

(Corrected)

# Journal of the House

FIRST DAY

---

HALL OF THE HOUSE OF REPRESENTATIVES,  
TOPEKA, KANSAS, Monday, January 10, 2011, 2:00 p.m.

This being the day fixed by the Constitution of the State of Kansas for the assembling of the 2011 session of the legislature, the House of Representatives was called to order at 2:00 p.m. by Kris Kobach, Secretary of State.

Prayer by Chaplain Eunice Brubaker:

God of our yesterdays, our today and our tomorrows, we praise You for another new year and for new opportunities. Thank You for the year behind us and for the year ahead. In this new session, help us to... fret less and laugh more, criticize less and encourage more, be less divisive and be more unified. We pray for understanding, peace and hope, and that we might spread these to others. Help us in this new session to depend on You and to do exactly what You want. In all the pomp and circumstance of the day, we pause to remember a colleague and friend who is no longer with us, Representative Jim Morrison. We also pause to remember those who lost loved ones in the meaningless tragedy in Arizona. Lord, with these events we are reminded that we need to redeem the time and make the most of every opportunity to do what is right and good in Your eyes. In Jesus' name I pray, Amen.

The Pledge of Allegiance was led by Rep. Vickrey.

Secretary of State Kris Kobach announced the appointment of Susan Kannarr as temporary Chief Clerk of the House.

## STATE OF KANSAS OFFICE OF SECRETARY OF STATE

To all to whom these presents shall come, Greetings:

I, CHRIS BIGGS, Secretary of State of the State of Kansas, do hereby certify that Charlotte O'Hara, Overland Park, was appointed by the Governor effective January 10, 2011, to the Kansas House of Representatives, Twenty

Seventh District, to fill the vacancy created by the resignation of Ray Merrick.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 10<sup>th</sup> day of December, A.D. 2010.

CHRIS BIGGS  
*Secretary of State*

**STATE OF KANSAS  
OFFICE OF  
SECRETARY OF STATE**

To all to whom these presents shall come, Greetings:

I, CHRIS BIGGS, Secretary of State of the State of Kansas, do hereby certify that Rick Billinger, Goodland, was appointed by the Governor effective December 23, 2010, to the Kansas House of Representatives, One Hundred Twenty First District, to fill the vacancy created by the death of Jim Morrison.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 28<sup>th</sup> day of December, A.D. 2010.

CHRIS BIGGS  
*Secretary of State*

**STATE OF KANSAS  
OFFICE OF  
SECRETARY OF STATE**

To all to whom these presents shall come, Greetings:

I, CHRIS BIGGS, Secretary of State of the State of Kansas, do hereby certify that Brian A. Weber, Dodge City, was appointed by the Governor effective January 10, 2011, to the Kansas House of Representatives, One Hundred Nineteenth District, to fill the vacancy created by the resignation of Pat George.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 5<sup>th</sup> day of January, A.D. 2011.

CHRIS BIGGS  
*Secretary of State*

**STATE OF KANSAS  
OFFICE OF  
SECRETARY OF STATE**

To all to whom these presents shall come, Greetings;

I, KRIS W. KOBACH, Secretary of State of the State of Kansas, do hereby certify that Jim Kelly, Independence, was appointed by the Governor effective January 10, 2011, to the Kansas House of Representatives, Twelfth District, to fill the vacancy created by the resignation of Jeff King.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 10<sup>th</sup> day of January, A.D. 2011.

KRIS W. KOBACH  
*Secretary of State*

**STATE OF KANSAS  
OFFICE OF  
SECRETARY OF STATE**

To all to whom these presents shall come, Greetings;

I, KRIS W. KOBACH, Secretary of State of the State of Kansas, do hereby certify that Ron Ryckman, Meade, was appointed by the Governor effective January 10, 2011, to the Kansas House of Representatives, One Hundred Fifteenth District, to fill the vacancy created by the resignation of Garrett Love.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 10<sup>th</sup> day of January, A.D. 2011.

KRIS W. KOBACH  
*Secretary of State*

**STATE OF KANSAS  
OFFICE OF  
SECRETARY OF STATE**

To all to whom these presents shall come, Greetings;

I, KRIS W. KOBACH, Secretary of State of the State of Kansas, do hereby certify that Ramon Gonzalez, Jr., Perry, was appointed by the Governor effective January 10, 2011, to the Kansas House of Representatives, Forty Seventh District, to fill the vacancy created by the resignation of Lee Tapanelli.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused to be affixed my official seal this 10<sup>th</sup> day of January, A.D. 2011.

KRIS W. KOBACH  
*Secretary of State*

**STATE OF KANSAS  
OFFICE OF  
SECRETARY OF STATE**

I, CHRIS BIGGS, Secretary of State, do hereby certify that the following persons were elected members of the House of Representatives of the State of Kansas for a two-year term beginning on the second Monday of January, A.D. 2011.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the city of Topeka this 6<sup>th</sup> day of December, A.D. 2010.

CHRIS BIGGS  
*Secretary of State*

Members of the House of Representatives were then called in blocks of ten, came forward, took and subscribed, or affirmed, to their respective oaths of office, administered to them by Chief Justice Lawton R. Nuss, Kansas Supreme Court, as follows:

State of Kansas, County of Shawnee, ss:

We and each of us, do solemnly swear or affirm, that we will support the constitution of the United States and the constitution of the State of Kansas, so help us God.

*District*

- 1<sup>st</sup> — Doug Gatewood
- 2<sup>nd</sup> — Robert “Bob” Grant
- 3<sup>rd</sup> — Terry Calloway
- 4<sup>th</sup> — Caryn Tyson
- 5<sup>th</sup> — Bill Feuerborn
- 6<sup>th</sup> — Jene Vickrey
- 7<sup>th</sup> — Richard J. Proehl
- 8<sup>th</sup> — Jerry D. Williams
- 9<sup>th</sup> — Bill Otto
- 10<sup>th</sup> — TerriLois Gregory
- 11<sup>th</sup> — Virgil Peck
- 12<sup>th</sup> — Jim Kelly
- 13<sup>th</sup> — Forrest Knox
- 14<sup>th</sup> — Lance Kinzer

*District*

- 15<sup>th</sup> — Arlen H. Siegfried
- 16<sup>th</sup> — Amanda Grosserode
- 17<sup>th</sup> — Kelly Meigs
- 18<sup>th</sup> — John Rubin
- 19<sup>th</sup> — Jim Denning
- 20<sup>th</sup> — Rob Bruchman
- 21<sup>st</sup> — Kay Wolf
- 22<sup>nd</sup> — Greg A. Smith
- 23<sup>rd</sup> — Brett Hildabrand
- 24<sup>th</sup> — Mike Slattery
- 25<sup>th</sup> — Barbara Goolsbee Bollier
- 26<sup>th</sup> — vacant
- 27<sup>th</sup> — Charlotte O'Hara
- 28<sup>th</sup> — Pat Colloton

*District*

29<sup>th</sup> — Sheryl L. Spalding  
 30<sup>th</sup> — Ron Worley  
 31<sup>st</sup> — Stan S. Frownfelter  
 32<sup>nd</sup> — Louis E. Ruiz  
 33<sup>rd</sup> — Tom Burroughs  
 34<sup>th</sup> — Valdenia C. Winn  
 35<sup>th</sup> — Broderick T. Henderson  
 36<sup>th</sup> — Kathy Wolfe Moore  
 37<sup>th</sup> — Michael J. (Mike) Peterson  
 38<sup>th</sup> — Anthony R. Brown  
 39<sup>th</sup> — Owen Donohoe  
 40<sup>th</sup> — Melanie Meier  
 41<sup>st</sup> — Jana Taylor Goodman  
 42<sup>nd</sup> — Connie O'Brien  
 43<sup>rd</sup> — S. Mike Kiegerl  
 44<sup>th</sup> — Barbara W. Ballard  
 45<sup>th</sup> — Tom Sloan  
 46<sup>th</sup> — Paul Davis  
 47<sup>th</sup> — Ramon Gonzalez, Jr.  
 48<sup>th</sup> — Marvin Kleeb  
 49<sup>th</sup> — Scott Schwab  
 50<sup>th</sup> — Rocky Fund  
 51<sup>st</sup> — Mike Burgess  
 52<sup>nd</sup> — Lana Gordon  
 53<sup>rd</sup> — Ann E. Mah  
 54<sup>th</sup> — Joe Patton  
 55<sup>th</sup> — Annie Kuether  
 56<sup>th</sup> — Annie Tietze  
 57<sup>th</sup> — Sean Gatewood  
 58<sup>th</sup> — Harold Lane  
 59<sup>th</sup> — William R. Prescott  
 60<sup>th</sup> — Don Hill  
 61<sup>st</sup> — Richard Carlson  
 62<sup>nd</sup> — Randy Garber  
 63<sup>rd</sup> — Jerry Henry  
 64<sup>th</sup> — Vern Swanson  
 65<sup>th</sup> — James P. Fawcett  
 66<sup>th</sup> — Sydney Carlin  
 67<sup>th</sup> — Susan Mosier  
 68<sup>th</sup> — Tom J. Moxley  
 69<sup>th</sup> — Tom Arpke  
 70<sup>th</sup> — J. Robert (Bob) Brookens  
 71<sup>st</sup> — Charlie Roth  
 72<sup>nd</sup> — Marc Rhoades  
 73<sup>rd</sup> — Clark Shultz  
 74<sup>th</sup> — Don Schroeder

*District*

75<sup>th</sup> — John C. Grange  
 76<sup>th</sup> — Peggy Mast  
 77<sup>th</sup> — J. David Crum  
 78<sup>th</sup> — Ed Trimmer  
 79<sup>th</sup> — Kasha Kelley  
 80<sup>th</sup> — Vincent Wetta  
 81<sup>st</sup> — Pete DeGraaf  
 82<sup>nd</sup> — Jim Howell  
 83<sup>rd</sup> — Jo Ann Pottorff  
 84<sup>th</sup> — Gail Finney  
 85<sup>th</sup> — Steven Brunk  
 86<sup>th</sup> — Judith Loganbill  
 87<sup>th</sup> — Joseph Scapa  
 88<sup>th</sup> — Jim Ward  
 89<sup>th</sup> — Melody McCray-Miller  
 90<sup>th</sup> — Steve Huebert  
 91<sup>st</sup> — Brenda Landwehr  
 92<sup>nd</sup> — Nile Dillmore  
 93<sup>rd</sup> — Daniel J. Kerschen  
 94<sup>th</sup> — Joe McLeland  
 95<sup>th</sup> — Benny Boman  
 96<sup>th</sup> — Phil Hermanson  
 97<sup>th</sup> — Leslie Osterman  
 98<sup>th</sup> — Geraldine Flaharty  
 99<sup>th</sup> — vacant  
 100<sup>th</sup> — Mario Goico  
 101<sup>st</sup> — Joe Seiwert  
 102<sup>nd</sup> — Janice L. Pauls  
 103<sup>rd</sup> — Ponka-We Victors  
 104<sup>th</sup> — Michael R. "Mike" O'Neal  
 105<sup>th</sup> — Gene Suellentrop  
 106<sup>th</sup> — Sharon Schwartz  
 107<sup>th</sup> — Elaine S. Bowers  
 108<sup>th</sup> — Steven C. Johnson  
 109<sup>th</sup> — Clay Aurand  
 110<sup>th</sup> — Dan L. Collins  
 111<sup>th</sup> — Eber Phelps  
 112<sup>th</sup> — Bill Wolf  
 113<sup>th</sup> — Bob Bethell  
 114<sup>th</sup> — Mitch Holmes  
 115<sup>th</sup> — Ron Ryckman  
 116<sup>th</sup> — Kyle D. Hoffman  
 117<sup>th</sup> — Larry Powell  
 118<sup>th</sup> — Don Hineman  
 119<sup>th</sup> — Brian A. Weber  
 120<sup>th</sup> — Ward Cassidy

*District*

121<sup>st</sup> — Rick Billinger  
 122<sup>nd</sup> — Gary K. Hayzlett

*District*

123<sup>rd</sup> — Reynaldo R. Mesa  
 124<sup>th</sup> — J. Stephen Alford  
 125<sup>th</sup> — Carl D. Holmes

Subscribed and sworn to, or affirmed, before me this 10<sup>th</sup> day of January, 2011.

LAWTON R. NUSS

*Chief Justice of the Supreme Court*

Nominations being in order for speaker, Rep. Crum nominated Rep. Michael O'Neal for Speaker of the House. There being no further nominations, Rep. Davis moved the nominations be closed, and that the temporary clerk be instructed to cast a unanimous ballot for Rep. O'Neal as Speaker of the House of Representatives. The motion prevailed.

Secretary of State Kris Kobach requested Rep. O'Neal to approach the bar for the oath of office.

Speaker-elect O'Neal subscribed to the following oath of office, which was administered by Chief Justice Nuss.

State of Kansas, County of Shawnee,ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker of the House of Representatives, so help me God. Subscribed and sworn to before me this 10<sup>th</sup> day of January, 2011.

LAWTON R. NUSS

*Chief Justice of the Supreme Court*

Speaker O'Neal addressed the following remarks to the members of the House:

Thank you, Mr. Chief Justice. Elected Republican and Democrat House leaders, colleagues, staff and friends, it's once again a huge honor to be serving as your Speaker for the next term.

Two years ago on this day I addressed you on the silver anniversary of my service to my constituents and the people of the great State of Kansas. Today we are on the threshold of our state's 150<sup>th</sup> anniversary of statehood and occupy a historically restored Representative Hall that is 130 years old. Take a moment and consider, if you will, the over 5000 House members who have served in this body and in this very chamber. Imagine the issues, debates and historic votes taken here that have shaped our state's past and future. You are special indeed. Serve here with honor and humility.

100 years ago, on the first day of the 1911 Session, Speaker Buchman addressed the House. His address included these words:

"I feel that the Legislature of 1911 can be and will be one of the history-making Legislatures of this state. As I look into your faces, many of whom I know, I undertake to say that there is no legislature of any state in this Union that can show up a better line of men than

I see before me now occupying these seats.”

Needless to say, we’ve come a long way since the Session of 1911. The body I look out over today has been enriched by the presence of a high percentage of women Representatives, and Kansas is much the better for it. I am a better person thanks to my strong and beautiful wife, Cindy, the speaker of my House, and we as a House are blessed with bright and talented women who serve their constituents with distinction. Our men are blessed with strong, supportive and influential spouses who partner with them for the good of the state.

