

Approved: March 21, 2007

Date

MINUTES OF THE HOUSE RULES AND JOURNAL COMMITTEE

The meeting was called to order by Chairman Clark Shultz at 11:30 A.M. on January 17, 2007 in Room 241-N of the Capitol.

All members were present.

Committee staff present:

Janet Jones, Chief Clerk
Norman Furse, Revisor of Statutes Office
Mary Ann Torrence, Revisor of Statutes Office
Sue Fowler, Committee Assistant

Conferees appearing before the committee:

Others attending:

See attached list.

Norman Furse, Revisor of Statutes Office, (Attachment #1), distributed Changes to the Joint Rules and to the House Rules from 2006-2006.

Discussion on:

HCR 5003 **Joint rules for the Senate and House of Representatives, 2007-2008**

HR 6004 **Rules of House of Representatives, permanent rules of the 2007-2008 biennium**

Meeting adjourned at 12:10 P.M.

MEMORANDUM

TO: Committee on Rules and Journal
FROM: Norm Furse
DATE: January 17, 2007
RE: Changes to the Joint Rules and to the House Rules from 2005-2006

JOINT RULES

HCR 5003 contains the draft of the Joint Rules of the Senate and House of Representatives, 2007-2008. The changes in this document from the 2005-2006 joint rules update the deadline dates for 2007-2008. The changes in HCR 5003 are based on the calendar dates this year and next year which coincide with the same dates in 2005-2006.

<u>Individual Request Deadline</u>	<u>HCR 5003</u>
January 24, 2005 & January 23, 2006	January 22, 2007 & January 28, 2008
<u>Committee Bill Request Deadline</u>	
February 3, 2005 & February 2, 2006	February 1, 2007 & February 7, 2008
<u>Individual Introduction Deadline</u>	
February 9, 2005 & February 8, 2006	February 7, 2007 & February 13, 2008
<u>Committee Introduction Deadline</u>	
February 11, 2005 & February 10, 2006	February 9, 2007 & February 15, 2008
<u>House of Origin Consideration Deadline</u>	
February 26, 2005 & February 25, 2005	February 24, 2007 & March 1, 2008
<u>Second House Consideration Deadline</u>	
March 26, 2005 & March 25, 2006	March 24, 2007 & March 29, 2008
<u>Bill Consideration Deadline</u>	
April 9, 2005 & April 8, 2006	April 7, 2007 & April 12, 2008

HOUSE PERMANENT RULES

HCR 6004 contains the draft of the House Permanent Rules 2007-2008. The changes in this document from the 2005-2006 House Rules are as follows:

House Insurance
Date: 1-17-07
Attachment # 1

- (1) Committee names are adjusted to reflect the names and membership numbers of the new committees and to delete those committees which have been eliminated.
- (2) Successor committees listed in subsection (b) of Rule 1101 are updated to reflect committee names currently in use.
- (3) Budget Committees of the Committee on Appropriations are authorized to introduce bills and resolutions, except they may not introduce bills containing one or more items of appropriations.
- (4) Language referencing the nonexistent Fiscal Oversight Committee has been deleted.

HOUSE RESOLUTION No. 6004

By Representatives Neufeld and McKinney

1-8

9 A RESOLUTION adopting permanent rules of the House of Represen-
10 tatives for the 2007-2008 biennium.

11
12 *Be it resolved by the House of Representatives of the State of Kansas:*
13 The following rules shall be the permanent rules of the House of Rep-
14 resentatives for the 2007-2008 biennium

15 RULES OF THE KANSAS HOUSE OF REPRESENTATIVES
16 2007-2008

17 ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION

18 **Rule 101. Time of Meeting.** The hour of meeting on the first day of
19 each regular session shall be at 2:00 p.m., and on other days, shall be the
20 hour set at adjournment on the previous legislative day except that if no
21 hour of meeting is set at adjournment on the previous legislative day, the
22 hour of meeting shall be 11:00 a.m.

