employees of the House and an account of the hours of service performed. No employee shall lobby for or against any measure pending in the Legislature and any employee violating this rule shall be discharged immediately.

**Rule 4302. Special Order.** Any matter may be made the special order for any particular time or day, but all requests and motions for special orders shall be referred to the Committee on Rules and Journal, which may designate particular times and days for such special orders and report to the House for its approval. Upon adoption of such report by 2/3 of the members present, the matters designated shall stand as special orders for the times stated, but no special order shall be made more than seven days in advance. This Rule 4302 shall not apply to executive reorganization orders or resolutions relating thereto.

**Rule 4303. Petitions; Presentation.** Petitions and memorials addressed to the House shall be presented by a member.

**Rule 4304. Petitions; Endorse Name.** Each member presenting a petition or memorial shall endorse it with their name or the name of the committee, and a brief statement of its subject.

**Rule 4305. Open Meetings.** The open meeting law (K.S.A. 75-4317 et seq., and amendments thereto) shall apply to meetings of the House of Representatives and all of its standing committees, select committees, special committees and subcommittees of any of such committees. Caucuses of the House majority party may be closed as determined by the Majority Leader. Caucuses of the House minority party may be closed as determined by the Minority Leader.

#### ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS

**Rule 4501. Referral of Executive Reorganization Orders.** Whenever an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the Speaker.

**Rule 4502. Committee Report on Executive Reorganization Orders.** If the committee to which an executive reorganization order is referred recommends that the executive reorganization order be disapproved, the committee, not later than 15

calendar days after referral of the executive reorganization order to the committee, shall introduce a resolution for disapproval of the executive reorganization order. Such resolution shall be accompanied by the report of the committee recommending that the resolution be adopted.

**Rule 4503. Return in Event of Committee's Failure to Report.** If a committee fails to report upon an executive reorganization order within 15 calendar days after the executive reorganization order is referred to the committee, the committee shall be deemed to have recommended approval of the executive reorganization order.

**Rule 4504. Special Order of Business for ERO.** When a resolution for disapproval of an executive reorganization order is introduced and accompanied by the committee's report recommending adoption of the resolution, action on the resolution shall be made the special order of business on a particular day and hour specified by the Speaker but not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. A resolution for disapproval of an executive reorganization order shall be considered under the order of business Final Action and shall be subject to debate and final action by the House.

**Rule 4505. Nonapplication to Bills.** This Article 45 shall not apply to bills amending or otherwise affecting executive reorganization orders.

**Rule 4506. Nonaction When Moot.** The House shall act on any resolution for disapproval of an executive reorganization order unless at the time set for such action the Senate has already rejected such executive reorganization order.

#### ARTICLE 47. IMPEACHMENT

**Rule 4701. Impeachment; Powers.** Nothing in the rules of the House or in any statute shall be deemed to impair or limit the powers of the House of Representatives with respect to impeachment.

**Rule 4702. Same; Select Committee.** The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeachment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party members in the same proportion as for the entire House membership.

**Rule 4703. Same; Reference.** The Speaker may refer any impeachment inquiry or other impeachment matter to any standing committee or any select committee appointed under Rule 4702, and any committee to which such a referral has been made shall meet on the call of its chairperson.

**Rule 4704. Same; Report.** Whenever a report is made by a committee to which an impeachment inquiry or other impeachment matter has been referred, the report thereon shall be made to the full House of Representatives, except that any such report may be submitted preliminarily to the Speaker.

**Rule 4705. Same; Call into Session.** The Speaker or a majority of the members then elected (or appointed) and qualified of the House of Representatives may call the House of Representatives into session at any time to consider any impeachment matter.

**Rule 4706. Same; Procedure.** The Speaker and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the House of Representatives.

## ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS

**Rule 4901. Complaint.** When any member of the House of Representatives desires to lodge a complaint against any other member of the House of Representatives, requesting that the member be reprimanded, censured or expelled for any misconduct, the complaining member shall file a written statement of such complaint with the chief clerk, and such complaint shall bear the signature of the complaining member.