50 years ago, on the centennial of Kansas statehood, the House was addressed by another lawyer from Hutchinson. William L. “Bill” Mitchell, a man I admired greatly both as a public leader and as a fellow lawyer, addressed the House on the day Gov. John Anderson delivered his first legislative message. True to form for speakers past and present, Speaker Mitchell announced that “This will be the hardest-working Legislature in the 100-year history of Kansas, and you can depend upon it.”

In reading an account of the opening day of that session, I was struck by the irony of the message given that day by Senate President Pro Tem Paul Wunsch who told the Senate:

“It has been regrettable that for the past 6 years there has not been a cooperative spirit between the executive and the Legislature so that our many problems could be so met and resolved.”

The paper noted that, without mentioning names, he was apparently alluding to conflicts between the Republican-controlled Legislature and Democratic Governor George Docking and earlier between GOP Gov. Fred Hall and a split Republican Legislature. There is a certain ring of familiarity there.

It’s significant to note that the Legislature of 1961 did work hard and ended up passing, among other things, the ill-fated reapportionment of the Legislature, which was the subject of an historic amount of litigation, findings of unconstitutionality, a special session and claims of judicial activism. Few at the time could see the problem with having all 105 counties guaranteed a representative in the House with the remaining 20 distributed among counties having the greater population! As we approach the task of redistricting later this year, those of us living west of Highway 81 will no doubt long for the good old days!

As I said at the Inaugural festivities Saturday night, in looking to the days and weeks ahead I see a glass half full, not half empty. We have been burdened with yet another huge financial challenge. I have made no secret of my disappointment over how that challenge has been addressed the past two years. However, our constituents have handed us a huge opportunity to fundamentally change the way we approach the budget and the financial challenges we face. The message of November could not have been any clearer. Our constituents, the taxpayers of this state, are watching us and counting on us.

As I said to this body on this day two years ago, we must get a handle on

state spending. We must be fiscally responsible – and we must position Kansas to be in the best possible competitive position for future economic growth. And I repeat: Having a system of education second to none will ring hollow if our children choose to leave Kansas for greener pastures elsewhere. Kansas is the best place to live. It must also be the best place to work.

To that end, I'm excited to be working again with Sam Brownback, our new Governor. I believe we are due for a permanent reset of state government and I have endeavored to put together a team of committees and committee leaders to help him accomplish this.

I, too, am excited to be working with a huge class of incoming House members who are bright, talented and energetic about doing the People's work in the People's House. Welcome to the experience of a lifetime. You will make history here. You will make lifelong friendships here. You will learn and grow here and you and our great state will be better because of your service.

As I stated two years ago, we won't have the funds or resources to solve every problem or meet every request, but each of you does have the power to make a positive difference in the lives of those you serve and the work we do here with the resources we have and the policy we make with the resources we have will be truly historic. When our work here is done, if we can say we have been good stewards of our resources, we will have served our constituents well.

I'll close by sharing the final words of Speaker Buchman's address to the House in 1911. He said:

"I promise you, upon my part, that I will try to get measures through as rapidly as possible. I promise you that I will tread on your toes sometimes. You need not expect but what maybe you will find the gavel of the speaker coming down on you pretty hard, but it will come down on one and all without regard; you all look alike to me up here. I am a good ways off, and I have to wear glasses when I want to see right good, but I am not going to wear these glasses much, so that you will all look alike. Now, with your assistance, we can make this a success; without your assistance we cannot. I ask for that success."

Again, thank you for the honor of being your Speaker. I promise I'll wear my glasses, try not to step on toes, and will always have my door open and the coffee on. I look forward to serving with each and every one of you. To paraphrase former Speaker Mitchell, "This will be the hardest-working Legislature in the 150 year history of Kansas, and you can depend upon it".

God bless this House and the great State of Kansas.

Speaker O'Neal was presented with the gavel by Secretary of State Kris Kobach and assumed the chair.

Speaker O'Neal announced the appointment of Susan Kannarr as Chief



Clerk and Wayne Owen as Sergeant-at-Arms of the House of Representatives.

Nominations being in order for speaker pro tem, Rep. Burroughs nominated Rep. Jene Vickrey as Speaker pro tem of the House. There being no further nominations, Rep. Davis moved the nominations be closed, and that the temporary clerk be instructed to cast a unanimous ballot for Rep. Vickrey as Speaker pro tem of the House of Representatives. The motion prevailed.

Speaker O'Neal requested Rep. Vickrey to approach the bar for the oath of office.

Speaker pro tem-elect Vickrey subscribed to the following oath of office, which was administered by Chief Justice Nuss.

State of Kansas, County of Shawnee,ss:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of Kansas, and faithfully discharge the duties of the office of Speaker pro tem of the House of Representatives, so help me God. Subscribed and sworn to before me this 10<sup>th</sup> day of January, 2011.

LAWTON R. NUSS

*Chief Justice of the Supreme Court*

Speaker pro tem Vickrey addressed the following remarks to the members of the House:

Speaker O Neil, Majority Leader Siegfried, Minority Leader Davis, fellow members of the Kansas House, and honored guests.

Most of us remember the hymn "Count your blessings". As Kansans, we all have many to count. My first is my wonderful wife, Teresa. We will celebrate our 30th wedding anniversary this July 28th. Together, we have four children. Jacob, is a Pittsburg State graduate who is married to Kori. They are the parents of Emma, our 1 ½ year old granddaughter. Our three youngest children are in school today and could not be with us. Jazzy is in high school and our twins, Josh and Johanna, are in 6th grade at Louisburg Middle School. I'm proud that my younger three children are all on the honor roll.

Another blessing I count is being born a Kansan raised on a family farm in rural Miami County. On that family farm my World War II era parents Loma and Wendell lived the example they taught. They would often express memorable quotes to me: "always give an honest day's work for an honest day's dollar", "your word is your bond" and "any job worth doing is worth doing well." These are the values of the hardworking, honest Kansans we represent and they deserve our best effort when we debate and work on legislation to find real common sense solutions.

Finally, the blessing we all enjoy as members of this historic body. It is true as our new members will soon experience, that we are often the "raucous" house. However, we are the "Peoples House" and are responsive to those who we represent. Madison described the role of the House as having "an immediate dependence on, and intimate sympathy with, the people." By

design, the House is the voice of our constituents, the protector of liberty and freedom.

It is a great honor to serve as your Speaker Pro Tem. Together we will turn the challenges we face into opportunity.

May God continue to bless you and the great state of Kansas.

Speaker O'Neal asked for announcements from party caucuses:

Rep. Crum stated the majority (Republican) party had met and elected the following:

- Majority Leader , Representative Arlen Siegfried
- Assistant Majority Leader, Representative Peggy Mast
- Majority Whip, Representative Willie Prescott
- Caucus Chair, Representative David Crum

Rep. Siegfried addressed the following remarks to the members of the House:

Thank you Mr. Speaker, Representative Vickrey, Representative Crum and thank you to the Republican Caucus for the opportunity to serve as your Majority Leader. This is an honor unlike anything I've ever experienced. I assure you my most dedicated effort in ensuring our shared and mutual success as we enter a pivotal phase in our state's history.

In November, Kansas voters made their voices heard loud and clear. They are tired of ignorant government. They are tired of unresponsive government. They are tired of irresponsible government. Kansans are demanding to be heard—and our majority is listening. Our single focus this term will be to act on the mandate to govern Kansas responsibly. We will do this with fact-based, policy driven initiatives, not gamesmanship or theatrics. For these efforts—which are substantial—Kansas will be a better home for our constituents.

As your Majority Leader I will work tirelessly with the rest of the Republican caucus and our leadership team to learn how we will best serve your needs. In addition, I hope you will utilize our capable leadership staff. Each worked to build the success we enjoyed in November, and are now here to help us sustain it. Together we will continually work to bring our caucus together. Our leadership is humbled, yet energized, by your trust. With that comes the responsibility to listen—and we will listen.

This chamber will not always agree, but we must always work to disagree without being disagreeable. Fair debates and final votes will resolve differences. Your ideas will always find fair treatment, and while we all have different opinion on the best means to a common end, I trust we all share the goal of making Kansas better through solid governance.

As I close, I would like to recognize and thank my wife Barbara for her support in becoming the Majority Leader. She is truly the better half of this marriage. I would also like to thank the residents of the 15th House District for electing me to represent them for another term. Finally to the House

Republican Caucus, thank you for trusting me with the opportunity to serve as your Majority Leader. It's truly an honor.

Rep. Ballard stated the minority (Democrat) party had caucused and elected the following officers:

- Minority Leader, Representative Paul Davis
- Assistant Minority Leader, Representative Tom Burroughs
- Minority Whip, Representative Eber Phelps
- Agenda Chairperson, Representative Annie Tietze
- Caucus Chairperson, Representative Barbara Ballard
- Policy Chairperson, Representative Valdenia Winn

Rep. Davis addressed the following remarks to the members of the House:

I first want to thank my colleagues in the House Democratic Caucus for allowing me to serve as their leader for the next two years. You know folks in this building frequently hear the House Democrats refer to themselves as a family, and let me tell you that word is a genuine description of this group. I am honored and humbled by the opportunity to be your leader.

My wife is with me today and I want to thank her for her unconditional love and support. It is not easy being married to someone in public service while at the same time having your own demanding career and being a mother. But she handles it every day with truly unbelievable grace.

I want to congratulate Representative O'Neal on his re-election as Speaker of the House, and I'd like to welcome the 35 new members of this body. I know that each of you will do your best to honor the legacy set forth by 150 years worth of Kansas pioneers, each determined to persevere over the challenges of the day.

Finally, I'd like to congratulate our new Governor. The job of governor is a difficult one and the challenges he faces are significant as he assumes a position that has only been occupied by 45 others in our state's history.

Today, we gather here in this historic building that it took our ancestors 37 years to construct. And as we embark on this 90-day journey that begins every second Monday in January and confront many of the same struggles time and time again, there is something hopeful and pure about Day 1. It is an opportunity for new beginnings and new possibilities. Each session is filled with its own unique set of speed bumps and detours, but yearly we get the chance to determine what path will lead us to the finish line. We rarely get there by the route we map out at the beginning, but one way or another we always end up at our final destination. And it is an exciting process to say the least.

Today also marks the last day in office of Governor Mark Parkinson. Almost one year ago to the day, Governor Parkinson stood in this chamber, as we faced perhaps even greater challenges than we face at this very moment, and issued a challenge that we should not forget:

He said: "Generations from now, historians will look at how Kansas handled the greatest economic crisis since the Great Depression. We have the opportunity to astonish them. The decisions that you can make will mean that not only did we fight back, not only did we protect what our ancestors built, but while everyone else was in a panic, we moved forward. Let's seize that opportunity, astonish the historians, and write history that will make all future generations proud."

Although this is a new era in Kansas- a new governor, a new administration, a new legislature- I believe that Mark Parkinson's challenge still echoes. Overcoming difficulties is at the core of what it means to be a Kansan. Sidestepping our obligations to the people we serve is not the legacy any of us wish to leave to our children as we take our oaths of office. We should not forget the words of Martin Luther King who said "The Time is always right to do what is right".

All of us have a desire to honor the heritage of those who have come before us, to face our problems head on, and to do what is necessary to protect the values that define us---values that have no partisan lines. While we each wear our label of being either a Democrat or Republican in this chamber, we must never forget that we are all Kansans first. Our shared hopes and dreams and those that we hold for our children do not bear party affiliations. Let us debate the issues with vigor, but do so with an understanding that we are all teammates.

This is a special year in our state's history. It is our sesquicentennial. For 150 years, each generation of Kansans have done their part to write the storied history of our state. They have built great schools and universities, endured a dust bowl and a depression, done their part to save the world from tyranny, taken risks to build businesses and so, so much more.

So now, the stewardship of this very special place is in our hands. Whether or not Kansas has a brighter tomorrow will be determined by the decisions that we make today. The Native Americans, the pioneers, the Free Staters and so many other Kansans didn't walk away from a challenge, and we must not either.

Since statehood, millions of Americans have been able to call Kansas home. A few thousand have had the opportunity of serving in this Legislature. And here we are today, only 125 individuals, out of almost 3 million Kansans, that get to realize this very rare privilege.

So now let us do our part to ensure that the words of legendary Kansan William Allen White ring true. That "everyone expects to go further than his father went; everyone expects to be better than he was born and every generation has one big impulse in its heart-to exceed all the other generations of the past in all the things that make life worth living."

*Ad astra per aspera.* Thank you.

The roll was called with 122 members present.

Rep. Aurand was excused on excused absence by the Speaker.

The House is now organized with 123 members.

**STANDING COMMITTEES OF THE HOUSE  
2011 SESSION**

**Aging and Long-term Care:** Bethell, Chairperson; Worley, Vice-Chairperson; Hill, Otto, Schwab, Vickrey, Weber, K. Wolf, Worley, *12<sup>th</sup> District Representative*.  
Henderson, Ranking Minority Member; Flaharty, Wolfe Moore.

**Agriculture and Natural Resources:** Powell, Chairperson; Kerschen, Vice-Chairperson; Arpke, Bowers, Brookens, Collins, Fund, Hayzlett, Hildabrand, Hoffman, Moxley, O'Hara, Prescott, Tyson.  
Williams, Ranking Minority Member; Grant, Peterson, Victors, Wetta, .

**Appropriations:** Rhoades, Chairperson; Kelley, Vice-Chairperson; Brown, Carlson, Crum, DeGraaf, Denning, Donohoe, Gordon, Kleeb, Mast, McLeland, Peck, Pottorff, Schwartz, Shultz, Suellentrop.  
Feuerborn, Ranking Minority Member; Ballard, Carlin, D. Gatewood, Henry, Lane.

**Calendar and Printing:** Siegfried, Chairperson; O'Neal, Vice-Chairperson; Mast, Vickrey.  
Davis, Ranking Minority Member; Ballard.

**Children and Families:** Kiegerl, Chairperson; B. Wolf, Vice-Chairperson; Brunk, Gregory, Meigs, Roth, Rubin.  
S. Gatewood, Ranking Minority Member; McCray-Miller.

**Commerce and Economic Development:** Brown, Chairperson; Suellentrop, Vice-Chairperson; Billinger, Bruchman, Garber, Kerschen, Kleeb, Mesa, Osterman, Peck, Scapa, Schwab, Tyson, *99th District Representative* Slattery, Ranking Minority Member; Finney, Frownfelter, Ruiz, Tietze.