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

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

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

- 36 (1) Introduction and reference of bills and concurrent resolutions.
- 37 (2) Reports of select committees.
- 38 (3) Receipt of messages from the Governor.
- 39 (4) Communications from state officers.
- 40 (5) Messages from the Senate.
- 41 (6) Introduction and notice of original motions and house resolutions.
- 42 (7) Consideration of motions and house resolutions offered on a pre-
43 vious day.

1 **Rule 502. ~~Smoking and Tobacco Products, Food and Drink~~ (a)**
 2 No smoking shall be permitted in the House chamber. No member may
 3 request a page to purchase any tobacco product. In addition to the areas
 4 of the house in which smoking is otherwise prohibited under this rule,
 5 no smoking shall be permitted in the house cloakrooms, lounge, rest
 6 rooms or in the hallway which runs along the west side of the chamber.

7 (b) Members may have food or drink, or both, on their desks in the
 8 House chamber only when the member is present at the member's desk.

9 **Rule 503. Galleries.** Visitors shall be allowed in one or both galleries
 10 of the House in accordance with directions to the sergeant at arms from
 11 the Speaker. Except for security personnel authorized by the Speaker,
 12 the use of ~~telephones and the making of telephone calls~~ in the galleries
 13 of the House are prohibited.

computers, telephones, the making or receiving of telephone calls and the
 receiving or sending of text messages

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

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

22 **Rule 506. Wireless Electronic Telecommunications Devices.** Ex-
 23 cept for security personnel authorized by the Speaker, the use of wireless
 24 electronic telecommunications devices emitting an audible sound or tone
 25 to announce or initiate communications in the House chamber is prohib-
 26 ited during any time the House is in session.

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

30 ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS

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

39 **Rule 702. Introduction of Senate Bills and Concurrent Resolu-**
 40 **tions.** Senate bills and concurrent resolutions sent to the House shall be
 41 introduced upon reading of the message received by the chief clerk.

42 **Rule 703. Reading of Bills and Resolutions for Introduction.** For
 43 the purpose of introduction, the chief clerk shall read bills and resolutions

1 by title, except citations of statutes. The Speaker may require any House
2 resolution to be read in full. The name of the sponsor shall be read if
3 there is only one sponsor. If there are two sponsors, both names shall be
4 read. If there are more than two sponsors, the name of the first sponsor
5 shall be read, followed by the words "and others."

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

10 ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS

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

- 13 (1) A standing committee,
14 (2) a select committee,
15 (3) the committee of the whole House,
16 (4) two or more standing committees separately, or
17 (5) two or more standing committees jointly.
18 (b) On the day of introduction or the following legislative day, the
19 Speaker shall refer each concurrent resolution:

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

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

31 (c) On the day of introduction, the Speaker may refer any House res-
32 olution (1) in any way that a bill may be referred under subsection (a) or
33 (2) make no reference, except the Speaker shall make any reference re-
34 quired by the Rules of the House.

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

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

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

5 (b) If the first committee to which a bill or resolution has been sepa-
 6 rately referred, reports the bill or resolution adversely, the bill or reso-
 7 lution shall not be considered by the second committee, unless returned
 8 to the second committee by the committee of the whole House in ac-
 9 cordance with Rule 1505.

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

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

18 **ARTICLE 11. COMMITTEES; COMPOSITION**

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

22	1. Agriculture and Natural Resources	19	
23	2. Appropriations	23	
24	3. Calendar and Printing	7	
25	4. Commerce and Labor	19	
26	5. Economic Development and Tourism	17	
27	6. Education	23	
28	7. Elections and Governmental Organization	17	
29	8. Energy and Utilities	21	
30	9. Federal and State Affairs	23	
31	10. Government Efficiency and Technology	15	17
32	11. Health and Human Services	21	17
33	12. Insurance and Financial Institutions	15	
34	13. Interstate Cooperation	7	
35	14. Judiciary	19	Judiciary For calendar year 2007..... 19 For calendar year 2008 21
36	15. Rules and Journal	5	
37	16. Taxation	23	
38	17. Transportation	19	
39	18. Veterans, Military and Homeland Security	17	

40 (b) The house standing committee on economic development and tour-
 41 ism shall constitute the successor committee to the house standing com-
 42 mittee on tourism and the house standing committee on tourism and
 43 parks for purposes of references in statutory or other documents. The

