

House Concurrent Resolution No. 5003

By Representatives O'Neal and Davis

1-13

1 A CONCURRENT RESOLUTION adopting joint rules for the Senate
2 and House of Representatives for the 2011-2012 biennium.

3 *Be it resolved by the House of Representatives of the State of*
4 *Kansas, the Senate concurring therein:* That the following joint rules
5 shall be the joint rules of the Senate and House of Representatives for
6 the 2011-2012 biennium.

7 JOINT RULES OF THE SENATE AND
8 HOUSE OF REPRESENTATIVES
9 2011-2012

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

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

33 (c) Amendment, suspension or revocation of joint rules at

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

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

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

35 (c) Votes in joint session; taking; requirements. All votes in a
36 joint session shall be taken by yeas and nays, and in taking the same it
37 shall be the duty of the secretary of the senate first to call the names of
38 the members of the senate, and after which the clerk of the house of
39 representatives shall in like manner call the names of the members of
40 the house. Each member of the senate and the house of representatives

1 present shall be required to vote on all matters considered in joint
2 session, unless excused by a vote of a majority of the members of both
3 houses present.

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

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

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

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

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

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

1 resolutions which have been passed or adopted in either one or both
2 houses during the current biennium of the legislature may be included
3 in the report of the conference committee on any bill or concurrent
4 resolution except in any appropriations bill there may be included a
5 proviso relating to any such item of appropriation. A conference
6 committee report shall not be subject to amendment. The original
7 signed conference committee report shall be submitted to and acted
8 upon first by the house other than the house of origin of the bill or
9 concurrent resolution. Except when a conference committee report is an
10 agree to disagree coupled with a request that a new conference
11 committee be appointed or is a recommendation to accede to or recede
12 from all amendments of the second house electronic and paper copies
13 of the report shall be made available to all members of the house
14 considering the report not later than 30 minutes before the time of its
15 consideration, except that if the report is more than six pages in length
16 no paper copies will be required to be distributed to individual
17 members provided that at least 10 paper copies of the report are made
18 available to members at the clerk's or secretary's desk at the front of the
19 respective house. By written notice, the majority leader may direct the
20 clerk or secretary to increase from six pages to some greater number of
21 pages the size of conference committee reports that need not be
22 distributed by paper copies to individual members pursuant to this rule.
23 The affirmative vote of 2/3 of the members present in the house at the
24 time of consideration of the report shall be sufficient to dispense with
25 distribution of copies of the conference committee report to all
26 members of that house. Reports of conference committees may be
27 received and considered under any order of business.

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

1 committee report subsequent to the adoption of such report shall be
2 signed by a majority of the conferees appointed in each house. All other
3 conference committee reports shall be signed by a majority of the
4 conferees appointed in each house.

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

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

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

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

1 the introduction and consideration of bills.

2 (a) Bill request deadline for individual members. Except for bills
3 introduced pursuant to (i) of this rule, no request to draft bills, except
4 those made by committees, through their respective chairpersons, shall
5 be made to, or accepted by, the office of the revisor of statutes after the
6 hour of 5:00 p.m. on January 31, 2011, during the 2011 regular session
7 and on January 30, 2012, during the 2012 regular session.

8 (b) Bill introduction deadline for individual members. Except as
9 provided in (i) of this rule, no bill sponsored by a member or members
10 shall be introduced in either house of the legislature after the hour of
11 adjournment on February 9, 2011, during the 2011 regular session and
12 on February 8, 2012, during the 2012 regular session. Such deadline for
13 the introduction of bills by individual members may be changed to an
14 earlier date in either house at any time by resolution duly adopted by
15 the affirmative vote of not less than a majority of the members then
16 elected (or appointed) and qualified in such house.

17 (c) Bill request deadline for certain committees. Except for bills
18 to be introduced pursuant to (i) of this rule, no committee except the
19 committee on ways and means of the senate, select committees of
20 either house when so authorized, the committee on federal and state
21 affairs of either house or the house committees on calendar and
22 printing, appropriations and taxation shall make a request to the office
23 of the revisor of statutes for any bill to be drafted for sponsorship by
24 such committee after the hour of 5:00 p.m. on February 7, 2011, during
25 the 2011 regular session and on February 6, 2012, during the 2012
26 regular session.

27 (d) Bill introduction deadline for certain committees. Except as
28 provided in (i) of this rule, no bill sponsored by any committee of either
29 house of the legislature, except the committee on ways and means of
30 the senate, select committees of either house when so authorized, the
31 committee on federal and state affairs of either house or the house
32 committees on calendar and printing, appropriations and taxation shall
33 be introduced in either house after the hour of adjournment on February
34 11, 2011, during the 2011 regular session and on February 10, 2012,
35 during the 2012 regular session.

36 (e) House of origin bill consideration deadline. No bill, except
37 bills sponsored by, referred to or acted upon by the committee on ways
38 and means of the senate, select committees of either house when so
39 authorized, the committee on federal and state affairs of either house or
40 the house committees on calendar and printing, appropriations and

1 taxation shall be considered in the house in which such bill originated
2 after the hour of adjournment on February 25, 2011, during the 2011
3 regular session and on February 24, 2012, during the 2012 regular
4 session.

5 (f) Second house bill consideration deadline. No bill, except
6 bills sponsored by, referred to or acted upon by the committee on ways
7 and means of the senate, select committees of either house when so
8 authorized, the committee on federal and state affairs of either house or
9 the house committees on calendar and printing, appropriations and
10 taxation shall be considered by the house, not the house of origin of
11 such bill, after the hour of adjournment on March 18, 2011, during the
12 2011 regular session and March 16, 2012, during the 2012 regular
13 session.

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

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

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

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

38 (k) Bill consideration deadline; exceptions. No bills shall be
39 considered by the Legislature after April 2, 2011, during the 2011
40 regular session and after March 31, 2012, during the 2012 regular

1 session except bills vetoed by the Governor, the omnibus appropriation
2 act and the omnibus reconciliation spending limit bill provided for
3 under K.S.A. 75-6702 and amendments thereto. This subsection (k)
4 may be suspended for the consideration of a specific bill or bills not
5 otherwise exempt

6 under this subsection by the affirmative vote of a majority of the
7 members then elected (or appointed) and qualified in the house in
8 which the bill is to be considered.

9 **Joint rule 5. Closure of meetings to consider matters relating**
10 **to security.** Any standing committee of the House of Representatives,
11 any standing committee of the Senate, the Legislative Coordinating
12 Council, any joint committee of both houses of the legislature, any
13 special or select committee of the House of Representatives or the
14 Senate, the House of Representatives in session, the Senate in session
15 or a joint session of the House of Representatives and the Senate may
16 meet in closed, executive session for the purpose of receiving
17 information and considering matters relating to the security of state
18 officers or employees, or both, or the security of buildings and property
19 under the ownership or control of the State of Kansas.