

whether adopted or rejected, shall be recorded in the Journal: *Provided*, That by unanimous consent, the author of any defeated amendments may have the same stricken from the record.

**Rule 44. Report of Committee of the Whole Subject to Amendment—Time for.** The report of the Committee of the Whole is subject to amendment in any particular by motions made at the time the report is offered for adoption by the Senate. But no amendments to any bill or resolution shall be in order that have not been offered to such bill or resolution previously in the Committee of the Whole; and when a bill shall be reported with the recommendation that the enacting clause be stricken out, and the report shall be agreed to by the Senate, it shall be considered rejected.

**Rule 45. Motion for Committee of the Whole to Arise and Report Progress.** A motion that the Committee of the Whole shall arise and report progress on any bill shall always be in order and shall be decided without debate, and the matter being considered shall be the first order of business at the next session of the committee, subject to such postponement as the subsequent Committee of the Whole may determine.

**Rule 46. When Bills Engrossed—Correction of Errors.** When the Committee of the Whole shall favorably report a bill, and the report is adopted by the Senate, the bill shall be engrossed without further order. The Secretary of State is authorized to correct misspelled words, punctuation and "doublets" or repeated words when engrossing bills or resolutions. The Secretary of State is authorized and directed to omit from engrossed bills the part of the bill deleted and which is in canceled letter type in the printed type, as provided in Rule 49.

**Rule 47. Engrossment of Bills and Resolutions.** When a bill or resolution has been amended, it shall be necessary to engross only the section or sections amended, but such section or sections shall be clearly marked on the original bill to show that they have been engrossed and the time of such engrossment. Engrossed sections shall be attached to the original bill and shall be used in place of the original sections when bill is printed or enrolled. Notation shall be made on the bill jacket to indicate the pages engrossed.

**Rule 48. Committee on Engrossed Bills—Duty.** It is the duty of the Committee on Engrossed Bills to compare all engrossed bills with the originals, to see that they are correct, to deliver the original and engrossed copy to the Secretary of the Senate, and to report to the Senate in writing, which report shall be immediately entered upon the Journal.

**Rule 49. When and How Bill or Resolution Printed.** Every bill or resolution, except as provided in Rule 50, shall be printed as soon as possible after being introduced. If existing law is amended, all new matter shall be printed in italics and all matter eliminated from existing law shall appear in its proper place in canceled letter type. If the bill is amended by a standing committee, it shall be reprinted and all new matter added by the committee shall be in black face type, with matter eliminated shown in its proper place in canceled letter type. It shall be the duty of the President to direct the Secretary to cause any bill appearing on the Calendar and not complying with this rule to be immediately amended and reprinted in conformity therewith.

**Rule 50. House Substitute for Senate Bills.** When any Senate bill shall be reached in its regular order, a bill which has been introduced into and passed by the House of Representatives, embracing the same subject matter and no other, may be substituted therefor if the same be in the possession of the Senate and occupies approximately the same position on the Calendar, provided unanimous consent is given or the majority of those voting on the question approve such substitution.

**Rule 51. Two-thirds Vote Not Necessary Except on Final Passage of Resolution.** When a resolution requiring a concurrence of two-thirds of the Senate is under consideration, the concurrence of two-thirds shall not be requisite to decide any question short of its final passage, except as provided by these rules.

**Rule 52. Bills Considered in Regular Order.** The Committee on Revision of the Calendar shall designate from day to day and from time to time the bills to be considered that day and on the next legislative day, and the order of con-

Rule 51.—Endorse Name.—Each member presenting a petition, memorial, bill or report of a committee shall endorse the same with his name or the name of the committee, and a brief statement of its subject.

Rule 52.—When and How Bill or Resolution Printed.—Every bill or resolution shall be printed when introduced, except as provided in Rule 78. Every bill introduced which amends existing law must have all new matter underscored, and all material eliminated from existing law must appear in its proper place in canceled letter type. In the printed bill such new matter shall be italicized, and all matter eliminated from existing law shall be in canceled letter type. All new material added by the committee shall be in black-face type. It shall be the duty of the speaker to direct the chief clerk to cause any bill appearing on the Calendar, the printer's copy of which does not comply with this rule, to be immediately reprinted in conformity herewith.

Rule 53.—Amending Existing Statutes.—Any bill intended to amend or repeal the General Statutes of 1949, or the latest supplement thereto, shall recite in its title the section or sections sought to be amended or repealed, and if to amend or repeal a session law not contained in such General Statutes or the supplement thereto, the section and chapter of any session law affected, and the section or sections sought to be amended or repealed shall be recited in the body of the bill.

Rule 54.—Number of Copies.—Each bill, when introduced, shall be accompanied by four true copies. The bill shall be sent to the clerk, who shall read its title. This shall constitute the first reading of the bill. All bills shall be printed as soon as practicable after they are introduced. If a bill is of a general nature, 1,200 copies shall be printed; if of a local nature, 900 copies.

