

{As Amended by Senate on Final Action}

{As Amended by House Committee of the Whole}

(Corrected)

Session of 2015

House Concurrent Resolution No. 5002

By Representatives Merrick and Burroughs

1-12

1 A CONCURRENT RESOLUTION adopting joint rules for the
2 Senate and House of Representatives for the 2015-2016
3 biennium.

4 *Be it resolved by the House of Representatives of the State*
5 *of Kansas, the Senate concurring therein:* That the following
6 joint rules shall be the joint rules of the Senate and House of
7 Representatives for the 2015-2016 biennium.

8 *JOINT RULES*
9 *OF THE*
10 *SENATE AND HOUSE OF REPRESENTATIVES*
11 *2015-2016*

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

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

1 members then elected (or appointed) and qualified in each house shall be
2 required for the amendment, suspension or revocation of a joint rule.

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

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

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

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

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

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

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

38 (d) *House of origin refusal to concur or nonconcur; request for*
39 *conference; procedure.* When a bill or concurrent resolution is returned by
40 either house to the house of origin with amendments, and the house of
41 origin refuses to concur or to nonconcur therein, a conference may be
42 requested by a majority vote of the members present and voting. Such
43 request shall be transmitted to the other house by message which shall

1 include the names of the conferees on the part of the requesting house.
2 Upon receipt of any such message, the receiving house may, in like
3 manner, approve such conference, and shall thereupon notify the
4 requesting house by message stating the names of its conferees.

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

29 (f) *Conference committee reports; subject matters which may be*
30 *included; report not subject to amendment; house which acts first on*
31 *report; copies of reports; reports considered under any order of business.*
32 Only subject matters which are or have been included in the bill or
33 concurrent resolution in conference or in bills or concurrent resolutions
34 which have been passed or adopted in either one or both houses during the
35 current biennium of the legislature may be included in the report of the
36 conference committee on any bill or concurrent resolution except in any
37 appropriations bill there may be included a proviso relating to any such
38 item of appropriation. ~~Only one additional bill or concurrent~~
39 ~~resolution or part of a bill or concurrent resolution in conference or in~~
40 ~~a bill or concurrent resolution which has passed in either one or both~~
41 ~~houses during the current biennium of the legislature may be included~~
42 ~~in the report of the conference committee on any bill or concurrent~~
43 ~~resolution.~~ A conference committee report shall not be subject to

1 amendment. The original signed conference committee report shall be
2 submitted to and acted upon first by the house other than the house of
3 origin of the bill or concurrent resolution. Except when a conference
4 committee report is an agree to disagree coupled with a request that a new
5 conference committee be appointed or is a recommendation to accede to or
6 recede from all amendments of the second house, electronic and paper
7 copies of the report shall be made available to all members of the house
8 considering the report not later than 30 minutes before the time of its
9 consideration, except that if the report is more than six pages in length no
10 paper copies will be required to be distributed to individual members
11 provided that at least 10 paper copies of the report are made available to
12 members at the clerk's or secretary's desk at the front of the respective
13 house. By written notice, the majority leader may direct the clerk or
14 secretary to increase from six pages to some greater number of pages the
15 size of conference committee reports that need not be distributed by paper
16 copies to individual members pursuant to this rule. The affirmative vote of
17 $\frac{2}{3}$ of the members present in the house at the time of consideration of the
18 report shall be sufficient to dispense with distribution of copies of the
19 conference committee report to all members of that house. Reports of
20 conference committees may be received and considered under any order of
21 business.

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

38 (h) *Vote to adopt conference committee report final action; effect of*
39 *failure of motion to adopt conference committee report.* The vote to adopt
40 the report of a conference committee, other than a report of failure to agree
41 coupled with a recommendation for appointment of a new conference
42 committee, shall be considered final action on the bill or concurrent
43 resolution and the affirmative and negative votes thereon shall be entered

1 in the journal. If the motion fails, the bill or concurrent resolution shall be
2 deemed to be killed. If the motion on a conference committee report which
3 is an agreement to disagree coupled with a request that a new conference
4 committee be appointed fails, the bill or concurrent resolution shall not be
5 deemed to have been killed thereby and remains in conference.

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

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

26 **Joint rule 4. Deadlines for introduction and consideration of bills.**

27 The senate and house of representatives shall observe the following
28 schedule of deadlines in making requests for drafting and in the
29 introduction and consideration of bills.

30 (a) *Bill request deadline for individual members.* Except for bills
31 introduced pursuant to (i) of this rule, no request to draft bills, except those
32 made by committees, through their respective chairpersons, shall be made
33 to, or accepted by, the office of the revisor of statutes after the hour of 5:00
34 p.m. on February 2, 2015, during the 2015 regular session and on February
35 1, 2016, during the 2016 regular session.