1 house standing committee on economic development and tourism shall
 2 constitute the successor committee to the house standing committee on
 3 economic development and the house standing committee on new econ-
 4 omy for purposes of references in statutory or other documents. The
 5 house standing committee on judiciary shall constitute the successor com-
 6 mittee to the house standing committee on corrections and juvenile jus-
 7 tice for purposes of references in statutory or other documents. The
 8 house standing committee on agriculture and natural resources shall con-
 9 stitute the successor committee to the house standing committee on en-
 10 vironment for purposes of references in statutory or other documents.
 11 The house standing committee on insurance and financial institutions
 12 shall constitute the successor committee to the house standing committee
 13 on financial institutions and the house standing committee on insurance
 14 for purposes of references in statutory or other documents. The house
 15 standing committee on education shall constitute the successor commit-
 16 tee to the house standing committee on higher education for purposes of
 17 references in statutory or other documents.

18 **Rule 1102. Committee Appointments.** (a) The Speaker shall ap-
 19 point the members of the standing committees. The Speaker may remove
 20 or replace any such committee member at any time.

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

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

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

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

34	1. Agriculture and natural resources budget committee	9
35	2. Education budget committee	9
36	3. General government budget committee	9
37	4. Legislative budget committee	8
38	5. Social services budget committee	9
39	6. Transportation and public safety budget committee	9

40 (b) Members of the budget committees are not required to be mem-
 41 bers of the committee on appropriations. The Speaker shall designate the
 42 number of members of each budget committee who are not members of
 43 the committee on appropriations and shall appoint the members of each

1 budget committee who are not members of the committee on appropri-
 2 ations. The chairperson of the committee on appropriations shall appoint
 3 the members of each budget committee who are members of the com-
 4 mittee on appropriations. The Speaker shall appoint the chairperson of
 5 each budget committee. The Speaker may remove or replace at any time
 6 any budget committee chairperson or any member of such committee
 7 appointed by the Speaker.

_____ and vice chairperson

_____, vice chairperson

8 (c) Budget committees shall be advisory to and make recommendations
 9 to the committee on appropriations. Budget committees are authorized
 10 to introduce bills or resolutions, except that budget committees are not
 11 authorized to introduce bills containing one or more items of appropri-
 12 ation. Except as otherwise provided in this rule, budget committees shall
 13 be deemed to be standing committees under the rules of the House of
 14 Representatives.

15 (d) Budget committee meetings are subject to the Kansas open meet-
 16 ings act, K.S.A. 75-4317a *et seq.*, and amendments thereto.

17 ARTICLE 13. COMMITTEES; PROCEDURE

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

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

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

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

- 33 (a) To preside over meetings of the committee and to put all questions;
- 34 (b) to maintain order and decide all questions of order subject to appeal
 35 to the committee;
- 36 (c) to supervise and direct staff of the committee;
- 37 (d) to keep, or have the committee secretary keep, subject to the ap-
 38 proval of the committee at a subsequent meeting, minutes of meetings
 39 which shall include:
 - 40 (1) The time and place of each meeting of the committee;
 - 41 (2) the attendance of committee members; and
 - 42 (3) the names and city and state of residence of persons appearing
 43 before the committee and whom each represents;

1 (e) to prepare and sign reports of the committee and submit them
2 promptly to the chief clerk;

3 (f) to appoint subcommittees to perform duties on an informal basis;
4 and

5 (g) to inform the Speaker of any committee activity which caused any
6 member of the committee to be absent during any recorded vote.

7 **Rule 1304. Introduction of Committee Bills and Resolutions.** A
8 committee may introduce bills and resolutions while the Legislature is in
9 session respecting any matters referred to it. A standing committee may
10 introduce bills and resolutions only within the general subject area as-
11 signed to the committee. No standing committee shall originate a bill
12 which is substantially identical with any bill which has been referred to
13 another standing committee, and which is under consideration by such
14 committee.