Rule 55.—Reading and Reference.—Upon the next day it shall be read (by its title, unless the House shall demand its reading in full), and be referred to the appropriate standing or to a select committee, except that bills introduced by standing committees may be referred to the committee of the whole House: *Provided*, That the speaker may whenever he deems such course proper and expedient, refer a bill or resolution to two or more standing committees jointly or separately, and the speaker shall specify which committee shall be the first to consider such bill or resolution.

When such reference is made jointly the bill or resolution so referred shall be considered at a joint meeting and the chairman of the committee of first reference of the bill or resolution shall be chairman of the joint committee meeting while considering such bill or resolution. When such reference is made separately, each committee to which said bill or resolution is referred shall consider said bill or resolution separately in the order specified by the speaker.

In the event the first committee to which such bill or resolution has been referred separately, reports adversely on the bill or resolution, it shall not receive any consideration from any other committee to which such bill or resolution was referred separately. When such reference is made separately, the report of the committee last considering the bill or resolution shall be the report considered in the committee of the whole.

Rule 56.—Appropriation of Money.—All bills for the appropriation of money, except those introduced by the House Committee on Ways and Means, shall on their second reading, be referred to the Committee on Ways and Means, unless otherwise ordered by a majority of the House.

✓ Rule 57.—Showing Committee Amendments.—All bills reported favorably by committee shall, if amended, be reprinted and go upon the Calendar as a part of the "General Orders." All committee amendments are to be incorporated in their proper place, and when the committee amendments consist of deletions the same shall be printed in deleted type, and new matter inserted in lieu thereof shall be printed in italics; and all other new matter incorporated in amendments shall be in italics. If the committee reports an entire bill, or proposes to strike all after the enacting clause and insert a new bill, the new bill, or the bill so amended, shall be read a first and second time on separate days, printed, and take its place upon the Calendar under "General Orders."

MEMORANDUM

Research Department, Kansas Legislative Council December 29, 1967

TO: Members of the Joint Committee on Legislative Facilities, House Committee on Rules and Journal, and Senate Committee on Revision of Calendar and Rules

Enclosed are copies of bills and resolutions which have been drafted at the request of the Joint Committee on Legislative Facilities. The Committee has been considering recommending changes in legislative printing procedures and in the engrossment process. The enclosed items reflect the thinking of the Committee at this time. Further suggestions concerning these procedures will be appreciated.

A sample guide to a suggested bill printing procedure has been enclosed for illustration purposes. The type styles shown were prepared on an IBM typewriter and would probably appear to be more striking if they had actually been printed.

Changes in the engrossment process and bill printing, as proposed by the Joint Committee, would need to be accompanied by certain rule changes. Under the suggested bill printing procedure, possible rule changes have been prepared for your study and are included herein. In addition, we have raised questions about two rules that you might want to consider even though they may not be directly related to the present printing and engrossing procedures.

POSSIBLE RULE CHANGES TO CARRY OUT THE PROCEDURES  
DESCRIBED IN THE SAMPLE BILLS AND RESOLUTIONS

Senate Rules

Senate Rule 46 now reads:

"Rule 46. When Bills Engrossed -- Correction of Errors. When the Committee of the Whole shall favorably report a bill, and the report is adopted by the Senate, the bill shall be engrossed without further order. The Secretary of State is authorized to correct misspelled words, punctuation and "doublets" or repeated words when engrossing bills or resolutions. The Secretary of State is authorized and directed to omit from engrossed bills the part of the bill deleted and which is in canceled letter type in the printed type, as provided in Rule 49."

A suggestion is:

Rule 46. When Bills Engrossed -- Correction of Errors. When the Committee of the Whole shall favorably report a bill, and the report is adopted by the Senate, the bill shall be engrossed without further order. The Secretary of the Senate is authorized to correct misspelled words, punctuation and "doublets" or repeated words when engrossing bills or resolutions.

Senate Rule 49 now reads:

"Rule 49. When and How Bill or Resolution Printed. Every bill or resolution, except as provided in Rule 56, shall be printed as soon as possible after being introduced. If existing law is amended, all new matter shall be printed in italics and all matter eliminated from existing law shall appear in its proper place in canceled letter type. If the bill is amended by a standing committee, it shall be reprinted and all new matter added by the committee shall be in black face type, with matter eliminated shown in its proper place in canceled letter type. It shall be the duty of the President to direct the Secretary to cause any bill appearing on the Calendar and not complying with this rule to be immediately amended and reprinted in conformity therewith."

A suggestion is:

Rule 49. When and How Bill or Resolution Printed. Every bill or resolution except as provided in Rule 56, shall be printed or reprinted as soon as possible after being introduced or acted upon in the following manner:

1. All new material of the author shall be in Italic type,
2. All material added by a standing committee shall be in boldface Italic type,
3. All material added by the Committee of the Whole shall be in boldface Italic and in brackets,
4. Existing law deleted shall be in Roman strike type, and
5. New material being stricken shall be in Italic strike type.

The President may direct the Secretary to cause any bill appearing on the Calendar and not complying with this rule to be immediately amended and reprinted in conformity therewith.