**Corrections and Juvenile Justice:** Colloton, Chairperson; Kinzer, Vice-Chairperson; Brookens, Cassidy, Goodman, Moxley, Roth, Smith, K. Wolf, *12<sup>th</sup> District Representative*.  
McCray-Miller, Ranking Minority Member; Meier, Pauls.

**Education:** Aurand, Chairperson; Huebert, Vice-Chairperson; Billinger, Bollier, Calloway, Cassidy, Colloton, Goodman, Grosserode, Howell, *115<sup>th</sup> District Rep.* Osterman, Scapa, Spalding.  
Ward, Ranking Minority Member; Loganbill, Phelps, Trimmer, Winn.

**Elections:** Schwab, Chairperson; Goico, Vice-Chairperson; Garber, Gregory, Meigs, O'Brien, Otto, Rubin, *47<sup>th</sup> District Representative, 26<sup>th</sup> District Representative*.  
Mah, Ranking Minority Member; McCray-Miller, Tietze.

**Energy and Utilities:** C. Holmes, Chairperson; Knox, Vice-Chairperson; Alford, Bruchman, Burgess, Hermanson, Hineman, Mesa, Proehl, Schroeder, Seiwert, Sloan, Smith, Swanson.  
Kuether, Ranking Minority Member; Dillmore, Finney, Frownfelter, Slattery.

**Federal and State Affairs:** Brunk, Chairperson; Patton, Vice-Chairperson; Boman, Bowers, Carlson, Fund, Goico, Gregory, Grosserode, M. Holmes, Huebert, Kiegerl, Knox, O'Brien, O'Hara, Rubin, Seiwert.  
Loganbill, Ranking Minority Member; S. Gatewood, Henderson, Peterson, Victors, Wolfe Moore.

**Financial Institutions:** Knox, Chairperson; Proehl, Vice-Chairperson; Fawcett, Gregory, Hermanson, Mosier, O'Hara, Scapa, Shultz, *26<sup>th</sup> District Representative*.  
Grant, Ranking Minority Member; Burroughs, Henderson.

**Government Efficiency:** Burgess, Chairperson; Fund, Vice-Chairperson; Degraaf, Grange, Hoffman, Howell, Johnson, Meigs, Roth, K. Wolf.  
Trimmer, Ranking Minority Member; Loganbill, Ruiz.

**Health and Human Services:** Landwehr, Chairperson; Donohoe, Vice-Chairperson; Alford, Bethell, Bollier, Calloway, Crum, Denning, Hermanson, Mast, Meigs, Mosier, Otto, Weber.  
Flaharty, Ranking Minority Member; Mah, Trimmer, Ward, Winn.

**Insurance:** Shultz, Chairperson; Hermanson, Vice-Chairperson; Billinger, Brown, Fawcett, Gregory, Mosier, O'Hara, Proehl, *26<sup>th</sup> District Representative*.  
Grant, Ranking Minority Member; Burroughs, Davis.

**Interstate Cooperation:** O'Neal, Chairperson; Vickrey, Vice-Chairperson; Mast, Prescott, Siegfried.  
Phelps, Ranking Minority Member; Tietze

**Judiciary:** Kinzer, Chairperson; Patton, Vice-Chairperson; Alford, Boman, Brookens, Bruchman, Collins, Colloton, M. Holmes, *115<sup>th</sup> District Representative*, Osterman, Rubin, Smith, Suellentrop, *12<sup>th</sup> District Representative*.  
Pauls, Ranking Minority Member; Kuether, Meier, Tietze, Victors, Ward.

**Local Government:** Huebert, Chairperson; Seiwert, Vice-Chairperson; Billinger, Garber, Grosserode, Hildabrand, Hineman, Otto, Sloan, Worley.  
Mah, Ranking Minority Member; Carlin, Lane.

**Pensions and Benefits:** M. Holmes, Chairperson; Grange, Vice-Chairperson; Hill, Johnson, Roth, Worley, *12<sup>th</sup> District Representative*.  
Ruiz, Ranking Minority Member; Flaharty.

**Rules and Journal:** Shultz, Chairperson; Bruchman, Kinzer, Patton, Rubin. Pauls, Vice-Chairperson; Trimmer.

**Taxation:** Carlson, Chairperson; Kleeb, Vice-Chairperson; Brunk, Calloway, Denning, Donohoe, Goico, Hayzlett, *99<sup>th</sup> District Representative*, Kelley, Powell, Prescott, Schroeder, Schwab, Schwartz, Tyson, Weber. Dillmore, Ranking Minority Member; Frownfelter, S. Gatewood, McCray-Miller, Phelps, Wolfe Moore.

**Transportation:** Hayzlett, Chairperson; Prescott, Vice-Chairperson; Arpke, Fawcett, Grange, Hildabrand, Hill, Pottorff, Proehl, Spalding, Swanson, B. Wolf, Worley. Wetta, Ranking Minority Member; Grant, Henry, Phelps, Williams.

**Veterans, Military & Homeland Security:** Goico, Chairperson; O'Brien, Vice-Chairperson; Boman, Fawcett, Garber, Grange, M. Holmes, *99<sup>th</sup> District Representative*, Johnson, *26<sup>th</sup> District Representative*. Meier, Ranking Minority Member; Mah, Tietze.

**Vision 2020:** Sloan, Chairperson; Swanson, Vice-Chairperson; Bollier, Garber, Hildabrand, Hill, Hineman, Otto, Scapa, Worley. Finney, Ranking Minority Member; Henderson, Peterson.

### BUDGET COMMITTEES

**Agriculture & Natural Resources Budget:** Schwartz, Chairperson; Schroeder, Vice-Chairperson; Collins, C. Holmes, Johnson, Powell, Sloan. Carlin, Ranking Minority Member; Lane.

**Education Budget:** Gordon, Chairperson; Aurand, Vice-Chairperson; Arpke, Cassidy, Landwehr, O'Brien, Spalding. Winn, Ranking Minority Member; Feuerborn.

**General Government Budget:** McLeland, Chairperson; DeGraaf, Vice-Chairperson; Hineman, Hoffman, Howell, *115<sup>th</sup> District Representative*, *47<sup>th</sup> District Representative*. Burroughs, Ranking Minority Member; Dillmore.

**Legislative Budget:** Marc Rhoades, Chair; Kasha Kelley, Vice Chair; Mast, O'Neal, Vickrey. Davis, Ranking Minority Member; Burroughs

**Social Services Budget:** Crum, Chairperson; Bowers, Vice-Chairperson; Goodman, Mast, Kiegerl, McLeland, B. Wolf. Henry, Ranking Minority Member; Ballard.

**Transportation and Public Safety Budget:** Peck, Chairperson; Pottorff, Vice-Chairperson; Bethell, Kerschen, Mesa, Moxley, 47<sup>th</sup> District Representative.

D. Gatewood, Ranking Minority Member; Wetta.

## COMMUNICATIONS FROM THE STATE OFFICERS

Dear Mr. Speaker:

This letter is to advise you that the Office of Chief Clerk has received the following communications during the interim since adjournment of the 2010 Regular Session of the Legislature:

From William M. Watson and Curtis L. Whitten, Co-Chairmen, Governor's Task Force on Racial Profiling, their final report and recommendations for the 2011 legislative session.

From Glenn Deck, Executive Director, Kansas Public Employees Retirement System, the 2010 Comprehensive Annual Financial Report, available at: <http://www.kpers.org/annualreport2010.pdf>

From Elizabeth B.A. Miller, Director of Investments, the Annual Report of the Pooled Money Investment Board for Fiscal Year 2010.

From Keven Pellant, Acting Secretary, Kansas Department of Corrections, the Kansas Community Corrections Statewide Risk Reduction Initiative.

From the Office of Governor Mark Parkinson:

Executive Order No. 10-04, establishing the Commission on Graduation and Dropout Prevention and Recovery.

Executive Order No. 10-05, establishing the Kansas Early Childhood Advisory Council.

Executive Order No. 10-06, establishing the Kansas Health Information Exchange, Inc.

Executive Order No. 10-07, continuing the moratorium on employee bonuses for fiscal year 2011.

Executive Order No. 10-08, establishing the Kansas Broadband Advisory Task Force.

Executive Order No. 10-09, establishing the Governor's Excellence Awards.

Executive Order No. 10-10, directing agency heads to increase coordination and collaboration to provide Kansans with disabilities optimum opportunity to be employed.

Executive Order No. 10-11, establishing the Kansas Food Security Task Force.

Executive Order No. 10-12, establishing protocol for flying the flag at half-staff.

Executive Order No. 10-13, establishing the Interagency Working Group for Wind Energy.

Executive Directive No. 10-410, Authorizing Personnel Transactions.

Executive Directive No. 10-411, Authorizing Expenditure of Federal



Funds.

Executive Directive No. 10-412, Authorizing Expenditure of Federal Funds.

Executive Directive No. 10-413, Authorizing Expenditure of Federal Funds.

Executive Directive No. 10-414, Authorizing Expenditure of Federal Funds.

Executive Directive No. 10-415, Authorizing Expenditure of Federal Funds.

Executive Directive No. 10-416, Authorizing Expenditure of Federal Funds.

Executive Directive No. 10-417, Authorizing Expenditure of Federal Funds.

Also, from Steve Six, Attorney General, Kansas Consumer Protection Division, Fiscal Year 2009, Annual Report.

From Steve Six, Attorney General, Kansas Consumer Protection Division, Fiscal Year 2010, Annual Report.

From Steve Irsik, Chair, Kansas Water Authority, 2011 Annual Report to the Governor and Legislature.

The complete reports are kept on file and open for inspection in the office of the Chief Clerk.

#### **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Siegfroid, **HR 6001**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. HR 6001—

A RESOLUTION relating to the organization of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the Chief Clerk of the House of Representatives notify the Senate that the House is organized with the following officers:

Michael O'Neal, speaker,  
 Jene Vickrey, speaker pro tem,  
 Arlen Siegfroid, majority leader,  
 Paul Davis, minority leader,  
 Susan Kannarr, chief clerk,  
 Wayne Owen, sergeant at arms,

and awaits the pleasure of the Senate.

#### **INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

On emergency motion of Rep. Siegfroid, **HR 6002**, by Reps. O'Neal and

Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. HR 6002—

A RESOLUTION relating to assignment of seats of the House of Representatives.

*Be it resolved by the House of Representatives of the State of Kansas:* That the speaker be assigned seat No. 2; the speaker pro tem be assigned seat No. 1; the majority leader be assigned seat No. 3; the minority leader be assigned seat No. 4; and the remaining members of the house be assigned the following seats: Alford 117, Arpke 61, Aurand 116, Ballard 30, Bethell 121, Billinger 105, Bollier 27, Boman 82, Bowers 70, Brookens 84, Brown 113, Bruchman 100, Brunk 81, Burgess 125, Burroughs 5, Calloway 109, Carlin 35, Carlson 21, Cassidy 60, Collins 45, Colloton 80, Crum 37, DeGraaf 39, Denning 103, Dillmore 76, Donohoe 119, Fawcett 12, Feuerborn 15, Finney 52, Flaharty 75, Frownfelter 18, Fund 62, Garber 88, Gatewood, D. 55, Gatewood, S. 32, Goico 106, Goodman 89, Gordon 93, Grange 40, Grant 36, Gregory 98, Grosserode 78, Hayzlett 24, Henderson 73, Henry 6, Hermanson 99, Hildabrand 114, Hill 107, Hineman 63, Hoffman 65, Holmes, C. 118, Holmes, M. 19, Howell 38, Huebert 47, Johnson 23, Kelley 8, Kerschen 43, Kiegerl 97, Kinzer 9, Kleeb 104, Knox 123, Kuether 48, Landwehr 77, Lane 74, Loganbill 51, Mah 54, Mast 96, McCray-Miller 34, McLeland 92, Meier 29, Meigs 95, Mesa 111, Mosier 22, Moxley 26, O'Brien 87, O'Hara 120, Osterman 20, Otto 69, Patton 44, Pauls 17, Peck 110, Peterson 16, Phelps 31, Pottorff 67, Powell 11, Prescott 112, Proehl 59, Rhoades 7, Roth 68, Rubin 91, Ruiz 58, Scapa 46, Schroeder 72, Schwab 86, Schwartz 64, Seiwert 66, Shultz 10, Slattery 50, Sloan 115, Smith 124, Spalding 83, Suellentrop 101, Swanson 90, Tietze 14, Trimmer 13, Tyson 94, Victors 57, Ward 56, Weber 122, Wetta 53, Williams 33, Winn 28, Wolf, B. 85, Wolf, K. 108, Wolfe Moore 49, Worley 25, member from state representative district 12 seat 41, member from state representative district 26 seat 79, member from state representative district 47 seat 71, member from state representative district 99 seat 102, and member from state representative district 115 seat 42.

The first three seats north of the center aisle in the last row are reserved for the sergeants at arms.

## INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS

On emergency motion of Rep. Siegfried, **HR 6003**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE RESOLUTION No. HR 6003—

A RESOLUTION relating to the rules of the House of Representatives for the 2011-2012 biennium.

*Be it resolved by the House of Representatives of the State of Kansas:* That except as otherwise hereinafter provided, the rules of the House of Representatives for the 2009-2010 biennium in effect at the time of adjournment sine die of the 2010 regular session of the legislature shall

constitute the temporary rules of the House of Representatives for the 2011 regular session until permanent rules are adopted; and

*Be it further resolved:* That Rule 1101 of the 2009-2010 biennium shall be replaced by the following Rule 1101 which shall constitute a temporary rule of the House of Representatives for the 2011 regular session until permanent rules are adopted:

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

1. Aging and Long-term Care.....	13
2. Agriculture and Natural Resources.....	19
3. Appropriations.....	23
4. Children and Families.....	9
5. Calendar and Printing.....	6
6. Commerce and Economic Development.....	19
7. Corrections and Juvenile Justice.....	13
8. Education.....	19
9. Elections.....	13
10. Energy and Utilities.....	19
11. Federal and State Affairs.....	23
12. Financial Institutions.....	13
13. Government Efficiency.....	13
14. Health and Human Services.....	19
15. Insurance.....	13
16. Interstate Cooperation.....	7
17. Judiciary.....	21
18. Local Government.....	13
19. Pensions and Benefits.....	9
20. Rules and Journal.....	7
21. Taxation.....	23
22. Transportation.....	19
23. Veterans, Military and Homeland Security.....	13
24. Vision 2020.....	13

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house

standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents.

