

House Concurrent Resolution No. 5001

By Representatives Mays and McKinney

1-14

A CONCURRENT RESOLUTION adopting joint rules for the Senate and House of Representatives for the 2003-2004 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 2003-2004 biennium.

JOINT RULES OF THE SENATE AND
HOUSE OF REPRESENTATIVES
2003-2004

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 $\frac{2}{3}$ 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

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

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

24 (b) *Presiding officer at joint sessions; record of joint session; rules ap-*
25 *licable.* The speaker of the house of representatives shall preside at all
26 joint sessions of the senate and house of representatives, and the clerk of
27 the house of representatives shall keep a record of the proceedings
28 thereof and shall enter the record of each such session in the journal of
29 the house of representatives. The rules of the house of representatives
30 and the joint rules of the two houses, insofar as the same may be appli-
31 cable shall be the rules for joint sessions of the two houses.

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

41 **Joint rule 3. Conference committee procedure.** (a) *Action by*
42 *house of origin of bill or concurrent resolution amended by other house.*
43 When a bill or concurrent resolution is returned to the house of origin

1 with amendments by the other house, the house of origin may: (1) Concur
2 in such amendments; (2) refuse to concur in such amendments; or (3)
3 refuse to concur in such amendments and request a conference on the
4 bill or concurrent resolution.

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

25 (c) *Motion to nonconcur; when considered final action; effect of adop-*
26 *tion of motion.* A vote in the house of origin of any bill or concurrent
27 resolution on a motion to nonconcur or to refuse to concur in amend-
28 ments to such bill or concurrent resolution by the other house which is
29 not coupled with a request for the appointment of a conference com-
30 mittee shall be considered action on final passage of the bill or concurrent
31 resolution and the affirmative and negative votes thereon shall be entered
32 in the journal, and the bill or concurrent resolution shall be deemed killed
33 on the adoption thereof.

34 (d) *House of origin refusal to concur or nonconcur; request for confer-*
35 *ence; procedure.* When a bill or concurrent resolution is returned by ei-
36 ther house to the house of origin with amendments, and the house of
37 origin refuses to concur or to nonconcur therein, a conference may be
38 requested by a majority vote of the members present and voting. Such
39 request shall be transmitted to the other house by message which shall
40 include the names of the conferees on the part of the requesting house.
41 Upon receipt of any such message, the receiving house may, in like man-
42 ner, approve such conference, and shall thereupon notify the requesting
43 house by message stating the names of its conferees.

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

25 (f) *Conference committee reports; subject matters which may be in-*
26 *cluded; report not subject to amendment; house which acts first on report;*
27 *copies of reports; reports considered under any order of business.* Only
28 subject matters which are or have been included in the bill or concurrent
29 resolution in conference or in bills or concurrent resolutions which have
30 been passed or adopted in either one or both houses during the current
31 biennium of the legislature may be included in the report of the confer-
32 ence committee on any bill or concurrent resolution except in any appro-
33 priations bill there may be included a proviso relating to any such item
34 of appropriation. A conference committee report shall not be subject to
35 amendment. The original signed conference committee report shall be
36 submitted to and acted upon first by the house other than the house of
37 origin of the bill or concurrent resolution. Copies of each report shall be
38 made available to all members of the house considering the same not
39 later than the time of consideration of the report, except when such report
40 is that members of the committee are unable to reach agreement or is a
41 recommendation to accede to or to recede from all of the amendments
42 of the second house. The affirmative vote of $\frac{2}{3}$ of the members present
43 in the house at the time of consideration of the report shall be sufficient

1 to dispense with distribution of copies of the conference committee re-
2 port to all members of that house. Reports of conference committees may
3 be received and considered under any order of business.

4 (g) *Signatures required on conference committee reports.* All initial con-
5 ference committee reports other than an agreement to disagree coupled
6 with a request that a new conference committee be appointed shall be
7 signed by all of the conferees. All initial conference committee reports
8 which are an agreement to disagree coupled with a request that a new
9 conference committee be appointed shall be signed by a majority of the
10 conferees appointed in each house. If a conference committee report
11 which is an agreement to disagree coupled with a request that a new
12 conference committee be appointed is not adopted, a subsequent con-
13 ference committee report shall be signed by all conferees unless a sub-
14 sequent conference committee report which is an agreement to disagree
15 coupled with a request that a new conference committee be appointed is
16 adopted, in which case a conference committee report subsequent to the
17 adoption of such report shall be signed by a majority of the conferees
18 appointed in each house. All other conference committee reports shall
19 be signed by a majority of the conferees appointed in each house.

