

## House Concurrent Resolution No. 5020

By Representatives Rubin, Bradford, Bridges, Christmann, Clayton, Doll,  
Grosserode and Rothlisberg

1-10

1 A CONCURRENT RESOLUTION relating to the Joint Rules of the  
2 Senate and the House of Representatives 2013-2014; amending Joint  
3 rule 3 relating to conference committee procedure.

4 *Be it resolved by the House of Representatives of the State of Kansas,*  
5 *the Senate concurring therein:* That Joint rule 3 shall be amended to read  
6 as follows:

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

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

35     (c) *Motion to nonconcur; when considered final action; effect of*

1     *adoption of motion.* A vote in the house of origin of any bill or concurrent  
2 resolution on a motion to nonconcur or to refuse to concur in  
3 amendments to such bill or concurrent resolution by the other house  
4 which is not coupled with a request for the appointment of a conference  
5 committee shall be considered action on final passage of the bill or  
6 concurrent resolution and the affirmative and negative votes thereon shall  
7 be entered in the journal, and the bill or concurrent resolution shall be  
8 deemed killed on the adoption thereof.

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

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

43     (f) *Conference committee reports; subject matters which may be*

1     *included; report not subject to amendment; house which acts first on*  
2     *report; copies of reports; reports considered under any order of business.*  
3     *Except as otherwise provided, only subject matters which are or have*  
4     *been included in the bill or concurrent resolution in conference or in bills*  
5     *or concurrent resolutions which have been passed or adopted in either one*  
6     *or both houses during the current biennium of the legislature may be*  
7     *included in the report of the conference committee on any bill or*  
8     *concurrent resolution except in any appropriations bill there may be*  
9     *included a proviso relating to any such item of appropriation. Only one*  
10     *additional bill or part of a bill in conference or in a bill which has passed*  
11     *in either one or both houses during the current biennium of the*  
12     *legislature may be included in the report of the conference committee on*  
13     *any bill.* A conference committee report shall not be subject to  
14     amendment. The original signed conference committee report shall be  
15     submitted to and acted upon first by the house other than the house of  
16     origin of the bill or concurrent resolution. Except when a conference  
17     committee report is an agree to disagree coupled with a request that a new  
18     conference committee be appointed or is a recommendation to accede to  
19     or recede from all amendments of the second house, electronic and paper  
20     copies of the report shall be made available to all members of the house  
21     considering the report not later than 30 minutes before the time of its  
22     consideration, except that if the report is more than six pages in length no  
23     paper copies will be required to be distributed to individual members  
24     provided that at least 10 paper copies of the report are made available to  
25     members at the clerk's or secretary's desk at the front of the respective  
26     house. By written notice, the majority leader may direct the clerk or  
27     secretary to increase from six pages to some greater number of pages the  
28     size of conference committee reports that need not be distributed by paper  
29     copies to individual members pursuant to this rule. The affirmative vote  
30     of  $\frac{2}{3}$  of the members present in the house at the time of consideration of  
31     the report shall be sufficient to dispense with distribution of copies of the  
32     conference committee report to all members of that house. Reports of  
33     conference committees may be received and considered under any order  
34     of business.

35     (g) *Signatures required on conference committee reports.* All initial  
36     conference committee reports other than an agreement to disagree  
37     coupled with a request that a new conference committee be appointed  
38     shall be signed by all of the conferees. All initial conference committee  
39     reports which are an agreement to disagree coupled with a request that a  
40     new conference committee be appointed shall be signed by a majority of  
41     the conferees appointed in each house. If a conference committee report  
42     which is an agreement to disagree coupled with a request that a new  
43     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.