*Be it further resolved:* That Rule 1105 of the 2009-2010 biennium shall be replaced by the following rule 1105 which shall constitute a temporary rules of the House of Representatives for the 2011 regular session until permanent rules are adopted.

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

- 1. Agriculture and natural resources budget committee.....9
- 2. Education budget committee.....9
- 3. General government budget committee.....9
- 4. Legislative budget committee.....8
- 5. Social services budget committee.....9
- 6. Transportation and public safety budget committee.....9

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall designate the number of members of each budget committee who are not members of the committee on appropriations and shall appoint the members of each budget committee who are not members of the committee on appropriations. The chairperson of the committee on appropriations shall appoint the members of each budget committee who are members of the committee on appropriations. The Speaker shall appoint the chairperson and vice chairperson of each budget committee. The Speaker may remove or replace at any time any budget committee chairperson, vice chairperson or any member of such committee appointed by the Speaker.

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

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

**INTRODUCTION OF ORIGINAL MOTIONS AND HOUSE RESOLUTIONS**

The following resolution was introduced and read by title:

HOUSE RESOLUTION No. **HR 6004**—  
by Representatives O'Neal and Davis

A RESOLUTION adopting permanent rules of the House of Representatives for the 2011-2012 biennium.

*Be it resolved by the House of Representatives of the State of Kansas:* The following rules shall be permanent rules of the House of Representatives for the 2011-2012 biennium.

RULES OF THE HOUSE OF REPRESENTATIVES  
2011-2012

ARTICLE 1. HOUSE SESSIONS; GENERAL OPERATION

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

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

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

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

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Reports of select committees.
- (3) Receipt of messages from the Governor.
- (4) Communications from state officers.
- (5) Messages from the Senate.
- (6) Introduction and notice of original motions and house resolutions.

(7) Consideration of motions and house resolutions offered on a previous day.

(8) The unfinished business before the House at the time of adjournment on the previous day.

(9) Consent calendar.

(10) Final Action on bills and concurrent resolutions.

(11) Bills under consideration to concur and nonconcur.

(12) General Orders.

(13) Reports of standing committees.

(b) The presentation of petitions shall be a special order of business on Friday of each week immediately preceding the regular order of business.

**Rule 105. Members Excused from Attendance.** Members may be excused from attendance on any legislative day by the Speaker for the following reasons and such reasons shall be shown in the Journal: (1) Verified illness; (2) legislative business; and (3) excused absence by the Speaker.

**Rule 106. Introduction of Guests.** Except when permission has been given by the Speaker before taking the chair, no guests in the gallery shall be introduced to the House.

**Rule 107. Session Proforma.** (a) The House of Representatives may meet from time to time for the sole purposes of processing routine business of the House of Representatives. These sessions shall be known as Session Proforma.

(b) Time of Meeting. Session Proforma shall be announced at least one legislative day in advance with the hour for meeting Proforma set on the previous legislative day.

(c) Order of Business. The only orders of business that may be considered during Session Proforma are:

- (1) Introduction and reference of bills and concurrent resolutions.
- (2) Receipts of messages from the Governor.
- (3) Communications from State Officers.
- (4) Messages from the Senate.
- (5) Reports of Standing Committees.
- (6) Presentation of Petitions.

(d) Motions. No motion shall be in order other than the motion to adjourn.

(e) Objections. Any objection by any member shall require the Session Proforma to adjourn to the next day, Saturday and Sundays excluded, at 11:00 a.m.

(f) Quorum and Roll. There shall be no requirement for a quorum or taking of the roll. No demand for a roll call for a quorum shall be in order.

(g) Effect on Certain Rules. If a legislative day referred to in Rule 1309, 1503, 1505, 2303, 2705 or 3705 occurs on a legislative day which is also the day on which a Session Proforma is held, the term "legislative day" as used in such rule means the next legislative day subsequent to the legislative day on which the Session Proforma is held.

#### ARTICLE 3. QUORUM

**Rule 301. Quorum, What Constitutes.** A majority of all members then elected (or appointed) and qualified shall constitute a quorum. In the absence of a quorum no business shall be transacted by the House, except as provided in Rule 107, 302 and 303 or to recess or adjourn.

**Rule 302. Absence of Quorum.** In the absence of a quorum during any session of the House, the members present may do what is necessary to attain a quorum. In the absence of a quorum while in the committee of the whole, the committee shall rise and report. Reprimand, censure or expulsion may be imposed as provided by Article 49 when there is found to be no sufficient excuse for absence of a member.

**Rule 303. Roll Call to Determine Quorum.** A roll call shall be taken to determine the existence of a quorum on demand of any member. The result of each roll call to ascertain a quorum shall be recorded in the Journal by statement of the total number present, naming only the absentees.

#### ARTICLE 5. CONDUCT IN THE HOUSE CHAMBER

**Rule 501. Admission to Floor.** (a) During daily sessions, from the

time of convening until adjournment to the following legislative day, only the following classes of persons shall be admitted to the floor of the House, the cloakrooms to the east of the house chamber and the hallway at the west of the house chamber: (1) Members of the Legislature; (2) officers and employees of the legislative branch who are properly identified; (3) persons having permits from the Speaker.

(b) No person who is an officer or employee of the executive or judicial branch of Kansas government or an employee of the federal government shall be admitted to the area of the chamber on which legislators' desks are located during the time the House of Representatives is in session, except as provided by resolution, nor shall any such person be on the floor of the House chamber during a call of the House. No person, other than a member, shall lean on the railings on the floor of the House chamber next to the area of the chamber on which legislators' desks are located during any time the House is on final action.

(c) No person registered with the Secretary of State as a lobbyist shall be on the floor of the House chamber 15 minutes before the time of convening the daily session until 15 minutes after adjournment to the following legislative day.

(d) The sergeant at arms shall remove all persons from the floor, except persons authorized under the Rules of the House or a House resolution.

(e) The provisions of this rule shall not be construed to prevent the right of access (through the west hallway) by persons going directly to or returning from the offices of the Speaker and the Majority Leader.

**Rule 502. Food and Drink.** Members may have food or drink, or both, on their desks in the House chamber only when the member is present at the member's desk.

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

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

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

**Rule 506. Wireless Electronic Telecommunications Devices.** Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in the House chamber is prohibited during any time the House is in session.

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

ARTICLE 7. INTRODUCTION OF BILLS AND RESOLUTIONS

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

**Rule 702. Introduction of Senate Bills and Concurrent Resolutions.** Senate bills and concurrent resolutions sent to the House shall be introduced upon reading of the message received by the chief clerk.

**Rule 703. Reading of Bills and Resolutions for Introduction.** For the purpose of introduction, the chief clerk shall read bills and resolutions by title, except citations of statutes. The Speaker may require any House resolution to be read in full. The name of the sponsor shall be read if there is only one sponsor. If there are two sponsors, both names shall be read. If there are more than two sponsors, the name of the first sponsor shall be read, followed by the words "and others."

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

ARTICLE 9. REFERENCE OF BILLS AND RESOLUTIONS

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

- (1) A standing committee,
- (2) a select committee,
- (3) the committee of the whole House,
- (4) two or more standing committees separately, or
- (5) two or more standing committees jointly.

(b) On the day of introduction or the following legislative day, the Speaker shall refer each concurrent resolution:

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

(2) if the concurrent resolution is not one of those specified in subpart (1) of this subsection

(b), it may be referred in any way that a bill may be referred under subsection (a), or the Speaker may authorize consideration thereof on the day of introduction under the order of business introduction and reference of bills



and concurrent resolutions.

(c) On the day of introduction, the Speaker may refer any House resolution (1) in any way that a bill may be referred under subsection (a) or (2) make no reference, except the Speaker shall make any reference required by the Rules of the House.

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

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

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

(b) If the first committee to which a bill or resolution has been separately referred, reports the bill or resolution adversely, the bill or resolution shall not be considered by the second committee, unless returned to the second committee by the committee of the whole House in accordance with Rule 1505.

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

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

ARTICLE 11. COMMITTEES; COMPOSITION

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

1. Aging and Long-term Care.....	13
2. Agriculture and Natural Resources.....	19
3. Appropriations.....	23
4. Children and Families.....	9
5. Calendar and Printing.....	6
6. Commerce and Economic Development.....	19
7. Corrections and Juvenile Justice.....	13
8. Education.....	19
9. Elections.....	13
10. Energy and Utilities.....	19
11. Federal and State Affairs.....	23
12. Financial Institutions.....	13

13. Government Efficiency.....13  
 14. Health and Human Services.....19  
 15. Insurance.....13  
 16. Interstate Cooperation.....7  
 17. Judiciary.....21  
 18. Local Government.....13  
 19. Pensions and Benefits.....9  
 20. Rules and Journal.....7  
 21. Taxation.....23  
 22. Transportation.....19  
 23. Veterans, Military and Homeland Security.....13  
 24. Vision 2020.....13

(b) The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on economic development and tourism, the house standing committee on tourism and the house standing committee on tourism and parks for purposes of references in statutory or other documents. The house standing committee on commerce and economic development shall constitute the successor committee to the house standing committee on commerce and labor, the house standing committee on economic development and the house standing committee on new economy for purposes of references in statutory or other documents. The house standing committee on agriculture and natural resources shall constitute the successor committee to the house standing committee on environment for purposes of references in statutory or other documents. The house standing committee on insurance and the house standing committee on financial institutions shall constitute the successor committees to the house standing committee on insurance and financial institutions for purposes of references in statutory or other documents.

**Rule 1102. Committee Appointments.** (a) The Speaker shall appoint the members of the standing committees. The Speaker may remove or replace any such committee member at any time.

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

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

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

**Rule 1105. Budget Committees.** (a) There is hereby created the following budget committees

of the committee on appropriations which shall have the number of members indicated for each:

1. Agriculture and natural resources budget committee.....9
2. Education budget committee.....9

3. General government budget committee.....9  
 4. Legislative budget committee.....8  
 5. Social services budget committee.....9  
 6. Transportation and public safety budget committee.....9

(b) Members of the budget committees are not required to be members of the committee on appropriations. The Speaker shall designate the number of members of each budget committee who are not members of the committee on appropriations and shall appoint the members of each budget committee who are not members of the committee on appropriations. The chairperson of the committee on appropriations shall appoint the members of each budget committee who are members of the committee on appropriations. The Speaker shall appoint the chairperson and vice chairperson of each budget committee. The Speaker may remove or replace at any time any budget committee chairperson, vice chairperson or any member of such committee appointed by the Speaker.

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

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

ARTICLE 13. COMMITTEES; PROCEDURE

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

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

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

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

- (a) To preside over meetings of the committee and to put all questions;
- (b) to maintain order and decide all questions of order subject to appeal to the committee;
- (c) to supervise and direct staff of the committee;
- (d) to keep, or have the committee secretary keep, subject to the approval of the committee at a subsequent meeting, minutes of meetings

which shall include:

- (1) The time and place of each meeting of the committee;
  - (2) the attendance of committee members; and
  - (3) the names and city and state of residence of persons appearing before the committee and whom each represents;
- (e) to prepare and sign reports of the committee and submit them promptly to the chief clerk;
- (f) to appoint subcommittees to perform duties on an informal basis; and
- (g) to inform the Speaker of any committee activity which caused any member of the committee to be absent during any recorded vote.

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

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

**Rule 1306. Voting in Committees.** (a) All final actions by a committee shall be taken at a called meeting while the Legislature is in session. The final action taken shall be recorded in the committee minutes. An individual member's vote may be recorded at the member's request.

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

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

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

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

**Rule 1308. Committee Action on Bills and Resolutions.** (a) A committee shall not take action to report a bill out of committee on the same day that the committee holds a hearing on the bill unless the committee approves such action by a two-thirds vote.

(b) A committee may recommend amendments to measures referred

to it which are germane to the subject of the measure. Committee recommendations shall be made by committee report to the House. Committee reports shall be signed by the chairperson or other committee members authorized by the committee to make the report, and shall be transmitted to the House not later than the second legislative day following the action of the committee.

(c) All committee reports on bills and resolutions shall be recorded in the Journal.

(d) If amendments are pending on a measure when referred to a committee, the amendments accompany the bill and the committee may recommend the adoption or rejection of the amendments already proposed and make further recommendations.

**Rule 1309. Motion to Withdraw a Bill or Resolution from a Committee.** (a) If a committee does not report on any bill or resolution within 10 legislative days after its reference to the committee, the bill or resolution may be withdrawn from the committee by an affirmative vote of 70 members of the House. Such a motion shall be made in writing, giving the reasons for withdrawal from the committee. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If the motion prevails, the bill or resolution shall be placed on the calendar under the order of business General Orders.

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

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

**Rule 1310. Wireless Electronic Telecommunications Devices.**

Except for security personnel authorized by the Speaker, the use of wireless electronic telecommunications devices emitting an audible sound or tone to announce or initiate communications in a committee room is prohibited during any time when a committee or subcommittee is in session in the room.

ARTICLE 15. CALENDAR LOCATION OF BILLS AND RESOLUTIONS

**Rule 1501. General Orders; Description and Function.** Bills, concurrent resolutions and House resolutions reported for further action by the committee to which they were referred and bills and concurrent resolutions referred directly to the committee of the whole shall constitute the General Orders of the calendar of the House. The titles of such bills and resolutions shall appear under the heading General Orders in the order directed by the committee on calendar and printing. The reporting committee

and its action on the bill or resolution shall be shown under each thereof. Such bills and resolutions shall be considered by the committee of the whole in the order which they appear on General Orders.

**Rule 1502. Posting of Sequence for Succeeding Day.** When the committee on calendar and printing has prepared the sequence of bills and resolutions to appear on General Orders for the succeeding legislative day, a copy of the list giving the number designation of each bill and resolution in the order they are to appear shall be posted near the entrance to the House chamber. No bill or resolution shall appear on General Orders or be considered in the Committee of the Whole without notice of the same having been announced in the House not later than 4:00 p.m. or prior to adjournment if at a later hour on the previous day.

**Rule 1503. Change in the Sequence on General Orders.** (a) The order of a bill or resolution on General Orders may be changed by unanimous consent or by the affirmative vote of 70 members.

(b) Also, the order of a bill or resolution on General Orders may be changed by vote of a majority of all members then elected (or appointed) and qualified of the House on a motion made as provided in this subsection (b). Such a motion shall be made in writing, giving the reasons for the proposed change. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions. Only one bill or resolution may be named in such a motion. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made. If such a motion fails, a motion to change the order on General Orders of such bill shall not be in order until the fifth legislative day following such failure.