**Rule 4902. Select Committee; Consideration of Complaint.** (a) Whenever any complaint has been filed under Rule 4901, the Speaker shall appoint a select committee of six members for consideration thereof except that if the complaint is filed against the Speaker, the Speaker Pro Tem shall appoint the select committee of six members. A select committee created under this subsection (a) shall be comprised equally of majority and minority party members.

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of the Kansas Statutes Annotated.

(c) Upon completing its hearing the deliberations thereon, the select committee may dismiss the complaint or may make recommendations to the full House of Representatives for reprimand, censure or expulsion.

**Rule 4903. Action by House.** Upon receiving any report under Rule 4902, the House of Representatives may, without further hearing or investigation, reprimand, censure or expel the member complained of. Reprimand, censure or expulsion of a member shall require a  $\frac{2}{3}$  majority vote of those members elected (or appointed) and qualified of the House of Representatives.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

HOUSE RESOLUTION No. **HR 6005**—

By Representatives Highberger and Clayton

A RESOLUTION relating to the rules of the House of Representatives for 2021-2022; amending Rule 1102.

*Be it resolved by the House of Representatives of the State of Kansas:* That Rule 1102 shall be amended to read as follows:

**Rule 1102. Committee Appointments.** (a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

(b) The members of a standing committee shall elect the chairperson by an affirmative vote of a majority of the members present. The Speaker shall appoint the chairperson and vice chairperson of each standing committee. ~~The Speaker may remove or replace any such chairperson or vice chairperson at any time.~~

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS****HOUSE RESOLUTION No. HR 6006—**

By Representatives Highberger and Clayton

A RESOLUTION relating to the rules of the House of Representatives for 2019-2020; amending Rules 101, 701, 1302, 1304, 1306, 1307, 3903 and 3906; and revoking Rule 2110.

*Be it resolved by the House of Representatives of the State of Kansas:* That the following Rules be amended to read as follows:

**Rule 101. Time of Meeting.** The hour of meeting on the first day of each regular session shall be at 2:00 p.m., and on other days, shall be the hour set at adjournment on the previous legislative day except that if no hour of meeting is set at adjournment on the previous legislative day, the hour of meeting shall be 11:00 a.m. No hour of meeting on any day of the session shall be set prior to 8:00 a.m., and no meeting on any day of the session may continue after 12 midnight, except when a question that was taken up prior to 11:00 p.m. is under consideration, the meeting may continue until the question is disposed. No meeting may take place between the hours of 12 midnight and 8:00 a.m. on any day of the session.

**Rule 701. Introduction of House Bills and Resolutions.** Every House bill or resolution intended to be introduced shall be delivered to the chief clerk. Such bill or resolution shall contain the name of the legislator or the committee that is the sponsor of the legislation and the person, state or local agency, organization or entity that requested the bill for introduction by the legislator or committee. The delivery shall be by a legislator who is a sponsor of the legislation or by a legislator who is the chairperson or vice chairperson of a legislative committee that has authorized the introduction, or by a legislative staff person or another member of the House authorized by such legislator. In lieu of introduction as provided by this rule, introduction may be as provided by law for prefiled bills and resolutions.

**Rule 1302. Notice and Agenda for Committee Meetings.** The chairperson shall provide notice of meetings and an agenda or agenda information to committee members, the chief clerk and the public. The chairperson shall include on the agenda and hold a hearing on any bill for which a motion has been approved by a two-thirds majority of the committee to hold such hearing. The chief clerk shall include in the calendar such information as is practical.

**Rule 1304. Introduction of Committee Bills and Resolutions.** A committee may introduce bills and resolutions while the Legislature is in session respecting any matters referred to it. Requests for introduction of bills made before a committee shall be made by a legislator or a person, state or local agency, organization or entity. A legislator whose purpose is to request introduction of a bill on behalf of a person, state or local agency, organization or entity shall state such purpose when making the request. All requests for introduction, when approved by the committee, shall be recorded in the minutes. Unless approved by the Speaker, a standing committee may introduce bills and resolutions only within the general subject area assigned to the committee. No standing committee shall originate a bill which is substantially identical with any bill which has been referred to another standing committee, and which is under consideration by such committee.