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

20 **Rule 1306. Voting in Committees.** (a) All final actions by a com-
21 mittee shall be taken at a called meeting while the Legislature is in ses-
22 sion. The total vote for or against each action shall be recorded in the
23 committee minutes.

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

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

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

33 **Rule 1307. Procedure in General.** Committee procedure shall be
34 informal, but where any questions arise thereon, the rules or practices of
35 the House are applicable except that the right of a member to speak to
36 any question shall not be subject to the limitations prescribed by Rule
37 1704. All motions in a committee shall require a second.

38 **Rule 1308. Committee Action on Bills and Resolutions.** (a) A com-
39 mittee may recommend amendments to measures referred to it which
40 are germane to the subject of the measure. Committee recommendations
41 shall be made by committee report to the House. Committee reports
42 shall be signed by the chairperson or other committee members author-
43 ized by the committee to make the report, and shall be transmitted to

1 the House not later than the second legislative day following the action
2 of the committee.

3 (b) All committee reports on bills and resolutions shall be recorded in
4 the journal.

5 (c) If amendments are pending on a measure when referred to a com-
6 mittee, the amendments accompany the bill and the committee may rec-
7 ommend the adoption or rejection of the amendments already proposed
8 and make further recommendations.

9 **Rule 1309. Motion to Withdraw a Bill or Resolution from a Com-**
10 **mittee.** (a) ~~Each standing committee should report to the House upon~~
11 ~~all matters referred to it within 10 legislative days after its reference to~~
12 ~~the committee.~~

13 (b) When a committee fails to report on any bill or resolution within
14 ~~the time directed by subsection (a),~~ it may be withdrawn from the com-
15 mittee by an affirmative vote of 70 members of the House. Such a motion
16 shall be made in writing, giving the reasons for withdrawal from the com-
17 mittee. Such motion shall be made under the order of business introduc-
18 tion and notice of original motions and House resolutions. Only one bill
19 or resolution may be named in such a motion. The motion shall be read
20 by the chief clerk or the member making the motion and shall be printed
21 in the calendar of the next legislative day under the order of business
22 consideration of motions and House resolutions offered on a previous
23 day. The motion shall be considered on the legislative day following the
24 day it is made. If the motion prevails, the bill or resolution shall be placed
25 on the calendar under the order of business General Orders.

10 legislative days after its reference to the committee

and by relettering subsections accordingly

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

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

and (b)

33 **Rule 1310. Wireless Electronic Telecommunications Devices.**
34 Except for security personnel authorized by the Speaker, the use of wire-
35 less electronic telecommunications devices emitting an audible sound or
36 tone to announce or initiate communications in a committee room is
37 prohibited during any time when a committee or subcommittee is in
38 session in the room.

39 **ARTICLE 15. CALENDAR LOCATION OF BILLS AND**
40 **RESOLUTIONS**

41 **Rule 1501. General Orders; Description and Function.** Bills, con-
42 current resolutions and House resolutions reported for further action by
43 the committee to which they were referred and bills and concurrent res-

The committee on Rules and Journal considered but made no decision on the following:

New Rule 1311.

Except for security personnel authorized by the Speaker, the use of computers, telephones, the making or receiving of telephone calls and receiving or sending of text messages by visitors and those appearing before committees is prohibited during any time when a committee or subcommittee is in session in the room. Except for use in a presentation by those appearing before committees or otherwise authorized by the committee chairperson, the use of computers by visitors is prohibited during any time when a committee or subcommittee is in session in the room.

1 (k) *Bill consideration deadline; exceptions.* No bills shall be considered
 2 by the Legislature after April 7, 2007, during the 2007 regular session
 3 and after April 12, 2008, during the 2008 regular session except bills
 4 vetoed by the Governor, the omnibus appropriation act and the omnibus
 5 reconciliation spending limit bill provided for under K.S.A. 75-6702 and
 6 amendments thereto. This subsection (k) may be suspended for the con-
 7 sideration of a specific bill or bills not otherwise exempt under this sub-
 8 section by the affirmative vote of a majority of the members then elected
 9 (or appointed) and qualified in the house in which the bill is to be
 10 considered.

conference committee reports,

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