(c) Motions to change the order of a bill or resolution on General Orders are not subject to amendment or debate.

(d) This Rule 1503 does not apply to the addition or removal of a bill or resolution from General Orders.

**Rule 1504. Adversely Reported Bills and Resolutions; Calendar Location.** Bills and resolutions that are adversely reported shall appear on the calendar for one day under the heading bills adversely reported.

**Rule 1505. Motion to Move Adversely Reported Bill or Concurrent Resolution to General Orders.** (a) A motion to add an adversely reported bill or resolution to General Orders shall be made in writing. Such motion shall be made under the order of business introduction and notice of original motions and House resolutions, and such motion may not be made after the legislative day when the bill or resolution appears on the calendar under Rule 1504. The motion shall be read by the chief clerk or the member making the motion and shall be printed in the calendar of the next legislative day under the order of business consideration of motions and House resolutions offered on a previous day. The motion shall be considered on the legislative day following the day it is made.

(b) When a bill or resolution has been separately referred and is

adversely reported by the first committee of separate reference, a motion to add the adversely reported bill or resolution to General Orders is not in order, but a motion to move the adversely reported bill or resolution to the next committee of separate reference may be made in the same manner as the motion in subsection (a).

(c) Adoption of a motion under this Rule 1505 requires the affirmative vote of 70 members of the House.

(d) If a motion under subsection (a) prevails, the words "Adversely Reported" shall be printed in a line below the title of the bill when it is listed on General Orders.

**Rule 1506. Motion to Lay on Table Bill or Resolution while on Final Action Subject to Amendments and Debate.** When a motion to lay on the table a bill or resolution is adopted while on final action subject to amendment and debate, on the next legislative day such bill or resolution shall be placed on the calendar under the order of business the unfinished business before the House at the time of adjournment on the previous day.

**Rule 1507. Disposition of Bills Subject to Certain Deadlines.** Any bill which is subject to a deadline for consideration under subsection (e) or subsection (f) of Joint rule 4 of the Joint Rules of the Senate and House of Representatives and which remains on general orders at the close of business on such deadline day shall be considered as killed and shall be stricken from the calendar unless such bill is referred by the speaker to a committee before the close of business on such day. Any bill so referred shall be subject to all applicable deadlines under the Joint Rules of the Senate and House of Representatives.

#### ARTICLE 17. MEMBERS ADDRESSING THE HOUSE

**Rule 1701. Requesting the Floor.** Any member desiring to request the floor shall press the member's "speak bill" button, and shall not proceed until recognized by the chair.

**Rule 1702. Order During Speaking.** While a member is speaking to the House, no other member shall engage in private conversation or pass between the member speaking and the chair.

**Rule 1703. When Question is Put.** While a question is being put or a roll call or division is being taken, members are not to speak or leave their seats.

**Rule 1704. Violation of Rules While Speaking.** (a) Members shall address the House from the microphone located in the well of the House chamber.

(b) No member shall speak more than twice on the same day to the same question without leave of the House, unless the member is the mover or is carrying the measure, in which case such member may open and close the debate and may respond to direct questions from other members addressed to them during the course of consideration of the measure. For the purposes of this subsection, an amendment to any measure shall be considered as a separate and independent question.

(c) The privilege of a member carrying a measure to open and close the debate shall not be affected by any order for the previous question or that

debate shall cease. Such member may occupy 20 minutes in closing the debate after the previous question is ordered and may divide that time with other members.

(d) While a member is carrying a measure, such member may yield to another member for explanation of the measure, or for personal explanation, or for a motion to adjourn without losing the privilege to carry the measure for the remainder of their time except that such member may not yield to any member who has already spoken twice on such question on the same day.

(e) If any member, in speaking, violates the rules of the House, the chair shall call such member to order.

#### ARTICLE 19. COMMITTEE OF THE WHOLE

##### **Rule 1901. Motion to go into Committee of the Whole House.**

When the order of business General Orders is reached, a motion shall be in order for the House to go into Committee of the Whole for consideration of bills and resolutions as listed on General Orders.

**Rule 1902. Committee of the Whole; Normal Procedure.** Bills and resolutions shall be considered in the Committee of the Whole as follows: If the standing committee has recommended that the bill or resolution be amended, the standing committee report shall first be considered, and if it is adopted, the bill as amended by the committee report shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. If the committee report is not adopted, or if the committee has recommended no amendments, the bill, without committee amendments, shall be considered section by section, and as each section is considered, amendments from the floor are in order to that section. After a section has been once considered, no amendment thereto shall be in order until the whole bill shall have been considered section by section. After the original bill, together with standing committee amendments if any, has been considered section by section, the chairperson shall announce, "Amendments to the bill generally are in order," and amendments not before offered may be made to any part of the bill. A motion that when the committee arises it report a bill favorably, or report a bill favorably as amended, shall not be in order until all other motions have been disposed of, and such a motion shall not be offered as a substitute motion. A motion to strike the enacting clause is in order at any stage until the final vote is announced. The motion to strike the enacting clause may be debated upon the merit of the proposition, and shall not be subject to amendment or substitution. A roll call vote shall be taken upon a motion to strike the enacting clause.

**Rule 1903. Motion to Pass Over a Bill or Resolution While in Committee of the Whole.** When in the Committee of the Whole, either (1) a motion to pass over a bill or resolution and that it retain its place on the Calendar or (2) a motion to pass over a bill or resolution and that it retain a place on General Orders shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Either motion shall require the vote of a



majority of the members present for adoption. Motions under this rule shall not be subject to debate.

**Rule 1904. Motions to Refer Bills or Resolutions to a Committee While in Committee of the Whole.** When in the Committee of the Whole, motion may be made to refer a bill or resolution to a standing committee only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it. Such motion shall require the vote of a majority of the members present for adoption.

**Rule 1905. Striking Bills and Resolutions from the Calendar While in Committee of the Whole.** (a) While in Committee of the Whole, a motion to strike a bill or resolution from the calendar shall be in order only after the chairperson has announced that the next order of business is such bill or resolution and has recognized a member to carry it.

(b) A motion to strike a bill from the calendar under this Rule 1905 (1) shall require a vote of a majority of the members present for adoption, and (2) shall be subject to roll call in accordance with subsection (e) of Rule 2507, but shall not be subject to a call of the House under Rule 2508.

**Rule 1906. Requesting the Floor.** Any member desiring to request the floor shall press such member's "speak bill" button to speak on a bill or offer an amendment and "speak amendment" button to speak on a pending amendment, and shall not proceed until recognized by the chairperson of the Committee of the Whole.

**Rule 1907. Rules Applicable.** The same rules, except Rule 2508, shall be observed in the Committee of the Whole as in the House, so far as the same are applicable, except that the previous question and the motion to lay on the table shall not apply.

**Rule 1908. Rise and Report.** A motion for the Committee of the Whole to rise and report shall be in order at any stage, and shall be decided without debate. When the Committee of the Whole has a bill under consideration and rises without final action thereon, the bill shall retain a place on General Orders.

**Rule 1909. Effect of Recommendation of Committee of the Whole.** Bills recommended for passage and resolutions recommended for adoption by the Committee of the Whole shall not be subject to amendment or debate after the adoption by the House of the Committee of the Whole report. When a bill or resolution is reported with the recommendation that the enacting or resolving clause be stricken, and the Committee of the Whole report is adopted by the House, the bill or resolution shall be considered as killed and shall be stricken from the calendar.

**Rule 1910. Report of Committee of the Whole.** When the report of the Committee of the Whole recommends the passage of a bill or adoption of a resolution, and the report is adopted by the House, such bills and resolutions shall be considered as ordered to the order of business Final Action. If the bill or resolution has been amended by the Committee of the Whole it shall be reprinted.

ARTICLE 21. AMENDMENT OF BILLS AND RESOLUTIONS

**Rule 2101. Germaneness.** Amendments to bills and resolutions shall be germane to the subject of the bill or resolution. The principal test of whether an amendment is germane shall be its relationship to the subject of the bill or resolution, rather than to wording of the title thereof. The amendment, including any amendment from the floor to strike all of the substantive provisions of a bill or resolution and insert other provisions, must be relevant, appropriate, and have some relation to or involve the same subject as the bill or resolution to be amended. For the purposes of this rule the subject matter of any appropriation bill is the spending and appropriating of money and any amendment which changes the amount of money spent in any state agency or program is germane to any appropriation bill.

Any member, upon recognition by the presiding officer, may request a ruling upon the germaneness of any amendment to a bill or resolution. All rulings upon the question of germaneness shall be made by the chairperson of the House Committee on Rules and Journal. At the time of making such ruling, the chairperson shall state the reasons or basis for such ruling. Appeals from rulings of the chairperson may be taken upon the motion of any member. Such appeals shall be in order at the time of the making of the ruling and shall take precedence over any question pending at the time the chairperson makes such ruling. Appeals from the ruling of the chairperson shall be debatable only by the member making the motion to amend which is the subject of the ruling, the member carrying the measure sought to be amended, the Majority Leader or a member designated by the Majority Leader and the Minority Leader or a member designated by the Minority Leader. Debate upon the ruling of the chairperson shall be limited to the question of the germaneness of the proposed amendment. At the conclusion of debate the presiding officer shall inquire: "Shall the chairperson's ruling be sustained?"

**Rule 2102. Form of Amendment Motions.** Motions to amend bills and resolutions shall specify the page and line number, as shown on the printed bill or resolution, and shall be in writing on a form provided by the House or a form substantially similar. Prior to making a motion to amend, the written motion shall be delivered to the chief clerk. In the case of amendment by substitute bill, motion shall be made to substitute a written bill for the bill under consideration.

**Rule 2103. Reading Amendments; General Rule.** Motions to amend bills and resolutions shall not require readings as for bills introduced, except as otherwise provided in Rule 2107, but shall be subject to Rule 2306.

**Rule 2104. Motions to Amend Motions.** A motion to amend a motion to amend a bill or resolution shall not be in order.

**Rule 2105. Dividing Amendments.** (a) When any motion to amend a bill or resolution contains distinct propositions it shall be divided by the chairperson at the request of any member. The division by the chairperson shall be made in accordance with the following:

(1) A motion to strike out and insert words of less than a sentence shall be indivisible;

(2) the distinct propositions shall be only in the form submitted in the motion to amend; and

(3) each proposition must be so distinct that, one being removed, the remainder may stand entirely on their own.

(b) Upon a request to divide a motion to amend a bill or resolution, the chairperson shall inquire as to whether there is a request for a ruling on germaneness of the motion to amend. If such a request is made, the issue of germaneness shall be determined prior to dividing the motion.

If no request for a ruling on germaneness of the motion to amend is made, the chairperson shall proceed to divide the motion to amend in accordance with this rule, and no subsequent request for a ruling on germaneness of any distinct proposition of the motion so divided shall be in order.

(c) The chairperson, or any member, may request that the member requesting the division make the request in writing specifying the manner in which the motion to amend should be divided.

(d) The chairperson may request that the member requesting the division and the chairperson or the vice-chairperson of the Committee on Rules and Journal recommend an appropriate division, but the final ruling on how to divide the motion to amend shall be that of the chairperson who shall announce the division to the body.

(e) The division of the motion to amend shall be in accordance with the rules of the House and with items (1) to (3), inclusive, of subsection (a). The ruling of the chairperson on how to divide the motion to amend shall not be subject to appeal except that any member may appeal the ruling of the chairperson on the grounds that the division is not in accordance with a rule of the House including the provisions of items (1), (2) or (3) of subsection (a), or any combination thereof.

**Rule 2106. Substitute Motions.** No substitute motion to amend a bill or resolution shall be in order.

**Rule 2107. Subject Change by Senate.** (a) When the Senate adopts amendments to a House bill which materially changes its subject, upon return of such bill to the House, it shall be read as provided for the introduction of bills and be referred as provided in Rule 901.

(b) The Speaker may determine when a bill is subject to subsection (a).

**Rule 2108. Motions to Strike Out and Insert.** The rejection of a motion to amend a bill or resolution by striking out and inserting one proposition shall not prevent a motion to strike out and insert another proposition, nor prevent a subsequent motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.

**Rule 2109. Identical Motions.** Except upon the unanimous consent of the House, an identical motion to amend a bill or resolution shall not be made a second time on the same legislative day.

#### ARTICLE 23. PROCEDURAL MOTIONS

**Rule 2301. Order of Motions.** When a question is under

consideration, no motion shall be received except as specified under the Rules of the House, which motions shall have precedence in the following order:

- (a) For adjournment of the House.
- (b) For call of the House.
- (c) To lay on the table.
- (d) For the previous question.
- (e) To postpone to a certain time.
- (f) To commit to a standing committee.
- (g) To commit to a select committee.
- (h) To reject the adoption of reports of conference committees coupled with the request for appointment of a new conference committee.
- (i) To adopt the report of conference committees.
- (j) To amend.
- (k) To postpone indefinitely.

**Rule 2302. Motion to Adjourn.** The motion to adjourn shall always be in order, except while a vote is being taken and until announced, or when a member has the floor, or when the previous question is pending; but a motion to recess is not equivalent to a motion to adjourn.

**Rule 2303. Motion to Reconsider.** A motion to reconsider shall take precedence of all other questions except the motion to adjourn. No motion for reconsideration of any vote shall be in order, unless made on the same day or the legislative day following that on which the decision to be reconsidered took place, nor unless a member voting with the prevailing side shall move such reconsideration. A motion for reconsideration, being put and lost, shall not be renewed, nor shall any subject or vote be a second time reconsidered without unanimous consent, but this provision shall not be construed as preventing the introduction of a bill on the same subject. The member moving for reconsideration shall be allowed not more than two minutes for stating the reasons in support of the motion. Such motion shall be subject to debate by any member, stating reasons in support or opposition to the motion. Each of such members shall be allowed not more than one minute for the purpose of such debate. Such motion shall require the affirmative vote of members equal in number to that required to take the action proposed to be reconsidered. A motion to reconsider any final action of the House shall be in order at any time prior to the time at which the message of the House thereon is read into the record of the Senate. A motion to reconsider any final action of the House may be made after the time at which the message of the House thereon is read into the report of the Senate but any action taken pursuant thereto will be contingent upon the return of the measure to the House by the Senate.

