

## Kansas Legislative Session 101

The Kansas legislature is a bicameral body composed of the House of Representatives, with 125 representatives elected for two-year terms, and the Senate, with 40 senators elected to four-year terms. The legislature conducts business under a biennium, or two-year term of legislative activity, with the odd-numbered years as year one and the even-numbered years as year two. Each annual general session convenes the second Monday in January with final adjournment or Sine Die in May. The session is limited to 90 days in duration unless two-thirds of each chamber vote to extend time. When necessary to address issues that fall outside of the regular session, a special session may be convened by the governor.

### **The Calendar**

The Senate and the House publish a calendar each day the legislature is in session. The content of the calendar is assembled after adjournment and printed overnight. The calendar contains a plethora of information regarding Senate activities for the day and week. For purposes of this blog post, I am following the senate calendar.

Note the number indicating the legislative day of the current session, followed by the calendar day and the time the Senate will convene.

### **Order of Business.**

The subheadings under the order of business are baked into the calendar. The clerk takes attendance by calling the senator's name and recording their presence. Following the roll call, a chaplain says a prayer, and the entire chamber recites the Pledge of Allegiance. Next, a clerk reads in new bills and concurrent resolutions.

### **Reference of Bills and Concurrent Resolutions**

Senate rules require bills that were introduced to appear in the next legislative day's calendar. The referrals are listed in numerical order along with a brief description of the bill, including the statutes that could be amended or repealed and the name of the committee to which the bill is referred.

### **Reference of Appointments**

The subheading messages from the governor include formal messages to the legislature and veto explanations. Communications from state officers refers to filings by state agencies summarizing agency business for the previous year. The communications are public record and retained according to statute. Messages from the House refer to the bills approved by the House. While the subheadings appear on the calendar under order of business, Senate Rules permit messages from the governor, the House, introduction, and reference of bills and concurrent resolutions, and committee reports, to be received under any order of business.

When the governor makes a political appointment, the Senate confirms the appointee. The appointment is read in and referred to the Senate Confirmation Committee for a hearing. If the committee approves the appointment, Senate rules require one day of notice before the appointment is placed on the calendar under consideration of appointments, before it can be voted on by the Committee of the Whole (COW).

### **Consideration of Appointments**

The appointment has been on the calendar for one day and will be voted on under the order of business final action. A simple majority is required.

### **Consent Calendar**

When a bill is expected to be non-controversial, the committee report shall indicate the same status, and the bill will be placed on the consent calendar. The bill will remain on the consent calendar for three days, unless a member objects, at which time the bill would be placed on general orders. If there is no objection, on the third day, the bill will be voted on under the order of business final action.

### **Final Action**

The vote for passage of a bill or resolution shall not take place on the same day on which the bill is placed on final action. Final action takes place the next legislative day. In the calendar, the bills that will be voted on are listed in numerical order, along with a short description, the committee that worked the bill, and a legend of the actions taken. If the COW convenes on Thursday (Fridays are pro forma and usually limited to bill introductions and committee reports), or if there is a sense of urgency, a member moves to rise in report, and a motion is made for emergency final action, allowing the vote to take place without delay. If the bill is contentious or the vote appears close, a request will be made for a roll call vote. A roll call vote is recorded in the Senate Journal with members' names indicating who voted for and who voted against the measure. A Senator may explain their vote and request the explanation be placed in the journal for posterity. A member may request a call of the senate if members are absent for the vote. The call requires that no one leave or enter the chamber without the chairperson's permission and it holds the vote open. Once the call is lifted, the vote can be closed.

Correction and approval of the Journal, committee reports, and Senate resolutions take place.

### **General Orders**

The debate of bills by the COW is often referred to as GO. The Senate Majority Leader determines the day prior what bills will be on GO and their order. Amendments must be offered in writing, and they must be germane to the subject of the bill. An amendment will be debated until adopted or defeated, before returning to the bill, or "back on the bill." When the debate is finished, the senator concludes and recommends the bill favorable for passage. Members vote by voice vote to send the bill to final action. GO is concluded when the bills above the anticipated end of debate calendar have been recommended for final action. A motion is made to rise in report and the COW has concluded for the day.

### **Anticipated End of Debate Calendar**

The Senate Majority Leader determines which bills are placed above the anticipated end of debate calendar or "the line." If the legislature is in the first year of the biennium and a bill does not rise above the line, it will return when the legislature reconvenes for the second year of the biennium. The same is true if the bill is in

committee when the first year ends. A bill does not die on the calendar or in committee until the end of the second year of the biennium.

### **Bills Adversely Reported**

This includes a list of the bills that are voted down.

### **Status of Bills and Resolutions**

The calendar is an easy way to track bills originating in the Senate and House Bills that were sent to the Senate. A comprehensive numerical list of bills, by chamber and action type, i.e., Senate bills passed in Senate, Senate bills passed by the House, and Senate bills awaiting signature of the governor, etc. If a bill has been passed out of committee, it will be included in the bill status list. If a bill has not passed out of committee, it will be found in an alphabetical list of Senate committees.

### **Bills in Senate Committees**

Contains a list of Senate committees and the bills currently in each committee.

### **Senate Committee Agenda**

Features contact information for each committee chair and a schedule with room assignments for each committee.

### **Senate Schedule**

This includes a tentative schedule for the remainder of the week and committee schedules with hearings.

Using the legislative calendars saves time and unnecessary trips to Topeka to monitor the changes in the laws that affect your practice and your clients. The calendars are available [online](#) and the online tools allow you to follow the legislature with a few keystrokes. The legislature's website allows you to know when bill is up for debate, read the fiscal notes, committee notes, and follow along as the sausage is made.

This blog was drafted by Diane Minear, an attorney in the Spencer Fane Overland Park, Kansas, office. For more information, visit [www.spencerfane.com](http://www.spencerfane.com).