**Rule 1306. Voting in Committees.** (a) The vote on any action taken by a committee shall be recorded in the committee minutes. Any vote to recommend amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material shall be a roll-call vote and recorded in the committee minutes.

(b) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. Final action shall be taken on any bill for which a motion has been approved by a two-thirds vote of the members of the committee to consider such action on the bill. The final action taken along with each individual member's vote shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

(b)(c) The committee chairperson may vote but shall not be required to vote unless the committee is equally divided. If the chairperson's vote makes the division equal, the question shall be lost.

(e)(d) An action formally taken by a committee cannot be altered in the committee except by reconsideration and further formal action of the committee.

(d)(e) A motion to take from the table may be adopted by the affirmative vote of a majority of the members present at any called meeting of the committee.

**Rule 1307. Procedure in General.** Committee procedure shall be informal, but where any questions arise thereon, the rules or practices of the House are applicable except that the right of a member to speak to any question shall not be subject to the limitations prescribed by Rule 1704. All motions in a committee shall require a second. Adjournment of a committee requires a motion to adjourn, a second and the affirmative vote of a majority of the members present.

**Rule 3903. Showing Committee Amendments.** (a) All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

(b) When a committee recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material, the reprinted bill shall contain a notation specifying: (1) The committee that recommended the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an amendment as described in this subsection.

**Rule 3906. Committee of the Whole Amendments.** (a) If a bill or concurrent resolution is amended by the Committee of the Whole, it shall be reprinted showing the amendments.

(b) When the Committee of the Whole recommends amendments to a bill that strike all of the material in the bill subsequent to the enacting clause and insert new material, such reprinted bill shall contain a notation specifying: (1) The member that offered the amendment or amendments; (2) the date the amendment or amendments were recommended; and (3) the bill number of the source bill or bills, if any, that included the inserted new material to the underlying bill pursuant to the amendment or amendments. Additionally, the source bill or bills shall be reprinted with a notation specifying the bill to which the material from the source bill was inserted pursuant to an

amendment as described in this subsection.

*Be it further resolved:* That Rule 2110 be revoked.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills and concurrent resolutions were introduced and read by title:

**HB 2001**, AN ACT concerning crimes, punishment and criminal procedure; relating to sex offenses; creating the crime of sexual extortion; requiring registration of offenders; amending K.S.A. 2020 Supp. 22-4902 and 22-4906 and repealing the existing sections, by Representative Owens.

**HB 2002**, AN ACT concerning elections; enacting the interstate compact on the agreement among the states to elect the president by national popular vote; amending K.S.A. 25-802 and 25-804 and repealing the existing sections, by Representative Highberger.

**HB 2003**, AN ACT concerning property taxation; relating to county treasurers; providing for the ability to establish payment plans for the payment of delinquent or nondelinquent taxes; amending K.S.A. 79-2024 and repealing the existing section, by Representative Kelly.

**HB 2004**, AN ACT concerning the adult care home licensure act; relating to transfer or discharge of residents from an adult residential care facility; creating a right to appeal an involuntary transfer or discharge, by Representative Highland.

**HB 2005**, AN ACT concerning the boiler safety act; relating to exceptions to the applicability of the act; specifications for certain hot water supply boilers; amending K.S.A. 2020 Supp. 44-915 and repealing the existing section, by Representative Highland.

**HB 2006**, AN ACT concerning legal public holidays; designating Indigenous Peoples Day; amending K.S.A. 2020 Supp. 35-107 and 35-205 and repealing the existing sections, by Representatives Highberger, Haswood and Victors.