In addition, Senate Rule 48 reads:

"Rule 48. Committee on Engrossed Bills -- Duty. It is the duty of the Committee on Engrossed Bills to compare all engrossed bills with the originals, to see that they are correct, to deliver the original and engrossed copy to the Secretary of the Senate, and to report to the Senate in writing, which report shall be immediately entered upon the Journal."

It is our understanding that this rule has not been completely followed in recent years. Should it be retained or revised?

#### House Rules

House Rule 12 now reads:

"Rule 12. -- Chief Clerk. -- It shall be the duty of the chief clerk to supervise the keeping of and be responsible for a faithful record of all proceedings of the House; to number and present to the House all bills, resolutions, petitions and other papers which the House may require; to deliver all messages from the House to the Senate; to deliver all bills to be engrossed to the secretary of state; to deliver all bills to be enrolled to the state printer and take his receipt therefor; to deliver to the state printer all bills and other documents to be printed and take his receipt therefor. He shall have control of the clerks and stenographers of the House and be held responsible for the faithful performance of their duties.

"No bill, resolution, memorial, petition or other paper shall be allowed to go out of the hands of the clerk in whose keeping the same may be, except when delivered to the chairman of the committee to which it is referred or to a member of the House, and only upon a written receipt therefor."

A suggestion is:

Rule 12. -- Chief Clerk. -- It shall be the duty of the Chief Clerk to supervise the keeping of and be responsible for a faithful record of all proceedings of the House; to number and present to the House all bills, resolutions, petitions and other papers which the House may require; to deliver all messages from the House to the Senate; to engross all bills; to deliver all bills to be enrolled to the state printer and take his receipt therefor; to deliver to the state printer all bills and other documents to be printed and take receipt therefor. He shall have control of the clerks and stenographers of the House and be held responsible for the faithful performance of their duties.

No bill, resolution, memorial, petition or other paper shall be allowed to go out of the hands of the clerk in whose keeping the same may be, except when delivered to the chairman of the committee to which it is referred or to a member of the House, and only upon a written receipt therefor.

Rule 52 now reads:

"Rule 52. -- When and How Bill or Resolution Printed. -- Every bill or resolution shall be printed when introduced, except as provided in Rule 78. Every bill introduced which amends existing law must have all new matter underscored, and all material eliminated from existing law must appear in its proper place in canceled letter type. In the printed bill such new matter shall be italicized, and all matter eliminated from existing law shall be in canceled letter type. All new material added by the committee shall be in black-face type. It shall be the duty of the speaker to direct the chief clerk to cause any bill appearing on the Calendar, the printer's copy of which does not comply with this rule, to be immediately reprinted in conformity herewith."

A suggestion is:

Rule 52. -- When and How Bill or Resolution Printed. Every bill or resolution except as provided in Rule 78, shall be printed or reprinted as soon as possible after being introduced or acted upon in the following manner:

1. All new material of the author shall be in Italic type,
2. All material added by a standing committee shall be in boldface type,
3. All material added by the Committee of the Whole shall be in boldface and in brackets,
4. Existing law deleted shall be in Roman strike type, and
5. New material being stricken shall be in Italic strike type.

The Speaker may direct the Chief Clerk to cause any bill appearing on the Calendar and not complying with this rule to be immediately amended and reprinted in conformity therewith.

Rule 57 now reads:

"Rule 57. -- Showing Committee Amendments. -- All bills reported favorably by committee shall, if amended, be reprinted and go upon the Calendar as a part of the "General Orders." All committee amendments are to be incorporated in their proper place, and when the committee amendments consist of deletions the same shall be printed in deleted type, and new matter inserted in lieu thereof shall be printed in italics; and all other new matter incorporated in amendments shall be in italics. If the committee reports an entire bill, or proposes to strike all after the enacting clause and insert a new bill, the new bill, or the bill so amended, shall be read a first and second time on separate days, printed, and take its place upon the Calendar under "General Orders"."

A suggestion is:

Rule 57. -- Showing Committee Amendments. -- All bills reported favorably by committee shall, if amended, be printed and go upon the Calendar as part of the "General Orders". All committee amendments are to be incorporated in their proper place and printed in accordance with provisions of Rule 52. If the committee reports an entire bill or proposes to strike all after the enacting clause and insert a new bill, the new bill, or bill so amended, shall be read a first and second time on separate days, printed, and takes its place upon the Calendar under "General Orders".

In addition, House Rule 54 reads:

"Rule 54. -- Number of Copies. -- Each bill, when introduced, shall be accompanied by four true copies. The

bill shall be sent to the clerk, who shall read its title. This shall constitute the first reading of the bill. All bills shall be printed as soon as practicable after they are introduced. If a bill of a general nature, 1,200 copies shall be printed; if of a local nature, 900 copies."

It might be desirable to omit sentence four which states: "All bills shall be printed as soon as practicable after they are introduced." Rule 52 presently states: "Every bill or resolution shall be printed when introduced, except as provided in Rule 78". Since the wording concerning when bills are printed is slightly different in the two rules, it might be desirable to either delete one statement or make the wording in both rules identical.