**Rule 2304. Previous Question.** The "previous question" shall be: "Shall the main question be now put?" and until it is decided shall preclude all amendments or debate. When voting on the previous question, the House decides that the main question shall not now be put, the main question shall be considered as still remaining under debate. The main question shall be on the passage of the bill, resolution or other matter under consideration. When

amendments are pending, a vote shall first be taken upon such amendments in their order without further debate or amendment.

A majority vote of the members present shall order the previous question.

**Rule 2305. Motions Not Subject to Debate.** All questions relating to priority of business shall be decided without debate. The motion to adjourn, to change the order of consideration of a bill, for a call of the House, and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate on the main question.

**Rule 2306. Motion to Refer Bills or Resolutions to Committee When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to refer a bill or resolution from the Calendar to a standing committee shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2307. Motion to Strike Bills and Resolutions from Calendar When Not in Committee of the Whole.** When not in the Committee of the Whole, a motion to strike a bill or resolution from the Calendar shall be in order only when the body is meeting as the House of Representatives and shall be authorized only when offered by the Majority Leader, or in the absence of the Majority Leader, by the Assistant Majority Leader. Such motion shall require the affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 2308. Stating Question.** Every motion shall be first stated by the presiding officer or read by the chief clerk, before debate, and again immediately before putting the question.

**Rule 2309. Dividing Motion.** If any motion, other than a motion under Rule 2105, contains distinct propositions it shall be divided by the chairperson at the request of any member. Motions under Rule 2105 shall be divided in accordance with that rule.

**Rule 2310. When Motions to be in Writing.** Every motion, except those specified in Rules 2301 and 2303, shall be in writing if the Speaker or any member desires it. All motions to amend a bill or resolution and all resolutions shall be in writing.

**Rule 2311. Suspension of Rules of the House.** (a) No rule of the House shall be suspended except by unanimous consent or by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House, subject to the following exceptions:

(1) A motion to suspend the rules, and to declare an emergency and to advance a bill to the order of business Final Action, as contemplated in article 2, section 15 of the Constitution shall require an affirmative vote of 2/3 of the members present in the House.

(2) A motion to suspend the rules and to permit amendment and debate of a bill under the order of business Final Action shall require an

affirmative vote of 2/3 of the members present in the House.

(b) When under the rules of the House a motion, question or action requires a vote of a majority greater than a majority of the members present, the majority specified for such motion, question or action shall be required to suspend the rules for the purpose of such motion, question or action. When under the rules of the House notice of a motion reduces the required majority for adoption of the motion, the required majority shall not be reduced if the notice is disposed of by suspension of the rules.

(c) Suspension of the rules or unanimous consent shall not reduce the majority required under subpart (1) of subsection (a) of this rule.

**Rule 2312. Mason's Manual; When Applicable.** (a) In any case where rules of the House or the joint rules of the Senate and House do not apply, Mason's Manual of Legislative Procedure (2000 edition), with the exception of section 4, paragraph 2, shall govern.

(b) Rules of legislative procedure are derived from several sources and take precedence in the order listed below. For the Kansas House of Representatives, the principal sources are as follows: (a) Constitutional provisions; (b) statutory provisions; (c) adopted rules; (d) adopted parliamentary authority; (e) custom, usage and precedents.

#### ARTICLE 25. VOTING

**Rule 2501. Control and Use of Voting System.** The electronic voting system shall be under the control of the Speaker or other presiding officer and shall be operated by the chief clerk. The electronic voting system shall be used to record the vote whenever a roll call vote is taken on any question and may be used for ascertaining the vote upon any measure upon which a division of the assembly has been called. In the event that the system is not operating properly, roll call votes may be taken by calling the roll.

**Rule 2502. Procedure for Taking a Roll Call Vote.** When a roll call vote is taken, the presiding officer shall state the question and instruct the members to proceed to vote. When sufficient time has been allowed the members to vote, the presiding officer shall inquire: "Has every member had an opportunity to vote?" After a short pause the presiding officer shall direct the chief clerk to close the roll. After the roll has been closed, when Rule 2505 applies, the presiding officer shall inquire: "Does any member desire to explain their vote?" and any member so desiring may give such explanation when recognized by the presiding officer. The presiding officer shall inquire: "Does any member desire to change their vote?" If any member does desire to change their vote, such member when recognized by the presiding officer, shall advise how they desire to change such vote and the presiding officer shall then instruct the chief clerk to make the appropriate change. A member who has not previously voted may vote at this time when permitted by the presiding officer. Such member shall advise how they wish to vote and the presiding officer shall then instruct the chief clerk to record such vote. After all members who desire to vote or to change their votes have had reasonable opportunity to do so, the presiding officer shall direct the chief clerk to record the vote, and when the vote is recorded the presiding officer shall announce the vote.

**Rule 2503. Display of Recurring Totals.** Under Rule 2502, recurring totals shall be displayed only after the roll is closed. No recurring totals shall be displayed for a determination of the vote upon a division of the assembly.

**Rule 2504. Voting by Members.** (a) A member may vote only when at their desk or at any place within the chamber of the House when authorized by the presiding officer, who shall direct the chief clerk to so vote for such member.

(b) No member shall vote for another member. No person not a member shall cast a vote for a member, except as otherwise provided in the rules. In addition to such penalties as may be prescribed by law, any member who votes or attempts to vote for another member shall be subject to Article 49 of these rules. If a person not a member votes or attempts to vote for any member, such person shall be barred from the floor of the House for the remainder of the session, and, in addition to penalties prescribed by law, may be punished further as the House determines.

(c) The Speaker shall not be compelled to vote except in case of a tie.

**Rule 2505. Explaining Vote.** Any member may, when a roll call vote is being taken on the passage or adoption of any bill or resolution, explain their vote. Such member shall be allowed not more than one minute for such explanation. Such explanation, if furnished in writing and signed, with printed name and district number, by such member by 4:00 p.m. upon the day the vote is taken or if the vote is taken subsequent to 3:30 p.m., within one-half hour after the adjournment of the House on that day, shall be entered in the Journal, provided it does not contain more than 100 words.

**Rule 2506. Copies of Voting Records.** (a) Unless otherwise ordered, the chief clerk shall record each roll call vote and make copies available for the use of the news media. No record shall be made of the vote of any member voting upon any measure upon which a division of the assembly has been called.

(b) When a roll call vote is taken, it shall be recorded in the Journal by a statement of the names and total number voting in the affirmative, the names and total number voting in the negative, names and total number indicating presence but not voting and the names and total number absent or not voting, except that the provisions of this section shall not permit a member to fail to vote in violation of Rule 2508.

**Rule 2507. When Roll Call Vote to be Taken.** (a) A roll call vote shall be taken for the passage of any bill.

(b) A roll call vote shall be taken for the adoption of any concurrent resolution to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate. A roll call vote is not required for adoption of concurrent resolutions pertaining to commendations

or acknowledgments, unless required under subsection (e) of Rule 2507.

(c) A roll call vote shall be taken for the adoption of any House resolution to adopt, amend or revoke any rule of the House or to reject any executive reorganization order.

(d) A roll call vote shall be taken to concur in Senate amendments to any bill or concurrent resolution or to adopt any conference committee report other than a report agreeing to disagree.

(e) A roll call vote shall be taken on any question on demand of 15 members, unless a roll call vote is already pending.

**Rule 2508. Call of the House.** (a) A call of the House shall be ordered on the demand of any 10 members at any stage of the voting previous to the announcing of the vote or, if the voting system is used, prior to recording the vote. This Rule 2508 shall apply to the taking of a vote upon the final passage of any bill or final adoption of any resolution whether under the order of business Final Action or under any order of business. Also, this Rule 2508 shall apply to the taking of a vote on a motion to strike the enacting clause of a bill and the resolving clause of a resolution and on a motion to strike all after the enacting clause or resolving clause, except when the House is in the Committee of the Whole. When the call of the House is once invoked, then all members present during the call, shall be required to vote before the call is raised. The call of the House shall not be raised (so long as 10 members continue the demand) until a reasonable effort has been exerted to secure absentees.

(b) Any member, who is directly interested in a question, may be excused from voting, when there is a call of the House. The member, who is requesting to be excused from voting, shall state the reasons therefor, occupying not more than five minutes. The question on excusing such member from voting shall be taken without debate and a 2/3 majority of members present shall be necessary to excuse such member. If a member refuses to vote, when not excused, such refusal shall constitute grounds for reprimand, censure or expulsion under Article 49 of the Rules of the House.

**Rule 2509. Voice Vote; Division of the Assembly.** Except when a roll call vote is required a voice vote shall be taken on all questions. Any member may call for a division of the assembly to determine the vote by the voting system.

#### ARTICLE 27. FINAL ACTION

**Rule 2701. Description and Function.** Subject to Rule 2705, bills and resolutions reported favorably by the Committee of the Whole shall constitute the order of business Final Action of the House. The titles of such bills and resolutions shall appear under the heading Final Action in numerical order. The standing committee which reported it and the Committee of the Whole action on the bill or resolution shall be shown under each thereof.

**Rule 2702. Reading and Vote.** Each bill and resolution under the order of business Final Action shall be read by title, except citations of statutes amended or repealed and a roll call vote shall then be taken upon final passage or adoption without amendment or debate.

**Rule 2703. Amendment and Debate, When.** Upon motion as



provided in subpart (2) of subsection (a) of Rule 2311 or when recommended in the Committee of the Whole report which has been adopted by the House, bills or resolutions may be debated and amended on Final Action prior to the vote taken upon final passage or adoption. Each bill or concurrent resolution considered under this Rule 2703 shall be considered in the manner provided in Rule 1902 so far as it is applicable. A motion to strike the enacting clause or resolving clause shall be in order.

**Rule 2704. Speaker to Preside.** Subject to Rule 3303, the Speaker shall preside during the order of business Final Action.

**Rule 2705. Consent Calendar.** Whenever a standing committee is of the opinion that a bill or concurrent resolution upon which it is reporting is of a noncontroversial nature, it shall so state in its committee report. Whenever a bill or concurrent resolution is so reported, it shall be placed upon the Consent Calendar. Each bill or concurrent resolution placed on the Consent Calendar shall remain thereon for at least two full legislative days before being considered under the order of business Final Action. Under the order of business Consent Calendar and prior to the call for the vote, any member may object to the bill or concurrent resolution as being controversial and thereupon it shall be removed from the Consent Calendar and shall be placed on General Orders. If no objection is made prior to the call for the vote on the bill or concurrent resolution, it shall be ordered to Final Action for vote before other bills and concurrent resolutions on Final Action.

**Rule 2706. Majority for Bill Passage.** As provided in section 13 of article 2 of the Constitution of Kansas, a majority of the members then elected (or appointed) and qualified, voting in the affirmative, shall be necessary for the passage of a bill.

**Rule 2707. Vote Required for Adoption of House Resolutions and Concurrent Resolutions.** (a) A majority of the members then elected (or appointed) and qualified voting in the affirmative shall be necessary to adopt House resolutions and concurrent resolutions, except as otherwise specified in these rules.

(b) Adoption of concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall require a 2/3 majority of the members then elected (or appointed) and qualified, voting in the affirmative.

**Rule 2708. Motion to Adopt Report of Conference Committee.** The member carrying the report of a conference committee shall move that such report be adopted prior to yielding the floor to any other member and a motion to adopt a report of a conference committee shall not be offered as a substitute motion.

#### ARTICLE 29. RESOLUTIONS

**Rule 2901. Resolving Clause; Form.** (a) Concurrent resolutions to amend the Constitution of the state of Kansas, to call a Kansas constitutional

convention, to extend a session of the Legislature in even-numbered years, to ratify any amendment of the Constitution of the United States, to make any application for Congress to call a convention for proposing amendments to the Constitution of the United States and when required by the joint rules of the House and Senate shall have a resolving clause which reads, "Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the House of Representatives and two-thirds of the members elected to the Senate concurring therein."

(b) Concurrent resolutions for any purpose other than subsection (a) shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein."

(c) House resolutions shall have a resolving clause which reads, "Be it resolved by the House of Representatives of the State of Kansas."

**Rule 2902. House Resolutions; Introduction and Consideration.**

(a) House resolutions, except for those changing rules of the House or approving or rejecting executive reorganization orders, shall lay over at least one legislative day before action is taken thereon and do not require a roll call vote unless required under subsection (e) of Rule 2507.

(b) Resolutions shall be considered under the order of business consideration of motions and House resolutions offered on a previous day, except House resolutions to (1) adopt, amend or revoke any rule of the House or (2) when the resolution has been referred to a standing committee and reported favorably. Resolutions under subparts (1) and (2) shall take a place on General Orders when favorably reported or when referred to the Committee of the Whole by the Speaker.

**Rule 2903. Resolutions; Limitations.** (a) Appropriations shall not be made by resolutions.

(b) Resolutions do not require approval of the Governor.

**Rule 2904. Applications for Introduction of certain Resolutions; Committee on Calendar and Printing; Certificate of the House.**

Notwithstanding any other rule of the House of Representatives to the contrary, no House resolution or concurrent resolution which congratulates, commemorates, commends, honors or is in memory of any individual, entity or event shall be introduced by a member or committee of the House of Representatives unless application for approval of the introduction of such resolution is first made to the Committee on Calendar and Printing, and the resolution is approved for introduction by the Committee on Calendar and Printing. The application shall be determined on the basis of content alone. The Committee on Calendar and Printing shall consider all such applications and shall determine whether a House resolution or House concurrent resolution should be approved for introduction, or whether a certificate of the House should be approved for issuance or whether no action should be taken on the application. The Committee on Calendar and Printing shall report to the House the decision of the committee on each application approved by the committee under this rule for the introduction of a House resolution or House concurrent resolution or issuance of a certificate of the House.

**Rule 3301. Elected Member Officers.** The Speaker and the Speaker Pro Tem shall be members and shall be elected by the members of the House, except as otherwise provided in subsection (b) of Rule 3304.

**Rule 3302. Duties of the Speaker.** In addition to other powers and duties of the Speaker provided by the Rules of the House and by law, the Speaker shall have the powers and duties as follows:

- (a) To preserve order and decorum;
- (b) to decide all questions of order, subject to appeal to the House;
- (c) in the absence of the Speaker Pro Tem, to appoint any member to perform the duties of the chair for not more than two consecutive legislative days; and
- (d) to name a chairperson to preside when the House is in Committee of the Whole.

**Rule 3303. Speaker Pro Tem.** In the absence of the Speaker, the Speaker Pro Tem shall exercise the powers and duties of the Speaker.