**HB 2007**, AN ACT concerning motor carriers; relating to the state corporation commission's regulation of motor carriers; updating and eliminating certain procedures for certificates of convenience and necessity and certificates of public service; revising certain laws to conform to federal regulation; amending K.S.A. 66-1,105, 66-1,108, 66-1,110, 66-1,111, 66-1,112, 66-1,112g, 66-1,112j, 66-1,114, 66-1,114b, 66-1,116, 66-1,119 and 66-1,141 and repealing the existing sections; also repealing K.S.A. 66-1,118, 66-1,119a, 66-1,140 and 66-1,142d, by Representative Proehl.

**HB 2008**, AN ACT concerning the attorney general; providing for coordination of training on missing and murdered indigenous people for law enforcement agencies, by Representatives Victors and Haswood.

**HB 2009**, AN ACT concerning crimes, punishment and criminal procedure; relating to criminal sodomy; members of the same sex; removing criminal penalty; amending K.S.A. 2020 Supp. 21-5504 and repealing the existing section, by Representative Carmichael.

**HB 2010**, AN ACT concerning traffic regulations; relating to operating a vehicle while fatigued; creating a traffic infraction thereof; amending K.S.A. 2020 Supp. 8-2118 and repealing the existing section; also repealing K.S.A. 2020 Supp. 8-2118c, by Representative Carmichael.

**HB 2011**, AN ACT concerning elections; relating to prosecution of election crimes;

duties of the secretary of state; amending K.S.A. 2020 Supp. 25-2435 and repealing the existing section, by Representative Carmichael.

**HB 2012**, AN ACT concerning elections; relating to voting; penalties for voting crimes; elements of voting crimes; amending K.S.A. 2020 Supp. 25-1128, 25-2409, 25-2416, 25-2423, 25-2431 and 25-2507 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 25-2434, by Representative Carmichael.

**HB 2013**, AN ACT concerning courts; relating to the supreme court nominating commission and judicial district nominating commissions; selection of chairperson and members; attorney licensure and information; amending K.S.A. 2020 Supp. 7-127, 20-122, 20-123, 20-130, 20-2904 and 20-2907 and repealing the existing sections; also repealing K.S.A. 2020 Supp. 20-170, 20-171 and 20-2917, by Representative Carmichael.

**HB 2014**, AN ACT concerning motor vehicles; relating to the registration and regulation of military surplus vehicles; amending K.S.A. 8-194, 8-195 and 8-196 and K.S.A. 2020 Supp. 8-1486 and repealing the existing sections, by Representative K. Williams.

**HB 2015**, AN ACT concerning motor vehicles; relating to distinctive license plates; providing distinctive license plates for current and veteran members of the United States army, navy, marine corps, air force and coast guard; amending K.S.A. 2020 Supp. 8-1,141 and 8-1,147 and repealing the existing sections, by Representative K. Williams.

**HB 2016**, AN ACT concerning workers compensation; relating to the prevailing factor standard of causation; preexisting conditions; idiopathic causation of injury; amending K.S.A. 2020 Supp. 44-508 and 44-510k and repealing the existing sections, by Representative Carmichael.

**HB 2017**, AN ACT concerning workers compensation; relating to disallowance of compensation for injuries resulting from nonwork-related fighting or horseplay; amending K.S.A. 2020 Supp. 44-501 and repealing the existing section, by Representative Carmichael.

**HB 2018**, AN ACT concerning labor and employment; relating to increasing the minimum wage; amending K.S.A. 2020 Supp. 44-1203 and repealing the existing section, by Representative Coleman.

**HB 2019**, AN ACT concerning roads and highways; designating bridges on United States highway 54 as the Jack Taylor memorial bridge and the Max Zimmerman memorial bridge, by Representative Francis.

**HB 2020**, AN ACT concerning veterans; relating to the Kansas commission on veterans affairs office; requiring the director to submit an initial application for a state veterans home construction grant to the United States department of veterans affairs, by Representatives Proctor, Croft, Ellis, French, T. Johnson and Neelly.

