

MINUTES OF THE \_\_\_\_\_ HOUSE \_\_\_\_\_ COMMITTEE ON \_\_\_\_\_ RULES \_\_\_\_\_

Held in Room the East Lounge, at the Statehouse at 9:30 a. m./~~p.~~m., on January 11, 19 78.

All members were present ~~except~~.

The next meeting of the Committee will be held <sup>upon call</sup> at \_\_\_\_\_ a. m./p. m., on \_\_\_\_\_, 19\_\_\_\_,  
and December 27, 1977

These minutes of the meeting held on March 30, 1977/, 19\_\_\_\_ were considered, corrected and approved.

Phil Martin  
Chairman

The conferees appearing before the Committee were:

The meeting was called to order by the Chairman, who noted the committee has just received resolutions which were drafted by the Revisor's office. He explained HR 6056 deals with calls of the House, and would also apply when there is a motion to strike the enacting clause, or all after the enacting clause.

Mr. Fred Carman, the Revisor, stated he saw no problem with the Resolution as it is, concerning Resolutions. Rep. Miller explained he felt there is a problem which they want to prevent occurring in case of Constitutional matters. He expressed the opinion it should be clarified so there is no question. Mr. Carman suggested the wording could be to the effect that "all of this shall apply also to the taking of a vote to strike the enacting clause of a bill or resolution.....". It was moved by Rep. Mikesic and seconded by Rep. Frey that this amendment be adopted. Motion carried.

Mr. Carman noted there are two other places in the rules where reference is made to striking the enacting clause, but recommended it should not be broadened any more. He explained Rules 27 and 48 refer to the same thing but felt it can be taken care of by interpretation. It was moved by Rep. Miller and seconded by Rep. Frey that HR 6056, as amended, be recommended favorably. Motion carried.

The Chairman stated HR 6057 concerns a new rule which would be number 38. Mr. Carman explained new Rule 38 correlates with Roberts Rules, but pointed out the motions listed in Rule 37 can still be applied, and further, that there are limitations regarding substitute motions.

It was moved by Rep. Frey and seconded by Rep. Mills that HR 6057 be recommended for adoption. Motion carried.

The Chairman announced Rep. Miller had agreed to carry this Resolution on the floor, and that he would carry the other one.

The Chairman called attention to the memorandum from the Revisor, and Rep. Miller suggested with regard to Position #1, it could be called something else--perhaps opinion or interpretation. Mr. Carman agreed the word ought to be dignified but that an interpretation or opinion is what is being issued anyway. He suggested "position" is really better. Rep. Frey stated he liked the idea of calling it an "opinion". By unanimous consent, it was agreed to go with Opinion #1 and Opinion #2, and these memos will be distributed tomorrow.

The Chairman noted the scheduling of bills and resolutions on the Calendar for the following day includes much more than just General Orders. He stated there are some things about Rule 24 which bothers him. He explained he feels someone should be in a position to interpret the rule about daily preparation of the Calendar, and it had been his feeling that the committee wanted to retain it within the Calendar Committee, so the authority for interpretation rests with the Calendar and Printing Committee.

The Chairman noted that while the memo does not mention Rule 25, it provides Ways and Means bills will be given priority. Mr. Carman pointed out the exception in Rule 25 overrides. The Chairman suggested this would be something that should be implemented in the interim, because to try to make such a major change at this time would cause real chaos. Rep. Miller moved to introduce the Resolution, and have it referred back to committee. Motion was seconded by Rep. Frey, and upon vote, carried.

Rep. Frey noted the standing committees are prescribed by Rule and the interim committees are created by the Coordinating Council. Mr. Carman stated that is generally how it is done. Rep. Frey explained he had wanted to see authority expanded but his idea had been defeated. He stated there are a lot of people who think something should be done about it, and he would like to see it rest someplace other than the Coordinating Council. In particular, he spoke about local area committees.

Mr. Carman pointed out one of the problems with a local committee is they might not be re-elected and there would be a new form in which the recommendations would come. He suggested such a committee could be created right now. Rep. Frey stated he was thinking of a committee which would consider only area matters; that the others consider statewide matters. Rep. Frey agreed it was not a Rules Committee problem and would talk with the Revisor about his concerns later.