**Rule 3304. Filling Certain Vacancies.** (a) When a vacancy occurs in the office of Speaker and the Legislature is adjourned to a date more than 60 days after the occurrence of the vacancy, the House of Representatives shall meet within 30 days and elect a member to fill the vacancy. The Speaker Pro Tem shall within 10 days of such occurrence issue a call for such meeting at a time not less than 10 days and not more than 20 days after the date of the call.

(b) When a vacancy occurs in the office of Speaker Pro Tem or Majority Leader of the House of Representatives, the Speaker shall appoint an acting Speaker Pro Tem or acting Majority Leader, to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original election or selection of such officer.

(c) When a vacancy occurs in the office of Minority Leader of the House of Representatives and the Legislature is adjourned to a date less than 30 days after the occurrence of the vacancy, the Assistant Minority Leader shall become the acting Minority Leader to serve until the convening of the next session of the Legislature, at which time the vacancy shall be filled in the manner provided for the original selection of such officer. When a vacancy occurs in the office of the Minority Leader of the House and the Legislature is adjourned to a date 30 days or more after the occurrence of the vacancy, the Assistant Minority Leader shall within 10 days after such occurrence issue a call for a meeting of the members of the minority party at a time not less than 10 and not more than 20 days after the date of the call to be held in the state capitol for the purpose of filling the vacancy in the office of Minority Leader for the remainder of the term of office. From the time of the occurrence of such vacancy until the filling of the vacancy, the Assistant Minority Leader shall serve as acting Minority Leader and shall exercise the powers and duties of the Minority Leader.

When a vacancy occurs in the office of Assistant Minority Leader, the Minority Leader shall appoint an Assistant Minority Leader to serve until the convening of the next session of the Legislature, at which time the

vacancy shall be filled in the manner provided for the original selection of such officer.

(d) Any person elected, appointed or designated to fill a vacancy under this rule shall exercise all of the duties and powers prescribed for the office so filled.

#### ARTICLE 35. NONMEMBER OFFICERS

**Rule 3501. Chief Clerk; Appointment.** The chief clerk shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker. As used in the Rules of the House, "chief clerk" means the chief clerk appointed under this Rule 3501 or a person designated by the chief clerk to perform a function of the chief clerk.

**Rule 3502. Duties of the Chief Clerk.** The chief clerk shall supervise the keeping of and be responsible for a record of all proceedings of the House; number and present to the House all bills, resolutions, petitions and other papers which the House may require; deliver all messages from the House to the Senate; transmit bills and other documents to be printed and take a receipt therefor; transmit bills for engrossment and take receipt therefor; receive all bills, resolutions and other papers which are enrolled and give receipt therefor; and cause all enrolled bills, resolutions and other documents to be proofread and corrected prior to signing thereof by officers of the House.

**Rule 3503. Other Clerks.** The chief clerk shall appoint additional clerks and personnel to assist in performance of the duties of the chief clerk. Such additional clerks and personnel shall serve under the chief clerk's direction, control and supervision and at the pleasure of the chief clerk.

**Rule 3504. Document Care.** No bill, resolution, petition or other document shall be loaned or delivered to any person, except when delivered to an officer of the House, to the director of printing, the revisor of statutes or the Senate and only upon a written receipt therefor.

**Rule 3505. Sergeant at Arms; Appointment.** The sergeant at arms shall be appointed by the Speaker and shall serve under the Speaker's direction, control and supervision and at the pleasure of the Speaker.

**Rule 3506. Duties of the Sergeant at Arms.** The sergeant at arms shall preserve order within the chamber of the House and its lobby and galleries. The sergeant at arms may arrest and take into custody any person for disorderly conduct, subject at all times to the authority of the House or Speaker, or chairperson of the Committee of the Whole, and shall be responsible for the enforcement of Rules 501 through 506 and 2506(a). The sergeant at arms shall receive items or material for distribution among the members of the House. The sergeant at arms shall execute all orders of the House not otherwise provided for.

**Rule 3507. Assistant Sergeants at Arms.** The Speaker may appoint and remove assistant sergeants at arms to serve under the supervision of the sergeant at arms. All doorkeepers shall be assistant sergeants at arms.

#### ARTICLE 37. AMENDMENT OF RULES OF THE HOUSE

##### **Rule 3701. Adopting, Amending or Revoking Rules of the**

**House.** No rule of the House shall be adopted, amended or revoked except by a House resolution which has been adopted by an affirmative vote of a majority of the members then elected (or appointed) and qualified to the House.

**Rule 3702. Resolutions for Rule Changes.** (a) Notwithstanding any other rule of the House, the Speaker shall refer all resolutions which provide for the adoption, amendment or revocation of any House rule to the standing Committee on Rules and Journal before its consideration by the House.

(b) No resolution relating to the rules of the House which has been referred to the standing Committee on Rules and Journal shall be tabled or reported adversely by such committee except by the unanimous vote of all members of such committee.

**Rule 3703. Printing.** Resolutions to which this Article 37 apply shall be printed and are subject to subsection (c) of Rule 2507.

**Rule 3704. Adoption of Resolutions.** Resolutions to which this Article 37 apply shall be subject to Rule 2902.

**Rule 3705. Special Sponsorship of Rule Change Resolutions.** Notwithstanding any provision of the rules of the House to the contrary, no referral to the standing Committee on Rules and Journal shall be required for the adoption of a resolution adopting, amending or revoking any one or more rules of the House at the commencement of a legislative session, and adoption of any such resolution shall require only the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified, subject to the following conditions: (a) The resolution is sponsored by the Speaker or the standing Committee on Rules and Journal and (b) either (1) a copy thereof is mailed to each member by deposit in the United States mails not later than 11:00 p.m. on the Thursday preceding the Monday on which the legislative session is to commence or (2) in lieu of mailing, copies of the resolution are made available to members on the first day of the legislative session and consideration under Rule 3704 occurs on the second legislative day.

#### ARTICLE 39. FORM AND PRINTING OF BILLS AND RESOLUTIONS

**Rule 3901. Bills Amending Existing Statutes.** Any bill intended to amend or repeal any section or sections of the Kansas Statutes Annotated shall recite in its title the section or sections to be amended or repealed, and if to amend or repeal any section of a session law not in Kansas Statutes Annotated, the section and chapter of the session law affected.

**Rule 3902. Bills, Copies.** Each bill introduced shall consist of an original and copies. All bills shall be printed with as many copies as the Speaker specifies. Except for prefiled bills, printing shall be ordered subsequent to introduction.

**Rule 3903. Showing Committee Amendments.** All bills and resolutions reported by a committee with recommendation for amendments and to be passed as amended shall be reprinted.

**Rule 3904. Substitute Bills and Substitute Concurrent**

**Resolutions.** (a) When a substitute bill is recommended by a committee report, and when an amendment from the floor is adopted replacing the bill under consideration with a substitute bill, the substitute bill shall be printed in the manner provided for bills introduced, and the bill number designation shall be substantially as follows:

(1) In the case of bills substituted for House bills, "Substitute for House Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(2) In the case of bills substituted for Senate bills, "House Substitute for Senate Bill No. \_\_\_\_\_," and the blank shall be filled with the number of the bill for which substitution is made or recommended.

(b) When a substitute concurrent resolution is recommended by a committee report, and when an amendment from the floor is adopted replacing the concurrent resolution under consideration with a substitute concurrent resolution, the substitute concurrent resolution shall be printed in the manner provided for concurrent resolutions introduced, and the concurrent resolution number designation shall be substantially as follows:

(1) In the case of concurrent resolutions substituted for House concurrent resolutions, "Substitute for House Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

(2) In the case of concurrent resolutions substituted for Senate concurrent resolutions, "House Substitute for Senate Concurrent Resolution No. \_\_\_\_\_," and the blank shall be filled with the number of the concurrent resolution for which substitution is made or recommended.

**Rule 3905. Appropriation Bills.** All bills making an appropriation shall be printed and distributed at least 24 hours before such bills are considered by the House.

**Rule 3906. Committee of the Whole Amendments.** If a bill or concurrent resolution is amended by the Committee of the Whole, it shall be reprinted showing the amendments.

**Rule 3907. Concurrent Resolutions, When Printed.** (a) Concurrent resolutions to amend the Constitution of Kansas, to call a constitutional convention to amend the Kansas constitution, to ratify amendments to the Constitution of the United States, to apply for a United States constitutional convention or to amend the joint rules of the House and Senate shall be printed as provided for bills under Rule 3902.

(b) Other concurrent resolutions shall be printed as provided for bills under Rule 3902, unless otherwise directed by the Speaker.

**Rule 3908. Embellished Printing of Certain Resolutions.** Unless otherwise directed by the Speaker, not more than five copies of any enrolled House resolution and any enrolled House concurrent resolution may be printed on embellished parchment and shall be distributed as directed by the resolution. Additional copies of any resolution may be printed on embellished parchment and mailed at the expense of the member requesting such additional copies.

**Rule 3909. House Resolutions.** Subject to Rule 3908, House

resolutions shall not be printed, except resolutions to amend rules of the House, to approve or disapprove executive reorganization orders or if the resolution has been referred to a committee, in which cases the resolution shall be printed.

#### ARTICLE 41. JOURNAL AND CALENDAR

**Rule 4101. Journal; Preparation.** The daily Journal of the House of Representatives shall be prepared by the chief clerk in accordance with the Rules of the House.

**Rule 4102. Entering in Journal.** When a bill, order, motion or resolution is entered in the Journal, the names of the members or legislative committee introducing or moving the same shall be entered.

**Rule 4103. Resolutions in Journal.** All House resolutions and all House concurrent resolutions shall be printed in the Journal when introduced.

**Rule 4104. Messages from the Governor in Journal.** All messages from the Governor and all executive reorganization orders shall be printed in the Journal.

**Rule 4105. Calendar; Preparation.** The House Calendar shall be prepared for each legislative day by the chief clerk in accordance with the Rules of the House.

**Rule 4106. Status of Bills and Resolutions Shown in Calendar.** The status of all House and Senate bills and concurrent resolutions and House resolutions shall be shown by number in the Calendar for each legislative day.

**Rule 4107. Copies of Journals and Calendars.** Each member shall be furnished with a printed copy of the daily Journal and the daily Calendar.

#### ARTICLE 43. MISCELLANEOUS

**Rule 4301. Employees; Employment.** Such employees as are necessary to enable the officers, members and committees to properly perform their duties and transact the business of the House with efficiency and economy shall be recruited under the supervision of the director of legislative administrative services subject to approval of the Speaker. The director of legislative administrative services shall keep a roster of the employees of the House and an account of the hours of service performed. No employee shall lobby for or against any measure pending in the Legislature and any employee violating this rule shall be discharged immediately.

**Rule 4302. Special Order.** Any matter may be made the special order for any particular time or day, but all requests and motions for special orders shall be referred to the Committee on Rules and Journal, which may designate particular times and days for such special orders and report to the House for its approval. Upon adoption of such report by 2/3 of the members present, the matters designated shall stand as special orders for the times stated, but no special order shall be made more than seven days in advance. This Rule 4302 shall not apply to executive reorganization orders or resolutions relating thereto.

**Rule 4303. Petitions; Presentation.** Petitions and memorials addressed to the House shall be presented by a member.

**Rule 4304. Petitions; Endorse Name.** Each member presenting a

petition or memorial shall endorse it with their name or the name of the committee, and a brief statement of its subject.

**Rule 4305. Open Meetings.** The open meeting law (K.S.A. 75-4317 et seq. and amendments thereto) shall apply to meetings of the House of Representatives and all of its standing committees, select committees, special committees and subcommittees of any of such committees.

#### ARTICLE 45. EXECUTIVE REORGANIZATION ORDERS

##### **Rule 4501. Referral of Executive Reorganization Orders.**

Whenever an executive reorganization order is received from the Governor, it shall be referred to an appropriate committee by the Speaker.

##### **Rule 4502. Committee Report on Executive Reorganization**

**Orders.** The committee to which an executive reorganization order is referred shall report its recommendations upon every executive reorganization order referred to it, in the form of a House resolution, not later than the 60th calendar day of any regular session, and not later than 30 calendar days after it has received such referral whichever of the foregoing occurs first.

##### **Rule 4503. Return in Event of Committee's Failure to Report.**

In the event that a committee fails to report upon an executive reorganization order and upon all resolutions relating thereto referred to it within the time specified in Rule 4502, such committee shall be deemed to have returned the same to the House without recommendation thereon.

**Rule 4504. Special Order of Business for ERO.** When a report or return of an executive reorganization order is made, it and all resolutions for approval or disapproval thereof shall be made the special order of business on a particular day and hour specified by the Speaker but not later than the last day the executive reorganization order may be disapproved under section 6 of article 1 of the Constitution of Kansas. A resolution for approval or disapproval of an executive reorganization order shall be considered under the order of business Final Action and shall be subject to debate and final action by the House.

**Rule 4505. Nonapplication to Bills.** This Article 45 shall not apply to bills amending or otherwise affecting executive reorganization orders.

**Rule 4506. Nonaction When Moot.** The House shall act to approve or reject every executive reorganization order unless at the time set for such action the Senate shall have already rejected such executive reorganization order.

#### ARTICLE 47. IMPEACHMENT

**Rule 4701. Impeachment; Powers.** Nothing in the rules of the House or in any statute shall be deemed to impair or limit the powers of the House of Representatives with respect to impeachment.

**Rule 4702. Same; Select Committee.** The Speaker may appoint a select committee comprised only of members of the House of Representatives, and appoint its chairperson, to inquire into any impeachment matter. Any such committee may be appointed at any time and shall meet at the call of its chairperson or at the direction of the House, with the numbers of such appointees being minority party members and majority party



members in the same proportion as for the entire House membership.

**Rule 4703. Same; Reference.** The Speaker may refer any impeachment inquiry or other impeachment matter to any standing committee or any select committee appointed under Rule 4702, and any committee to which such a referral has been made shall meet on the call of its chairperson.

**Rule 4704. Same; Report.** Whenever a report is made by a committee to which an impeachment inquiry or other impeachment matter has been referred, the report thereon shall be made to the full House of Representatives, except that any such report may be submitted preliminarily to the Speaker.

**Rule 4705. Same; Call into Session.** The Speaker or a majority of the members then elected (or appointed) and qualified of the House of Representatives may call the House of Representatives into session at any time to consider any impeachment matter.