**HB 2021**, AN ACT concerning the issuance of certain bonds; relating to the construction of a state veterans home; providing for the powers, duties and functions of the Kansas development finance authority and the department of administration, by Representatives Proctor, Croft, Ellis, French, T. Johnson and Neelly.

**HB 2022**, AN ACT concerning oil and gas wells; relating to the state corporation commission; investigation and determination of responsibility for abandoned wells; plugging abandoned wells; abolishing the well plugging assurance fund and transferring all assets and liabilities to the abandoned oil and gas well fund; amending K.S.A. 55-

150, 55-161, 55-168, 55-178, 55-179, 55-180, 55-192 and 75-3036 and K.S.A. 2020 Supp. 55-155 and repealing the existing sections; also repealing K.S.A. 55-163, 55-166 and 55-167 and K.S.A. 2020 Supp. 55-193, by Representative Waymaster.

**HB 2023**, AN ACT concerning property taxation; relating to valuation of real property; land devoted to agricultural use; amending K.S.A. 79-1476 and repealing the existing section, by Representative Highland.

**HB 2024**, AN ACT concerning adult care homes; relating to civil liability for COVID-19 claims; providing immunity therefrom; amending K.S.A. 2020 Supp. 60-5506 and repealing the existing section, by Representatives Owens, Croft, Lynn, Thomas, Waggoner and Wasinger.

**HB 2025**, AN ACT concerning privacy rights; relating to real property; imposing restrictions on access and surveillance by certain governmental officials and agencies, by Representative Corbet.

**HB 2026**, AN ACT concerning crimes, punishment and criminal procedure; relating to diversion agreements; creating a certified drug abuse treatment program for people on diversion; providing for supervision by court services or community corrections; amending K.S.A. 22-2907, 75-5291 and 75-52,144 and K.S.A. 2020 Supp. 22-2909 and repealing the existing sections, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2027**, AN ACT concerning crimes, punishment and criminal procedure; relating to unlawfully tampering with electronic monitoring equipment; modifying criminal penalties; amending K.S.A. 2020 Supp. 21-6322 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2028**, AN ACT concerning crimes, punishment and criminal procedure; relating to property crimes; loss values; amending K.S.A. 2020 Supp. 21-5802, 21-5813, 21-5821, 21-5825, 21-5828, 21-5830, 21-5927, 21-6002, 21-6004, 21-6005 and 21-6205 and repealing the existing sections, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2029**, AN ACT concerning crimes, punishment and criminal procedure; relating to crimes against persons; domestic battery; counting offenses with domestic violence designation as prior convictions; amending K.S.A. 2020 Supp. 21-5414 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2030**, AN ACT concerning crimes, punishment and criminal procedure; relating to terminal medical release; criteria for release; permitting release earlier in terminal diagnosis; amending K.S.A. 2020 Supp. 22-3729 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2031**, AN ACT concerning crimes, punishment and criminal procedure; relating to sentencing; increasing good time and program credits for certain offenders; eliminating liability protection for wrongful act or omission in making calculations; amending K.S.A. 2020 Supp. 21-6821 and repealing the existing section, by Committee on Joint Committee on Corrections and Juvenile Justice Oversight.

**HB 2032**, AN ACT concerning the department of wildlife, parks and recreation; relating to enforcement; unlawful methods of taking wildlife; amending K.S.A. 2020 Supp. 32-1003 and 32-1032 and repealing the existing sections, by Representative Carmichael.

**HB 2033**, AN ACT concerning labor and employment; increasing the minimum

wage; amending K.S.A. 2020 Supp. 44-1203 and repealing the existing section, by Representatives Xu, Haswood, Parker, Vaughn and Woodard.

**HB 2034**, AN ACT concerning townships; relating to the purchase of property and construction of buildings; amending K.S.A. 80-104 and repealing the existing section, by Representative Amyx.

**HB 2035**, AN ACT creating the Dwayne Peaslee technical training center district act, by Representative Amyx.

**HB 2036**, AN ACT concerning elections; authorizing Sedgwick county voters on election day to vote at any polling place; amending K.S.A. 2020 Supp. 25-2701 and repealing the existing section, by Representative Carmichael.