20 (h) *Vote to adopt conference committee report final action; effect of*
21 *failure of motion to adopt conference committee report.* The vote to adopt
22 the report of a conference committee, other than a report of failure to
23 agree coupled with a recommendation for appointment of a new confer-
24 ence committee, shall be considered final action on the bill or concurrent
25 resolution and the affirmative and negative votes thereon shall be entered
26 in the journal. If the motion fails, the bill or concurrent resolution shall
27 be deemed to be killed. If the motion on a conference committee report
28 which is an agreement to disagree coupled with a request that a new
29 conference committee be appointed fails, the bill or concurrent resolution
30 shall not be deemed to have been killed thereby and remains in
31 conference.

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

43 (j) *Bills or concurrent resolutions under consideration by conference*

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

9 **Joint rule 4. Deadlines for introduction and consideration of**
10 **bills.** The senate and house of representatives shall observe the following
11 schedule of deadlines in making requests for drafting and in the intro-
12 duction and consideration of bills.

13 (a) *Bill request deadline for individual members.* Except for bills intro-
14 duced pursuant to (i) of this rule, no request to draft bills, except those
15 made by committees, through their respective chairpersons, shall be
16 made to, or accepted by, the office of the revisor of statutes after the
17 hour of 5:00 p.m. on January 27, 2003, during the 2003 regular session
18 and on January 26, 2004, during the 2004 regular session.

19 (b) *Bill introduction deadline for individual members.* Except as pro-
20 vided in (i) of this rule, no bill sponsored by a member or members shall
21 be introduced in either house of the legislature after the hour of adjourn-
22 ment on February 12, 2003, during the 2003 regular session and on Feb-
23 ruary 11, 2004, during the 2004 regular session. Such deadline for the
24 introduction of bills by individual members may be changed to an earlier
25 date in either house at any time by resolution duly adopted by the affir-
26 mative vote of not less than a majority of the members then elected (or
27 appointed) and qualified in such house.

28 (c) *Bill request deadline for certain committees.* Except for bills to be
29 introduced pursuant to (i) of this rule, no committee except the commit-
30 tee on ways and means of the senate, select committees of either house
31 when so authorized, the committee on federal and state affairs of either
32 house or the house committees on calendar and printing, appropriations
33 and taxation shall make a request to the office of the revisor of statutes
34 for any bill to be drafted for sponsorship by such committee after the
35 hour of 5:00 p.m. on February 5, 2003, during the 2003 regular session
36 and on February 4, 2004, during the 2004 regular session.

37 (d) *Bill introduction deadline for certain committees.* Except as pro-
38 vided in (i) of this rule, no bill sponsored by any committee of either
39 house of the legislature, except the committee on ways and means of the
40 senate, select committees of either house when so authorized, the com-
41 mittee on federal and state affairs of either house or the house committees
42 on calendar and printing, appropriations and taxation shall be introduced
43 in either house after the hour of adjournment on February 14, 2003,

1 during the 2003 regular session and on February 13, 2004, during the
2 2004 regular session.

3 (e) *House of origin bill consideration deadline.* No bill, except bills
4 sponsored by, referred to or acted upon by the committee on ways and
5 means of the senate, select committees of either house when so author-
6 ized, the committee on federal and state affairs of either house or the
7 house committees on calendar and printing, appropriations and taxation
8 shall be considered in the house in which such bill originated after the
9 hour of adjournment on March 1, 2003, during the 2003 regular session
10 and on February 28, 2004, during the 2004 regular session.

11 (f) *Second house bill consideration deadline.* No bill, except bills spon-
12 sored by, referred to or acted upon by the committee on ways and means
13 of the senate, select committees of either house when so authorized, the
14 committee on federal and state affairs of either house or the house com-
15 mittees on calendar and printing, appropriations and taxation shall be
16 considered by the house, not the house of origin of such bill, after the
17 hour of adjournment on March 29, 2003, during the 2003 regular session
18 and March 27, 2004, during the 2004 regular session.

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

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

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

35 (j) *Modification of schedule of deadlines for introduction and consid-
36 eration of bills; procedure.* In any regular session a concurrent resolution
37 may be adopted by the affirmative vote of not less than a majority of the
38 members then elected (or appointed) and qualified of each house setting
39 forth a different schedule of deadlines for introduction and consideration
40 of bills for that session and the provisions of such concurrent resolution
41 shall apply to such session notwithstanding provisions of this rule to the
42 contrary.

43 (k) *Bill consideration deadline; exceptions.* No bills shall be considered

1 by the Legislature after April 12, 2003, during the 2003 regular session
2 and after April 10, 2004, during the 2004 regular session except bills
3 vetoed by the Governor, the omnibus appropriation act and the omnibus
4 reconciliation spending limit bill provided for under K.S.A. 75-6702 and
5 amendments thereto. This subsection (k) may be suspended for the con-
6 sideration of a specific bill or bills not otherwise exempt under this sub-
7 section by the affirmative vote of a majority of the members then elected
8 (or appointed) and qualified in the house in which the bill is to be
9 considered.

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

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