The Chairman asked the feeling about interim committee bills going directly to General Orders, and Rep. Miller expressed the opinion such action should at least require a two-thirds vote. The Chairman expressed reservations about the concept and stated he believed it could be abused.

The meeting was adjourned.

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

Your committee on **Rules**

Recommends that **House Resolution No. 6057**

**XXXXXX A RESOLUTION amending Rule 37 of the House of Representatives**  
**AN ACT**  
**and adding a new Rule 38, relating to motions to amend**

**be adopted.**

## REPORTS OF STANDING COMMITTEES

Mr. Speaker:

Your committee on Rules and Journal

Recommends that House Resolution No. 6056

"A RESOLUTION to amend House of Representatives Rule 63,  
concerning call of the House."

Be amended:

On page 1, in line 26 following the word "clause", by inserting the following: "of a bill and the resolving clause of a resolution"; in line 27 following the word "clause" by inserting "or resolving clause";

And the resolution be adopted, as amended.

\_\_\_\_\_  
Chairperson

## HOUSE RESOLUTION NO. \_\_\_\_\_

By Committee on Rules and Journal

A RESOLUTION to amend House of Representatives Rule 24, concerning placing bills and concurrent resolutions on the calendar.

Be it resolved by the House of Representatives of the State of Kansas: That House of Representatives Rule 24 be amended to read as follows:

"Rule 24.—Placing Bills and Concurrent Resolutions on Calendar.—(1) Bills and concurrent resolutions that have been reported by a standing or select committee for further consideration and bills and concurrent resolutions which have been referred directly to the committee of the whole House shall constitute the General Orders and their titles shall appear in a Calendar in the ~~order directed by the Committee on Calendar and Printing~~ sequence of the day each is reported from committee or so directly referred. The committee listing in Rule 19 shall determine the sequence on General Orders within bills and concurrent resolutions reported on the same day, and those directly referred on said day shall follow immediately thereafter. Such Calendar shall show the action of the committees upon the bills. All bills and concurrent resolutions adversely reported shall go upon the Calendar for one day, under the head of Bills Adversely Reported. A motion to place an unfavorably reported bill on the calendar under the order of business General Orders shall be made when introduction of original motions is in order, and the motion shall then lie over until that order is again reached, but if such motion is defeated once it shall not be renewed: Provided, That if the unfavorably reported bill has been previously referred separately under Rule 54, then the motion shall be to return the unfavorably reported bill with the committee report attached to the next committee to

which it was referred. If the motion to place the bill on the calendar under the order of business General Orders or to return the bill to the next committee of reference shall prevail, then the words "Unfavorably Reported" shall be printed in a line underneath the title of the bill, and such motion shall require an affirmative vote of two-thirds of the members then elected (or appointed) and qualified to the House. The status of all House and Senate bills, and concurrent resolutions shall be shown by the number upon the Calendar in such manner as will indicate, daily, the disposition or progress of all such bills, and concurrent resolutions.

(2) ~~Immediately upon preparation or revision of~~ The Committee on Calendar and Printing shall prepare each Calendar for the succeeding legislative day, ~~the Committee on Calendar and Printing and~~ shall cause it to be posted at the rear of the House chamber ~~a list of bills and other matters, designated by number, which are to constitute the General Orders on the Calendar for the succeeding legislative day in the order in which they are to appear on the Calendar~~ each evening. Bills and concurrent resolutions on General Orders for such succeeding day shall be listed in the order such committee determines each is required to appear under this Rule and Rule 25.

(3) The order of consideration of any bill on the Calendar under the order of business General Orders may be changed by unanimous consent, or by the affirmative vote of two-thirds of the members who are present except as follows. The order of consideration of such a bill may be changed by affirmative vote of a majority of all the members then elected (or appointed) and qualified to the House, on a motion made in writing, setting forth the reasons for such change, which motion shall be offered under the order of business Introduction and Notice of Original Motions and House Resolutions, shall thereupon be read by the reading clerk, and shall be considered and printed in the Calendar upon the following legislative day under the order of business Consideration of Motions and House Resolutions Offered

on a Previous Day. Only one bill may be named in such a motion, and if it fails to carry, a motion to change the order of consideration of such bill shall not again be in order until five legislative days have elapsed."