**HB 2037**, AN ACT concerning education; establishing Erin's law; relating to teacher training and student instruction; identifying signs of child sexual abuse, by Representative Coleman.

**HB 2038**, AN ACT concerning teachers; creating the educator protection act; relating to excess professional liability insurance coverage for teachers; amending K.S.A. 75-4101 and repealing the existing section, by Representative Huebert.

**HB 2039**, AN ACT concerning education; relating to civics instruction; requiring students to pass a civics examination for high school graduation; amending K.S.A. 72-3217 and repealing the existing section, by Representative Huebert.

**HB 2040**, AN ACT concerning workers compensation; relating to disqualification for benefits due to use of drugs; changing from a conclusive to a rebuttable presumption of impairment based on drug test levels; removing the presumption for marijuana; changing the standard of proof for overcoming the presumption of contribution to injury based on impairment; amending K.S.A. 2020 Supp. 44-501 and repealing the existing section, by Representative Carmichael.

**HB 2041**, AN ACT concerning workers compensation; relating to benefit reductions due to retirement benefits; amending K.S.A. 2020 Supp. 44-501 and repealing the existing section, by Representative Carmichael.

**HB 2042**, AN ACT concerning retirement and pensions; enacting the Kansas thrift savings plan act; providing terms, conditions and requirements related thereto; relating to plan document, membership, benefits, contributions, distributions and prospective plan changes by the legislature, by Representative Highland.

**HB 2043**, AN ACT concerning members of the legislature; relating to retirement and pensions; ending membership in the Kansas public employees retirement system; establishing annual salary; amending K.S.A. 46-137e, 74-4902, 74-4991 and 75-3212 and K.S.A. 2020 Supp. 46-137a and 46-137b and repealing the existing sections, by Representative Highland.

**HB 2044**, AN ACT concerning education; relating to retirement and pensions; Kansas public employees retirement system; increasing certain employee contributions; making and concerning appropriations for the fiscal year ending June 30, 2022, for the department of education; amending K.S.A. 74-4919, 74-49,210 and 74-49,305 and repealing the existing sections, by Representative Highland.

**HB 2045**, AN ACT concerning economic development; relating to the Kansas angel investor tax credit act; qualified securities; tax credit limitations and amounts; investor requirements; qualified Kansas business designation requirements; bioscience businesses; program expiration date; amending K.S.A. 74-8132, 74-8133 and 74-8136 and repealing the existing sections, by Representative Owens.

**HB 2046**, AN ACT concerning home and community-based services; relating to the intellectual or developmental disability waiver; increasing provider reimbursement rates; making and concerning appropriations for the fiscal years ending June 30, 2022, June 30, 2023, and June 30, 2024, for the Kansas department for aging and disability services; directing the Robert G. (Bob) Bethell joint committee on home and community based services and KanCare oversight to study the waiting list for such services, by None.

**HB 2047**, AN ACT repealing K.S.A. 2020 Supp. 60-5322; concerning the adoption protection act, by Representatives Ruiz, S. and Woodard.

### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5001**—

by Representatives Ryckman, Hawkins and Sawyer

A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2021-2022 biennium.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the following joint rules shall be the joint rules of the Senate and House of Representatives for the 2021-2022 biennium.

#### JOINT RULES OF THE SENATE AND HOUSE OF REPRESENTATIVES 2021-2022

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

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

(c) *Amendment, suspension or revocation of joint rules at commencement of legislative session; vote required; conditions.* Notwithstanding any provision of this rule to the contrary, no notice shall be required for the adoption of a concurrent resolution amending, suspending or revoking any one or more joint rules at the commencement of a legislative session, and adoption of any such concurrent resolution shall require only

the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house, subject to the following conditions: (1) The concurrent resolution is sponsored by the speaker or the president; and (2) either: (a) A copy thereof is mailed to each member of the legislature by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence; or (b) in lieu of mailing, copies of the concurrent resolution are made available to members on the first day of the legislative session and final action is taken on a subsequent legislative day.