**Rule 4706. Same; Procedure.** The Speaker and any officer or committee acting under authority of this rule may follow any statutory procedure to the extent the same is not in conflict with the provisions of this rule, but nothing in this rule nor in any statute shall be deemed to constitute a waiver of any inherent powers of the House of Representatives.

#### ARTICLE 49. REPRIMAND, CENSURE OR EXPULSION OF MEMBERS

**Rule 4901. Complaint.** When any member of the House of Representatives desires to lodge a complaint against any other member of the House of Representatives, requesting that the member be reprimanded, censured or expelled for any misconduct, the complaining member shall file a written statement of such complaint with the chief clerk, and such complaint shall bear the signature of the complaining member.

**Rule 4902. Select Committee; Consideration of Complaint.** (a) Whenever any complaint has been filed under Rule 4901, the Speaker shall appoint a select committee of six members for consideration thereof except that if the complaint is filed against the Speaker, the Speaker Pro Tem shall appoint the select committee of six members. A select committee created under this subsection (a) shall be comprised equally of majority and minority party members.

(b) The select committee may dismiss the complaint after the inquiry or may set the matter for hearing. Reasonable notice and an opportunity to appear shall be afforded the member complained of at any hearing held hereunder. Any select committee meeting under authority of this section shall constitute an investigating committee under article 10 of chapter 46 of the Kansas Statutes Annotated and shall be authorized to meet and exercise compulsory process without any further authorization of any kind, subject, however, to limitations and conditions prescribed in article 10 of chapter 46 of Kansas Statutes Annotated.

(c) Upon completing its hearing the deliberations thereon, the select committee may dismiss the complaint or may make recommendations to the full House of Representatives for reprimand, censure or expulsion.

**Rule 4903. Action by House.** Upon receiving any report under

Rule 4902, the House of Representatives may, without further hearing or investigation, reprimand, censure or expel the member complained of. Reprimand, censure or expulsion of a member shall require a 2/3 majority vote of those members elected (or appointed) and qualified of the House of Representatives.

Speaker O'Neal announced the referral of **HR 6004** to Committee on Rules and Journal.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were introduced and read by title:

**HB 2001**, AN ACT concerning law enforcement; relating to the local law enforcement training reimbursement fund; amending K.S.A. 2010 Supp. 74-5620 and repealing the existing section, by Representative O'Neal.

**HB 2002**, AN ACT concerning the Kansas expanded lottery act; relating to racetrack gaming facilities; amending K.S.A. 2010 Supp. 74-8734, 74-8741, 74-8744, 74-8747, 74-8751 and 74-8768 and repealing the existing sections, by Representatives Grant and D. Gatewood.

**HB 2003**, AN ACT designating a part of K-18 highway as the Medal of Honor recipient Donald K. Ross memorial highway, by Representative Bowers.

**HB 2004**, AN ACT concerning school districts; relating to certain pupils; amending K.S.A. 72-8303 and 72-8309 and K.S.A. 2010 Supp. 72-1046b and repealing the existing sections, by Representative Carlson.

**HB 2005**, AN ACT concerning school districts; relating to the base state aid per pupil; amending K.S.A. 2010 Supp. 72-6410 and repealing the existing section, by Representative Otto.

**HB 2006**, AN ACT concerning public postsecondary education; concerning residents for purposes of tuition and other fees; amending K.S.A. 2010 Supp. 76-729 and repealing the existing section; also repealing K.S.A. 2010 Supp. 76-731a, by Representatives Tyson, A. Brown, Brunk, DeGraaf, Donohoe, Goodman, Gregory, Amanda, Hildabrand, Hineman, Howell, Kinzer, Knox, McLeland, O'Brien, Osterman, Patton, Peck, Powell, Prescott, Rubin, Scapa, Seiwert and Vickrey.

**HB 2007**, AN ACT concerning abortion; amending K.S.A. 65-6701 and repealing the existing section, by Representative Huebert.

## INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Siegfried, **HCR 5001**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION NO. 5001—

A CONCURRENT RESOLUTION relating to a committee to inform the governor that the two houses of the legislature are duly organized

and ready to receive communications.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the governor, and inform the governor that the two houses of the legislature are duly organized and are ready to receive communications the governor may have to present.

In accordance with **HCR 5001**, Speaker O'Neal appointed Reps. Mast, Shultz and Trimmer to wait upon the Governor.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Siegfried, **HCR 5002**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. 5002—

A CONCURRENT RESOLUTION providing for a joint session of the Senate and House of Representatives for the purpose of hearing a message from the Governor.

*Be it resolved by the House of Representatives of the State of Kansas, the Senate concurring therein:* That the Senate and the House of Representatives meet in joint session in Representative Hall at 6:00 p.m. on January 12, 2011, for the purpose of hearing the message of the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Governor.

*Be it further resolved:* That a committee of two members from the Senate and three members from the House of Representatives be appointed to wait upon the Lieutenant Governor.

In accordance with **HCR 5002**, Speaker O'Neal appointed Reps. Mast, Shultz and Grant to escort the Governor; Reps. Bethell, Gordon and Mah to escort the Lieutenant Governor; Reps. Patton, Rhoades and Ward to escort the Supreme Court; and Reps. Huebert, Brunk and Kuether to escort the Senate.

#### INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

On motion of Rep. Siegfried, **HCR 5003**, by Reps. O'Neal and Davis, as follows, was introduced and adopted:

HOUSE CONCURRENT RESOLUTION No. 5003—

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

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

biennium.

JOINT RULES OF THE SENATE AND  
HOUSE OF REPRESENTATIVES  
2011-2012

**Joint rule 1. Joint rules; application and date of expiration; adoption, amendment, suspension and revocation.** (a) Joint rules; expiration, adoption, amendment, suspension and revocation; vote required.

Joint rules are adopted under the authority of section 8 of article 2 of the Constitution of the State of Kansas and shall govern matters made subject thereto except when otherwise specifically provided by joint rule. Joint rules shall expire at the conclusion of the terms of representatives. Joint rules shall be adopted, amended, suspended and revoked by concurrent resolution of the two houses of the legislature. Concurrent resolutions adopting joint rules shall receive the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified in each house.

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

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

**Joint rule 2. Joint sessions.** (a) Joint session called by concurrent resolution; vote required; time, place and subject matter. A joint session of the senate and house of representatives may be called by concurrent resolution adopted by the affirmative vote of not less than a majority of the members elected (or appointed) and qualified in each house of the legislature or as may otherwise be prescribed by law. Any such resolution shall fix the time and place of the joint session, and the subject matter to be considered at the joint

session. Joint sessions shall consider only such matters as are prescribed by law or by the concurrent resolution calling such joint session.

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

(c) Votes in joint session; taking; requirements. All votes in a joint session shall be taken by yeas and nays, and in taking the same it shall be the duty of the secretary of the senate first to call the names of the members of the senate, and after which the clerk of the house of representatives shall in like manner call the names of the members of the house. Each member of the senate and the house of representatives present shall be required to vote on all matters considered in joint session, unless excused by a vote of a majority of the members of both houses present.

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

(b) Concurrence by house of origin; concurrence prior to taking action on conference committee report by other house; final action; effect of failure of motion to concur. The house of origin of any bill or concurrent resolution may concur in any amendments made by the other house, except that if the bill or concurrent resolution has been referred to a conference committee such action may only be taken prior to the taking of final action upon the conference committee report upon such bill or concurrent resolution by the other house. A vote in the house of origin of any bill or concurrent resolution on a motion to concur in amendments to such bill or concurrent resolution by the other house shall be considered action on the final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has been appointed and action has not been taken upon the report of such committee by the other house and such motion fails, the bill or concurrent resolution shall not be deemed to have been killed thereby, but if the motion to concur is upon amendments to a bill or concurrent resolution for which a conference committee has not been appointed and such motion fails, the bill or concurrent resolution shall be deemed to be killed.

(c) Motion to nonconcur; when considered final action; effect of adoption of motion. A vote in the house of origin of any bill or concurrent resolution on a motion to nonconcur or to refuse to concur in amendments to

such bill or concurrent resolution by the other house which is not coupled with a request for the appointment of a conference committee shall be considered action on final passage of the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal, and the bill or concurrent resolution shall be deemed killed on the adoption thereof.

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

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

(f) Conference committee reports; subject matters which may be included; report not subject to amendment; house which acts first on report; copies of reports; reports considered under any order of business. Only subject matters which are or have been included in the bill or concurrent resolution in conference or in bills or concurrent resolutions which have been passed or adopted in either one or both houses during the current biennium of the legislature may be included in the report of the conference committee on any bill or concurrent resolution except in any appropriations bill there may be included a proviso relating to any such item of appropriation. A conference

committee report shall not be subject to amendment. The original signed conference committee report shall be submitted to and acted upon first by the house other than the house of origin of the bill or concurrent resolution. Except when a conference committee report is an agree to disagree coupled with a request that a new conference committee be appointed or is a recommendation to accede to or recede from all amendments of the second house electronic and paper copies of the report shall be made available to all members of the house considering the report not later than 30 minutes before the time of its consideration, except that if the report is more than six pages in length no paper copies will be required to be distributed to individual members provided that at least 10 paper copies of the report are made available to members at the clerk's or secretary's desk at the front of the respective house. By written notice, the majority leader may direct the clerk or secretary to increase from six pages to some greater number of pages the size of conference committee reports that need not be distributed by paper copies to individual members pursuant to this rule. The affirmative vote of 2/3 of the members present in the house at the time of consideration of the report shall be sufficient to dispense with distribution of copies of the conference committee report to all members of that house. Reports of conference committees may be received and considered under any order of business.

(g) Signatures required on conference committee reports. All initial conference committee reports other than an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by all of the conferees. All initial conference committee reports which are an agreement to disagree coupled with a request that a new conference committee be appointed shall be signed by a majority of the conferees appointed in each house. If a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is not adopted, a subsequent conference committee report shall be signed by all conferees unless a subsequent conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed is adopted, in which case a conference committee report subsequent to the adoption of such report shall be signed by a majority of the conferees appointed in each house. All other conference committee reports shall be signed by a majority of the conferees appointed in each house.

(h) Vote to adopt conference committee report final action; effect of failure of motion to adopt conference committee report. The vote to adopt the report of a conference committee, other than a report of failure to agree coupled with a recommendation for appointment of a new conference committee, shall be considered final action on the bill or concurrent resolution and the affirmative and negative votes thereon shall be entered in the journal. If the motion fails, the bill or concurrent resolution shall be deemed to be killed. If the motion on a conference committee report which is an agreement to disagree coupled with a request that a new conference committee be appointed fails, the bill or concurrent resolution shall not be

deemed to have been killed thereby and remains in conference.

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

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

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

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

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

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



2012 regular session.

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

(e) House of origin bill consideration deadline. No bill, except bills sponsored by, referred to or acted upon by the committee on ways and means of the senate, select committees of either house when so authorized, the committee on federal and state affairs of either house or the house committees on calendar and printing, appropriations and taxation shall be considered in the house in which such bill originated after the hour of adjournment on February 25, 2011, during the 2011 regular session and on February 24, 2012, during the 2012 regular session.

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

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

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

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

(j) Modification of schedule of deadlines for introduction and consideration of bills; procedure. In any regular session a concurrent resolution may be adopted by the affirmative vote of not less than a majority of the members then elected (or appointed) and qualified of each house setting forth a different schedule of deadlines for introduction and consideration of bills for that session and the provisions of such concurrent

resolution shall apply to such session notwithstanding provisions of this rule to the contrary.

(k) Bill consideration deadline; exceptions. No bills shall be considered by the Legislature after April 2, 2011, during the 2011 regular session and after March 31, 2012, during the 2012 regular session except bills vetoed by the Governor, the omnibus appropriation act and the omnibus reconciliation spending limit bill provided for under K.S.A. 75-6702 and amendments thereto. This subsection (k) may be suspended for the consideration of a specific bill or bills not otherwise exempt under this subsection by the affirmative vote of a majority of the members then elected (or appointed) and qualified in the house in which the bill is to be considered.

**Joint rule 5. Closure of meetings to consider matters relating to security.**

Any standing committee of the House of Representatives, any standing committee of the Senate, the Legislative Coordinating Council, any joint committee of both houses of the legislature, any special or select committee of the House of Representatives or the Senate, the House of Representatives in session, the Senate in session or a joint session of the House of Representatives and the Senate may meet in closed, executive session for the purpose of receiving information and considering matters relating to the security of state officers or employees, or both, or the security of buildings and property under the ownership or control of the State of Kansas.

## REFERENCE OF BILLS AND CONCURRENT RESOLUTIONS

The following prefiled bills were referred to Committees as indicated:

Corrections and Juvenile Justice: **HB 2001.**

Education: **HB 2004, HB 2005.**

Federal and State Affairs: **HB 2002, HB 2006, HB 2007.**

Rules and Journal: **HR 6004.**

Transportation: **HB 2003.**

## INTRODUCTION OF GUESTS

Speaker O'Neal introduced Dr. Jen Brull, President of the Kansas Academy of Family Physicians. Dr. Brull is a solo family physician at Prairie Star Family Practice in Plainville. She received her medical degree from the University of Kansas School of Medicine in 1998. Dr. Brull earned her two undergraduate degrees (chemistry and biology) at the University of Kansas in 1994 and completed her family medicine residency at Family medicine Residency of Topeka, serving as chief resident in 2001. she lives in Plainville with her husband, Chris. They have three children – Jacob, Paul and Maggie. In addition to serving as the 2010-11 president of the KAFP, Dr. Brull is active at the national level, serving on the American Academy of Family Physicians' Commission on Membership and Member services.

The association sponsors the doctor of the day program and provides daily assistance for health concerns of those serving the Statehouse during the session. We appreciate this program and your efforts. Thank you again for

providing this service.

**MESSAGE FROM THE SENATE**

Announcing adoption of **SR 1801**, a resolution relating to the organization of the 2011 Senate and selection of the following officers:

Steve Morris, President  
John Vratil, Vice President  
Jay Scott Emler, Majority Leader  
Anthony Hensley, Minority Leader  
Pat Saville, Secretary  
Jody Kirkwood, Sergeant-at-Arms,

and awaits the pleasure of the House of Representatives.

On motion of Rep. Siegfried the House adjourned until 11:00 a.m., Tuesday, January 11, 2011.

CHARLENE SWANSON, *Journal Clerk*.

SUSAN W. KANNARR, *Chief Clerk*.

