

HOUSE BILL No. 2280

By Representative Ward

2-6

1 AN ACT concerning administrative rules and regulations; joint committee
2 on administrative rules and regulations; state rules and regulations
3 board; membership; amending K.S.A. 2016 Supp. 77-423 and 77-436
4 and repealing the existing sections.
5

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

7 Section 1. K.S.A. 2016 Supp. 77-423 is hereby amended to read as
8 follows: 77-423. There is hereby created a state rules and regulations board
9 consisting of the attorney general or the attorney general's designee, the
10 secretary of state or the secretary of state's designee, the secretary of
11 administration or the secretary of administration's designee, the
12 chairperson of the joint committee on administrative rules and regulations
13 or a member of the joint committee designated by the chairperson from the
14 same house of the legislature as the chairperson ~~and~~, the vice-chairperson
15 of the joint committee on administrative rules and regulations or a member
16 of the joint committee designated by the vice-chairperson from the same
17 house of the legislature as the vice-chairperson, *and the ranking minority*
18 *member of the joint committee on administrative rules and regulations or*
19 *a member of the joint committee designated by the minority leader of the*
20 *same house of the legislature as the chairperson.* If a member is
21 designated to serve on the board by the chairperson or vice-chairperson of
22 the joint committee, the designated member shall serve in lieu of the
23 designating officer on a temporary or permanent basis as specified by the
24 designating officer. The attorney general shall be the chairperson of the
25 board. The secretary of state shall serve as the secretary to the board. The
26 state rules and regulations board shall determine whether a rule and
27 regulation should be adopted as a temporary rule and regulation, shall
28 determine the rules and regulations to be published in the Kansas
29 administrative regulations and in the annual supplement to such
30 regulations as provided for in this act and shall perform such other duties
31 as may be required by this act.

32 Sec. 2. K.S.A. 2016 Supp. 77-436 is hereby amended to read as
33 follows: 77-436. (a) There is hereby established a joint committee on
34 administrative rules and regulations which shall consist of five senators
35 and seven members of the house of representatives. The five senator
36 members shall be appointed as follows: Three by the committee on

1 organization, calendar and rules and two by the minority leader of the
2 senate. The seven representative members shall be appointed as follows:
3 Four by the speaker of the house of representatives and three by the
4 minority leader of the house of representatives. The committee on
5 organization, calendar and rules shall designate a senator member to be
6 chairperson or vice-chairperson of the joint committee as provided in this
7 section. The speaker of the house of representatives shall designate a
8 representative member to be chairperson or vice-chairperson of the joint
9 committee as provided in this section. *The minority leader of the senate*
10 *shall designate a senator member to be the ranking minority member of*
11 *the joint committee as provided in this section. The minority leader of the*
12 *house of representatives shall designate a representative member to be the*
13 *ranking minority member of the joint committee as provided in this*
14 *section.*

15 (b) A quorum of the joint committee on administrative rules and
16 regulations shall be seven. All actions of the committee may be taken by a
17 majority of those present when there is a quorum. In odd-numbered years
18 the chairperson *and the ranking minority member* of the joint committee
19 shall be the designated ~~member~~ *members* of the house of representatives
20 from the convening of the regular session in that year until the convening
21 of the regular session in the next ensuing year. In even-numbered years the
22 chairperson *and the ranking minority member* of the joint committee shall
23 be the designated ~~member~~ *members* of the senate from the convening of
24 the regular session of that year until the convening of the regular session of
25 the next ensuing year. The vice-chairperson shall exercise all of the powers
26 of the chairperson in the absence of the chairperson.

27 (c) All proposed rules and regulations shall be reviewed by the joint
28 committee on administrative rules and regulations during the public
29 comment period required by K.S.A. 77-421, and amendments thereto. The
30 committee may introduce such legislation as it deems necessary in
31 performing its functions of reviewing administrative rules and regulations.

32 (d) All rules and regulations filed each year in the office of secretary
33 of state shall be subject to review by the joint committee. The committee
34 may introduce such legislation as it deems necessary in performing its
35 functions of reviewing administrative rules and regulations.

36 (e) The joint committee shall meet on call of the chairperson as
37 authorized by the legislative coordinating council. All such meetings shall
38 be held in Topeka, unless authorized to be held in a different place by the
39 legislative coordinating council. Members of the joint committee shall
40 receive compensation and travel expenses and subsistence expenses or
41 allowances as provided in K.S.A. 75-3212, and amendments thereto, when
42 attending meetings of such committee authorized by the legislative
43 coordinating council.

1 (f) Amounts paid under authority of this section shall be paid from
2 appropriations for legislative expense and vouchers therefor shall be
3 prepared by the director of legislative administrative services and
4 approved by the chairperson or vice-chairperson of the legislative
5 coordinating council.

6 Sec. 3. K.S.A. 2016 Supp. 77-423 and 77-436 are hereby repealed.

7 Sec. 4. This act shall take effect and be in force from and after its
8 publication in the statute book.