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

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

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

**Joint rule 3. Conference committee procedure.** (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which

a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

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

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

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

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent

resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of four additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision. A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of  $\frac{2}{3}$  of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

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

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

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

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

**Joint rule 4. Deadlines for introduction and consideration of bills.** The senate and house of representatives shall observe the following schedule of deadlines in making requests for drafting and in the introduction and consideration of bills.

(a) *Bill request deadline for individual members.* Except for bills introduced pursuant to (i) of this rule, no request to draft bills, except those made by committees, through their respective chairpersons, shall be made to, or accepted by, the office of the revisor of statutes after the hour of 5:00 p.m. on February 1, 2021, during the 2021 regular session ~~and on February 3, 2020, during the 2020 regular session.~~

(b) *Bill introduction deadline for individual members.* Except as provided in (i) of this rule, no bill sponsored by a member or members shall be introduced in either house of the legislature after the hour of adjournment on February 10, 2021, during the 2021 regular session ~~and on February 12, 2020, during the 2020 regular session.~~ Such deadline for the introduction of bills by individual members may be changed to an earlier date in either house at any time by resolution duly adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in such house.

(c) *Bill request deadline for certain committees.* Except for bills to be introduced pursuant to (i) of this rule, no committee except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall make a request to the office of the revisor of statutes for any bill to be drafted for sponsorship by such committee after the hour of 5:00 p.m. on February 8, 2021, during the 2021 regular session ~~and on February 10, 2020, during the 2020 regular session.~~

(d) *Bill introduction deadline for certain committees.* Except as provided in (i) of this rule, no bill sponsored by any committee of either house of the legislature, except the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be introduced in either house after the hour of adjournment on February 12, 2021, during the 2021 regular session ~~and on February 14, 2020, during the 2020 regular session.~~

(e) *House of origin bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on March 5, 2021, during the 2021 regular session ~~and on February 27, 2020, during the 2020 regular session.~~

(f) *Second house bill consideration deadline.* No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, the committee on assessment and taxation of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered by either house, not the house of origin of such bill, after the hour of adjournment on March 31, 2021, during the 2021 regular session ~~and March 25, 2020, during the 2020 regular session.~~

(g) *Exceptions to limitation of (d), (e) and (f); procedure.* Specific exceptions to the limitations prescribed in subsections (d), (e) and (f) may be made in either house by resolution adopted by the affirmative vote of not less than a majority of the members of such house then elected (or appointed) and qualified.

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

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

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

(k) *Bill consideration deadline; exceptions.* No bills shall be considered by the Legislature after April 9, 2021, during the 2021 regular session ~~and after April 3, 2020,~~

during the ~~2020 regular session~~ except bills vetoed by the governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702, and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

**Joint rule 5. Closure of meetings to consider matters relating to security.** Any standing committee of the house of representatives, any standing committee of the senate, the legislative coordinating council, any joint committee of both houses of the legislature, any special or select committee of the house of representatives or the senate, the house of representatives in session, the senate in session or a joint session of the house of representatives and the senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the state of Kansas.

**Joint rule 6. Floor amendments to bills making appropriations.** (a) Unless by majority consent to correct an error in drafting, no amendment from the floor in either house of the legislature to increase the amount of expenditures that would be authorized in a provision of an appropriations bill shall be in order unless the amendment contains a provision reducing, by a like or greater amount, expenditures that would be authorized in another provision of such appropriations bill. Notwithstanding any rule in either house of the legislature, those portions of a motion to amend a bill as described in this rule shall be indivisible.