36 (b) *Bill introduction deadline for individual members.* Except as
37 provided in (i) of this rule, no bill sponsored by a member or members
38 shall be introduced in either house of the legislature after the hour of
39 adjournment on February 11, 2015, during the 2015 regular session and on
40 February 10, 2016, during the 2016 regular session. Such deadline for the
41 introduction of bills by individual members may be changed to an earlier
42 date in either house at any time by resolution duly adopted by the
43 affirmative vote of not less than a majority of the members then elected (or

1 appointed) and qualified in such house.

2 (c) *Bill request deadline for certain committees.* Except for bills to be
3 introduced pursuant to (i) of this rule, no committee except the committee
4 on ways and means of the senate, the committee on assessment and
5 taxation of the senate, select committees of either house when so
6 authorized, the committee on federal and state affairs of either house or the
7 house committees on calendar and printing, appropriations and taxation
8 shall make a request to the office of the revisor of statutes for any bill to be
9 drafted for sponsorship by such committee after the hour of 5:00 p.m. on
10 February 9, 2015, during the 2015 regular session and on February 8,
11 2016, during the 2016 regular session.

12 (d) *Bill introduction deadline for certain committees.* Except as
13 provided in (i) of this rule, no bill sponsored by any committee of either
14 house of the legislature, except the committee on ways and means of the
15 senate, the committee on assessment and taxation of the senate, select
16 committees of either house when so authorized, the committee on federal
17 and state affairs of either house or the house committees on calendar and
18 printing, appropriations and taxation shall be introduced in either house
19 after the hour of adjournment on February 13, 2015, during the 2015
20 regular session and on February 12, 2016, during the 2016 regular session.

21 (e) *House of origin bill consideration deadline.* No bill, except bills
22 sponsored by, referred to or acted upon by the committee on ways and
23 means of the senate, the committee on assessment and taxation of the
24 senate, select committees of either house when so authorized, the
25 committee on federal and state affairs of either house or the house
26 committees on calendar and printing, appropriations and taxation shall be
27 considered in the house in which such bill originated after the hour of
28 adjournment on February 27, 2015, during the 2015 regular session and on
29 February 26, 2016, during the 2016 regular session.

30 (f) *Second house bill consideration deadline.* No bill, except bills
31 sponsored by, referred to or acted upon by the committee on ways and
32 means of the senate, the committee on assessment and taxation of the
33 senate, select committees of either house when so authorized, the
34 committee on federal and state affairs of either house or the house
35 committees on calendar and printing, appropriations and taxation shall be
36 considered by either house, not the house of origin of such bill, after the
37 hour of adjournment on March 25, 2015, during the 2015 regular session
38 and March 23, 2016, during the 2016 regular session.

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

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

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

12 (j) *Modification of schedule of deadlines for introduction and*
13 *consideration of bills; procedure.* In any regular session a concurrent
14 resolution may be adopted by the affirmative vote of not less than a
15 majority of the members then elected (or appointed) and qualified in each
16 house setting forth a different schedule of deadlines for introduction and
17 consideration of bills for that session and the provisions of such concurrent
18 resolution shall apply to such session notwithstanding provisions of this
19 rule to the contrary.

20 (k) *Bill consideration deadline; exceptions.* No bills shall be
21 considered by the Legislature after April 3, 2015, during the 2015 regular
22 session and after April 1, 2016, during the 2016 regular session except
23 bills vetoed by the Governor, the omnibus appropriation act and the
24 omnibus reconciliation spending limit bill provided for under K.S.A. 75-
25 6702, and amendments thereto. This subsection (k) may be suspended for
26 the consideration of a specific bill or bills not otherwise exempt under this
27 subsection by the affirmative vote of a majority of the members then
28 elected (or appointed) and qualified in the house in which the bill is to be
29 considered.

30 **Joint rule 5. Closure of meetings to consider matters relating to**
31 **security.** Any standing committee of the House of Representatives, any
32 standing committee of the Senate, the Legislative Coordinating Council,
33 any joint committee of both houses of the legislature, any special or select
34 committee of the House of Representatives or the Senate, the House of
35 Representatives in session, the Senate in session or a joint session of the
36 House of Representatives and the Senate may meet in closed, executive
37 session for the purpose of receiving information and considering matters
38 relating to the security of state officers or employees, or both, or the
39 security of buildings and property under the ownership or control of the
40 State of Kansas.

41 **Joint rule 6. Floor amendments to bills making appropriations.**
42 Unless by majority consent to correct an error in drafting, no amendment
43 from the floor in either house of the legislature to increase the amount of

1 expenditures that would be authorized in a provision of an appropriations
2 bill shall be in order unless the amendment contains a provision reducing,
3 by a like or greater amount, expenditures that would be authorized in
4 another provision of such appropriations bill. Notwithstanding any rule in
5 either house of the legislature, those portions of a motion to amend a bill
6 as described in this rule shall be indivisible.