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

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following concurrent resolution was introduced and read by title:

HOUSE CONCURRENT RESOLUTION No. **HCR 5002**—

By Representatives Highberger and Clayton

A CONCURRENT RESOLUTION relating to the Joint rules of the Senate and House of Representatives for 2021-2022; amending Joint rule 3; and revoking Joint rule 6.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That Joint rule 3 shall be amended to read as follows:

**Joint rule 3. Conference committee procedure.** (a) *Action by house of origin of bill or concurrent resolution amended by other house.* When a bill or concurrent resolution is returned to the house of origin with amendments by the other house, the house of origin may: (1) Concur in such amendments; (2) refuse to concur in such amendments; or (3) refuse to concur in such amendments and request a conference on the bill or concurrent resolution.

(b) *Concurrence by house of origin; concurrence prior to taking action on*

*conference committee report by other house; final action; effect of failure of motion to concur.* The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and the motion to concur may be renewed but not on the same legislative day. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

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

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

(e) *Membership; appointment; chairperson; house of origin of substitute or materially changed bill or concurrent resolution; meetings of conference committee.* Each conference committee shall consist of three members of the senate and three members of the house of representatives, unless otherwise fixed by agreement of the president of the senate and speaker of the house. Senate members shall be appointed by the president of the senate and house members shall be appointed by the speaker of the house of representatives. The president or the speaker may replace any conferee previously appointed by such person. Not less than one member appointed from each house shall be a member of the minority political party of such house except when such representation for such house is waived by the minority leader of such house. In all cases, the first-named member of the house of origin of the bill or concurrent resolution assigned to the committee shall be chairperson of the conference committee. The house of origin of a substitute bill or substitute concurrent resolution shall be the house in which the bill or concurrent resolution in its original form was introduced. The

chairperson of a conference committee on a bill or concurrent resolution the subject matter of which has been ruled to be materially changed shall be a member of the house which amended the bill or concurrent resolution to materially change the subject matter. Each conference committee shall meet on the call of its chairperson. All meetings of conference committees shall be open to the public and no meeting shall be adjourned to another time or place in order to subvert such policy.

(f) *Conference committee reports; matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business.* Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. Subject to any limitations imposed under the constitution of the state of Kansas, no more than a total of ~~four~~ two additional bills or concurrent resolutions or parts of bills or concurrent resolutions in conference or bills or concurrent resolutions or parts of bills or concurrent resolutions which have passed in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution, ~~except that reports of conference committees on any taxation bill are not subject to the limitation contained in this provision.~~ A conference committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house, electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of  $\frac{2}{3}$  of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) *Signatures required on conference committee reports.* All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All conference committee reports which contain any recommendation to strike all of the material in the bill subsequent to the enacting clause and insert new material shall be signed by all of the conferees, and a conference committee report which is an agreement to disagree shall not be used when the conference committee makes any such recommendation. All initial conference committee reports which are an agreement to

disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) *Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report.* The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be deemed to have been killed thereby and remains in conference.

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

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

*Be it further resolved:* That Joint rule 6 be revoked.

## MESSAGES FROM THE SENATE

Announcing adoption of **SR 1701**, a resolution relating to the organization of the 2021 Senate and the selection of the following officers:

Ty Masterson, President,  
 Rick Wilborn, Vice President,  
 Gene Suellentrop, Majority Leader,  
 Dinah Sykes, Minority Leader,  
 Corey Carnahan, Secretary,

Don Cackler, Sergeant-at-Arms,  
and awaits the pleasure of the House of Representatives.

Announcing adoption of **SCR 1601**, a concurrent resolution relating to a committee to wait upon the Governor and advise her the 2021 session of the Legislature is duly organized and ready to receive communication.

**INTRODUCTION OF SENATE BILLS AND CONCURRENT RESOLUTIONS**

The following Senate concurrent resolution was thereupon introduced and read by title:

**SCR 1601**

On emergency motion of Rep. Hawkins, **SCR 1601** was adopted.

On motion of Rep. Hawkins the House adjourned pro forma until 11:00 a.m. on Tuesday, January 12, 2021.

JENNY HAUGH, JULIA WERNER, *Journal Clerks.*

SUSAN W. KANNARR, *Chief Clerk.*

